



# MEMORANDUM

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DATE: May 7, 2008  
For May 22, 2008 Hearing

TO: Peter M. Gavin  
Zoning Examiner

FROM:   
Albert Elias, AICP  
Urban Planning & Design  
Director

SUBJECT: REZONING – URBAN PLANNING AND DESIGN REPORT  
C9-08-03 Sellarole, LLC - Sellarole Road, SR to R-1 (Ward 4)

**Issue** – This is a request by Paragon Architects, LLC, on behalf of the property owners, Sellarole, LLC, to rezone approximately 11.74 acres from SR to R-1 zoning. The rezoning site is located on the north side of Sellarole Road and approximately 2,043 feet west of Harrison Road (see Case Location Map). The preliminary development plan proposes a single-family residential subdivision consisting of 41 single-story homes at a density of 3.49 units per acre.

**Department of Urban Planning and Design Recommendation** – The Department of Urban Planning and Design recommends approval of R-1 zoning, subject to the attached preliminary conditions.

## **Background Information**

Existing Land Use: commercial stable

### Surrounding Zones and Land Uses:

North: Zoned SR and R-1; agricultural and single-family residential subdivision  
South: Zoned SR; Spanish Trail Wash and undeveloped land  
East: Zoned SR; agricultural and single-family residential  
West: Zoned SR; Pantano Wash

Previous Cases on the Property: none

### Related Cases:

C9-02-03 KB Home - Walnut Avenue, SR to R-1 This was a rezoning request for 10.9 acres located west of the Walnut Avenue alignment approximately 600 feet north of Fort Lowell Road and 750 feet east of Alvernon Way to allow the development of 53 single-family detached units utilizing the Residential Cluster Project option for a density of 4.9 units per acre. On March 1, 2004, Mayor and Council adopted Ordinance No. 9938 and on December 28, 2004, a site inspection was conducted, effectuating the requested zoning.

C9-07-09 Birin - 22<sup>nd</sup> Street, SR to R-1 This was a rezoning request for 4.27 acres located on the north side of 22<sup>nd</sup> Street, east of Bonanza Avenue and approximately one-half mile west of Houghton Road to allow the development of 16 lots with one-story, single-family residential units, for a density of 3.74 units per acre. On November 27, 2007, Mayor and Council authorized the requested zoning.

**Applicant's Request** – The applicant proposes to rezone 11.74 acres to R-1 to allow for a single-family residential subdivision consisting of 41 single-story homes at a density of 3.49 units per acre.

### **Planning Considerations**

Land use policy direction for this area is provided by the *South Pantano Area Plan* and the *General Plan*. The *South Pantano Area Plan* encourages the development of a variety of housing types, including single-family detached units that transition to densities equivalent to or compatible with contiguous development, provided the new residential development is compatible with existing land uses. Suburban density (up to six units per acre) is supported within the interior of established suburban density neighborhoods. The plan also promotes clustering and design flexibility in residential development. The plan requires that appropriate design elements such as fences, walls, vegetation and defensible space concepts be employed to ensure the compatibility of new residential development with existing land uses.

*General Plan* policies encourage new residential development that contributes to the visual character of the neighborhood, promotes neighborhood identity and enhances the overall function and visual quality of the street and adjacent properties. Policies promote quality and safety in design, compatibility with and adequate buffering of surrounding development and the development and management of healthy and attractive urban vegetation. The *General Plan* also calls for the establishment of an accessible open space system that connects open space in the urbanized area to the surrounding public natural areas. Element 4 of the *General Plan*, Policy 2 promotes protection and restoration of natural watercourses.

This site is located on the perimeter of the Evolving Edge Area, as identified in the *General Plan* Growth Area and Population Element. Policies support rural residential development in the Evolving Edge Area and/or in environmentally sensitive areas, with the lowest densities reserved for areas adjacent to sensitive natural resource areas. Policies also support protecting established residential areas by promoting compatible development. Other policies call for preserving and enhancing Tucson's natural setting, urban form and community image.

