



ZONING EXAMINER

REPORT TO MAYOR AND COUNCIL

December 26, 2014

**C9-14-09 School Yard – Wrightstown Road, RX-1 to R-1
Public Hearing: December 11, 2014**

BACKGROUND

This is a request by William Viner of the Pepper Viner at Wrightstown LLC, on behalf of the property owner, Tucson Unified School District #1, to rezone approximately 9.2 acres from RX-1 to R-1 zoning. The rezoning site was previously developed as Wrightstown Elementary School, now vacant.

Land use policy direction for this area is provided by the *Pantano East Area Plan (PEAP)*, the *Wrightstown Neighborhood Plan (WNP)*, and *Plan Tucson*.

PUBLIC HEARING SUMMARY (Minutes Attached)

Glenn Moyer, Planning and Development Services Department, presented the staff report with a recommendation for approval. Mr. Moyer commented that six approvals and 11 protests were received in the formal protest area.

FINDINGS OF FACT

This is a request by William Viner of the Pepper Viner at Wrightstown LLC, on behalf of the property owner, Tucson Unified School District #1, to rezone approximately 9.2 acres from RX-1 to R-1 zoning. The rezoning site was previously developed as Wrightstown Elementary School, now vacant. It is surrounded on three sides by streets: Wrightstown Road to the north, Avenida Ricardo Small to the east, and Lee Street to the south. The preliminary development plan is for a single-family residential subdivision with 56 one-story and two-story homes at a density of 6.05 units per acre. Several more protest and approval forms were submitted at the hearing.

The Design Compatibility Report limits two-story homes to no more than 25 percent of the lots. The proposed two-story homes will be located primarily in the interior of the rezoning site. The proposed homes along Lee Street will all be one-story and no two adjacent lots will be developed with the same model façade.

The area surrounding the rezoning site to the east, south, and west is low density, detached single-story single family residential development, zoned R-1, with a density of approximately 2.5 to 3.0 units per acre. To the north of the subject rezoning site, across Wrightstown Road, is a residential development with single-family homes in the R-2 zone at approximately 3.5 units per acre.

Access to the site is proposed to be by way of a new 51-foot wide public loop street with two access points onto Avenida Ricardo Small, a local street. An alternative, discussed at

C9-14-09 School Yard – Wrightstown Road

Rezoning: RX-1 to R-1

the public hearing, is for access to be by way of one access point on Wrightstown Road and one on Avenida Ricardo Small. This configuration should be reviewed by city staff, including Traffic Engineering, and if supported by staff, should be the recommended configuration. Such a configuration may reduce the proposed number of lots.

The preliminary development plan depicted a row of seven lots along the western boundary of the site. A revised preliminary development plan was submitted at the public hearing depicting an expanded open space element on the western boundary of the site, with two lots near the southwest corner of the site and a higher concentration of lots in the central portion of the site.

Homes fronting the southern boundary of the site will have direct access from Lee Street, also a local street. The Pima Association of Governments – Transportation Planning Division (PAG-TPD) estimates that the proposed development will generate 536 vehicle trips per day. The Wrightstown School, while open, generated a greater number of total trips per day than the proposed development, depending on enrollment. However, new schools generating vehicle trips have opened nearby since the Wrightstown School was closed.

Land use policy direction for this area is provided by the *Pantano East Area Plan (PEAP)*, the *Wrightstown Neighborhood Plan (WNP)*, and *Plan Tucson*. The rezoning site is located within an “Existing Neighborhood” as identified on the Future Growth Scenario Map of *Plan Tucson*. “Existing Neighborhoods” are primarily developed and largely built-out residential neighborhoods and commercial districts in which minimal new development and redevelopment is expected in the next several decades. The goal is to maintain the character of these neighborhoods, while accommodating some new development and redevelopment and encouraging reinvestment and new services and amenities that contribute further to neighborhood stability. Within “Existing Neighborhoods,” *Plan Tucson* supports infill and redevelopment projects that reflect sensitivity to site and neighborhood conditions and adhere to relevant site and architectural design guidelines. *Plan Tucson* policies protect established residential neighborhoods by supporting compatible development, which may include other residential, mixed-use infill and appropriate nonresidential uses. Policies also promote quality and safety in design, compatibility with and adequate buffering of surrounding development, the planting and management of healthy, attractive urban vegetation, and the conservation and enhancement of environmentally sensitive habitat.

The goal of the *Wrightstown Neighborhood Plan* is to recognize the unique character of the Wrightstown Neighborhood by preserving the existing development and providing guidelines for compatible new development. Policy 1 states that all existing land uses should be retained with special emphasis on urban and suburban ranch development. Urban and suburban densities are not specifically addressed by the plan. Tucson Unified School District is disposing of the subject property and the former school will not be preserved. Although the *Wrightstown Neighborhood Plan* did not anticipate closure of the Wrightstown Elementary School, it does call for new development to be compatible with existing development.

C9-14-09 School Yard – Wrightstown Road
Rezoning: RX-1 to R-1

The goal of the *Pantano East Area Plan* is to preserve the integrity of established neighborhoods and promote residential infill of vacant land where adequate provisions of streets and utilities are available, and to promote low-density residential developments within the interior of established low-density neighborhood. In addition, the *Plan* supports residential clustering and design flexibility that includes defensible space concepts. *PEAP* defines low-density residential as up to six units per acre. The density of the proposed development, as currently configured, is 6.05 units per acre.

CONCLUSION

The proposed development is consistent with and supported by the policy direction provided in *Plan Tucson*, the *Wrightstown Neighborhood Plan*, and *Plan Tucson* and can be made compatible with the scale, density, and character of surrounding development. Subject to compliance with the attached preliminary conditions, approval of the requested R-1 zoning is appropriate.

RECOMMENDATION

The Zoning Examiner recommends approval of R-1 zoning, subject to the recommended conditions, as revised.

Respectfully Submitted,


Linus Kafka
Zoning Examiner

ATTACHMENTS:

Public Hearing Minutes

PROCEDURAL

1. A development package in substantial compliance with the preliminary development plan dated December 11, 2014, is to be submitted and approved in accordance with the Administrative Manual, Section 2-06.
2. The property owner shall execute a waiver of potential claims under A.R.S. Sec. 12- 1134 for this zoning amendment as permitted by A.R.S. Sec. 12-1134 (I) in the form approved by the City Attorney and titled "Agreement to Waive Any Claims Against the City for Zoning Amendment".
3. Historic or prehistoric features or artifacts discovered during future ground disturbing activities should be reported to the City of Tucson Archaeologist. Pursuant to A.R.S. 41-865 the discovery of human remains and associated objects found on private lands in Arizona must be reported to the Director of Arizona State Museum.
4. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.
5. "Safe by Design" concepts shall be incorporated in the development plan for review by the Tucson Police Department.
6. The owner/developer shall obtain written documentation from the Pima County Regional Wastewater Reclamation District (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, sewer improvement plan or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner/developer shall have 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.
7. Five years are allowed from the date of initial authorization to implement and effectuate all Code requirements and conditions of rezoning. Rezoning will be effectuated upon recordation of the approved final plat.

LAND USE COMPATABILITY

8. Building facades at the rear and sides shall have architectural character and detail comparable to the front facade, including but not limited to color palette, non-glare roof material/lines, and exterior materials. A color palette and dimensioned elevation drawings shall be submitted as part of the development package submittal to demonstrate compliance with this condition.

9. Prior to Wrightstown Elementary School building(s) demolition, approval is required from City of Tucson Historic Preservation Staff, at the Office of Integrated Planning.

10. West perimeter, including the southwest corner lot, shall be limited to a total of two (2) lots, not including the functional open space and drainage basin. All residential units located along the west perimeter not to exceed sixteen (16) feet in height.

11. The number of two-story units shall not exceed 25% of the total number of units, and no two adjoining lots may be developed with two-story units.

12. Lots on the west and east perimeter shall be limited to single-story units. A maximum of four lots on the north perimeter may be developed with two-story units. No lots on the south perimeter may be developed with two-story units.

13. Lots adjacent to Lee Street (Southern perimeter) shall have front building facade and garage entrance facing Lee Street. No two adjoining lots within the subdivision shall be developed with the same model facade.

14. Setbacks from the Wrightstown Road south right-of-way line to future on-site residences shall be a minimum of 25 feet for two-story units, 15 feet for one-story units.

15. A new five (5) foot tall masonry screen wall shall be constructed along the west, north, and east boundaries. Any wall(s) constructed along the north perimeter of the site shall be located south of the street landscape border and any walls constructed along the east perimeter shall be located west of the street landscape border.

16. Six (6) inch wide fence block or greater shall be used for perimeter walls.

17. A wall detail (elevation) shall be provided as part of the development plan submittal to demonstrate compliance with the following condition:

All new screen walls visible from a public right-of-way and/or adjacent to existing residential development are to be graffiti-resistant and incorporate one or more visually appealing design treatments, such as the use of two or more decorative materials like stucco, tile, stone, or brick; a visually interesting design on the wall surface; varied wall alignments (jog, curve, notch, setback, etc.); and/or trees and shrubs in voids created by the wall variations. The design of the wall shall be consistent with the overall architectural design theme of the subdivision and surrounding residential developments.

DRAINAGE/GRADING/VEGETATION

18. A complete drainage report shall be submitted. The drainage report shall address encroachment, onsite and offsite drainage and its impact on the proposed improvements, and the provision of the required 2-year threshold runoff retention.
19. The 10-foot wide landscape border along Wrightstown Road may include grading for drainage management purposes at the northeast and northwest corners, provided the drainage area edges meet perimeter landscape requirements.
20. Bleed pipes will be required for any retention basin(s) or water-harvesting areas. Grading design shall be provided to show low flow channels and graded to drain either toward the outlet structure or other logical point. Basin floor or the low channels shall be sloped at least 1%.
21. If soils report, submitted before or at the time of development permitting, indicates poor percolation (safety factor of 2 with drain down time more than 12 hours) then retention can be waived unless detention is needed to offset any floodplain encroachment.

ROAD IMPROVEMENTS/VEHICULAR ACCESS/CIRCULATION

22. A one-foot no access easement shall be provided along the full length of the north and west perimeter of the rezoning site.
23. Replacing the existing sidewalk with a new standard 6' width sidewalks and standard wheelchair ramps along at the ultimate MS&R location.
24. If recommended by Traffic Engineering, the preliminary development plan shall be revised to include one access point from Wrightstown and one access point from Avenida Ricardo Small.

ZONING MEMBERS PRESENT:

Linus Kafka, Zoning Examiner
Glenn Moyer, Planning & Development Services
Delma Sanchez, City Recording Clerk

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1 ZONING EXAMINER: All right. Next case is Case No. C9-
2 14-09 School Yard-Wrightstown Road. The time currently is 7:08.
3 If I could get a brief background on this case. Mr. Moyer.

