



MEMORANDUM

DATE: August 28, 2013
For September 19, 2013 Hearing

TO: Linus Kafka
Zoning Examiner

FROM: Ernie Duarte *Ernie Duarte*
Planning & Development
Services Director

SUBJECT: REZONING – PLANNING & DEVELOPMENT SERVICES REPORT
C9-13-06 Mountain Vail Estates II – Old Vail Connection Road, SH to R-1
(Ward 4)

Issue – This is a request by Kelly Lee of The Planning Center, on behalf of the property owner, Robert Tucker of Diamond Ventures, Inc., to rezone approximately 20.3 acres from Original City Zone of SH to R-1, residential zoning. The rezoning site is located on the south side of the Old Vail Connection Road alignment, approximately 1,800 feet south of Mary Ann Cleveland Way and 1.4 miles east of Houghton Road (see Case Location Map). The site was approved for annexation by Mayor and Council on April 16, 2013 and is currently zoned GR-1, Pima County Rural Residential zone. An Original City Zoning case, C15-13-03 Mountain Vail Annexation District, is being considered concurrently. The annexation transitional zone (Original City Zone) is proposed as SH, Suburban Homesite, a residential zone with a minimum lot size requirement of 36,000 square feet and a maximum structure height of 30 feet.

The development proposal for the property is to construct 73, one- and two-story single-family residences on the 20.3-acre site, with an average lot size of 5,500 square feet, for a density of 3.75 residences per acre (RAC) in a proposed subdivision called Mountain Vail Estates II. The project is the second phase of Mountain Vail Estates, a residential subdivision on property located immediately north of the rezoning site and fronting on Mary Ann Cleveland Way. The first phase of Mountain Vail Estates, consisting of 668 single-family home lots on 135 acres, was rezoned from MH-1 to R-1 with rezoning case C9-06-16 Weinberg – Mary Ann Cleveland Way.

Development Services Department Recommendation – The Planning & Development Services Department recommends approval of R-1 zoning, subject to the attached preliminary conditions.

Background Information

Existing Land Use: Vacant

Surrounding Zones and Land Uses:

North: Zoned R-1 and MH-1; Vacant private and state land
South: Zoned County GR-1; Single-family site built, manufactured and mobile home development
East: Zoned County GR-1; Vacant state land
West: Zoned County GR-1; Single-family site built and mobile home development

Previous Cases on the Property:

C15-13-03 Mountain Vail Annexation District – Original City Zoning This is a request by City of Tucson to establish Original City Zoning (OCZ) on the subject 20.3-acre rezoning parcel, by translating from Pima County GR-1 zone to the City SH zone, and extending the Watercourse, Amenities, Safety and Habitat (WASH) Ordinance overlay. The Original City Zoning case will be heard at the Zoning Examiner's public hearing of September 19, 2013, immediately prior to consideration of the subject rezoning case.

Related Cases:

C9-06-15 Shipley – Mary Ann Cleveland Way, MH-1 to R-2 This was a rezoning request to allow an 85-lot residential subdivision on 15.85 acres located on the north side of Mary Ann Cleveland Way approximately 1.5 miles east of Houghton Road. This parcel is part of an overall unified development, including the site located on the south side of Mary Ann Cleveland Way (C9-06-16) to allow the development of 671 one-and two-story single-family residences on approximately 150 acres for an overall density of 4.5 residences per acre. On October 24, 2006, the Mayor and Council authorized the rezoning of the subject property from MH-1 to R-1 zoning, rather than the initially requested R-2 zoning, because the overall development proposal could be accomplished in the R-1 zone. Rezoning ordinance No. 10616 was effectuated and the zoning changed to R-1 with the recordation of a subdivision plat (Book 65 Page 25) on August 6, 2010.

C9-06-16 Weinberg – Mary Ann Cleveland Way, MH-1 to R-2 This was a rezoning request for 135 acres located on the south side of Mary Ann Cleveland Way approximately 1.5 miles east of Houghton Road. This parcel is part of an overall unified development, including the site located on the north side of Mary Ann Cleveland Way (C9-06-15) to allow the development of 671 one-and two-story single-family residences on approximately 150 acres for an overall density of 4.5 residences per acre. On December 16, 2008 Mayor and Council adopted Ordinance No. 10614 rezoning the subject property from MH-1 to R-1 zoning. On May 11, 2009, the Mountain Vail Estates Final Plat was recorded in Book 64, Page 59, thereby effectuating the R-1 zoning.

Applicant's Request – The applicant proposes to construct 73 one- and two-story single-family residences on 20.3 acres for a density of approximately 3.75 residences per acre (RAC).

Planning Considerations – The site is within the boundaries of the *General Plan* and the *Esmond Station Area Plan*. Annexation of the site was approved by Mayor & Council on April 16, 2013. The plans have policy direction to support rural density and, where appropriate,

suburban density up to six units per acre based on design compatibility and an Environmental Resource Report (ERR) addressing preservation of natural desert habitat.