The rezoning site consists of two parcels located adjacent to the east bank of Pantano Wash, south of Golf Links Road and west of Harrison Road. The property, located in an area known for its strong equestrian character, is currently used as a horse boarding and riding facility. The adjacent zoning to the south, east, and west of the site is SR. Directly to the south of the site is Sellarole Road, which is divided by Spanish Trail Wash. Spanish Trail Wash is designated as a

an Ordinance WASH. Pima County owns Spanish Trail Wash and the undeveloped property south of Sellarole Road. The two properties adjacent to the east are currently used as single-family residential with agricultural uses such as raising livestock. The Pantano Wash, designated as a primary trail according to the *Eastern Pima County Trail System Master Plan*, is located to the west of this project. Property north of the site, and Eastview Wash, are privately owned, zoned SR, and are used for equestrian and/or livestock purposes. A 20-unit single-family residential development zoned R-1 is located at the northeast corner of the site on the north side of Eastview Wash.

Vehicular access to the rezoning site is proposed from Hearthstone Drive via a new bridge. Hearthstone Drive, a residential street with a right-of-way of 60 feet is northeast of the rezoning site. Further north on Hearthstone Drive are two intersections that provide access to arterial roadways. The first intersection encountered traveling north from the site is a four-way stop located at Stella Road. Stella Road is a residential street that provides access to Harrison Road. Harrison Road, identified as an arterial roadway on the *Major Streets and Routes Plan* map has a future right-of-way width of 120 feet and is located east of the project site. The second intersection is signalized and is located at Golf Links Road. Golf Links Road, identified as a gateway arterial on the *Major Streets and Routes Plan* map has a future right-of-way width of 200 feet and is located north of the rezoning site. Located south of the property is Sellarole Road, a residential street that is divided by the Spanish Trail Wash and ends at Pantano Wash. Both sides of the roadway allow two-way traffic for the land uses north and south of Spanish Trail Wash.

The Pima Association of Governments - Transportation Planning Division (PAG-TPD) estimates that the proposed development will generate 392 vehicle trips per day.

Field inspection by staff indicates there are currently no billboards on the rezoning site.

### **Design Considerations**

Land Use Compatibility – The proposed development of 41 single-story homes at a density of 3.49 units per acre is within the allowed six units per acre in established suburban neighborhoods. Residential developments, such as this, help preserve the integrity of established neighborhoods by promoting clustering and design flexibility. The Design Compatibility Report and preliminary development plan indicate the site will be developed under the "RCP-4" development designator, which allows a density of 5.14 units per acre. The dwellings will have a maximum building height of 20 feet and will include two recreational common areas. The proposed project density is less than the 4.79 units per acre cluster development located at the southwest corner of Sellarole and Harrison Roads.

A consistent design treatment common to the existing character of the neighborhood should be applied to the new development to maintain the visual character of the neighborhood. The Design Compatibility Report does not provide elevations of the single-story homes, but indicates that "the materials used will be regional such as painted stucco, masonry and wood frame with

corrugated, "rusty" standing seam roofs." To prevent the use of highly reflective finishes, the roof design will incorporate both sloped and pitched features. Dimensioned and colored elevation drawings shall be submitted with the tentative plat, reflecting the design considerations presented in the Design Compatibility Report, and demonstrating the buildings will be visually interesting and compatible with the surrounding neighborhood. Staff also recommends that any units adjacent to right-of-way and abutting residentially zoned property shall incorporate four-sided architecture, such that building facades at the rear and sides will be designed with attention to the architectural character and detail comparable to the front façade. To conform to the aesthetic standards and requirements of Residential Cluster Projects (RCPs), no two units of the same color shall be placed adjacent to each other. Exterior mechanical equipment shall also be screened from view from adjacent development and street frontages, and will be architecturally integrated into the overall site design.