4 MR. MOYER: This is a request by William Viner of
5 Pepper Viner at Wrightstown, LLC, on behalf of the property
6 owner, Tucson Unified School District No. 1, to rezone
7 approximately 9.2 acres from RX-1 to R-1 zoning.

8 The rezoning site is located on the southwest corner of
9 Wrightstown Road and Avenida Ricardo Small. The Preliminary
10 Development Plan is for a single-family residential subdivision
11 with 56 one-and-two-story homes at a density of 6.05 units per
12 acre.

13 Land use policy direction for this area is provided by
14 the Pantano East Area Plan, the Wrightstown Neighborhood Plan and
15 Plan Tucson. The rezoning site is located within an existing
16 neighborhood as identified on the Future Growth Scenario Map of
17 Plan Tucson.

18 Existing neighborhoods are primarily developed and
19 largely built-out residential neighborhoods and commercial
20 districts in which minimal new development is expected over the
21 next several decades. The goal is to maintain the character of

1 these neighborhoods while accommodating some new development and
2 redevelopment and encouraging reinvestment and new services and
3 amenities that contribute to further neighborhood stability.

4 Within existing neighborhoods, Plan Tucson supports in-
5 fill and redevelopment projects that reflects sensitivity to site
6 and neighborhood conditions and adhere to relevant site and
7 architectural design guidelines.

8 The goal of the Wrightstown Neighborhood Plan is to
9 recognize the unique character of the Wrightstown Neighborhood by
10 preserving the existing development and providing guidelines for
11 compatible new development. The Wrightstown Neighborhood Plan
12 did not anticipate the closure of Wrightstown Elementary School,
13 and as such, does not directly address future use of the site.

14 The goal of the Pantano East Area Plan is to preserve
15 the integrity of established neighborhoods and promote
16 residential in-fill of vacant land where adequate provisions of
17 streets and utilities are available, and to promote low density
18 residential developments within the interior of established low
19 density neighborhoods.

20 The Pantano East Area Plan defines low density
21 residential as up to six units per acre. At 6.05 units per acre,
22 the proposed density is supported by the Pantano East Area Plan
23 and can be supported by the Wrightstown Neighborhood Plan if
24 designed to be compatible with adjacent development.

1 The rezoning site is surrounded on three sides by
2 streets, Wrightstown Road on the north, Avenida Ricardo Small to
3 the east and Lee Street to the south. Wrightstown Road is
4 identified as an arterial roadway on the Major Streets and Routes
5 Plan Map. Avenida Ricardo Small and Lee Street are local
6 streets.

7 Vehicular access will be from Avenida Ricardo Small and
8 Lee Street. The Pima Association (Inaudible) Transportation
9 Planning Division estimates that the proposed development will
10 generate 536 vehicle trips per day.

11 The area surrounding the rezoning site to the east,
12 south and west is low density, detached single-family residential
13 development zoned at R-1, zoned R-1, at a density of
14 approximately 2.5 to 3 units per acre.

15 To the north of subject rezoning site across
16 Wrightstown Road is a residential development with single-family
17 homes in the R-2 zone at approximately 3.5 units per acre. The
18 design compatibility report proposes 56 lots with detached one-
19 and-two-story homes. The design compatibility report limits two-
20 story homes to no more than 25% of the lots.

21 The proposed two-story homes will be located within the
22 interior of the rezoning site consistent with the Wrightstown
23 Neighborhood Plan direction. To be compatible with adjacent
24 development, the west property line should have no more than

1 four homes, each limited to 16 feet in height. To create a
2 cohesive streetscape with the adjacent residential neighborhood
3 to the south, the proposed homes along Lee Street should face the
4 street with no two adjacent lots developed with the same model
5 facade.

6 The proposed development is consistent with and
7 supported by the policy direction provided in the Pantano East
8 Area Plan, the Wrightstown Neighborhood Plan and Plan Tucson.
9 Subject to compliance with the attached preliminary conditions,
10 approval of the, of the requested R-1 zoning is appropriate.

11 I also add that you have received a letter from --
12 e-mail actually, from the Applicant indicating that they would
13 like to revise the Preliminary Development Plan. The original
14 Preliminary Development Plan showed seven lots along the west
15 boundary. The Revised Preliminary Development Plan shows two.

16 As of today, the Planning & Development Services
17 Department has received six approvals for this project, and 11
18 protests. Eight of the protests are within the 150-foot area
19 resulting in a protest by area to the north of 11.8%. To the
20 south, protests by area of 22.9%. To the east, the protests by
21 area of 0.3%, and to the west, a protest by area of 13.2%.

22 The protest level is noteworthy because if there is a
23 protest greater than 20% in any one of the four compass
24 directions, it requires a three-quarters majority vote of Mayor

1 and Council to adopt a rezoning ordinance.

2 ZONING EXAMINER: Thank you, Mr. Moyer. I have
3 received copies of the approval and protest forms. I note
4 preliminarily that they, on the positive side, generally fall
5 into the area of commending the developer as a good company. And
6 that it's better to have a developed area with houses than an
7 empty school, also noting that the plan is better than others.

8 On the negative side, the, the protest letters were
9 grouped around concerns for congestion, traffic and access. One
10 protester didn't like the name, in addition to some other issues.
11 Issues of density, or concerns about density, concerns about the
12 loss of views, based on the height of two-story homes. Concern
13 that houses might be too large for the lot size and too close to
14 each other.

15 Concerns about the usability of the flexible lot
16 development open space, and a desire to see the school repurposed
17 rather than redeveloped, which I would just note is a little bit
18 outside the purview of, of this hearing, at least that last item.

19 All right. Also note that I received the revised
20 development plan, and maybe we'll get a chance to review that.
21 But as I understand it, the proposed lots along the western
22 boundary were reduced in size and, and coagulated to create
23 larger open space. And then lots on the interior were expanded
24 to increase the size - increase the number of lots on the inside,

1 but I think it's the same amount of lots, or maybe one fewer
2 overall. Mr. Martin, are you giving the presentation or is Mr.
3 Viner? Okay. Well, come on up.

4 MR. MOYER: Mr. Kafka, before we go on -

5 ZONING EXAMINER: Sure.

6 MR. MOYER: - I think I said Preliminary Development
7 Plan, Revised Preliminary Development Plan dated 12/09, and I
8 think that's the day it was created, but we received it 12/11.

9 ZONING EXAMINER: Okay.

10 MR. MOYER: That would be the date of the Preliminary
11 Development Plan, 12/11.

12 ZONING EXAMINER: I, I, I have a note on mine that says
13 "12/11".

14 MR. MOYER: That's what it should be.

15 ZONING EXAMINER: And, and then the stamp, the, the
16 acceptance stamp for PDSO also states "12/11". All right.
17 Thank you.

18 MR. VINER: Good evening. My name is Bill Viner, I'm
19 with Pepper Viner Homes. To start with, we're gonna use kind of
20 a team approach, so I didn't know if you need a bigger copy of
21 the revised plan. I have one here.

22 ZONING EXAMINER: It couldn't hurt.

23 MR. VINER: And if there's anyone in the audience that
24 would like one, because it'll be difficult to see. You want one?

1 Also, we have a letter of approval that was given to us for you
2 tonight.

3 ZONING EXAMINER: Okay.

4 MR. VINER: I'd like to submit that now. Do I need to
5 read it or just hand it to you?

6 ZONING EXAMINER: Let, let me take a look at it first.
7 Is this the letter that the gentleman wanted read into the
8 record, or is it a separate one?

9 MR. VINER: No, it's a different letter.

10 ZONING EXAMINER: Okay. Oop. That was my fault.
11 All right. I'm receiving into the record a letter of support for
12 the proposed development. And although it's not on the form,
13 perhaps, I'm gonna give this to you, Mr. Moyer, so it may accept
14 - I may change - well, it's not gonna change the calculations
15 'cause it's a approval letter, but it goes into my record. So
16 thank you.

17 MR. VINER: Are we, we ready?

18 ZONING EXAMINER: Yup.

19 MR. VINER: And I'm not sure whether we should show you
20 this or should we show the audience?

21 ZONING EXAMINER: If you can point it towards the
22 audience, and I'll try to crane a little bit. Mr. Martin, if
23 you could - right. That might be good. Can, can everybody see
24 that in the audience, and I can pretty much see that, too, so.

1 All right. Thank you.

2 MR. VINER: Thank you. In reviewing the property,
3 we've met with both the City of Tucson Staff, and neighbors to
4 listen to their concerns and perspective. We believe we have
5 addressed a number of the important issues in our Preliminary
6 Development Plan. Obviously, anytime a new development is being
7 considered in a neighborhood, it's a difficult task to satisfy
8 all the parties involved.

9 However, the 56 single-family detached homes is a
10 relatively low impact compatible use for the property. We feel
11 that with thoughtful, sensible planning, this is a neighborhood
12 that will benefit the overall community.

13 Now with Chuck's help, we just take you through some of
14 the important pieces of the development plan. Some of this is
15 repetitive to what had been said earlier. The land area is 9.25
16 acres. It's currently zoned RX-1. We're proposing R-1 with the
17 flexible lot development option.

18 The property currently drains from the south to both
19 the northeast and the northwest. Most of the drainage goes to
20 the northwest. As we said, there'll be a maximum of 56 single-
21 family detached homes. A minimum of those homes, a minimum of
22 75% of the homes will be single story.

23 In order to implement the development plan, existing
24 improvements and facilities, i.e., the Wrightstown School will be

1 removed. The asbestos and hazardous materials in the school will
2 be removed from the site.

3 It's important to note again that this site is buffered
4 on four sides. On the west there's an alleyway. On the north is
5 Wrightstown Road. On the east is Ricardo Small, Avenida Ricardo
6 Small. And on the south is Lee Street. So there's natural
7 buffers between our property and the existing neighborhood.

8 In the revised plan - and also, I just want to point
9 out and I'm gonna just grab another (inaudible) This was the
10 original plan, and you can see there were seven homes on the west
11 side of the property. We've now moved those homes -

12 ZONING EXAMINER: You can point that to the audience,
13 'cause I have that.

14 MR. VINER: Okay. So there, there used to be seven
15 homes. The Staff, after meeting with the Staff, they recommended
16 that we reduce the number of homes to create a larger buffer on
17 the western boundary, and we did just that.

18 We reduced that number to two homes that you can see on
19 the southwest corner of the property, and we created a much
20 larger functional open space that runs along almost the entire
21 western portion of the property.

22 In the - also, in additional to that functional open
23 space, you can see that in the heart of the property, there's a
24 corridor that leads from Lee Street to integrate our property

1 with the property to the south into a, what we call a pocket
2 park. So there's actually two pocket parks. That one and the
3 one on the west. There's also a functional open space in the
4 northeast corner that could be utilized as well.