The proposed Mountain Vail Estates II is an expansion to Mountain Vail Estates I and will be subject to compatible site design, residential architectural elements, open space, pedestrian connectivity, protection of natural wash areas, and establishment of recreational amenities in compliance with the American Disability Act (ADA). Site design shall comply with *Plan* policies, which require an ERR, sensitive design and mitigation techniques that respond to site features and to the character of the surrounding neighborhood. Open space design can link floodplains, washes, pocket park and trail areas, and assist in buffering adjacent lower density residential development, when considering a Flexible Lot Development (FLD) proposal.

The *General Plan* supports rural and suburban residential densities with the protection of washes, interconnection of open space, important habitat areas, and wildlife corridors through design practices which respect the natural environment. Policy supports regional trails and connections to the Pima County Trail System, as well as rural character residential development. Parks, Recreation, Open Space, and Trails (PROST) policy promotes a balanced recreational program which offers a diversity of recreational amenities to meet the needs of the population and to benefit mentally and physically disabled people of all ages.

To the northwest of the rezoning site is Mountain Vail Estates I, a platted residential subdivision zoned R-1 (see related cases C9-06-15 and C9-06-15) on 150-acres, which is yet to be developed, but is proposed for detached single-family Residential Cluster Project (RCP), with a residential density of 4.5 units per acre (RAC). Also to the north, but east of Mountain Vail Estates I, is a vacant 365-acre State Land parcel zoned MH-1, which supports single and multi-family and manufacturing housing. To the east is a vacant State Land parcel of 20-acres, zoned GR-1 and within Pima County's jurisdiction. To the south and west is a rural community with approximately one-acre parcels developed with a mix of site built homes and manufactured homes, zoned GR-1 and also within Pima County.

This rezoning project is proposed as an expansion to Mountain Vail Estates I, an approved tentative plat with rezoning conditions based in part on the *Houghton Area Master Plan (HAMP)* policy direction. Although not within the *HAMP*, Mountain Vail Estates II will be reviewed for consistency and continuity of the approved plat as it relates to access, residential density, housing architectural designs, preservation of open space and community recreational amenities.

Per the preliminary development plan, proposed lots 1 thru 5, 37 and 38, and the access drive, located in the northwest corner of the site, appear to use part of Common Area "B" of Mountain Vail Estates I Lots 136 to 501. The resubdivision of this common area will require a resubdivision of Mountain Vail Estates I, Lots 135-501, Book 64, Page 59, Sequence Number 20090850638.

Vehicular access to the rezoning site is proposed from Mary Ann Cleveland Way, identified as a scenic arterial roadway with a future right-of-way of 150 feet on the *Major Streets and Routes*

Plan map. The Pima Association of Governments - Transportation Planning Division (PAG-TPD) estimates that the proposed development will generate 699 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 subdivision is designed as a Flexible Lot Design (FLD) to achieve higher density for the development and to allow more open space; thereby preserving environmentally sensitive areas. The applicant is proposing an over-all density for the site of approximately 3.75 RAC, a density supported by the *Esmond Station Area Plan (ESAP)*. The average lot size is 5,500 square feet.

The *Design Guidelines Manual* recommends that all building façades be designed with attention to architectural character and detail, particularly if rear and/or side façades are visible from streets or adjacent properties. Design considerations for this project will include the size, scale, and orientation of all structures on the site. A variety of Sonoran Desert earth tone colors and building façades should be used along all street frontages, with no two homes of the same style or color placed next to one another. Single-story height limitations will be applied when new structures are located adjacent to existing single-story residences. The PDP proposes that a total of five homes (on proposed lots 1, 12, 26, 53, and 64) located along the perimeter of the site adjacent to existing residences, shall be limited to single story. Staff recommends that a total of nine homes (on proposed lots 1, 6, 12, 26, 27, 28, 29, 53, and 64) along the site perimeter be limited to single story.

Road Improvements, Vehicular Access and Circulation – The *General Plan* recommends a transportation and circulation system that offers residents alternatives for mobility, giving high priority to pedestrian, bicycle, and public transit modes. There are no major streets proposed for the overall subdivision. Primary access will be provided from Mary Ann Cleveland Way, designed with two-travel lanes and bike lanes. The owner/developer will be required to dedicate, acquire or verify the existence of appropriate right-of-way covering the roadway linkage(s) between the development site and Mary Ann Cleveland Way, including 30-foot radius spandrels at the intersections. The owner/developer will be responsible for the design and construction of full roadway improvements on the roadways connecting the developing site to Mary Ann Cleveland Way. These improvements will include appropriate pavement/pavement widths, curb, sidewalks and 100-year storm capacity reinforced concrete box culverts or pre-cast reinforced concrete pipe culverts. TDOT Traffic Engineering staff recommends that, in order to evaluate access issues and requirements, a Category II Traffic Impact analysis, or an acceptable addendum to the traffic study for phase I of Mountain Vail Estates, be submitted.

Fire staff review comments state that a second access point is required per the 2012 International Fire Code, Appendix Section D107. Single access to the site may be approved if all structures are protected with approved automatic fire sprinkler systems, or an acceptable alternative is provided.