At the request of the adjacent property owner, the applicant proposes an eight-foot high masonry wall along the east property line. An eight-foot high wall is also proposed for the south property line, however, staff recommends that a six-foot-high masonry wall be provided along the south property line (with the exception of the erosion abatement wall at the southwest corner) as proposed on the west and north lot lines. All proposed perimeter screen walls adjacent to the right-of-way or adjacent to residentially zoned property will be decorative and painted or constructed of graffiti-resistant material. Given the relative height of the proposed walls along the north, west, and south boundaries abutting recreation areas and/or open space areas, safe-by-design concepts will be incorporated through the use of open fencing material, either at the top of these walls or in sections of these walls.

The preliminary development plan depicts that the project will provide sidewalks on both sides of the proposed streets and a contiguous sidewalk connection from the development to Hearthstone Drive. The use of canopy trees to reduce heat island effects and to create shady pedestrian pathways is recommended. Staff will recommend that the development provide one tree per every other lot in the subdivision.

The Design Compatibility Report and preliminary development plan show one recreation area and propose the drainage basin to also serve as useable open space for the residents. As such, there is ample space and opportunity for additional amenities such as picnic tables, outdoor grills and a tot lot. Usable open space and active/passive recreational space must be accessible to the handicapped as well. Furthermore, to increase the usability of the recreation areas, a variety of shade trees selected from the Low Water Use Tolerant List are to be planted and shown on the landscape plan.

The applicant proposes to provide pedestrian access to the Pantano Wash, located on the west side of the development to promote recreational use of the wash and to provide a connection to the surrounding neighborhoods. To promote safety for river corridor users, and to take advantage of the adjacency to this open space area, masonry walls constructed along the western edge of the site, adjacent to the Pantano Wash, should be designed as view walls that have an open design above the lower 3.5 feet. This would promote visibility of the wash and avoid creating a walled-

off open space corridor. The south portion of the property is within the 50-foot WASH Study Area. The preliminary development plan demonstrates that the south lots have been adjusted so as not to encroach into the study area.

Drainage/Grading/Vegetation – The rezoning site is located in the northeast overbank geologic floodplain of the Pantano Wash, one of the Tucson’s Valley’s major watercourses. According to the FEMA Flood Insurance Rate Maps (FIRMs), the southwest corner of the site is in a mapped FEMA floodplain. To safeguard community interests, the area within the mapped FEMA floodplain should be dedicated to the Pima County Regional Flood Control District (RFCD) as a floodplain resource area, if the RFCD is agreeable. The RFCD owns the parcels to the west and south of the rezoning site.

The southern portion of the site is also subject to erosion hazard from the Pantano Wash. According to the drainage report submitted with the rezoning application, buried erosion protection (buried to an approximate depth of 26-29 feet below the ground surface) will be provided along the western half of the southern site boundary.

The Eastview Wash runs along the northern site boundary. The northwest portion of the site is subject to inundation from breakout flows during the regulatory (100-year) event. The Spanish Trail Wash runs along the southern site boundary. The southwest portion of the site is subject to inundation from breakout flows during the regulatory flow event.

Road Improvements/Vehicular Access/Circulation – The north adjacent portion of Sellarole Road will not be utilized by vehicles and will not serve as primary access to this development. The extent of this road relative to this site ends at the Pantano Wash to the west and therefore should not have any vehicle traffic from or to the west of this site. The portion of Sellarole Road adjacent to the property is not completely paved. The west half of the roadway is unimproved and the remaining portion out to Harrison Road is paved.

Primary access to the site will be provided by a new connection to Hearthstone Drive. A bridge will be constructed over Eastview Wash to connect the development with Hearthstone Drive. A sidewalk will also be provided on the west side of the bridge. The residential street within the development is proposed to be 40-foot wide, which can accommodate two-way traffic and on-street parking. However, on-street parking on both sides of the street does not allow adequate access for a solid waste collection vehicle to circulate within the development. Curbside refuse and recycle collection services is the recommended service as long as the required street frontage access and container placement area can be demonstrated for each lot. Five-foot wide sidewalks are provided on both sides of the street with exception to the east side of the development where there are no sidewalks shown. The emergency access to Sellarole Road at the southeast corner of the site is proposed to be 20-foot wide. Pedestrian access to Pantano Wash is provided on the west side of the development and can also be provided along Sellarole Road to the south.