5 There's also a landscape buffer that runs along the
6 entire north portion of the property. It's a 10-foot landscape
7 buffer, and it comes down the eastern portion of the property
8 where there's a 10-foot landscape buffer as well. There'll be a
9 five-foot wall that'll be constructed on the west, the north and
10 the eastern boundaries of the property.

11 Access, as was stated, is currently off Avenida Ricardo
12 Small. There's two entrances. It's a loop road that runs
13 through the subdivision. The balance of the site will be
14 accessed off Lee Street.

15 Two-story homes will be restricted. They will not be
16 placed on the western boundary or the eastern boundary of the
17 property. Moreover, after talking to Staff, we have reduced the
18 number of homes, two-story homes, that would be available on the
19 southern boundary to four, and on the northern boundary to three.

20 Also, we have agreed to restrict that no two-story
21 homes will be built side-by-side. Every home will at least have
22 one canopy tree in the front yard. I mentioned the pedestrian
23 connection to Lee Street -

24 ZONING EXAMINER: Mr. Viner, I just want to -

1 MR. VINER: Yes.

2 ZONING EXAMINER: - make sure I got my notes right.
3 On the - the southern boundary's restricted to three two-story
4 homes, and the northern boundary is restricted to four?

5 MR. VINER: It's the opposite.

6 ZONING EXAMINER: Okay. Four.

7 MR. VINER: Four on the south, three on the north.

8 ZONING EXAMINER: Okay. Thank you.

9 MR. VINER: Proposed homes along Lee Street will have
10 their front elevation facing Lee Street, so integrate ourselves
11 in the neighborhood. Rather than walling in the entire
12 community, we decided we wanted to integrate ourselves into the
13 neighborhood.

14 There will be variations in architecture, exterior
15 colors and the massing of the homes. All the homes will be built
16 to Energy Star Version 3 requirements. We anticipate that the
17 homes will range in size from 1400 to 2200 square feet. It's
18 similar to what we have in the existing neighborhood.

19 We are, after discussions with the neighborhood at a
20 neighborhood meeting, we are planning a plaque or object
21 commemorating the Wrightstown School to be incorporated in the
22 development. And last, but certainly not least, we are in
23 agreement with the conditions that City Staff has recommended for
24 the property.

1 ZONING EXAMINER: Can you tell me a little bit about
2 the amenities and function of the functional open space?

3 MR. VINER: Now the exact amenity has not been
4 determined yet, but the functional open spaces (inaudible) what
5 we call pocket parks. So there'll be some amenity associated
6 with that, whether it's a play structure, whether it's benches,
7 trees, a place to walk your dog, a place to sit and read a book,
8 a little pocket library. Those things haven't been determined
9 yet.

10 ZONING EXAMINER: Okay. Thank you. And are two-story
11 dwellings proposed on any of the boundaries of the functional
12 open space that's accessible from Lee?

13 MR. VINER: I'm sorry. Could you repeat that?

14 ZONING EXAMINER: Are two-story homes proposed for any
15 of the lots that are on the boundary of the functional open space
16 from the access from Lee, those four lots (inaudible)

17 MR. VINER: The two-story homes have not been
18 restricted except on the east, the west, four homes on the south,
19 and no two homes to be side-by-side, and three homes on the
20 north.

21 ZONING EXAMINER: Okay. So it's feasible that there'd
22 be two-story, or under your plan now, there are -

23 MR. VINER: It could be.

24 ZONING EXAMINER: - possibly two-story (inaudible)

1 MR. VINER: But it's interesting to note that currently
2 as it's drawn, the connectivity from Lee Street to the little
3 pocket park is wider than Lee Street itself. It's 40 feet wide.

4 ZONING EXAMINER: Okay. Is that the pavement, not -

5 MR. VINER: Correct.

6 ZONING EXAMINER: - not including that (inaudible)

7 MR. VINER: Pavement. Not the right-of-way, just the
8 paved portion of the street.

9 ZONING EXAMINER: All right. The paved portion of the
10 street, not including the indentation currently for the parking.

11 MR. VINER: Correct.

12 ZONING EXAMINER: All right. Okay. Thank you. Is
13 there anybody else who'd like to make additional comments in
14 favor of the application? Sir.

15 MR. MURILLO: Good evening. I'm Richard Murillo. I'm
16 District Planner for TUSD. We've looked at this plan -

17 ZONING EXAMINER: If you could just - I'm not sure I've
18 had people sign in, did I? I'm sorry. Thank you.

19 MR. MURILLO: I represent TUSD here. We've reviewed
20 this development plan, and just to let you know that we have a
21 property disposition plan where we reviewed the impact, so we, we
22 have (inaudible) the properties. We feel that this particular
23 sale of the property, in conjunction with what they've presented
24 as a development plan is a, is a benefit to the area.

1 At this time, you know, the property is vacant and TUSD
2 has to maintain this property in terms of the vandalism and the
3 other negative aspects that we have on this vacant property.

4 In terms of the development itself, we believe that
5 they've created a compatible in-fill development that meets the
6 City's rezoning conditions. We also believe that this plan will
7 contribute to the stability of the area and provide quality
8 homes, and we just ask for your support and your approval on this
9 plan.

10 ZONING EXAMINER: All right. Thank you. Anybody
11 wishing, anybody else wishing to speak in support of the proposed
12 application? Anybody wishing to speak against the proposal?
13 Ma'am, in the back.

14 MS RYAN: Okay. My first question -

15 ZONING EXAMINER: Wait, wait, wait.

16 MS. RYAN: I have to sign in?

17 ZONING EXAMINER: There, there will be no questions
18 from you to them. It's you speak to me, I will take notes, I
19 will ask questions and if there's questions that need to be
20 asked, I'll ask them. I'll call them back up.

21 MS. RYAN: Thank you.

22 ZONING EXAMINER: So I want to avoid a conversation
23 that makes the record extremely complicated to understand if
24 there's different conversations going on.

1 MS. RYAN: I believe you received my letter from my
2 husband and I.

3 ZONING EXAMINER: What's your name?

4 MS. RYAN: My name's Kate Ryan.

5 ZONING EXAMINER: I believe I did.

6 MS. RYAN: And I'm gonna read that because I'm just
7 gonna read that. There's two issues that we're concerned about.
8 First, when we purchased the property, it was mainly because of
9 the views, and the nice quiet neighborhood.

10 ZONING EXAMINER: Let me just ask you. Are you on -
11 where, where are you located?

12 MS. RYAN: I live at 8927 East Calle Bolivar. I say
13 Bolivar. Okay?

14 ZONING EXAMINER: And that is -

15 MS. RYAN: And we are just south of Lee.

16 ZONING EXAMINER: Just south of (inaudible)

17 MS. RYAN: And we overlook the school yard.

18 ZONING EXAMINER: Okay. Thank you. I'm sorry to
19 interrupt you. (Inaudible)

20 MS. RYAN: That's okay. With your development, and
21 Bill, (inaudible) for 30 some years, and I, I am proud of what
22 you do.

23 ZONING EXAMINER: Again, again, I, I need -

24 MS. RYAN: I'm sorry.

1 ZONING EXAMINER: - to avoid - I, I -

2 MS. RYAN: Okay.

3 ZONING EXAMINER: I need to avoid that.

4 MS. RYAN: Except for in my neighborhood. With the
5 development of the school yard, Wrightstown Elementary, which was
6 donated by that family to have that school yard, both will be
7 taken away. You're forcing your needs on us for the right to
8 build two-story homes, and ruining the views of our home, and
9 neighbors' homes.

10 Then the other major issue, being that you will be
11 placing our neighborhood in a dangerous traffic situation. You
12 should have traffic enter into your complex from Wrightstown,
13 leaving our main street, Avenida Ricardo Small, free from the
14 burden from your imposed traffic from your development onto our
15 safe streets.

16 I believe that it is possible for you to take another
17 look and see that you can do your part in making this a workable
18 situation for all those involved.

19 We did attend the meeting at the Eastside City Hall.
20 I asked a few questions that were never answered. There was
21 concerns there that apparently nobody took into consideration
22 because on the west side, excuse me -

23 ZONING EXAMINER: Sure. And if you want, you can ask
24 them now. I, I want to hear those.

1 MS. RYAN: Can I (inaudible)

2 ZONING EXAMINER: All right. But let me make sure you
3 get on the mike so that -

4 MS. RYAN: Okay.

5 ZONING EXAMINER: - that we get a recording of what you
6 say.

7 MS. RYAN: This isn't my map, but that's their new
8 revised - which by the way, we just got tonight when we came to
9 this meeting.

10 ZONING EXAMINER: Oh.

11 MS. RYAN: They have - they could have put two-stories
12 here because there is no view there. There's a two-story house
13 on the other side.

14 ZONING EXAMINER: And you're indicating the western
15 portion.

16 MS. RYAN: The western, uh-huh.

17 ZONING EXAMINER: Yeah.

18 MS. RYAN: Wrightstown, they could put more on
19 Wrightstown, two-stories. And they could have gone some on the
20 Avenida Ricardo Small side. Why they chose to put them on the
21 north side of the houses that are already existing in our
22 wonderful neighborhood, community neighborhood, which people walk
23 the streets for their exercise with their pets. With lots of
24 traffic coming from all of this onto Ricardo Small puts everybody

1 in danger. I don't know if City Planning's told them to do this,
2 but that's not a good - for me, it's not a good thing.

3 ZONING EXAMINER: All right. So the concerns you have
4 primarily are the location of two-story houses that might block
5 views from the south?

6 MS. RYAN: Yes. There's 11 lots here. One's already a
7 one story.

8 ZONING EXAMINER: Uh-huh.

9 MS. RYAN: He says there won't be two-st- -- two two-
10 stories, but there's four two-stories going in here.

11 ZONING EXAMINER: Okay.

12 MS. RYAN: Why can't he put them on Wrightstown, or
13 over here?

14 ZONING EXAMINER: And then a concern that having both
15 of those exits - entrances and exits onto Avenida Ricardo Small -

16 MS. RYAN: Exactly.

17 ZONING EXAMINER: - is unsafe.

18 MS. RYAN: It, it is unsafe. This, by the way, you
19 lose part of that street because there was a drive-off where the
20 buses came and dropped off the kids. That's gonna be gone, so
21 it's back to the regular size street.

