



MEMORANDUM

DEVELOPMENT SERVICES DEPARTMENT - PLANNING DIVISION

TO: Chairman and Members, Pima County Planning and Zoning Commission

FROM: Arlan Colton, Executive Secretary

RE: Pima County Planning and Zoning Commission Hearing of **MAY 29, 2013**

DATE: May 31, 2013

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.

Arlan Colton, Executive Secretary

The meeting was called to order at 9:00 a.m. at the Public Works Building, 201 N. Stone Avenue, Basement Level, Conference Room C, Tucson, Arizona.

1) **ROLL CALL:**

PRESENT

William Matter, Chair
Howard L. Richey
Bonnie Poulos
Randall R. Holdridge
Thomas Spendiarian
Bob Cook
Armando Membrila
Corey Smith
Lynne Mangold

ABSENT

Jenny Neeley, Vice-Chair

NINE MEMBERS PRESENT

ALSO PRESENT

Chris Poirier, Assistant Planning Director
Janet Emel, Senior Planner
Jim Veomett, Senior Planner
Carla Blackwell, Development Services
Deputy Director
Celia Turner, Recording Secretary

Tom Drzazgowski, Deputy Chief Zoning Inspector
Greg Saxe, Environmental Plan. Mgr., RFCD
Jonathan Crowe, DOT
Jim Portner, Hearing Administrator

- 2) **PLEDGE OF ALLEGIANCE**
- 3) **CONSENT AGENDA (UNADVERTISED PUBLIC HEARING)**

A) B-218 MONTHLY REPORTS TO THE P/Z COMMISSION

Monthly reports from Development Services Department for enterprise fund, total fees collected, services activity report and permits issued and from the planning division for total fees collected and services activity report.

ON MOTION, it was

Voted: To **APPROVE** the Consent Agenda as presented. B-128 Monthly reports were not presented at this time.

The motion **PASSED** (9 – 0; Commissioner Neeley was absent).

CONDITIONAL USE PERMIT FOR PUBLIC HEARING

4) **P21-13-009 SMITH BEULAH VIOLA TR – E. SKYLINE DRIVE**

Request of FM Group (on behalf of AT&T Mobility), on property located at 4201 E. Skyline Dr., in the **CR-1 Zone**, for a conditional use permit for a communication tower (Increase in height of existing antenna on residence), in accordance with Section 18.07.030H2e of the Pima County Zoning Code as a Type III conditional use permit. (District 1)

ON MOTION, it was

Voted: To **APPROVE** subject to the following Standard and Special Conditions:

Standard Conditions (per the Pima County Zoning Code)

1. Adherence to all requirements of Section 18.07.030.H and Section 18.07.040.A.4 (General Regulations and Exceptions) of the Pima County Zoning Code.

Special Conditions

1. The new rooftop antennae shall be located as shown on the applicant's submitted materials and shall be screened by the new residential architectural elements as detailed on same.
2. The new architectural elements on the residence shall be in substantial conformance with the architectural elevations and sketches as provided in the application package, and shall be physically in place on the residence before the installation of the new rooftop antennae.
3. Any new cabling trays, etc. mounted on the residential walls to serve the rooftop antennae shall be painted to substantially match the color of the residence.

The motion **PASSED** (9 – 0; Commissioner Neeley was absent).

5) **Co9-13-06 TRUBEE – N. BEAR CANYON ROAD**

Request of Tanya Trubee for a **rezoning** of approximately **3.3 acres** from **SR**

(Suburban Ranch) to CR-1 (Single Residence), on property located on the east side of N. Bear Canyon Road and approximately 1 ¼ miles north of Tanque Verde Road. The proposed rezoning conforms to the Pima County Comprehensive Plan Co7-00-20. (District 4)

ON MOTION, it was

Voted: To **APPROVE** subject to the following Standard and Special Conditions, **as amended**:

1. Submittal of a development plan if determined necessary by the appropriate County agencies.
2. Recording of a covenant holding Pima County harmless in the event of flooding.
3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
4. Provision of development related assurances as required by the appropriate agencies.
5. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Development Services Department.
6. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
7. Transportation Conditions:
 - A. The property owner/developer shall dedicate 45 feet right-of-way for Bear Canyon Road along the west property boundary.
 - B. There shall be one common shared driveway for all three lots, located at the north property boundary.
 - C. Any common, private, road/driveway serving more than one dwelling unit shall be paved (chip sealed) within six (6) months of the issuance of building permits.
8. Environmental Quality condition: The applicant shall demonstrate that the lot(s), as proposed, can accommodate a home site and a primary and reserve on-site wastewater disposal area, while meeting all required setbacks. The size of the primary and reserve areas shall be determined by on-site soil evaluations and/or percolation testing and shall be designed to accommodate the type of facility proposed in accordance with Arizona Administrative Code, Title 18, Chapter 9, Table 1. This demonstration shall be made prior to issuance of the Certificate of Compliance.
9. Cultural Resources condition: Prior to ground modifying activities, an on-the-ground archaeological and historic sites survey shall be conducted on the subject property. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property shall be submitted at the time of, or prior to, the submittal of any tentative plan or development plan. All work shall be conducted by an archaeologist

permitted by the Arizona State Museum, or a registered architect, as appropriate. Following rezoning approval, any subsequent development requiring a Type II grading permit will be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.

10. Adherence to the sketch plan as approved at public hearing. Adherence to the sketch plan as approved at public hearing **with strict adherence to the proposed lot line configuration and a forty-foot minimum setback from the north boundary of the northeast lot shall be provided.**
11. 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.
12. The property owner shall execute and record the following disclaimer regarding Proposition 207 rights. "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(I)."
13. Upon the effective date of the rezoning ordinance associated with this rezoning, 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 current any future property owner. Prior to issuance of the certificate of compliance, the owner(s)/developer(s) shall record a covenant, to run with the land, memorializing the terms of this condition.

The motion **PASSED** (9 – 0; Commissioner Neeley was absent).

6) **Co9-12-05 SABINO CANYON GATEWAY LLC – SABINO CANYON ROAD REZONING**

Request of Sabino Canyon Gateway LLC, represented by Star Consulting of AZ Inc., for a rezoning of approximately 5.91 acres from SR (Suburban Ranch) to CR-4 (Mixed-Dwelling Type), on property located on the southwest corner of the intersection of River Road and Sabino Canyon Road. The proposed rezoning substantially conforms to the Pima County Comprehensive Plan (Co7-00-20). (District 1)

ON MOTION, it was

Voted: To **DENY**

The motion **PASSED** (5 – 3; Commissioners Holdridge, Smith and Membrilla voted **NAY**; Commissioners Neely was absent, Commissioner Spendiarian recused himself).

NEW COMPREHENSIVE PLAN AMENDMENTS STUDY SESSION
(NOT A PUBLIC HEARING)

7)

A) Co7-13-01 SABINO CANYON ROAD PROPERTIES, LLC – N. SABINO CANYON ROAD PLAN AMENDMENT

Request of Sabino Canyon Road Properties, LLC, represented by Erin Harris, Star Consulting of Arizona, Inc., to amend the Pima County Comprehensive Plan from **Low Intensity Urban 3.0 (LIU-3.0)** to **Medium-High Intensity Urban (MHIU)** for approximately **15.14 acres** located at the northeast corner of N. Sabino Canyon Road and E. Cloud Road, in Section 29, Township 13 South, Range 15 East, in the Catalina Foothills Subregion. (District 1)

B) Co7-13-02 SMITH VIRGIL B REVOCABLE LIVING TRUST – S. FREEMAN ROAD ALIGNMENT PLAN AMENDMENT

Request of Virgil B. Smith Revocable Living Trust, represented by Steve Lenihan, Vail Smith, LLC, to amend the Pima County Comprehensive Plan from **Low Intensity Rural (LIR)** to **Medium Intensity Urban (MIU)** for approximately **25.0 acres** located on the east side of S. Freeman Road alignment, approximately one-half mile south of Mary Ann Cleveland Way and one-quarter mile north of the Union Pacific Railroad, in Section 5, Township 16 South, Range 16 East, in the Rincon Southeast/Santa Rita Subregion. (District 4)

C) Co7-13-03 LAWRENCE C. LEUNG, INC. – N. THORNYDALE ROAD PLAN AMENDMENT

Request of Lawrence C. Leung, Inc., represented by Jim Portner, Projects International, Inc., to amend the Pima County Comprehensive Plan from **Low Intensity Urban 0.3 (LIU-0.3) and Resource Transition (RT)** to **Neighborhood Activity Center (NAC) and Medium Intensity Urban (MIU)** for approximately **18.01 acres** located on the southeast corner of N. Thornydale Road and W. Linda Vista Boulevard, in Section 20, Township 12 South, Range 13 East, in the Northwest Subregion. (District 1)