**Conclusion** – The rezoning proposal is consistent with and supported by the policy direction in both the *South Pantano Area Plan* and the *General Plan*. The proposed subdivision, although

adjacent to the Pantano Wash, is protected, as are broader community interests through improvements and dedications to RFCD. Safe access points to the wash, for recreational use, is provided on the western and southern boundaries of the site. The proposed development, located on the perimeter of the Evolving Edge Area, continues a transition of compatible uses from rural to low-density urban residential. The design and proposed density of the development is compatible with the adjacent subdivision and others in the area. Impacts to adjacent horse properties are minimized through appropriate screening and design. Subject to compliance with the attached preliminary conditions, approval of the requested R-1 zoning is appropriate.

s:/rezoning/2008/c9-08-03 sr.doc

Preliminary Conditions

PROCEDURAL

1. A subdivision plat in substantial compliance with the preliminary development plan dated March 13, 2008, and the Design Compatibility Report, is to be submitted and approved in accordance with Section 4.1.1 of the *Land Use Code*.
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. Owner/developer shall enter into a Sewer Service Agreement with Pima County that specifies the improvements to be made to Pima County's public sewerage system, and the timing of said improvements.
7. Five years are allowed from the date of initial authorization to implement and effectuate all Code requirements and conditions of rezoning.

LAND USE COMPATABILITY

8. All exterior mechanical equipment shall be screened from view from adjacent development and street frontages, and it shall be architecturally integrated into the overall design of the development.
9. An eight-foot high masonry wall shall be placed along the eastern edge of the site and a six-foot high masonry wall shall be placed along the western, southern and northern edges of the site. Walls along the southern, western, and northern perimeter shall be designed as view walls. The walls shall have an open design above the lowest 3.5 feet, and approximately 75% of the area above 3.5 feet shall consist of openings.
10. All walls visible from a public right-of-way and/or adjacent to existing residential development shall be constructed of, or painted with, graffiti-resistant materials. These screen walls shall incorporate one (1) or more visually appealing design treatments, such as the use of two (2) or more decorative materials like stucco, tile, stone, or brick; a visually interesting design on the

## Preliminary Conditions

wall surface; varied wall alignments, (jog, curve, notch, setback, etc.); and/or trees and shrubs in voids created by the wall variations. A typical section shall be placed on the tentative plat or landscape plan.

11. Any continuous screen wall greater than seventy-five (75) feet in length and three (3) feet in height and visible from a public right-of-way or existing residential development shall have a varied wall alignment (jog, curve, notch, setback, etc.).
12. Building elevations on the sides and rear shall be designed to have architectural character and detail comparable to the front elevation for units abutting the north, south, east and west sides of the project. Consistent design treatment, including but not limited to color palette, rooflines, signs, and trim materials shall be provided, and no two units of the same kind or color shall be placed next to one another. Dimensioned and color elevation drawings are to be submitted with the subdivision plat.
13. Structure heights will be no greater than twenty (20) feet and limited to one-story.
14. Access to Sellarole Road shall be restricted to a gated emergency route only.
15. Primary access to the subdivision shall be provided via a bridge connecting this development to Hearthstone Drive. Sidewalk connection will continue from Hearthstone Drive into the proposed development.
16. The owner/applicant shall provide the recreation area design including amenities with the tentative plat submittal. The recreation areas and retention basins shall incorporate elements of usable open space and active/passive recreational space and those pedestrian facilities will be accessible to the handicapped. These areas will be made ADA accessible with a minimum five-foot wide path constructed of either stabilized DG, asphalt, or textured concrete. In addition to shaded seating areas, the recreation areas will include but are not limited to a ramada, tables, and an outdoor grill.
17. Owner/developer shall provide a range of shade trees from the Low Water Use Drought Tolerant List to increase the usability of the recreation areas. An appropriate amount of longer living and diverse shade producing trees, including evergreens that are in the Low Water Use Drought Tolerant List shall be provided to increase appearance, shade, and longevity diversity. Do not use any vegetation that has thorns at maturation in the recreation area.
18. A gated and keyed pedestrian access to the wash, with a minimum width of six (6) feet, shall be located on the west side of the proposed development to promote recreational use of the Pantano Wash, and to provide a connection to the surrounding neighborhoods.
19. To enhance public safety and reduce incidences of crime, perimeter walls along areas that abut designated open areas and common areas shall incorporate "Safe by Design" concepts as follows: the masonry portion of the wall shall include sections that do not exceed four (4) feet