22 ZONING EXAMINER: The width is, is back to its -

23 MS. RYAN: (Inaudible)

24 ZONING EXAMINER: Okay.

1 MS. RYAN: And also here on Lee, the pullout where
2 parking was for school parking is gonna be gone.

3 ZONING EXAMINER: Okay. Anything else?

4 MS. RYAN: So I would - I suggest that you ask him to
5 rethink it.

6 ZONING EXAMINER: All right. Thank you. All right.
7 Anyone else wish - sir? Yes. Come on up.

8 MR. SCHEER: Good evening. My name's Gary Scheer, and
9 I'm a 38-year resident of Desert Palms. And I'm within
10 approximately a block from where this project will take place.
11 I want to thank Mr. Moyer for taking my e-mail yesterday. I
12 trust that you got my, my protest, and -

13 ZONING EXAMINER: I'm just gonna look through the file
14 here and make sure that I have a copy.

15 MR. SCHEER: Protest. I see attached, I think.

16 ZONING EXAMINER: I do. And there's an attached
17 letter, with the three points.

18 MR. SCHEER: Right.

19 ZONING EXAMINER: Okay.

20 MR. SCHEER: Right.

21 ZONING EXAMINER: I have that.

22 MR. SCHEER: Thank you. If I could refer - I first
23 wanted to bring, I first wanted to bring out that the Avenida
24 Ricardo Small has a figure of 60 feet from the middle of the wash

1 to, to the curblin, or to the buffered area. It makes that look
2 much wider than what it really is.

3 I was there today and measured that, and that's two
4 12-foot lanes with a foot in the middle for a double line. So in
5 essence, that's 20, what, 25 feet. If we go down to Lee Street,
6 Lee Street is much wider. It's wider by five feet.

7 They don't have a figure how far in feet from this
8 nasty Wrightstown corner here to the first ingress/egress. I
9 believe I know where that's at, but I tell you, folks, this is a
10 real accident waiting to happen here at, at Wrightstown and
11 Ricardo Small.

12 The visibility there is just - it's terrible trying to
13 get out of there. You have the schools from the east that are
14 unloading, and then a lot of traffic coming through Ricardo
15 Small. So I'm wondering, with the hill on Wrightstown, which is
16 an endangerment, why we couldn't put an ingress/egress off of
17 Wrightstown.

18 Now I understand there's some City questions on that,
19 but I parked up there today, and I watched that area. And in
20 front of Fountain Park, I believe that's the name of that
21 subdivision. It is much easier and much better visibility.
22 You can see all the way to Ricardo Small, and you can see cars
23 coming from the east, where when you're down at Ricardo Small,
24 you cannot see that traffic.

1 And so my biggest concern is the ingress/egress here.
2 I'd like to see, as my drawing shows, maybe reconsidering
3 somewhat. And then the - I polled a lot of older folks in our
4 neighborhood that can't get out at night. They didn't know what
5 to do with the, the form that they received. And so a lot of
6 them didn't like the name, and I think I cited that in my report.

7 So I'd like to see some reconsideration maybe to that.
8 And instead of naming one of these public streets Wrights, or
9 Wrightstown, maybe we could just call the - or put a nice sign
10 out dedicating that to those folks.

11 So the ingress/egress is, is my greatest concern.
12 It's, it's not safe. It's even worse when the monsoons come and
13 then they put barricades at, at the wash there. , That really
14 becomes a bottleneck.

15 ZONING EXAMINER: Barricades on, on Avenida Ricardo
16 Small, or the ones at Wrightstown?

17 MR. SCHEER: Right here, here is - what's the name of
18 that wash?

19 MALE SPEAKER: Ricardo Small Wash.

20 MR. SCHEER: Ricardo Small Wash.

21 FEMALE SPEAKER: Yes.

22 MALE SPEAKER: Ricardo Small Wash.

23 MR. SCHEER: Ricardo Small Wash. That's a, that's a
24 real wicked one. If you go there now, it's all, it's all washed

1 out. The cement is just terrible. But that is a real bad wash
2 when the monsoons come.

3 So now, you even have more congestion. So I'm, I'm
4 asking that we, we really give some consideration. Another
5 consideration that the neighborhood had is when a project down at
6 Speedway and Ricardo Small took place when they redid Speedway -

7 ZONING EXAMINER: Is that the townhome project or the -

8 MR. SCHEER: There's a new, there's a new storage unit
9 going in there now. When they redid the entrance into Desert
10 Palms, it really congested that street. But the point that the
11 neighborhood wants, wanted me to bring tonight was, is that the
12 people within 150 feet were notified. The rest of the hundreds
13 of people in this subdivision had no idea what was going on.

14 Now the same thing is happening down here. Now people
15 in 150 feet down here, these people, even our President of our
16 association was not aware until someone in the 150-foot zone made
17 him aware that, "Look, we, we have a problem."

18 So they asked that I, I bring that along tonight. And
19 unless you folks have some more questions for me, some of the,
20 some of the names were Wrightstown Ridge, Wrightstown Hills,
21 Wrightstown View, and so on. Something kind of - we've always
22 said Wrightstown School. That kind of, you know, is the area.
23 Any questions?

24 ZONING EXAMINER: I don't have any questions for you.

1 I'm, I'm collecting questions, though, to -

2 MR. SCHEER: Sure.

3 ZONING EXAMINER: - to ask.

4 MR. SCHEER: Okay. Sorry.

5 ZONING EXAMINER: Thank you. Sir, if you'd like to
6 come forward. Okay. I'm gonna take a procedural question first.
7 Let me, let me ask this gentleman just to come up. He has a
8 procedural question. Actually if you could say it into the
9 microphone.

10 MALE SPEAKER: (Inaudible)

11 ZONING EXAMINER: I don't have to have a - after the,
12 the proponents and the opponents, I will say, "Does anybody want
13 to speak to any other relevant issue?" All right. So you, you
14 wouldn't be grouped in there. Thanks.

15 MR. DALY: Good evening. My name is Thom Daly, and I
16 am the President of Desert Palms Park.

17 In Desert Palms Park there is 186 houses that will be
18 affected by this development. I'm for it, I think it's okay,
19 except there are problems with the egress and ingress on Avenida
20 Ricardo Small. It looks big on the map, but Avenida Ricardo
21 Small is a very tiny street.

22 And the way you have the - those two little loop
23 streets now, there's gonna be a major backup on Avenida Ricardo
24 Small to Wrightstown Road. Lee Street's gonna be affected, and

1 also the neighborhood behind us, Windsor Park. That'll all be
2 impacted by the traffic flow of, of this. On the solution, would
3 be egress on Wrightstown, but we all know Wrightstown Road is
4 maxed out and I don't know how that would work out.

5 Going towards the two-story houses, the elevation of
6 the property's higher on the Lee Street side of the property.
7 So when they put four two-story houses on Lee Street, it's
8 actually gonna be higher than the whole point of the map.

9 So right there on Lee Street, that's gonna block
10 mountains, plus everything else. So if they could put the force
11 to the two-story houses somewhere else in the area, that would be
12 a lot better for everybody.

13 But like I said, being the President, I, I was not
14 informed of the letters going out. Where I live, I'm not
15 affected by this. I'm farther than 300 feet away. I'm more in
16 the middle of the neighborhood on Calle Pasto.

17 ZONING EXAMINER: Let me just ask you. Is, is that a
18 registered neighborhood association that you're -

19 MR. DALY: Yes.

20 ZONING EXAMINER: - President of?

21 MR. DALY: Yes, we are.

22 ZONING EXAMINER: And can we - I think Mr. Moyer is
23 looking through the list of people who did receive notice, and I
24 just will wait a moment and see the neighborhood association was

1 informed at least.

2 MR. DALY: Well, we are - I know we're also -

3 ZONING EXAMINER: What's supposed to happen is every
4 neighborhood association -

5 MR. DALY: We're, you know, in Paul Cunningham's
6 office, we're registered through him. Now whether or not there's
7 a difference, I don't, I don't know.

8 MR. MOYER: Mr. Kafka, the policy is that all
9 neighborhood associations that are registered within one mile
10 would receive notice. What was the name of the neighborhood
11 association?

12 MR. DALY: Desert Palms Park Neighborhood Association.

13 MR. MOYER: We have Michael Beach.

14 MR. DALY: Yeah, he was - but he was President four
15 years ago.

16 MR. MOYER: We use the current information that's on
17 file with the neighborhood association -

18 MR. DALY: (Inaudible)

19 MR. MOYER: - with the -

20 MR. DALY: Okay.

21 MR. MOYER: - City.

22 MR. DALY: Well, we - okay. We had it updated, but
23 apparently that fell through.

24 MR. MOYER: We also have Ruth Whitaker, Ruth Elliott

1 Whitaker. Deana Rosegarden.

2 MR. DALY: You have the old Council Members. When was,
3 when was that updated? Is there a date on that?

4 MR. MOYER: We update it every time we receive
5 information.

6 MR. DALY: Okay. 'Cause Michael Beach hasn't been
7 President in three years.

8 ZONING EXAMINER: So -

9 MR. DALY: And Ruth Whitaker, she retired -

10 ZONING EXAMINER: So the neighborhood association's
11 update to the City, their rosters, but I don't -

12 MR. DALY: Anyway -

13 ZONING EXAMINER: In any case, you're here now
14 (inaudible)

15 MR. DALY: I'm here now. I - we're gonna get that
16 straightened away. I also have -

17 ZONING EXAMINER: But, but make sure to send the City
18 your, your information, your current Board's information so that
19 any, any of these other issues will be current.

20 MR. DALY: I also have Fountain Park's written
21 statement they said to deliver to you, 'cause he had to leave for
22 parking.

23 ZONING EXAMINER: Yes. Let me take a, a copy of his
24 letter.

1 MR. DALY: He has two, two letters here. I don't know.
2 Anyway, I just wanted to say that there are issues that need to
3 be addressed. Like I say, up until the force, the two-story
4 houses, I was, I was kind of for it.

5 But I just don't like the location of where the two-
6 story homes will be, especially on Lee Street, 'cause again,
7 that's higher elevation than the whole rest of the property, and
8 I think that just needs to be looked at.

9 ZONING EXAMINER: Okay.

10 MR. DALY: Plus, I don't understand why they couldn't
11 put them on the west side, 'cause there are two-story properties
12 in, in, in Windsor Park along the west wall. So I don't
13 understand why they couldn't put the bulk of their force, their
14 two-stories on the west side.

15 ZONING EXAMINER: All right.

16 MR. DALY: Well, thank you again.

17 ZONING EXAMINER: Thank you. Anybody else wishing to
18 speak against the proposed application? Now I'd like to -
19 actually before I do that, let me enter these letters into the
20 record.

21 One I already have, or was already provided to me. And
22 the second letter are both letters of support. I'm gonna enter
23 these into the record. I can read them out if, if you like.
24 Okay.

1 This one is addressed to me. It's, "Dear Sir: This is
2 a copy of my testimony at the rezoning hearing on December 11th,
3 2014, in City Council Chambers. My name is Neil West. I live at
4 9030 East Waverly Street which is directly north of the proposed
5 rezoning project. I have lived there for over 27 years. I've
6 been most interested in the development of this property."

