



MEMORANDUM

DATE: January 30, 2014

TO: Linus Kafka
Zoning Examiner

FROM: Carolyn Laurie
Lead Planner

SUBJECT: C9-13-13 Schneider – Speedway Rezoning

Please find attached the following items:

1. Memo addressed to staff from the Planning Center in response to the Carriage Park Neighborhood Association.
2. Condition modification request and associated documents for No. 14 as follows:

“14. The submittal of a drainage report that addresses onsite and offsite drainage and its impact on the proposed new lots and improvements. The report shall determine the erosion hazard setback and recommend the locations of the new parcels accordingly. The drainage report shall also address the provision of runoff retention basins in accordance with the requirements and recommendations of the Stormwater Detention/Retention Manual. Runoff detention is required and the detention basin design shall provide a 10% decrease in the site 100-year post development runoff compared to the existing site 100-year runoff. Runoff detention requirement may be waived or modified if it can be verified that the project satisfies the requirements of Criterion #2, specified in the City of Tucson (Stormwater Detention/Retention Manual).”

From: Brian Underwood <bunderwood@azplanningcenter.com>
To: "Carolyn.Laurie@tucsonaz.gov" <Carolyn.Laurie@tucsonaz.gov>
CC: Michael Grassinger <mgrassinger@azplanningcenter.com>, "rayschneider321...
Date: 01/28/2014 4:35 PM
Subject: Rezoning Case: C9-13-13 - CPNA Protest Letter Response
Attachments: Response to Protest Letter.pdf

Hi Carolyn,

Please see attached letter in response to the Carriage Park Neighborhood Association's protest letter dated January 15, 2014.

Also, has there been any other protest letters or calls from neighbors in the area?

Thanks,
Brian

[BrianU]



January 28, 2014

City of Tucson
Planning & Development Services Department
201 North Stone Avenue
Tucson, Arizona 85701

Subject: **Rezoning Case C9-13-13 from RX-1 to R-2 FLD**
RSH-02

Dear Carolyn:

This letter is in response to the Carriage Park Neighborhood Association protest letter sent to the City of Tucson Planning and Development Services Department regarding rezoning case C9-13-13 Schneider-Speedway. We acknowledge the neighborhood's concerns and would like to offer the following responses to the issues enumerated in the neighborhood association's letter:

1. *"The majority of surrounding property is currently zoned at R-1 which allows for a minimum lot size of 7,000 SQ/FT. R-1 Zoning of this property could accommodate up to 77 houses on the 12.7 acre property, therefore R-2 is not needed for the proposed development plan."*
 - One of the primary tasks in the realm of planning and development is to ensure the "highest and best use" of a given property. To that end, development which meets the needs of and is allowable by the local government, is physically possible, has development costs which can be supported by rents or sales prices offered in the current or future market and provides for a market rate financial return to the developer is appropriate. The proposed single-family residential development meets those criteria and offers much needed housing options in an already largely built-out part of the City. The proposed development is compatible with the existing densities in the area, especially when considering the high-density residential development directly north of Speedway Boulevard and to the west of the project area in the Pavilions at Pantano Apartments. Additionally, this project maximizes the use of existing infrastructure and provides new recreational amenities for current and future residents alike through the installation of a neighborhood park, smaller, more dispersed pocket park areas and trail improvements along the Robb Wash Greenway.
 - However, this process is not completed in a vacuum; local government shares the duty of determining the highest and best land use in the community with property owners, realtors, developers and others. The process of determining the highest and best land use is embodied in the process of preparing the General Plan, Neighborhood and Area Plans for the community. Community-wide highest and best land use decisions are made as part of the land use planning process and subsequently identified and regulated in those plans. This property is located within the boundaries of the Pantano East Area Plan (PEAP) which contains policy that seeks to "promote residential infill of vacant land where adequate provisions of streets and utilities are available." The PEAP also classifies low- and medium-density residential development as average densities up

to 6 residences per acre (RAC) and up to 15 RAC, respectively, and states that developments of 6 RAC or greater are appropriate along collector streets; therefore, the major arterial Speedway Boulevard shows the project is suitably located within the Plan area and provides appropriate access for the proposed project.