Currently the rezoning site is traversed by dirt paths/trails used by the rural residential community located to the south for informal access to Mary Ann Cleveland Way, located approximately one third of a mile to the northeast. This informal access may be impacted as the existing dirt paths/trails will be eliminated at the time of site construction.

The preliminary development plan (PDP) shows an on-site street layout with only one point of access to enter and exit the development. The one access point is onto Rincon Range Drive (Old Vail Connection Road alignment). *Plan* policy supports a site design that will allow a future option to integrate vehicular and pedestrian connections with future adjacent residential developments either to the east or north. Adjacent residential homes should have units which face each other using common streets, sidewalks, paths, and trails that allow people to move within the community without having to exit onto arterial or spine roads. Sidewalks will be provided on both sides of the internal streets.

Parks and Open Space Amenities – *Plan* policy recommends an open space system that preserves washes and environmentally sensitive areas as open space amenities that provide trails and parks. The PDP identifies two pocket parks, one of which is the Esmond Station railroad alignment area, also identified as a common area trail easement, running northwest to southeast in the southwest corner of the rezoning site. A proposed trail follows the abandoned railroad tracks of the Esmond Station rail line. Staff recommends that this 1-acre park be used as a recreational area with community amenities, including exercise stations, playground equipment, landscaping, ramadas, picnic areas, and an ADA accessible pedestrian path/trail. The Esmond Station railroad should stand as a historic landmark and be identified with markers to allow the community to learn of its history. Amenities such as tot lots, play areas, ramadas and picnic tables are recommended. Detention/retention basins should also be used as multi-use facilities, providing additional passive and/or active recreation opportunities for the residents.

Drainage/Retention/Detention/WASH Ordinance – Other than encroachment at the proposed vehicular and pedestrian crossing over the unnamed Atterbury Wash tributary, environmentally sensitive areas such as floodplains, washes and riparian habitat will remain undisturbed and be an open space amenity for the subdivision.

A complete drainage report, including details of detention/retention will be required at the time of development plan review. The Atterbury Wash is located just east of the annexation district and an unnamed tributary of the Atterbury Wash traverses the center of site from south to north. The Atterbury Wash, a WASH Ordinance wash, affects a small portion of the northeast corner of the site. Development will be subject to City floodplain regulations. The tributary wash and the small portion in the northeast corner of the site along the Atterbury Wash are identified on Tucson Department of Transportation (TDOT) maps as containing xeroriparian habitat.

Conclusion – The applicant's request is in substantial compliance with the intent and pertinent policies of the *General Plan* and the *Esmond Station Area Plan*. Approval of the requested R-1 zoning is appropriate, subject to compliance with the attached preliminary conditions.

Preliminary Conditions

PROCEDURAL

1. A development package/subdivision plat in substantial compliance with the preliminary development plan (PDP) dated June 26, 2013, and the Design Compatibility Report, is to be submitted and approved in accordance with Section 2-06 of the *Unified Development 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. An archaeological assessment and survey shall be performed by a qualified archaeologist before any grading or other ground modification takes place. If cultural features or remains are found, testing and data recovery shall be completed as needed. Copies of testing plans, testing reports, data recovery plans and final reports shall be submitted to and approved by the City Historic Preservation Office prior to construction work commencing. If, during construction, human remains and associated burial items are discovered, ground disturbing activities in the vicinity of the discovery will cease, the discovery site will be secured, and the Arizona State Museum will be immediately notified as required under A. R. S. 41-865.
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, during review and prior to approval of any tentative plat, development package, 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. The rezoning will be effectuated upon recordation of the approved final plat.

LAND USE COMPATABILITY

8. Five-sided architectural and design elements are required on lots/units visible from public right-of-way. Primary color palette shall be a range of Sonoran Desert earth tones.
9. Structures shall be limited to one-story along the southern and western perimeter of the site, including proposed lots 1, 6, 12, 26 - 29, 53, and 64, per the PDP, dated June 26, 2013.

Preliminary Conditions

10. Within a common theme, provide a variety of housing facades, elevations, color schemes, rooflines and garage setbacks to set a visual distinctiveness. No two adjacent units shall have identical model façades, or color scheme.
11. Proposed lots 12, 19, and 39, as shown on the PDP, dated June 26, 2013, that abut community amenities, such as designated open space areas, common areas, and pedestrian/trail paths, shall incorporate walls along those amenities with the following criteria: The portion of the masonry wall(s) abutting common area amenities shall not exceed four (4) feet, eight (8) inches in height, except for pillars, with one (1) foot six (6) inch wrought iron or other similar open fencing materials on top or other design approach that achieves the safe-by-design goal, and subject to swimming pool code regulations.
12. Six (6) inch wide fence block or greater shall be used for perimeter walls.
13. All new masonry walls visible from a public right-of-way shall be constructed of, or painted with, graffiti-resistant materials and incorporate one or more decorative materials such as, tile, stone, brick, textured brick/block, or a course-textured material such as stucco or plaster, or a combination of both.