7 "Previous developers did make the area residents aware
8 of their plans. However, Bill Viner really has done a tremendous
9 job of informing and illustrating to the community his vision of
10 owner occupied homes on this property."

11 "The proposed 56 homes will fit well in our area. I
12 would ask that the hawk light currently at Wrightstown School be
13 retained for safety reasons for crossing Wrightstown Road, and
14 with the schools further to the east of this property."

15 "The improvement of the Camino Seco/Wrightstown
16 intersection with stop lights has helped to control the traffic
17 which has increased - significantly increased over the years. I
18 support this planned development within our area. It will
19 provide more revenue to the City and County and will be a
20 positive addition to our neighborhood area. Signed Neil West,
21 M.D."

22 The other is also from 9030 East Waverly Street from
23 Carol West. "Dear Sir: I am writing to express my strong
24 support for Case C9-14-09 School Yard - Wrightstown Road in

1 Ward 2. I am pleased that Pepper Viner, a local reputable
2 company will be developing the project."

3 "I live in the subdivision across the street from the
4 proposed rezoning, and our development is zoned R-2. I believe
5 the rezoning request for R-1 is reasonable and reflects much of
6 the current zoning in the immediate area. This project will be a
7 positive addition to our neighborhoods. Sincerely, Carol West."

8 MS. RYAN: (Inaudible)

9 ZONING EXAMINER: If you can come forward to the
10 microphone, yes, absolutely.

11 MS. RYAN: They are not affected. They're -

12 ZONING EXAMINER: No, no. Come - say it into the
13 microphone.

14 MS. RYAN: They are, they are not affected by the
15 congestion that's gonna be caused, nor the views. And everything
16 in Fountain Park is one story.

17 ZONING EXAMINER: Okay. Thank you. And with that, I'm
18 gonna admit the letters into evidence for, for the weight that
19 they - for their weight as evidence.

20 And, sir, now I'd like to call on anyone who'd like to
21 speak to any relevant issue about the proposed application, but
22 neither has an opinion as a proponent or an opponent. I think
23 that captures you, is that - okay.

24 MR. SCOTT: My name is Roger T. Scott. I live at

1 9055 East Calle Bolivar which is roughly, what, maybe two blocks
2 south and east of the school property. My wife and I have lived
3 there since '92.

4 Actually, I'm gonna join the Wests in expressing
5 enthusiastic support for this project. I want to join them in
6 thanking Pepper Viner for bringing forward this plan for
7 development.

8 The property is not going to continue to be used for
9 educational purposes. Any thought that it might somehow be
10 retained for that is, is a pipe dream, that's just not gonna
11 happen. Too many financial reasons against it.

12 So we're left with a piece of property that needs to be
13 developed, and this, by far, is the superior plan for, for this
14 acreage. So I can't speak to them directly, but I'm gonna point
15 to them and say they done a good job.

16 Now having said that, I do encourage you to hear
17 carefully the concerns that have been raised about two-story
18 houses. I commend the developer for, on the front-end, saying
19 only 25%. The location has been spoken to and I think spoken to
20 quite well by my neighbors. So I don't want to get into that
21 issue.

22 The property has a history of generating traffic. It's
23 been a school, and so it's a traffic generator. It's got a long
24 history of that. And, and now we're dealing with just another

1 phase of, of traffic-related issues pertaining to that property.
2 And a lot of attention in the past has been given to the safety,
3 the flow patterns. There's been equipment put in, people have
4 been hired. I mean it was a school, so a lot of attention was
5 given to traffic flow two times a day.

6 I certainly encourage all parties, the City, the
7 developer, to bring as much attention as possible to using this
8 as an opportunity not only for existing residents, but for those
9 who are gonna join us. We're gonna gain 56 neighbors out of
10 this. We - this may be an opportunity to somehow improve the
11 traffic flow rather than see it as simply adding to traffic flow
12 issues.

13 I'm not an expert in this field, I really don't know
14 what the solutions are, but this is an opportunity. And I, I
15 hope we can take advantage of it, the people who know how to do
16 these things.

17 The gentleman who spoke about the issues relating to
18 coming off of Ricardo Small going north and trying to go,
19 particularly to go west off Ricardo Small, and the fact that
20 there's a hill there and there's a site - I, I, I do that quite a
21 bit.

22 And, and that is a significant kind of issue safety-
23 wise because of the developments to the west, schools and more
24 houses. Wrightstown is becoming a street that is handling

1 traffic that it was not designed for. So, so there's a traffic
2 issue there and it needs to be addressed. And certainly if we
3 can use this for an opportunity to do that, everybody wins
4 including the future neighbors.

5 The family that gave this property, I would hope that,
6 and I, I, I detect that there's some interest in doing this. I
7 don't know what the specific thoughts about it are, but this is
8 an opportunity to honor a donation of land that served that
9 community, that part of Tucson extremely well for, what, almost a
10 hundred years.

11 Some way to honor the couple who made the original
12 donation of that land, some way to recognize their ancestors who
13 - I mean their, their descendants who still live in that area,
14 some way to honor them publicly. Maybe in conjunction with
15 opening a park, a pocket park that might be named in memory of.
16 I don't know. People can think about this sort of thing.

17 But again, we've got an opportunity here to do a lot of
18 good will and to recognize the importance of a generous donation
19 that has benefitted our community out where we live for a very
20 long time. We've lost the school. There's no need to lose the
21 spirit that brought that school there in the first place. Served
22 it quite well.

23 So I, I, I think I've hit my notes pretty good here.
24 Just want to sort of sum up by again saying that that I hope this

1 project goes through. Worst thing that can happen to us is for
2 that site to continue to fall into disrepair, become a bigger
3 eyesore than it is, and to hurt everybody concerned in terms of
4 property values.

5 This looks like a neat project. I just hope that some
6 of the issues raised tonight can be addressed in a positive and
7 helpful way. I thought it was quite constructive of one, one of
8 my neighbors to suggest relocating some of those two-story
9 houses.

10 So I just kind of commend all of us to that kind of
11 problem solving so that this can, this can hasten. I'm looking
12 forward to seeing work going on on that site.

13 I, I would also along that line ask that all safety
14 precautions be taken in terms of the demolition of that property
15 relative to any components of it that might have any sort of
16 public endangerment, specifically asbestos.

17 Everybody's aware of that, but I just didn't hear
18 anything tonight that said, "this is how we're gonna handle
19 that," and frankly that, to me is as big a issue as how the
20 traffic is addressed. So, thank you.

21 ZONING EXAMINER: Thank you, sir. Sir?

22 MR. SCHEER: Yes. I hope I didn't come across this
23 evening -

24 ZONING EXAMINER: Let me just have you repeat your name

1 for -

2 MR. SCHEER: Oh, I'm sorry. My name again is Gary
3 Scheer from Desert Palms. I didn't want to come across that I'm
4 against the project other than what I, what I spoke tonight.

5 I did want to make one comment about Ms. Carol's
6 letter. She made some comment about the caution light. Well,
7 you know, that caution light is an endangerment, folks. People
8 coming down Wrightstown are speeding like hell.

9 That hump is there. That light is inoperable, it
10 doesn't work. There is no sidewalk on Ms. Carol's side of the -
11 of Wrightstown. The sidewalk is on Desert Palm's side.

12 So I just wanted to address that and say that to me
13 that light, people coming down Speedway see that light, they
14 don't see it blinking, and they just go like hell. So, thank
15 you.

16 MALE SPEAKER: (Inaudible) on Wrightstown.

17 ZONING EXAMINER: They, they come down Wrightstown,
18 okay. All right. Thank you, sir. Is there anybody else who
19 wishes to speak to any other issue before I ask Mr. Viner and Mr.
20 Martin to come back up? All right. Mr. Viner, Mr. Martin?

21 All right. Before I ask any questions, let me give you
22 an opportunity to answer ones in advance of my questions if you
23 have anything to respond to that you heard.

24 MR. VINER: Just one regarding traffic, and I think

1 there's always been traffic generated from this site. And I
2 believe that the site generated from a school that has 170
3 students is the equivalent number of traffic trips that would be
4 generated from this site. And I think this school, at one time,
5 had upwards of 500 students, 600 students.

6 MALE SPEAKER: 500.

7 ZONING EXAMINER: All right. 500.

8 MR. VINER: 500.

9 ZONING EXAMINER: Anything else?

10 MR. VINER: Nothing.

11 ZONING EXAMINER: All right. Well, let's, let's first
12 talk about the number of stories. It becomes a little difficult
13 for me to assess the full compatibility of the project with the
14 neighbors without really knowing - and it becomes hard for them
15 to assess it as well without really knowing where those two-story
16 homes are proposed to be.

17 And, in fact, whether they indeed can be compatible as
18 two-story homes, whether they're - and without any proposed
19 elevations or proposed renderings it's difficult to tell what
20 that means. Are they pitched roof, are they flat roof, and what
21 do they look like? What, what is this gonna look like to a
22 person living on Lee Street?

23 I don't have any mock-up of a view shed for how that
24 might affect, or impact their view considering that that side of

1 the site is a little higher than the northern portion of the
2 site. So that becomes a little difficult to assess. So perhaps
3 you -

4 MR. VINER: May- -- maybe I can help a little bit.

5 ZONING EXAMINER: Sure.

6 MR. VINER: I think along Lee Street, if you'll look at
7 those southernmost lots, there would only be two two-stories on
8 the west side of the connectivity, and two on the right side. So
9 however those would be spaced among those lots there, if that
10 helps you.

11 So rather than there being, for instance, three on one
12 side and one on the other, I think they would be best spaced two
13 on each side of that area.

14 The other thing that we would be willing to do is to,
15 and I'm not, I'm not sure this is a benefit. But along the, the
16 open space that connects from Lee to the pocket park, we could
17 restrict those two along Lee Street to single story.

18 So then you would have, along Lee Street, you would
19 have the one on the west, the one on the east and the two in the
20 middle, which would give you a fairly wide corridor up that
21 property. And then no two being next to each other. It would
22 have to be somewhere in those other two other lots that are
23 remaining.

24 ZONING EXAMINER: Well, there, there would only be

1 eight lots remaining -

2 MR. VINER: Right.

3 ZONING EXAMINER: - for possible four -

4 MR. VINER: Right.

5 ZONING EXAMINER: - two-stories which cannot be next to
6 each other. So it would either -

7 MR. VINER: Right.

8 ZONING EXAMINER: - be, one, alternating lots -

9 MR. VINER: Correct.

10 ZONING EXAMINER: - of two and two. Still, that, that
11 gives me some guidance, but it's still difficult to assess for me
12 how that has an impact to people living on Lee in terms of their
13 view of the mountains. Their view there which they, which is a
14 factor that I would like to consider.