### Preliminary Conditions

in height, except for pillars, with wrought iron or other similar open fencing materials on top, or sections of wrought iron or other similar open fencing materials.

20. Provide a minimum of one fifteen (15) gallon tree, no more than ten (10) feet from the back of the sidewalk, on every other lot frontage to create a pleasant microclimate for pedestrians and increase the aesthetic appeal of the development.
21. Six (6) inch wide fence block, or greater, shall be used for perimeter walls.

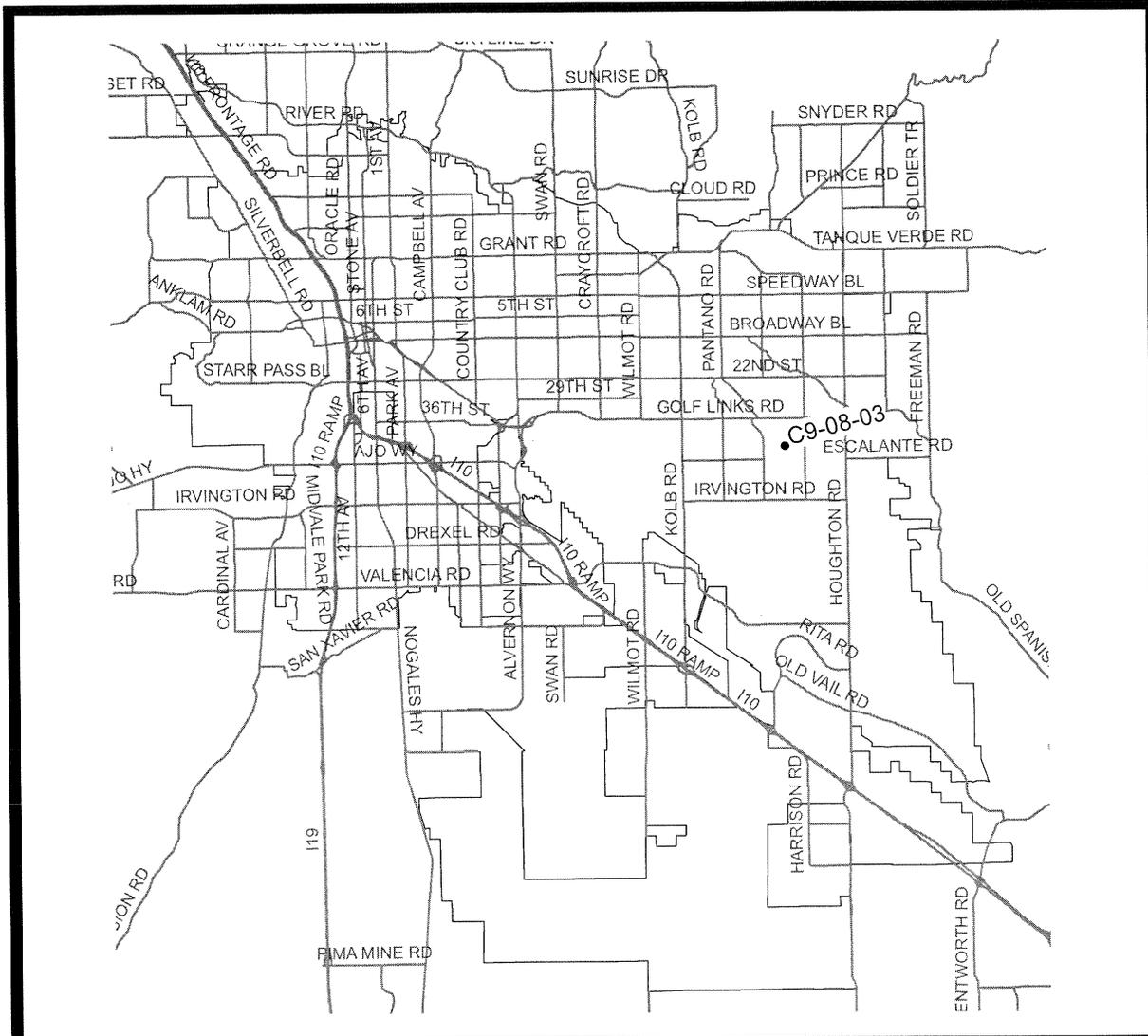
### DRAINAGE/GRADING/VEGETATION

22. Should buffelgrass be present on the site, a buffelgrass mitigation management plan shall be created for the site as a component of the Native Plant Preservation Plan portion of the Landscape Plan.
23. The owner/developer shall enter into an agreement with Pima County Regional Flood Control District (RFCD) concerning the dedication of the southwest corner of the site that is located in the FEMA floodplain area. Otherwise, it shall be dedicated to the City of Tucson.
24. Preparation of a complete Drainage Report, including details of detention/retention, is required. Should detention/retention be required, the following will apply:
  - a. Each detention/retention basin shall include a sediment trap, or other sediment control measures as approved by the City Engineer, to prevent sedimentation of the detention/retention basin. Each sediment trap, or other sediment control measure, shall have a provision for total drainage.
