



Pima County

MEETING LOCATION
Virtual

Planning and Zoning Commission

Meeting Summary

6-29-2022

This abstract is subject to editing and amending. Please let us know promptly if you believe there are any omissions or corrections; otherwise, we will proceed on this basis.

Chris Poirier, Executive Secretary

1. ROLL CALL – 9:00 a.m.

PRESENT

District 2 *Barbara Becker
District 3 *Ryan Maese
*Tom Tronsdal, Vice-Chair
District 4 *William Matter
*David Hook, Chair
District 5 *Bob Cook
*Bruce Gungle

ABSENT

District 1 Mark Hanna
Jan Truitt
District 2 Armando Membrila

SEVEN MEMBERS PRESENT

ALSO PRESENT

*Chris Poirier, Planning Official & Executive Secretary
*Tom Drzazgowski, Chief Zoning Inspector
*Anita McNamara, Senior Planner
*Donna Spicola, Senior Planner & Commission Coordinator
*Terrill Tillman, Principal Planner
*Mark Holden, Principal Planner
*David Takaki,

**Present Virtually or Telephonically*

2. PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA

- A. The Commission moved to **APPROVE** the meeting summary of May 25, 2022. The motion **PASSED** 7-0 (Commissioners Hanna, Truitt and Membrila were absent).

4. CALL TO THE PUBLIC

No one from the public spoke.

NEW HEARINGS

COMPREHENSIVE PLAN AMENDMENTS

5. **P22CA00001 STINSON FAMILY TRUST – S. HEADLEY ROAD PLAN AMENDMENT**
Stinson Family Trust, represented by Projects International Inc., requests a **Comprehensive Plan amendment** of approximately 15.5 acres from the Low Intensity Urban 3.0 (LIU-3.0) to the Medium Low Intensity Urban (MLIU) land use designation, located on the east side of S. Headley Road, approximately 1,400 feet south of the intersection of W. Valencia Road and S. Headley Road, and addressed as **6725 and 6765 S. Headley Road** (parcel numbers 138-24-0310 and 138-24-0320), in Section 15, Township 15 South, Range 13 East, in the Southwest Planning Area. (District 5)

ON MOTION, it was

Voted to recommend **APPROVAL**

The motion **PASSED** 7-0 (Commissioners Hanna, Truitt and Membrila were absent).

6. **P22CA00002 BELL WARREN JESSICA LIVING TR – W. INA ROAD PLAN AMENDMENT**
Warren/Jessica Bell Living Trust, represented by DEIH Architecture, requests a **Comprehensive Plan amendment** of approximately 0.83 acres from the Low Intensity Urban 1.2 (LIU-1.2) to the Medium Intensity Urban (MIU) land use designation, located on the north side of W. Ina Road, approximately 200 feet east of the intersection of W. Ina Road and N. San Anna Drive, and addressed as **1722 W. Ina Road** (parcel number 225-47-0070), in Section 34, Township 12 South, Range 13 East, in the Catalina Foothills Planning Area. (District 1)

ON MOTION, it was

Voted to recommend **APPROVAL**

The motion **PASSED** 7-0 (Commissioners Hanna, Truitt and Membrila were absent).

REZONINGS

7. **P22RZ00001 TUCSON SCHOOL DISTRICT NO. 1 – S. CARDINAL AVENUE REZONING**
Tucson School District No. 1, represented by Paradigm Land Design, LLC, request a **rezoning** of approximately 60.9 acres (parcel codes 138-25-593L, 138-25-593M, 138-25-593N, 138-25-593P, and 138-25-593Q) from the GR-1 (Rural Residential) to the CR-4 (Mixed-Dwelling Type) zone. The site is located on the east side of S. Cardinal Avenue, approximately 300 feet south of the intersection of W. Valencia Road and S. Cardinal Avenue. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Medium Low Intensity Urban. (District 5)

ON MOTION, it was

Voted to recommend **DENIAL**

1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
2. Transportation conditions:
 - A. A Traffic Impact Study (TIS) shall be submitted for review and approval by the Department of Transportation with the Tentative Plat submittal. The TIS shall incorporate in the analysis any nearby and recently approved rezoning projects and developments as determined by the Department of Transportation. Offsite improvements determined necessary as a result of the traffic impact study shall be provided by the property owner.
 - B. An ADA-accessible asphalt path or concrete sidewalk shall be provided, at least 5-wide, along the property's entire western property boundary within the Cardinal Avenue right-of-way providing access to the existing Sun Tran bus stop. The location of the path or sidewalk shall be determined at time of permitting.
 - C. An ADA-accessible asphalt path or concrete sidewalk shall be provided, at least 5-wide, along the property's entire eastern property boundary within the Westover Avenue right-of-way providing access to the neighboring subdivision and Walmart Neighborhood Market. The location of the path or sidewalk shall be determined at time of permitting.
3. Regional Flood Control District conditions:
 - A. Drainage infrastructure, bank protection and open space for drainage shall be maintained by the Homeowners' Association.
 - B. Drainage design shall not increase existing conditions water surface elevations and flow velocities at all property boundaries.
 - C. First flush retention shall be provided in Low Impact Development practices distributed throughout the site.
 - D. Encroachment into mapped Regulated Riparian Habitat and the FEMA floodplain not shown on the PDP is prohibited.
 - E. Impacts to Valencia Wash and the south offsite drainage infrastructure is prohibited.
 - F. At the time of development, the developer shall be required to select a combination of Water Conservation Measures from Table B such that the point total equals or exceeds 15 points and includes a combination of indoor and outdoor measures.
4. Regional Wastewater Reclamation conditions:
 - A. The owner(s) shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner(s) to that effect.
 - B. The owner(s) shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner shall enter into a written agreement addressing the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.