15 And the kinds of things that, that, you know, as this
16 goes through as an FLD, the design professionals are gonna be
17 considering as well. I mean that's, that's a given. So that,
18 that still is somewhat difficult.

19 And then on the - what are the restrictions for two
20 stories on the, the Wrightstown side? Actually, I think the
21 question that Ms. - was it Evans? Yeah, Kate -

22 MS. RYAN: Kate Ryan.

23 ZONING EXAMINER: - Kate Ryan, sorry, asked was why
24 not group more two-stories on the Wrightstown side of the

1 development?

2 MR. VINER: We're, we're happy to flip that.

3 ZONING EXAMINER: To do three on the Lee -

4 MR. VINER: Three on Lee, -

5 ZONING EXAMINER: - Street side.

6 MR. VINER: - four on Wrightstown.

7 ZONING EXAMINER: And that would mean two to the west
8 side of the park, and one on the east side of the park.

9 MR. VINER: Or vice versa.

10 ZONING EXAMINER: Or vice versa. And are they - do you
11 know if they're proposed to be a pitched roof or flat roof?

12 MR. VINER: No, I don't know yet.

13 ZONING EXAMINER: Okay.

14 MR. VINER: My guess is they'll be flat roof.

15 ZONING EXAMINER: I, I saw on the neighborhood meeting,
16 though, it's some indication that they might be similar to the
17 development out at Civano.

18 MR. VINER: Correct.

19 ZONING EXAMINER: Okay. Did you - were you able to
20 provide images of that to the neighborhood at that time, or -

21 MR. VINER: No. I brought some tonight, but I haven't-

22 ZONING EXAMINER: I would actually like to see those
23 tonight if you want to -

24 MR. VINER: These single story, I didn't bring the

1 two-story.

2 ZONING EXAMINER: You didn't bring two- -- that's the
3 ones I'd particularly interested in seeing. But let's see the
4 single story as well. So this is - you're proposing a
5 development similar to the one that, that you had developed over
6 at Civano. And these are the homes that were built there.

7 MR. VINER: Right.

8 ZONING EXAMINER: Okay. You can show them to them, the
9 audience out there, and then I'll, I'll take a look at them as
10 well.

11 (Inaudible conversation.)

12 ZONING EXAMINER: So if there's any two-stories in the
13 interior of this development, that's similar to what that view
14 might be?

15 MR. VINER: Yes.

16 ZONING EXAMINER: Okay. I'll, I'll let you come back
17 in a moment.

18 MALE SPEAKER: (Inaudible)

19 ZONING EXAMINER: And the question is, is that the
20 style of house that you're gonna be building. Okay.

21 MR. VINER: I mean they'll have different elevations,
22 some, they won't be as wide, but I think they'll either be Santa
23 Fe or Territorial style homes.

24 ZONING EXAMINER: I, I, I'm a big fan of renderings and

1 images like this. It helps people really, you know, not
2 everybody - I certainly, I'm not an architect. Not everybody has
3 as much familiarity.

4 And those really, I think, do help people understand
5 the kind of development that's proposed here. Oh, yeah. Thank
6 you. So, I'm gonna take those. The statement is that the style
7 will be Santa Fe or -

8 MR. VINER: Territorial.

9 ZONING EXAMINER: - or Territorial similar to the
10 structures that were built at Civano, but narrower to accommodate
11 those lots.

12 MR. VINER: Right.

13 ZONING EXAMINER: And the, the images that people
14 pointed out to two-story units that were, that were off to the
15 side in some of the photographs, is that a two-story unit?

16 MR. VINER: That is a two-story unit.

17 ZONING EXAMINER: And that's - is that similar? And
18 this one, as well, has a, both a flat roof and a pitched roof.
19 Is that similar to -

20 MR. VINER: I think these two-stories will be a little
21 smaller than those houses, those are quite large. One of those -

22 ZONING EXAMINER: And those actually allow - I think
23 those are higher. Are those lots (inaudible)

24 MR. VINER: The maximum height is 25 feet. Those are

1 close.

2 ZONING EXAMINER: Okay. All right. Let's talk a
3 little bit about the egress and ingress, specifically some of the
4 proposals that were made tonight, and why you chose to put those
5 ingress and egress on Avenida Ricardo Small.

6 MR. VINER: I, I think that we were, in discussions
7 with Staff, asked not to enter from Wrightstown, have another
8 access off Wrightstown. We didn't feel like the traffic could
9 come off Lee Street. It seemed like a natural place to enter the
10 subdivision, 'cause we already have one road coming off Lee
11 Street.

12 And the other thing this does for us, and does for the
13 homeowners, it gives every house a north/south orientation which
14 is the best possible orientation in terms of energy efficiency.

15 ZONING EXAMINER: All right. Let me - Mr. Moyer, is it
16 - are you able to comment on the traffic considerations about a
17 Wrightstown egress and ingress?

18 MR. MOYER: What I - I can't with great authority.
19 What I can say is that our traffic engineer reported that he did
20 not require that it be off of Wrightstown. I don't know if that
21 meant they would prefer it, but didn't require it.

22 MR. SCHEER: Sorry. Mr. Moyer, could you repeat that?

23 ZONING EXAMINER: Could you repeat that for the
24 gentleman, please?

1 MR. MOYER: The best information I have is that our
2 transportation traffic engineering folks did not require that the
3 access be off of Wrights- -- be off of Ricardo Small. Did not
4 say it could not be off of Wrightstown.

5 ZONING EXAMINER: So, to, to the best of your
6 knowledge, Staff did not preclude an egress/ingress from
7 Wrightstown.

8 MR. MOYER: Correct.

9 ZONING EXAMINER: Okay.

10 MR. VINER: Mr. Kafka?

11 ZONING EXAMINER: Yes.

12 MR. VINER: In the pre-submittal issues that were
13 discussed, traffic, no access easement recorded off of the alley
14 and Wrightstown Road. That, that was the direction we were
15 given.

16 ZONING EXAMINER: All right. I, I do see that. But
17 I'm, I'm unclear as to whether that just refers to the fact that
18 there's no recorded access, no easement, but still wouldn't
19 preclude an entrance to the development from Wrightstown. But I
20 do see that notation.

21 MR. VINER: And in discussion, it just - if the, if the
22 traffic is already a problem coming off of Avenida Ricardo Small,
23 giving another couple of accesses, or one access, trying to enter
24 and exit off Wrightstown seems problematic.

1 ZONING EXAMINER: I don't know the answer to that. I
2 don't know if it's problematic or not, and, and, and I don't have
3 - I don't think I have enough information as to whether it would
4 be. I think there's somebody wishes to speak on this.

5 MR. SCHEER: Yes.

6 ZONING EXAMINER: That - you can come, come forward.
7 It's Mr. Scheer.

8 MR. SCHEER: Once again, my name is Gary Scheer. And
9 I'd like to bring it to the attention that there's already an
10 ingress/egress at that exact location, right across the, the
11 ingress/egress of Fountain Park, there is already and ingress/
12 egress. There's already a right turn - a center lane turn for,
13 for both sides.

14 I sat there today and watched traffic all day, you
15 know, not all day long, but for a considerable time. And traffic
16 coming in and out of Fountain Park, it all, it all flowed very
17 smoothly. So it would flow right in with Fountain Park's current
18 driveway. The curbs are there.

19 ZONING EXAMINER: And, and it appears to me that there
20 was an access point at some point from Wrightstown School on
21 that, on that portion. And -

22 MALE SPEAKER: (Inaudible)

23 ZONING EXAMINER: Okay.

24 MALE SPEAKER: To the parking lot.

1 ZONING EXAMINER: To the parking lot.

2 (Inaudible conversation.)

3 MS. RYAN: Can I just say something?

4 ZONING EXAMINER: Yes. Come forward, Ms. Ryan.

5 MS. RYAN: The two-stories, I appreciate that he wants
6 to put three on Lee, but I don't want any on Lee. And they're
7 not all north/south exposures 'cause the ones to the east and
8 west are not north and south, I don't believe.

9 SPEAKER: (Inaudible)

10 MS. RYAN: Are they? Okay. Do those houses face -

11 MR. VINER: (Inaudible)

12 MS. RYAN: Okay. All right. So my concern here is, is
13 that it just doesn't affect Lee Street, it affects Calle Bolivar.
14 The - we don't need two-stories there. It's not - it doesn't fit
15 into the neighborhood as it is, but those would be eyesores with
16 three standing up on one end, and I think it's better to put them
17 on Wrightstown or on the west where there's already a two story
18 on the other side of the easement.

19 I don't know how they lucked out and didn't get any,
20 but that would be a place for most of those to go. That park is
21 a new addition that wasn't there before. Those were houses when
22 we went and saw what they were doing.

23 ZONING EXAMINER: Yeah. That was the, the site plan I
24 had until today -

1 MS. RYAN: Thank you.

2 ZONING EXAMINER: - tonight as well.

3 MS. RYAN: Yeah. We just got that tonight, so a
4 surprise to us.

5 ZONING EXAMINER: All right.

6 MS. RYAN: And considering the school, there's pullouts
7 which will be gone. There's pullouts where the buses went in and
8 the kids got off. And there were pullouts where the buses came
9 in and took the children away. That's all gonna be gone.
10 Ricardo - Avenida Ricardo Small's gonna be smaller, and all this
11 traffic in and out on Ricardo Small is a dangerous situation. I
12 live there.

13 ZONING EXAMINER: All right. Thank you. Mr. Viner.

14 MR. VINER: One other thing I'm not sure how this
15 affects - City Staff would know, is just to the west of this
16 property, there's three single-family dwellings that have
17 driveways that access Wrightstown adjacent to our property.

18 (Inaudible conversation.)

19 ZONING EXAMINER: Oh. Actually that was - let me, let
20 me come back to that. You know, let's see what we can, what we
21 can clear through tonight. Again, without being able to see
22 renderings of what that streetscape would look like, and knowing
23 that primarily we're talking about developments nearby that are
24 overwhelmingly single story, it's difficult for me to assess the

1 impact that would have.

2 I, I, I know that Ms. Ryan, or Mrs. Ryan, I'm not sure
3 - Mrs. Ryan is very concerned about that. I think there's ways
4 that, that developers have done two-story homes and one-stories
5 without it making look - making it a problem with views or a
6 sawtooth, the broken tooth problem.

7 But it's very difficult for me to assess without some
8 proposal on your side on that. And, and with the four and the
9 three, that's seven. And seven is already 15 or 16 - what's the
10 percentage there?