  - b. Detention/retention basin floors shall be graded to drain either toward the outlet structure or other logical point. Basin floors shall not be flat.
  - c. Detention/retention basins in or adjacent to the residential area shall be located adjacent to a street or accessible common area. Basin sideslopes in the adjacent area(s) shall be designed and constructed in accordance with the requirements of the Detention/Retention Manual for human activity zones.
  - d. Rectangular basin shapes shall be avoided unless necessitated by recreational or visual amenities within the basin.
  - e. Vegetation shall be used as screening and/or security barrier for a minimum of ten percent of the basin perimeter.
  - f. All security barriers and screening for detention/retention basins shall meet Safe By Design guidelines.

Preliminary Conditions

ROAD IMPROVEMENTS/VEHICULAR ACCESS/CIRCULATION

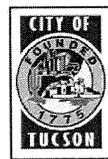
25. The owner/developer shall submit a copy of the Traffic Impact Analysis at the time of subdivision plat review.
26. Dedication or verification of existence, of appropriate abutting/accessing rights-of-way shall be provided at the time of subdivision plat review as determined by Development Services.
27. The owner/developer shall provide installation of all-weather access improvements to the site.
28. The required street frontage access and container placement area for curbside refuse and recycle collection services shall be demonstrated for each lot on the tentative plat.