DRAINAGE/GRADING/VEGETATION/PARKS/HEAT ISLAND

14. A complete drainage report shall be submitted. The drainage report shall also address the provision of runoff detention/retention in accordance with the requirements and recommendations of the Stormwater Detention/Retention Manual.
15. A floodplain use permit will be required for any encroachment within the regulatory floodplain.
16. The Atterbury Wash, whose regulatory floodplain impacts the subject parcel at the northeast corner of the project, is classified as a W.A.S.H. Wash. No encroachment shall be allowed within the 50' study area.
17. The tributary to the Atterbury Wash, that traverses the subject parcel south to north, is classified, on the north edge of the site, as a proposed ERZ Wash. No Encroachment shall be allowed within the regulatory floodplain of the proposed ERZ section of the tributary.
18. The proposed runoff detention/retention basins shall incorporate sediment traps to minimize future sedimentation and reduce maintenance cost.
19. Applicant shall provide two pocket parks, one to be located east of the central tributary to the Atterbury wash and the second park to be in the southwest corner of the site as shown on the PDP, dated June 26, 2013. The pocket parks shall at a minimum include active and passive recreational amenities with bicycle parking facilities, exercise stations, a children's playground equipment area including turf, table, and benches; thornless native desert trees, plants, and shrubs, planted to provide shade for park amenities, ramadas with tables and benches, BBQ grills, and trash bins; and all-weather, ADA accessible, pedestrian paths connecting street sidewalk to all park amenities.

Preliminary Conditions

20. The detention/retention basins design shall incorporate curvilinear shapes to provide a more desirable visual character
21. Provide in the 1-acre Esmond Station Trail Easement pocket park (located west of lots 12 & 19), the following amenities:
 - a. An ADA all-weather path/trail at a minimum width of 12 feet to accommodate both pedestrians and bicyclists.
 - b. Pedestrian/bicycle path/trail shall run the length of the 1-acre park and connect to the two adjacent cul-de-sac streets sidewalks.
 - c. Provide pedestrian exercise/rest stations and bicyclist parking facility along the pedestrian/bicycle path/trail.
 - d. Provide ground cover/shrub landscape and native thornless drought tolerant trees, placement of trees to be staggered on both sides of path/trail at a maximum distance of forty (40) feet between trees. Landscape to be on a permanent irrigation system.
 - e. Exercise/rest stations to be located so that they will be shaded by trees (at time of tree maturity), and at appropriate distances to provide rest and view sheds; and,
 - f. The trail shall not exclude any type of lighting that may spill over to adjacent residential units, except as may be required for security and safety.
22. The northeast area of the site design shall allow the option to have a continuous trail system connection to the Atterbury Wash, adjacent to the eastern portion of the project site.
23. The retention/detention basin located next to lots 37 and 38 shall be used as multi-use facilities providing additional passive recreational opportunities for the residents and shall include:
 - a. Thornless native desert trees, plants, shrubs
 - b. A ramada with table and benches
 - c. Barbeque grills and trash bins.
 - d. An all-weather, ADA accessible pedestrian path from the sidewalk to the passive recreational amenities
24. The ERZ designated area of the central wash shall be protected from encroachment. The proposed vehicular and pedestrian crossing shall be located outside of the northern ERZ area of the wash.
25. Aside from the proposed vehicular/pedestrian crossing, the area with the erosion hazard setback boundaries of the wash shall remain in a natural, undisturbed state and be preserved as open space amenity.
26. A native canopy tree shall be planted within ten feet of the front property line on every other lot, on every street within the subdivision.
27. Prior to the issuance of a grading permit, a registered land surveyor shall secure those areas of the central wash identified with ERZ and Erosion Hazard Setback with the installation of temporary fencing. At minimum the fence material installation shall consist of metal T-Posts, installed every ten feet, (terrain permitting), strung with two rows of metal

Preliminary Conditions

wires. Top strand shall be level with the top half of the T-Posts and the second strand shall be placed at mid-level on T-Posts. Top strand of wire shall include multiple (single color) brightly colored plastic strips, to be placed between every T-Post. The temporary fencing shall create a durable and highly visible barrier to identify the protected limits/boundaries. Temporary fencing to remain in place until all required grading and site improvements are completed.

28. Prior to tentative plat approval, applicant to submit signed document(s) from the Vail Preservation Society (Vail Preservation Society letter head), indicating they are in contact with applicant, as it relates to the preservation/improvements to the historic Esmond Station Railroad tracks located on-site.
29. Roofing material to be either Energy Star rated or rated as a cool roof (initial solar reflection greater than, or equal to, 0.65 and minimum infrared emittance greater than or equal to 85%); placement and utilizing energy of solar panels on the roof will be considered an acceptable alternative.

ROAD IMPROVEMENTS/VEHICULAR ACCESS/CIRCULATION

30. The proposed subdivision shall be provided with an acceptable street access to any nearby major or local road. The street will have a standard street cross section that accommodates the traffic count generated from the proposed subdivision. If Mountain Vail Estates 2 is constructed before Mountain Vail Estates 1, the required access shall be provided with Mountain Vail Estates 2. The design of the access shall be subject to PDSD and TDOT review and approval during the Development Package submittal.
31. On-site streets, including the bridge/path across the unnamed tributary wash shall have minimum five foot (5) wide sidewalks provided on both sides of the streets.
32. Provide an on-site street design that allows the option to connect with potential future adjacent residential developments on adjacent State Land either to the east or the north.
33. A category II Traffic Impact Analysis, or an acceptable addendum to the Phase I Traffic Impact Analysis, shall be submitted in order to evaluate access requirements.
34. A second access point to the project site is required per the 2012 International Fire Code. A single access point may be approved if all structures are protected with approved automatic sprinkler systems, or an acceptable alternative is provided.