11 MR. VINER: Fourteen.

12 ZONING EXAMINER: That's 14%.

13 MR. VINER: No. I'm, I'm sorry. Seven would be twelve
14 and a half percent. Fourteen (inaudible)

15 ZONING EXAMINER: You're much better at math than I am.

16 MR. VINER: I doubt it.

17 ZONING EXAMINER: So, so seven is twelve and a half
18 percent. It's exactly half.

19 MR. VINER: Correct.

20 ZONING EXAMINER: Okay. And that - now that you've
21 added more lots to the interior, was that taken into account that
22 perhaps more two-stories could accommodate your development
23 concerns, more two-stories in the interior could be added
24 (inaudible)

1 MR. VINER: We've not taken that into account.

2 ZONING EXAMINER: So you, so you could take away two-
3 story houses from Lee, and perhaps add them to the interior and
4 still make the 25% that you're proposing?

5 MR. VINER: We haven't looked at that.

6 ZONING EXAMINER: Okay. I'd, I'd like you to look at
7 that.

8 MR. VINER: Okay.

9 ZONING EXAMINER: Okay. The other issue, I think, and
10 maybe - I don't know if you have the time right now to figure
11 that out. The other issue is the - whether, and what the Staff
12 recommendation on ingress and egress from Wrightstown would be.

13 I, I understand the neighbors' concerns, and I
14 understand your comments. And I, I don't have enough information
15 to know whether this would be a, a traffic problem with the, the
16 way it's configured now or whether it'd be more of a problem with
17 Wrightstown. So I, I, I would be open to proposals. I see that
18 if you took the Wrightstown access, you lose a, a parcel there,
19 and I don't -

20 MR. VINER: The other thing from Avenida Ricardo Small,
21 you know, the, the, the vehicles, or the homeowners have the
22 option of going south to Speedway.

23 ZONING EXAMINER: To Speedway, yeah.

24 MR. VINER: Or to Wrightstown. And I would anticipate

1 that that traffic would be fairly split.

2 ZONING EXAMINER: Well, and it depends on what
3 direction they're, they're trying to go and, and whether their
4 ultimate destination is to the north or the south or, you know,
5 I, I can't - I'm, I'm not, as we've discovered in prior cases,
6 I'm not a traffic expert. Mrs. Ryan wants to comment on this, so
7 - oh, you don't?

8 MS. RYAN: (Inaudible)

9 ZONING EXAMINER: Oh. Mr. Scheer wants to comment on
10 it.

11 MR. SCHEER: (Inaudible) Once again, my name's Gary
12 Scheer. When you go, when you exit to the south on Ricardo
13 Small to Speedway, we no longer have a choice to go left unless
14 you cheat and there's gonna be a nasty accident at that zone
15 there, because you can only go right, unless you're on the other
16 side of the arroyo, that's a different story. At Wrightstown,
17 you have the choice to go right or left.

18 I thought it was also two other interesting comments.
19 On Ms. West's side over in Fountain Park, that, that development
20 was lowered. If you look at the road, it's way lower than the
21 road.

22 This project sits high, and so it will overlook that
23 primo, primo second-stories. But who suffers? The people behind
24 will suffer. The other area was that I thought was interesting,

1 there's a retired fireman in the area that made the comment that
2 he didn't think that a large fire rig could make the corner
3 because Ricardo Small is going to be much narrower to get into
4 the ingress/egress if there was an emergency.

5 ZONING EXAMINER: I believe - and Mr. Moyer, you can
6 comment on this. I believe Tucson Fire would have reviewed that.

7 MR. MOYER: Tucson Fire would review the plat for it,
8 and that would include their ingress/egress to the site.

9 MR. SCHEER: Good. Thank you. That's all.

10 ZONING EXAMINER: Thank you, sir.

11 MR. DALY: (Inaudible)

12 ZONING EXAMINER: Yeah. Absolutely. I want to hear
13 it.

14 MR. DALY: Thom Daly once again. I just want to
15 clarify that Speedway - Tucson didn't do us any favors when they
16 put that intersection in on Speedway and Avenida Ricardo Small.

17 On the, on the west side Avenida Ricardo Small is we
18 can only turn right, and then we have to go down Speedway and
19 make a U-turn if we want to go east.

20 If we're on the east side of Avenida Ricardo Small, you
21 can turn left, but you gotta fight the apartments on the other
22 side of the street and traffic coming. So Tucson didn't do us
23 any favors on that intersection. So Avenida Ricardo Small backs
24 upon Speedway in the mornings. We're kind of landlocked in the

1 mornings for the morning traffic, no matter how you look at it.

2 Another comment, - when Wrightstown School was in its
3 prime back in the '80's, or whatever, there was probably 500
4 students there. But that's not counting all of the charter
5 schools that's developed on Wrightstown Road and the bend.

6 So the traffic might be 500 more cars or whatever, but
7 it's not taking into consideration all the traffic down on
8 Wrightstown for the, for the morning traffic for all those
9 charter schools.

10 ZONING EXAMINER: So the, the peak of -

11 MR. DALY: It kind of washes out, but it still -
12 there's more traffic on Wrightstown Road because of the charter
13 schools than probably Wrightstown ever created in its heyday.

14 ZONING EXAMINER: All right. And that's from Tucson
15 Country Day and Desert Christian.

16 MR. DALY: There's like four or five charter schools in
17 there now. And they weren't there when Wrightstown was a, was a
18 functioning school. That's why Wrightstown closed because all
19 those charter schools took the students away.

20 ZONING EXAMINER: Let me try to wrap my head around
21 the, the traffic issue from someone in the -

22 MR. DALY: Yeah. The, the map is, if you, if you
23 looked at Avenue Ricardo Small, it's, it's a two-lane road on
24 each side of the wash.

1 ZONING EXAMINER: Yeah.

2 MR. DALY: But at the, but at the last 200 feet on
3 Speedway, if we want to go left, we have to criss-cross the wash,
4 get on the west side of Avenida Ricardo Small to make the left.
5 We have to criss-cross. And the same coming in. You can only
6 come in on the west side, and then criss-cross back from the wash
7 to get to the east side of the neighborhood again.

8 ZONING EXAMINER: So people coming out of this
9 development, which is as far north as you can get on Ricardo
10 Small, if they want to go east, they're fine because they're
11 going with the direction of traffic to turn right.

12 MR. DALY: On - where, where are we going? On
13 Wrightstown, yes.

14 ZONING EXAMINER: You're going, you're facing north on
15 Ricardo Small and you want to go east on Wrightstown. You'd make
16 a right, that's an easy right. If they want to go west, their
17 option is to fight traffic, if there's traffic, to turn left onto
18 Wrightstown, or proceed down to Speedway over the 20 mile per
19 hour and the humps.

20 MR. DALY: Yeah, the speed humps.

21 ZONING EXAMINER: But then they, they make a right with
22 the flow of traffic to go -

23 MR. DALY: On the west side of Avenida Ricardo Small.

24 ZONING EXAMINER: But they already are - they already

1 can be on the west side (inaudible)

2 MR. DALY: Yeah. But if they want to go left on
3 Speedway, they have to criss-cross the street. They can't make a
4 left turn on the west side of Avenida Ricardo Small.

5 ZONING EXAMINER: Or they could -

6 MR. DALY: Or they have to go down (inaudible) and make
7 the -

8 ZONING EXAMINER: - make their, make their right on
9 Wrightstown and go down to -

10 MR. DALY: Right. But nobody - if you're going down
11 Speedway, you know, you're gonna go and make a U-turn and go back
12 on Speedway east anyhow.

13 ZONING EXAMINER: If you're - I, I don't, again, I'm
14 not the traffic expert. I'm trying to get in the mindset of
15 somebody (inaudible)

16 MR. DALY: You can't turn - if you're on the west
17 side of Avenida Ricardo Small, you can't turn left on Speedway.
18 Can't -

19 ZONING EXAMINER: That, I understand. If I'm, if I'm
20 up there at Wrightstown and Ricardo Small and I know I want to go
21 east on Speedway, I, I would go right on Wrightstown, follow the
22 curve down, go to the light and make a left.

23 MR. DALY: On Harrison?

24 ZONING EXAMINER: On Harrison, yeah. I'd go down to

1 Harrison.

2 MR. DALY: Yeah. And that's really going out of your
3 way -

4 ZONING EXAMINER: And that -

5 MR. DALY: - if you wanted to do that.

6 ZONING EXAMINER: To get, to get east.

7 MR. DALY: Yeah.

8 ZONING EXAMINER: Unless my destination were between
9 the two.

10 MR. DALY: There's nothing there but schools.

11 ZONING EXAMINER: All right.

12 MR. DALY: Okay?

13 ZONING EXAMINER: Thank you. That, that helps me a
14 lot.

15 MR. SCOTT: One point that -

16 ZONING EXAMINER: Yes. Yes, sir. Come on up. Just
17 repeat your name for me. I have -

18 MR. SCOTT: Last name's Scott.

19 ZONING EXAMINER: Okay.

20 MR. SCOTT: It's been brought to your attention, but
21 one thing that you may be missing as you wrap your head around
22 this, as you said, is the elevation change.

23 (Inaudible conversation.)

24 MR. SCOTT: But you need to be seeing this as well.

1 ZONING EXAMINER: I can see it.

2 MR. SCOTT: I want, I want -

3 ZONING EXAMINER: Oh. You want Mr. Viner to see it,
4 too. Okay.

5 MR. SCOTT: To figure out how we can do that.

6 (Inaudible conversation.)

7 ZONING EXAMINER: And make sure - I, I'm not getting -
8 picking you upon the microphone, Mr. Scott.

9 (Inaudible conversation.)

10 MR. SCOTT: This depiction shows a nice, flat wonderful
11 road, right? Okay. What happens here is you can see this way.
12 If you're trying to go north on either side of Ricardo Small, you
13 can see to the east.

14 ZONING EXAMINER: And, and let me just tell you. I -

15 MR. SCOTT: You know that?

16 ZONING EXAMINER: - I, I've been driving around this -
17 the neighborhoods and driving the streets, and I've tried to pick
18 times when school was coming in and out. And, and now Mr. Moyer
19 has given me the map on his phone.

20 MR. SCOTT: Do you see the elevation change from here
21 to here?

22 ZONING EXAMINER: I, I did, yeah.

23 MR. SCOTT: This is in the bottom of a wash.

24 ZONING EXAMINER: Yeah.

1 MR. SCOTT: So you're -

2 ZONING EXAMINER: So you're looking uphill as you turn-

3 MR. SCOTT: You're trying to guess -

4 ZONING EXAMINER: - east - west.

5 MR. SCOTT: You're trying to look here and guess when,
6 okay, when there's gonna be an opening here. And, oh, my
7 goodness, is there gonna be one topping that hill at a great
8 excess speed? And then trying to get out. Now that's gonna be a
9 problem for all these people who are gonna move in here. It's
10 already an issue for us.