D) Co7-13-04 PACIFIC INTERNATIONAL PROPERTIES, LLP – N. THORNYDALE ROAD PLAN AMENDMENT

Request of Pacific International Properties, LLP, represented by Jim Portner, Projects International, Inc., to amend the Pima County Comprehensive Plan from **Low Intensity Urban 0.3 (LIU-0.3) to Neighborhood Activity Center (NAC) and Medium Intensity Urban (MIU)** for approximately **54.95 acres** located on the northwest corner of N. Thornydale Road and W. Cortaro Farms Road, in Section 30, Township 12 South, Range 13 East, in the Northwest Subregion. (District 1)

E) Co7-13-05 MANDARIN ASSOCIATES - N. THORNYDALE ROAD PLAN AMENDMENT

Request of Mandarin Associates, represented by Jim Portner, Projects International, Inc., to amend the Pima County Comprehensive Plan from **Low Intensity Urban 0.3 (LIU 0.3) and Resource Transition (RT)** to **Medium Intensity Urban (MIU)** for approximately **17.77 acres** located at the northwest corner of N. Thornydale Road and W. Magee Road, in Section 30, Township 12 South, Range 13 East, in the Northwest Subregion. (District 1)

F) Co7-13-06 HARDY-THORNYDALE I ASSOCIATES, ET AL. - W. HARDY ROAD PLAN AMENDMENT

Request of Hardy-Thornycdale I Associates, et al., represented by Jim Portner, Projects International, Inc., to amend the Pima County Comprehensive Plan from **Low Intensity Urban 0.3 (LIU 0.3)** to **Medium Intensity Urban (MIU)** for approximately **30.0 acres** located on the south side of W. Hardy Road, approximately 1,300 feet east of N. Thornycdale Road, in Section 29, Township 12 South, Range 13 East, in the Northwest Subregion. (District 1)

G) Co7-13-07 TITLE SECURITY OF ARIZONA TR 2055 - E. TANQUE VERDE ROAD PLAN AMENDMENT

Request of Title Security of Arizona TR 2055, represented by The WLB Group, Inc., to amend the Pima County Comprehensive Plan from **Resource Transition (RT)** to **Low Intensity Urban 1.2 (LIU 1.2)** for approximately **53.0 acres** located on the north side of E. Tanque Verde Road, approximately 2,300 feet east of N. Houghton Road and 1,150 feet west of N. Tanque Verde Loop Road, in Section 36, Township 13 South, Range 15 East, in the Catalina Foothills Subregion. (District 4)

H) Co7-13-08 LANDMARK TITLE TR 18109 - W. SUNSET ROAD PLAN AMENDMENT

Request of Landmark Title TR 18109, represented by The WLB Group, Inc., to amend the Pima County Comprehensive Plan from **Low Intensity Urban 0.3 (LIU 0.3)** to **Low Intensity Urban 1.2 (LIU 1.2)** for approximately **71.50 acres** located on the south side of W. Sunset Road, approximately 1,300 feet east of N. Camino de Oeste, in Section 13, Township 13 South, Range 12 East, in the Tucson Mountains/Avra Valley Subregion. (District 3)

ON MOTION, it was

Voted: To **APPROVE** the Comprehensive Plan Amendment Program for 2013 including staff's recommendations for public hearing schedule, boundaries of each amendment site, and notification distances to 1,000 feet.

The motion **PASSED** (9 – 0; Commissioner Neeley was absent).

8) NEW BUSINESS

A) Board of Supervisors disposition of cases.

B) Chairman's appointment of nominating Committee for Planning and Zoning Commission Officers.

Mr. Chairman appointed Commissioners: Poulos, Matter and Spendiarian as the nominating Committee for Planning and Zoning Commission Officers.

C) Chairman's appointment of Commission Members for Comprehensive Plan Guidance Committee.

Mr. Chairman appointed Commissioners: Matter, Richey, Cook, Membrilla as the Comprehensive Plan Guidance Committee per Development Services Deputy Director, Carla Blackwell.

9) **CALL TO THE AUDIENCE**

No one from the audience spoke.

10) **ADJOURNMENT**

Meeting was adjourned at 1:10 p.m. on motion by Commissioner Matter seconded by Commissioner Poulos.