Preliminary Conditions

AGREEMENT TO WAIVE ANY CLAIMS
AGAINST THE CITY FOR ZONING AMENDMENT

This agreement ("**Agreement**") is entered into between _____, as the owner of the property described herein ("**Owner**") and the City of Tucson ("**City**") to waive any and all claims for diminution of value that may be based upon action by the City in response to a request from the Owner. This Agreement is entered into in conformance with A.R.S. §12-1134(I).

The Owner is the holder of fee title to the property located at _____, Tucson, Arizona, (the "**Property**") which is more fully described in the Owner's application to the City in Case C9-13-06 and incorporated herein. The Owner, or the authorized agent of the Owner, has submitted an application to the City requesting that the City rezone the Property. The Owner has requested this action because the Owner has plans for the development of the Property that require the rezoning. The Owner believes that the rezoning of the Property will increase the value and development potential of the Property, and that this outweighs any rights or remedies that may be obtained under A.R.S. §12-1134 et. seq.

By signing this Agreement, the Owner waives any right or claim that may arise under A.R.S. §12-1134, including any claim for the reduction in the value of the Property, as a result of the enactment of the zoning amendment in Case C9-13-06.

The Owner understands that City staff may propose, the Zoning Examiner may recommend and the Mayor and Council may adopt conditions to the requested zoning that limit the potential development of the Property. The Owner acknowledges that the rezoning and conditions are a single, integrated legislative approval. The Owner agrees and consents to all conditions that may be imposed. The Owner retains the right to withdraw the rezoning application prior to a vote by the Mayor and Council or to decline to implement the necessary requirements to effectuate the zoning if the Owner disagrees with any conditions that are proposed or approved. If the Owner does not withdraw the application, the Owner shall be deemed to have accepted all adopted conditions to the requested zoning. If the Owner withdraws the application or does not effectuate the new zoning, this Agreement is null and void.

This Agreement is entered into in Arizona and will be construed and interpreted under the laws of the State of Arizona. The Owner has agreed to the form of this Agreement provided and approved by the City Attorney. The Owner has had the opportunity to consult with an attorney of the Owner's choice prior to entering this Agreement and enters it fully understanding that the Owner is waiving the rights and remedies as set forth herein.

Upon execution, this Agreement shall be recorded in the Office of the Pima County Recorder.

Preliminary Conditions

The Owner warrants and represents that the person or persons listed herein as the Owner is/are the owner in fee title of the Property. The Owner further agrees to indemnify and hold the City of Tucson, its officers, employees and agents harmless from any and all claims, causes of action, demands, losses, costs and expenses based upon an alleged reduction of value of the Property as a result of the City's action in Case C9-13-06.

Dated this _____ day of _____, 20__.

Owner: _____
(Name of Individual, Corporation, Partnership, or LLC, as applicable)

Owner: _____
(Name of Individual, Corporation, Partnership, or LLC, as applicable)

By: _____
(Signature of Owner or Authorized Representative, if applicable)

By: _____
(Signature of Owner or Authorized Representative, if applicable)

Its: _____
(Title of Individual Signing in Representative Capacity)

Its: _____
(Title of Individual Signing in Representative Capacity)

State of Arizona)
County of _____)

On this _____ day of _____, 20__, before me personally appeared _____ on the basis of satisfactory evidence to be the person who he or she claims to be, and acknowledged that he or she signed the above/attached document.