11 So in addition to where the access is, I'm almost of
12 the opinion that - well, you dump more traffic on, on Ricardo
13 Small, you're just exacerbating the problem that exists from the
14 elevation difference between this point high, this point low.
15 You cannot look back here and be - get enough of a sense of when
16 you've got an opportunity to turn and go west. You just sort of
17 do it.

18 Now, there's a hawk right there. I don't know who owns
19 that hawk. That's not cheap. If you're gonna dump all this
20 traffic here, and there's probably, I'm guessing the developer -
21 I don't know if the developer chose this as his best option or if
22 he chose this because of a misunderstanding about not being able
23 to get onto Wrightstown. That needs to be sorted out. But if
24 this is gonna be the main traffic, if this is where traffic meets

1 traffic, you need to put a light right there.

2 ZONING EXAMINER: And my understanding, as I measured
3 it, and I could be wrong, is that there's almost exactly a half
4 mile separation between that intersection and the light at Camino
5 Seco.

6 MR. DALY: Sounds right.

7 ZONING EXAMINER: A point four something. A little, a
8 little bit more. No, no. I mean between - not between Harrison,
9 but between Ricardo Small. I think it's a half - a little bit,
10 maybe a little less than a half. That's the mile. So that's a
11 little - okay. Well, that, that's a fact that can be ascertained
12 pretty -

13 MR. DALY: Yeah.

14 ZONING EXAMINER: - quickly. All right. I, I think
15 that looking into traffic, it would be good to have at least a
16 preliminary traffic study, or impact study. I know that the, the
17 traffic generation number's are relatively small.

18 And, and I say that, and they are relatively small.
19 But we, we - there's another development going just to the west
20 that may have some changes, some impacts on the traffic on
21 Wrightstown. It's about a quarter of a mile or so to the, to the
22 west off of Wrightstown. Yeah, Mr. Viner, I think it's Mahalo,
23 Mahalo Properties.

24 MR. VINER: (Inaudible)

1 ZONING EXAMINER: I'm sorry. You're right. To the
2 east. Forgive me. About a quarter mile to the east.

3 MR. VINER: (Inaudible)

4 ZONING EXAMINER: I'm not sure how many lots. Now
5 there was, there were, there was two phases of 12 or 13 each.

6 MR. VINER: (Inaudible)

7 ZONING EXAMINER: Yeah. They have one to the south
8 that connects to the north. So that might be a factor to
9 consider in traffic generation as well. So what I, I do think
10 would be useful would be to see where we can put two-story homes
11 with the least impact, and perhaps take them off the Lee side
12 completely, and still get the 25% number that you're looking for.
13 Mr. - I've, I've got this. Mr. Daly.

14 MR. DALY: (Inaudible)

15 ZONING EXAMINER: Up to the microphone.

16 MR. DALY: Just want to throw this out there. But if,
17 if Mr. Viner's willing to meet with the neighbors -

18 ZONING EXAMINER: I, I think Mr. Viner's always willing
19 to meet.

20 MR. DALY: Well, and meet, and you know, with a sketch
21 pad and paper and we can kind of work this all out amongst
22 ourselves.

23 MS. RYAN: (Inaudible)

24 ZONING EXAMINER: Well, Ms. Ryan, I, I - Ms. Ryan's

1 indicating that she doesn't believe it. I always hope that
2 that's true, and I've seen -

3 MR. DALY: Well, I'm just, just throwing it out there.
4 I mean, 'cause half the neighborhood doesn't know what's going
5 on, and the other half is - there's only, only the people in the
6 first hundred yards, or whatever it is, get the, get the notices.

7 If, I'm just saying if it would just turn out there
8 where Mr. Viner met as many of the neighbors as wanted to show
9 up, maybe we can kind of figure this out together.

10 ZONING EXAMINER: What I'm, what I'm gonna do is -

11 MALE SPEAKER: (Inaudible)

12 ZONING EXAMINER: - is ask - well, Mr. Viner's met his
13 required neighborhood meeting notice, and the notices that went
14 out through - for, for announcing the rezoning. There's two sets
15 of notices that went out, and I, I don't want to require him to,
16 require him to meet again, if he'd like to - 'cause I - what I
17 feel I need is some time to get a traffic report and to really
18 fully understand where you're gonna put the two-story homes. And
19 that's where I am at this point. I'm thinking that's the general
20 consensus on -

21 MR. VINER: We'll put no two-story homes on Lee Street.

22 ZONING EXAMINER: Okay.

23 MR. VINER: But I hate to see this continued for a
24 traffic study that's beyond our control.

1 ZONING EXAMINER: Let me ask you this. If further
2 meetings with Staff indicate through the process, the FLD process
3 which has its own review, that a Wrightstown ingress/egress is
4 available, how much leeway, latitude do we have from the
5 Preliminary Development Plan submitted during the rezoning to, to
6 allow that, allow a change like that?

7 MR. MOYER: Mr. Kafka, if the public relies on the
8 original Preliminary Development Plan and we replace it with this
9 one, I would say changing access is a, is a major change.

10 ZONING EXAMINER: Is a major change.

11 MR. MOYER: I would also like to add, just 'cause we
12 missed it earlier, the note in the pre-submittal conference from
13 someone who was there was referring to back yard access, not
14 having direct lot access like you have on Lee onto Wrightstown.
15 It wasn't about a road.

16 ZONING EXAMINER: It was the alley easement.

17 MR. MOYER: Well, just access out the back of the
18 property.

19 ZONING EXAMINER: Out the back of the property.

20 MR. MOYER: Or, or having -

21 ZONING EXAMINER: Oh, I see. So the development -

22 MR. MOYER: Or having property front on Wrightstown.

23 ZONING EXAMINER: - should not have - so that note
24 really specifies the development should not have access out of it

1 onto the alley.

2 MR. MOYER: Yeah.

3 ZONING EXAMINER: Okay. So that's a slight
4 misunderstanding. Mrs. Ryan, you're - okay.

5 MS. RYAN: (Inaudible)

6 ZONING EXAMINER: Okay. All right. Do you want to add
7 anything, Mr. Viner? Mr. Martin, I think you provided me with a
8 trip generation range in one of the reports that was - that may
9 not have been you. But there was a trip generation range
10 somewhere in the application.

11 MR. MARTIN: My name is Chuck Martin, 3945 East River
12 Road, Tucson, Arizona, 85712. I believe in our report, we had
13 ten trips based on the standard trip generation that I think PAG
14 provided a lower trip generation that was read to you in the
15 Staff report.

16 ZONING EXAMINER: And tell me if this is outside your
17 wheelhouse. Are you in any position to give me an estimate on,
18 based on the number of parcels that are proposed in the
19 development which direction a portion of the traffic would go?

20 MR. MARTIN: I couldn't really say that. You know,
21 each street has about 200, 220 trips, the interior streets, and
22 Lee has 100, 110, so -

23 ZONING EXAMINER: And can you tell me generally for a
24 development like this, the peak travel time?

1 MR. MARTIN: I think it'd be similar to any community
2 where you have children, the morning and afternoon. I think one
3 thing to note is Ricardo Small is similar to a collector street.
4 I know it's not on the MS&R as a collector street, but -

5 ZONING EXAMINER: It functions similarly.

6 MR. MARTIN: Functions similarly. We had concerns
7 about the driveways to the - or to the west. There's three
8 driveways there, having another driveway at that intersection.
9 And I - we felt that Ricardo Small was a better street to have
10 access. It's 24 feet wide. It's standard two-way traffic width,
11 lane width.

12 The - there'll be plenty of radius for the turns into
13 the project to meet City access requirements. We knew we didn't
14 want to come from Lee, and - with all the traffic that's now on
15 Wrightstown, we picked Ricardo Small, so -

16 ZONING EXAMINER: Okay. Thank you.

17 MALE SPEAKER: Just other thing. Obviously 120 of
18 those traffic generations are coming off Lee Street, you know,
19 'cause those homes front Lee Street. So, so the balance would
20 come off of Ricardo, those two entrances onto Ricardo Small.
21 They'd all end up being there. But those ones at Lee are always
22 gonna be there.

23 ZONING EXAMINER: And they're, they're gonna end up on
24 Ricardo Small regardless, though. Although they - well, they go

1 into the subdivision to the, to the west.

2 MS. RYAN: (Inaudible)

3 ZONING EXAMINER: Yeah. All right.

4 MR. SCHEER: (Inaudible)

5 ZONING EXAMINER: Absolutely. Mr. Scheer?

6 MR. SCHEER: You know - once again, my name's Gary
7 Scheer. However we decide this project, if the project goes,
8 there's gonna be 186 residents, property owners that have lost
9 value either through views or whatever.

10 They're gonna be really upset when they wake up and
11 they find out that they can't get out Wrightstown, or they can't
12 get out Speedway. And we, once again, between there, have been
13 sandwiched in.

14 So I urge, I urge you to, to really look at that
15 ingress/egress on Ricardo Small and give it lots of attention.
16 Only those of us in the 150 know this is going on tonight.
17 Thank you.

18 ZONING EXAMINER: Thank you. All right. Is there
19 anything else anybody would like to add?

20 MALE SPEAKER: (Inaudible)

21 ZONING EXAMINER: Let me, let me get you on the record
22 here. I know you're a little reluctant.

23 MALE SPEAKER: (Inaudible)

24 ZONING EXAMINER: Okay.

25 MALE SPEAKER: I want to see this project happen. So

1 my comments relative to those that were just made is, I see this
2 as actually improving property values, not hurting property
3 values. I live outside the, the, the notice area that's been
4 discussed so far. I saw the sign, I knew about it, my neighbors
5 knew about it, we talked. So just wanted to throw that in the
6 discussion.

7 ZONING EXAMINER: Okay. Thank you. All right. I want
8 to thank everybody for coming out tonight. It boiled down to
9 some difficult issues. Thank you for giving me a lot of
10 information to think about. Thank you, Mr. Viner, for agreeing
11 to limit the two-story properties, the Lee frontage to only one
12 story.

13 I'm gonna think pretty deeply about the traffic
14 considerations over the next few days. And as I always do, try
15 to make my best recommendation based on the information I get, so
16 - and that information comes from you guys, and I thank you for
17 that.

18 MALE SPEAKER: (Inaudible)

19 ZONING EXAMINER: It's five business days for the
20 preliminary report, and if you fill out an orange card, I'll send
21 you one directly.

22 All right. With that, I'd like to close Case No: C9-
23 14-09. Drive safely everybody. Safe driving is on my mind right
24 now, so thank you and have a good season.

25 (Case No. C9-14-09 was closed.)

I hereby certify that, to the best of my ability, the foregoing is a true and accurate transcription of the original tape recorded conversation in the case referenced on page 1 above.

Transcription Completed: 12/21/14

Kathleen R. Krassow
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