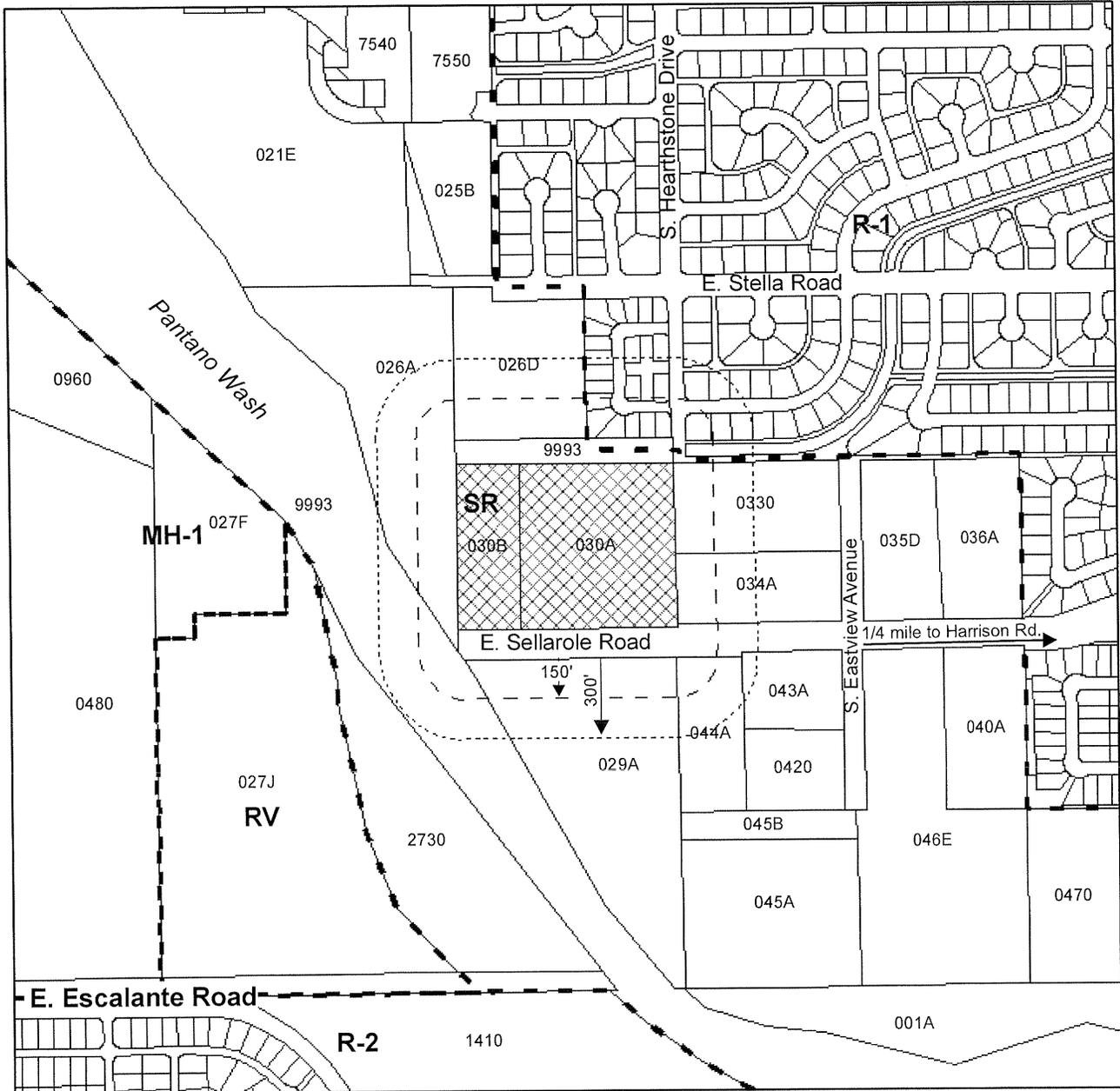
**CASE LOCATION MAP**

C9-08-03

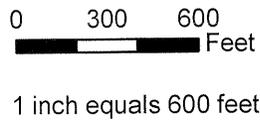
9161 East Sellarole Road



**CITY OF  
TUCSON**



**C9-08-03 Sellarole, LLC - Sellarole Road**  
 Rezoning Request: from SR to R-1



- Area of Rezoning Request
- Protest Area (150 foot radius)
- Zone Boundaries
- Notification Area (300 foot radius)

Neighborhood, Area Plan(s): South Pantano Area Plan  
 Address: 9161 East Sellarole Road  
 Base Maps: Sec.27 T.14 R.15  
 Ward: 4





**C9-08-03 Sellarole, LLC - Sellarole Road**  
April 2, 2008 Aerial