Notary Public

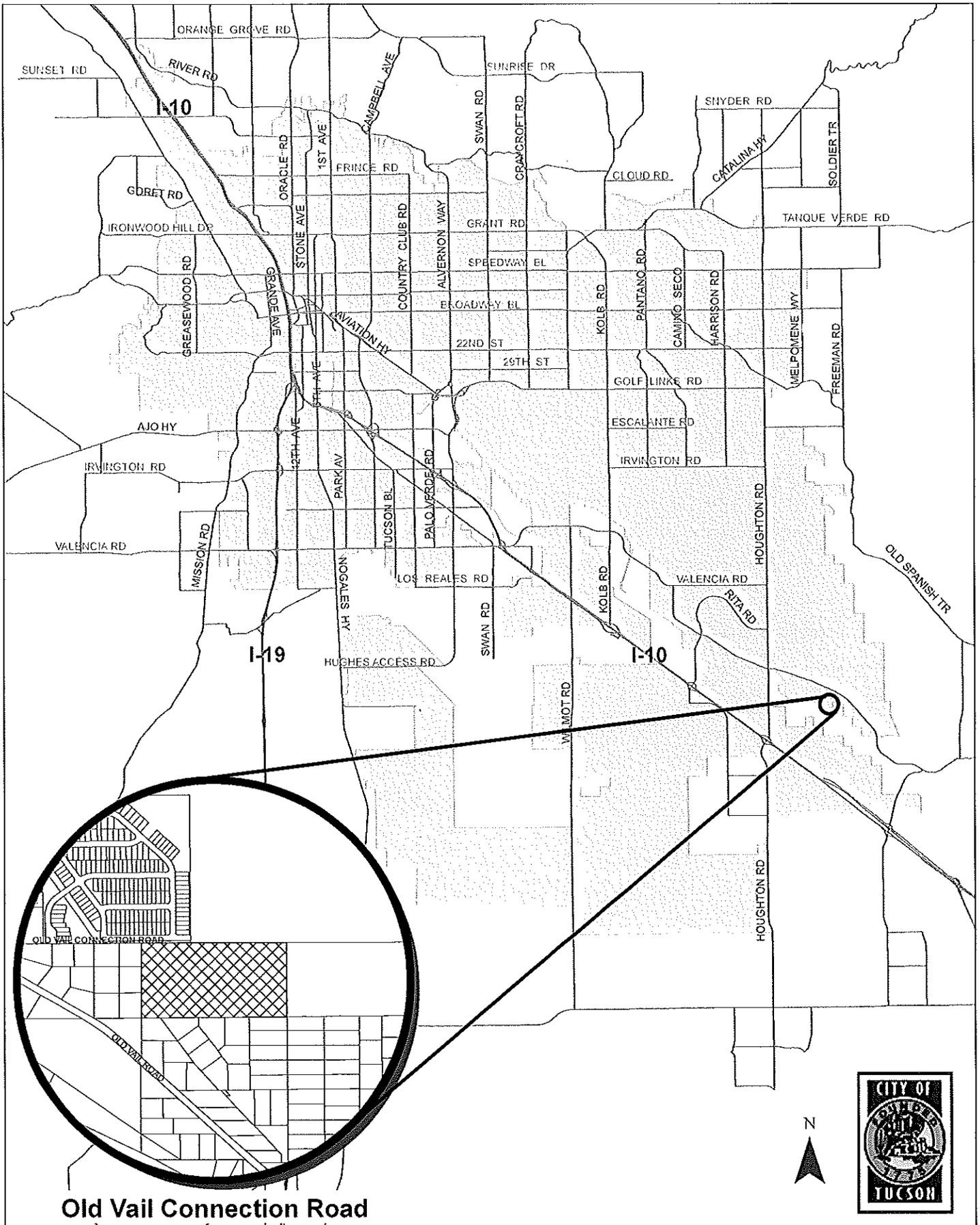
My Commission expires:

City of Tucson, an Arizona municipal Corporation:

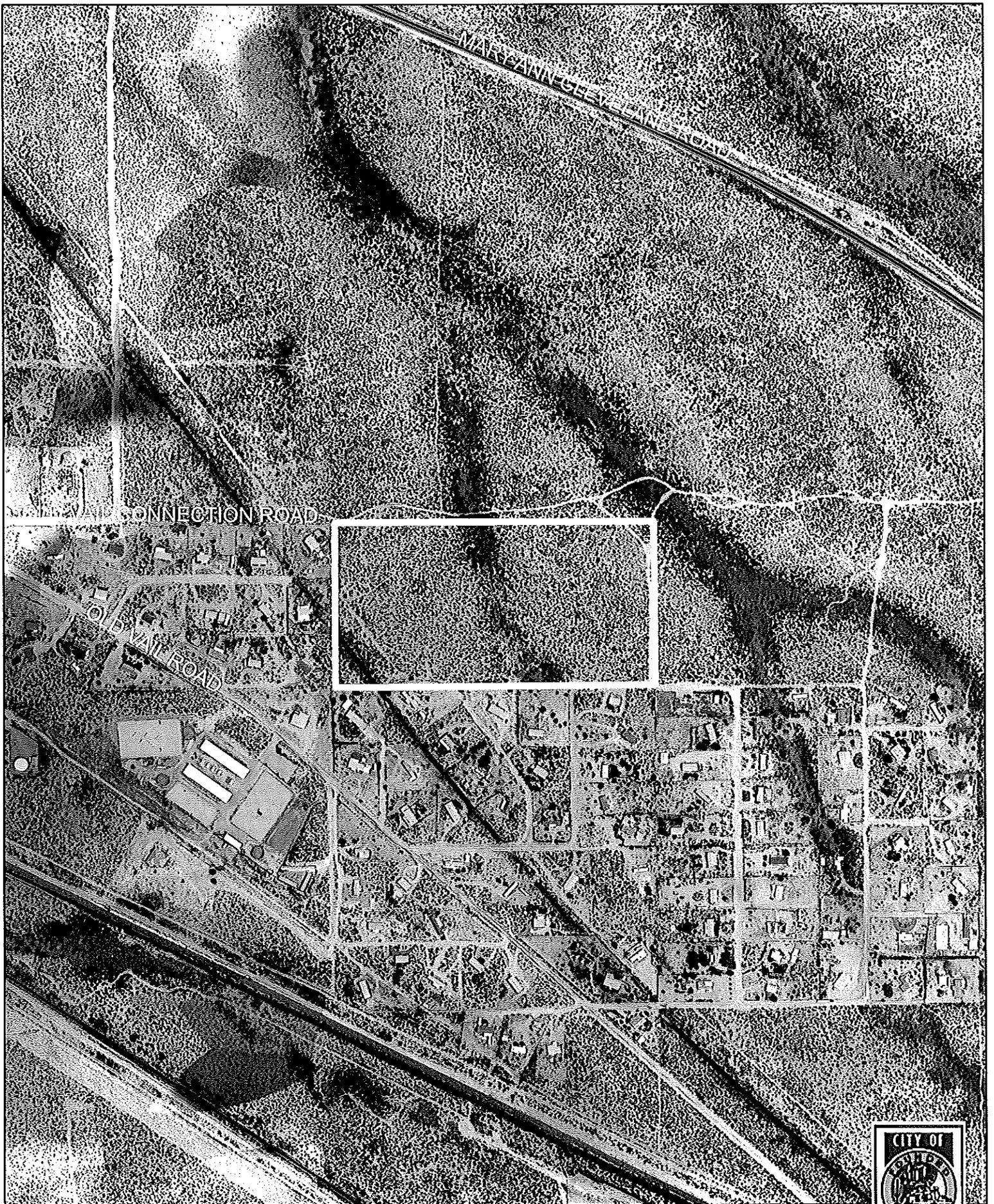
By: _____
Planning & Development Services Department