- In terms of new single-family home construction, developers and homebuilders are not building large homes on larger lots because there is currently no market for those types of houses. Recent development trends in the housing market reflect buyer preference for a smaller, more affordable and easier to maintain home. In addition, the Tucson General Plan encourages higher density on infill properties such as this. As a result, the development of 7,000 square foot minimum lots is not feasible considering the low marketability of this housing type in the current market for single-family housing, nor is a lot minimum required under the Flexible Lot Development (FLD) zoning option. Additionally, as per the ALTA survey of the property, the existing parcel is no longer 12.7 acres in size, but rather 12.46 acres. Given the relatively small size of the site and the required dimensional standards for development, the property is incapable of supporting the number of homes needed to make the project financially feasible. The FLD process allows for the flexibility to develop the property in a financially responsible manner, especially considering it allows for sideyard setbacks in accordance with the International Building Code and does not specify a minimum lot size for each home.
2. *"An R-2 zoning classification would negatively affect surrounding property values."*
- We do not perform real estate appraisals or provide expertise on property valuation, but in our experience, developing a vacant property like this will stabilize the property values of the properties near it. The reason is, as long as the property remains vacant, there is uncertainty about what could eventually be developed there; it could be apartments, it could be this project, it could be commercial, etc. Additionally, since the project proposes two-story development, the square footage of each house will be comparable to existing homes in the area, thus driving up the market price for each new home.
3. *"Safety concerns due to the added traffic on Speedway Boulevard, in and around Magee Middle School, and adjacent neighborhoods."*
- There will be no cut-through traffic in the neighborhoods to the south via Sarnoff Road. The 20-foot wide gated emergency access onto Sarnoff will be locked at all times and only accessible by fire and emergency personnel. In regards to traffic concerns along Speedway Boulevard and around Magee Middle School, the project will accommodate a right-turn deceleration lane into the development and has been required to locate the access point as far west as possible to give drivers exiting the site and wishing to travel westbound an opportunity to reach the closest left-turn median break to make their U-turn. During heavier traffic times, future residents of the proposed development will have to go further east to make a turn and come back. Speedway Boulevard is a divided 6-lane major arterial roadway with capacity to absorb traffic generated by the project. This was confirmed after conducting a traffic impact analysis for the project. The City will identify any other potential impacts to traffic and safety in the area, caused by the proposed development, and determine if additional mitigation is warranted.

4. "A suitable privacy mitigation plan has not been submitted to ensure privacy of the existing homes to the south of the property. The association feels that only single story structures be built on the south border of the development since it encroaches on existing residences."
- Our main goal is to create a quality development that is safe and enjoyable for everyone in the area. To that end, several hours were spent pondering neighborhood compatibility and safety concerns and as a result, we have found that there is a major safety concern regarding the proposed 20-foot wide landscape border adjacent to the alley. It is worth noting that if the proposed 20-foot buffer along the south boundary of the project area is kept, it will be required to be re-vegetated with native plantings and maintained by the future homeowners association. Therefore, the re-vegetated area will not easily accommodate foot-traffic from students and pedestrians, nor will it be an area for multiple emergency vehicles to maneuver the alley should the situation arise. Additionally, we feel it will create a larger area for individuals to conceal their presence, threatening the safety of neighborhood residents and their property. Expanding this area, between the back walls of the existing homes to the south and the back walls of the proposed lots, may also lead to the additional illegal dumping of garbage and debris which is already a problem in the area. For these reasons, the property owner would like to remove the 20-foot landscape border and propose a single-story restriction for the lots along the south boundary. We hope this will help address the privacy concerns with the proposed development.
 - In regard to the submittal of a suitable privacy mitigation plan, as the City of Tucson *Unified Development Code* states, a Privacy Mitigation Plan is indeed required; however, not until the platting stage of the project when it is known how the actual homes will be designed. The inclusion of the 20-foot wide landscape border along the south boundary and the use of clerestory windows and no balconies facing south satisfies this requirement at the rezoning stage. However, just to clarify, if the proposed 20-foot wide buffer along the south boundary were to be removed, the City of Tucson *Unified Development Code* would require a single story limitation for the lots along the south boundary adjacent to existing residences.

We look forward to working with you on making this a quality project and we thank you for your time and consideration in this matter. If you have any questions, comments or concerns, please do not hesitate to contact me.

Sincerely,
THE PLANNING CENTER



Brian Underwood
Planner

Cc:

Linus Kafka



From: Carolyn Laurie
To:
Subject: Fwd: C9-13-13

>>> Laith Alshami 01/28/2014 11:00 AM >>>
Carolyn,

I would like to modify Rezoning Condition #14 (Drainage/Grading/Vegetation) to clarify to the developer their options concerning runoff detention provision. I would like to add the following language at the end of the paragraph: **"Runoff detention requirement may be waived or modified if it can be verified that the project satisfies the requirements of Criterion #2, specified in the City of Tucson (Stormwater Detention/Retention Manual)".**

I am still checking with the Engineer about the reduction of density and how it affects the RAC. He does not know about this proposal but he will check and send me RAC calculations based on one less lot.