- C. The owner(s) shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
 - D. The owner(s) shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
 - E. The owner(s) shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.
 - F. The owner(s) shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.
5. Environmental Planning condition: Upon the effective date of the Ordinance, the owner(s)/developer(s) shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site; and Pima County may enforce this rezoning condition against the property owner.
 6. Cultural Resources condition: In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during excavation or construction, ground disturbing activities must cease in the immediate vicinity of the discovery. State laws ARS 41-865 and ARS 41-844, require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that cultural groups who claim cultural or religious affinity to them can make appropriate arrangements for the repatriation and reburial of the remains. The human remains will be removed from the site by a professional archaeologist pending consultation and review by the Arizona State Museum and the concerned cultural groups.
 7. Adherence to the preliminary development plan as approved at public hearing.
 8. Radon resistant construction techniques must be used and shall comply with Appendix F of the 2018 International Residential Code (IRC).
 9. A Disclosure to all purchasers of any lot within the subdivision shall be made at the time of purchase that radon gas exists on the lot and exposure may cause physical harm. This condition shall also be printed on each building permit issued by Pima County.
 10. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.
 11. The property owner shall execute the following disclaimer regarding the Private Property Rights Protection Act: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(l)."

The motion **PASSED** 4-3 (Commissioners Hook, Becker, and Maese voted NAY; Commissioners Hanna, Truitt and Membrila were absent).

****ITEMS 8, 9, 10, 12 AND 13 MOVED TO JULY 6, 2022 SPECIAL MEETING AGENDA**

8. **P22RZ00004 WONG LIVING TRUST – W. VALENCIA ROAD REZONING**
Wong Living Trust, represented by Projects International Inc., request a **rezoning** of approximately 38.19 acres (parcel code 137-19-004D) from the GR-1 (Rural Residential) (25.02 acres) and from the GR-1 (TDR) (Rural Residential – Transfer of Development Rights Receiving Area) (13.17 acres) to the CR-5 (Multiple Residence)(25.02 acres) and to the CR-5 (TDR) (Multiple Residence - Transfer of Development Rights Receiving Area) (13.17 acres) zone located on the north side of W. Valencia Road, approximately 700 feet west of the intersection of W. Valencia Road and S. Camino de la Tierra, addressed as **3450 W. Valencia Road**. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Multifunctional Corridor and Medium Low Intensity Urban. (District 5)

9. **P22RZ00005 ACM VENTURES LLC – S. WILMOT ROAD REZONING**
ACM Ventures LLC, represented by Projects International Inc., request a **rezoning** of approximately 18.02 acres (parcel code 140-45-0340) from the SH (TDR-RA) (Suburban Homestead – Transfer of Development Rights-Receiving Area) zone to the CB-2 (TDR-RA) (General Business – Transfer of Development Rights-Receiving Area) zone on property located on the west side of S. Wilmot Road, approximately one mile south of the intersection of S. Wilmot Road and E. Hermans Road. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Higher Intensity Urban. (District 2)

10. **P22RZ00007 FROST HOLDING COMPANY NUMBER TWO LLC – N LA CANADA DRIVE REZONING**
Frost Holding Company Number Two LLC, represented by Steadfast Drafting and Design LLC, request a **rezoning** of approximately 1.66 acres (parcel code 104-01-068B) from the TR (Transitional) to the CB-2 (General Business) zone located at the southwest corner of W Roller Coaster Road and N La Canada Drive addressed as **5171 N La Canada Drive**. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Neighborhood Activity Center. (District 1)

MODIFICATION (SUBSTANTIAL CHANGE) OF REZONING CONDITION

11. **Co9-05-30 STEWART TITLE & TRUST #1580 – KINNEY ROAD REZONING**
Steward Title & Trust #1580, represented by Paradigm Land Design, LLC, for a **modification (substantial change) of rezoning condition #9** which requires adherence to the preliminary development plan as approved at public hearing. The applicant requests to revise the preliminary development plan, which depicts a 302-lot subdivision to allow a 450-lot

subdivision. The subject site is approximately 146.1 acres zoned CR-4 (Mixed-Dwelling Type) (143 acres) and CR-4 (BZ) (Mixed-Dwelling Type – Buffer Overlay Zone) (3.1 acres), located on the north side of W. Irvington Road and the east and west sides of S. Kinney Road. (District 3)

ON MOTION, it was

Voted to **CONTINUE to July 27, 2022.**

The motion **PASSED** 7-0 (Commissioners Hanna, Truitt and Membrila were absent).

UNADVERTISED HEARING

12. **P22TA00004 and P22TA00005 Non-Code Ordinances for Development Services Permitting Fees and Regional Wastewater Reclamation Department Permitting Fees.**
13. BOARD OF SUPERVISORS DISPOSITION OF CASES
14. ADJOURNMENT

Meeting adjourned at 12:08 p.m.

The meeting summary will be posted on the website at:
[Planning and Zoning Commission Information - Pima County](#)