This form has been approved by the City Attorney.

C9-13-06 Mountain Vail Estates 2 - Old Vail Connection Road

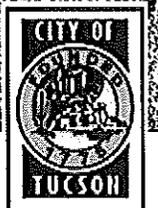


Old Vail Connection Road



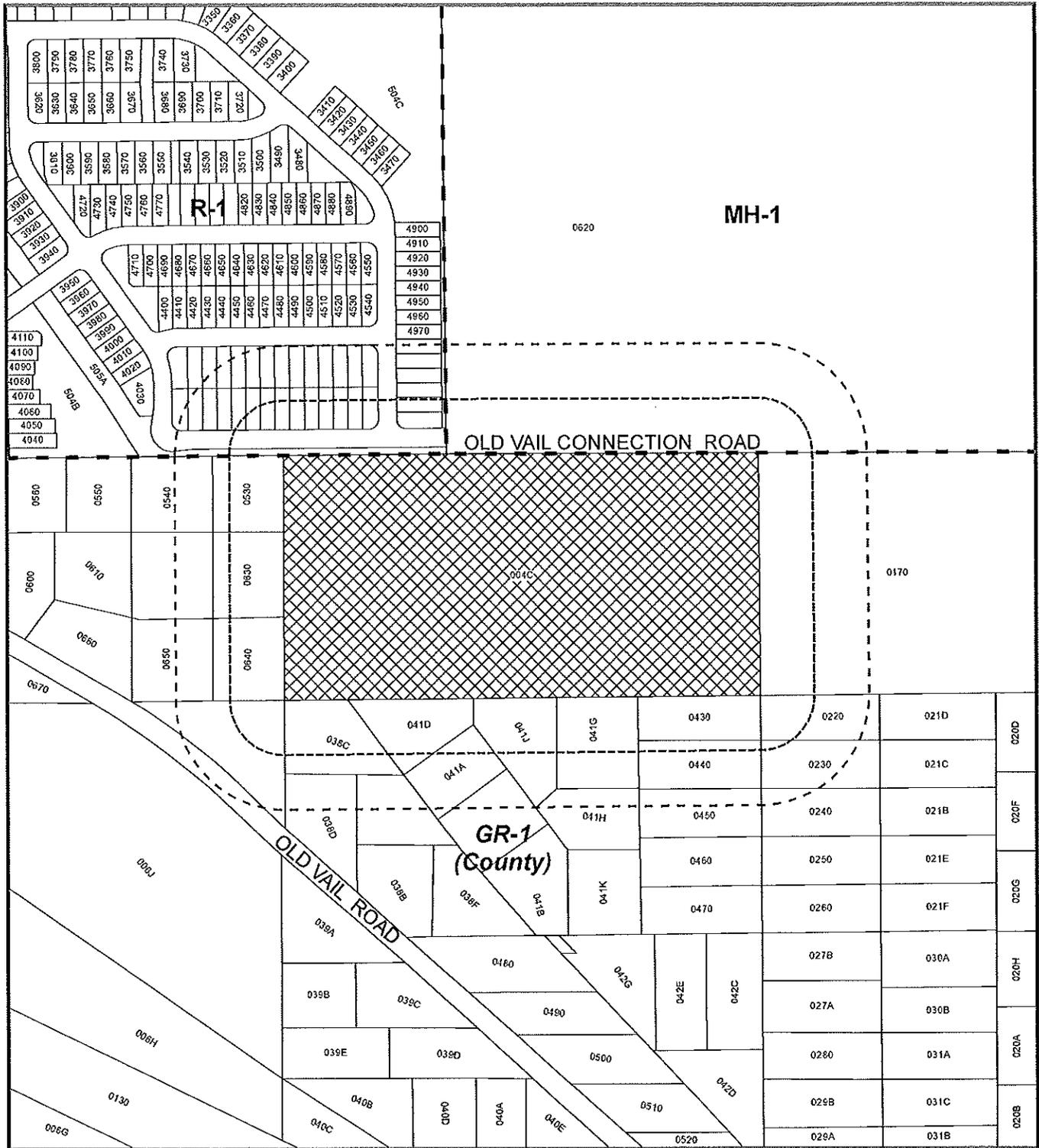
C9-13-06 Mountain View Estates 2 - Old Vail Connection Road
2010 Aerial