Thank you for your help.

Laith Alshami, P.E.
Civil Engineer
Planning & Development Services Dept
<http://www.tucsonaz.gov/dsd/>
City of Tucson
(520) 837-4933

From: Carolyn Laurie
To: Ken Perry
Date: 01/30/2014 12:22 PM
Subject: Re: Robb Property Detention Rezoning Condition

Ken,

Your assumption is correct. Be prepared to speak tonight.

Sincerely,

Carolyn Laurie
Lead Planner
Planning & Development Services
City of Tucson
Carolyn.Laurie@tucsonaz.gov
520.837.4953

>>> "Ken Perry" <kperry@perryengineering.net> 01/30/2014 8:04 AM >>>
Hello Carolyn,

I am assuming Laith discussed with you our conversation regarding the requirement for detention, and that he was willing to add the language the detention could be waived based upon Type 2 Criteria, or some language similar. Is this incorporated into anything for tonight's ZE meeting?
Thank you,

Ken

Ken Perry, PE, LEED AP

Principal

We Moved!

Here's Our New Address:

505 W. Wetmore Road

Tucson, Arizona 85705

Cell 520.820.4355

<<mailto:kperry@perryengineering.net>> kperry@perryengineering.net

<<http://www.perryengineering.net/>> www.perryengineering.net

However, when applying the criteria presented within this section, approval by the regulatory agency which has jurisdiction over the affected portion of the basin in question must be obtained prior to the classification of any additional watercourse as a "major channel." In certain instances, approval may be granted for other watercourses which demonstrate adequate downstream capacity to convey the 100-year flood peak to a logical downstream conclusion under conditions of ultimate watershed urbanization.

If either one of the two criteria presented within this section are satisfied, stormwater detention requirements may be waived for specific developments. This section applies only to stormwater detention. Threshold retention requirements shall remain unaffected by the application of these criteria. Additionally, as previously stated, stormwater detention requirements may not be waived if the proposed development is located within a critical basin and any portion of a critical channel reach or a critical drainage structure is located downstream of the development, or if other conditions exist which the County or City Engineer deem justifiable for requiring detention.

Criterion 1

Stormwater runoff discharges directly from the proposed development into a watercourse which meets the criteria of a "major channel," as defined in Section 2.3.

Criterion 2

- A. Equation 2.1, as expressed below, is satisfied.
- B. If the proposed development is located on a secondary tributary channel of the "major channel" (e.g., Channel #2 of Figure 2.1) then it must be demonstrated that the secondary tributary has adequate capacity to convey the future 100-year flood peak emanating from that portion of sub-watershed which contains not only the proposed development, but all areas upstream thereof. For instance, segment BC of Channel #2, in Example 2.1, must have adequate capacity to convey a 100-year flood peak emanating from those areas draining into Channel #2 upstream of Point C, based upon conditions of ultimate watershed urbanization. However, in this example, it would not be required to demonstrate that segment AB of Channel #1 had adequate capacity, since flood peaks would not be increased on this "primary" tributary as a result of the proposed development (i.e., provided Equation 2.1 is satisfied).

Note: For purposes of this manual, the term "primary tributary" refers to a channel which flows directly into a "major channel." A secondary tributary is one which flows directly into a primary tributary, etc. Streets may not be considered as tributaries.

Equation 2.1 is expressed as follows:

$$\frac{T + T_r'}{T_r''} \leq 0.40$$

Equation 2.1

Where

- T = 100-year flow travel time between the downstream point of the proposed development and the confluence with a watercourse which meets the criteria of a "major channel," as defined in Section 2.3. The parameter T shall be calculated by means of the "incremental time of concentration method," as illustrated in Example 2.1 of this manual.
- T_r' = Rise time of the 100-year synthetic flood hydrograph for on-site drainage emanating from the proposed development (for developed conditions).
- T_r'' = Rise time of the 100-year synthetic flood hydrograph at its confluence with the "major channel" for drainage emanating from the entire watershed. In this instance, T_r'' shall be determined using the assumption that the entire watershed is fully developed and uncontrolled (i.e., it should be assumed that no stormwater detention/retention facilities presently exist, or will exist in the future, within the watershed).

Note: Equation 2.1 shall only be applied to watersheds having drainage areas equal to or less than ten square miles at a confluence point with a "major channel," since the synthetic flood hydrograph used for this analysis begins to lose its applicability as the watershed increases in size beyond this limit.

Peak discharges and times of concentration used in this analysis shall be calculated by the Pima County hydrology method or the City of Tucson Flood Peak Estimator Procedure. Hydrograph rise times shall be determined by the method to be subsequently described within Chapter III of this manual.