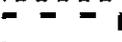
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Feet
1 inch = 500 feet



C9-13-06 Mountain Vail Estates 2 - Old Vail Connection Road

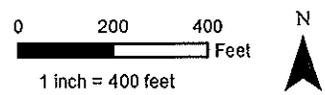
Rezoning Request: from SH to R-1



-  Area of Rezoning Request
-  150' Protest Area
-  300' Notification Area
-  Zone Boundaries



Address: Old Vail Connection Road
 Base Maps: Sec.6 T.16 R.16
 Ward: 4



PUBLIC FACILITIES AND SERVICES REPORT FOR SEPTEMBER 19, 2013
(as of August 26, 2013)

C9-13-06 Mountain Vail Estates II – Old Vail Connection Road, SH to R-1

CITY AGENCIES

Planning & Development Services – Engineering: See attached comments dated August 1, 2013.
Planning & Development Services – Community Design: See attached comments dated August 9, 2013.
Planning & Development Services – Zoning Review: See attached comments dated July 25, 2013.
Planning & Development Services – Sign Code: See attached comments dated August 12, 2013.
Transportation – Traffic Engineering: See attached comments dated August 6, 2013.
Tucson Fire Department: See attached comments dated July 30, 2013.
Office of Conservation & Sustainable Development: See attached comments dated August 5, 2013.

No Objections Noted

Transportation – Engineering
Tucson Water Department
Planning & Development Services – Zoning Enforcement
Community Services – Historic Preservation Officer
Environmental Services
Tucson Parks and Recreation
Tucson Police Department
Planning & Development Services – Landscape

NON-CITY AGENCIES

PAG-TPD: Estimated traffic generation of proposed development: 699 vehicle trips per day.
Pima County Wastewater: See attached comments dated August 2, 2013.

No Objections Noted

Arizona Department of Transportation
Pima County Transportation and Flood Control
Pima County Parks and Recreation
Davis-Monthan Air Force Base
Tucson Electric Power
Tucson Unified School District

Additional information about this project, including the staff report to the Zoning Examiner and the Preliminary Development Plan, will be posted on the web by 5:00 PM, September 4, 2013 at http://cms3.tucsonaz.gov/planning/prog_proj/projects/rezoning/index.html

-- Any SCHOOL DISTRICT Waiting for action

Comments:
none

-- Any TDOT RTA Waiting for action

Comments:
none

-- Any TDOT STREETS Waiting for action

Comments:
none

07/25/2013 STEVE SHIELDS ZONING This has been completed

Comments:

CDRC TRANSMITTAL

TO: Development Services Department
Rezoning Section

FROM: Steve Shields
Lead Planner

PROJECT: Mountain Vail Estates 2, Old Vail Connections Road
Rezoning Case Number - C9-13-06
SH to R-1 FLD

TRANSMITTAL: July 24, 2013

1. The proposed use falls under UDC Section 8.7.3 and UDC Table 8.3.7-1
Dimensional
Standards for FLDs, R-1, Development Alternative A.

Site Coverage Proposed: Not provided
Allowable Density: 5.14
Proposed Density: 3.8
Allowable Building Height: 25'
Proposed Building Height: Not provided
Vehicular Access & Parking: Vehicular access appears to be adequate, vehicle
parking
not shown on plan.
Pedestrian Access: Pedestrian circulation not shown on plan

2. The following items need to be noted at this time:

a. Proposed lots 1 thru 5 & 37 & 38 appear to use part of C.A. "B" of Mountain Vail
Estates Lots 136 to 501. The resubdivision of this common area may require a
resubdivision
of S08-135.

If you have any questions about this transmittal, please Steve Shields, (520) 837-
4956

or Steve.Shields@tucsonaz.com

07/30/2013 KEN BROUILLETTE FIRE Approved with conditions

Comments:

A second access is required per the 2012 International Fire Code Appendix Section D107.

Add note that fire flow of 1,000 GPM @ 20 psi residual pressure for 2 hour duration

is required and that fire hydrants will be placed per Appendix C of the 2012 IFC.

Single access to the site is an exception if all structures are protected with an approved

automatic fire sprinkler system

08/01/2013 LAITH ALSHAMI ENGINEERING This has been completed

Comments:

Laith Alshami, Engineering and Floodplain Review, 08/01/2013,

TO: Peter McLaughlin FROM: Laith Alshami, P.E.
Rezoning Section Engineering

SUBJECT: Mountain Vail Estates 2 - Old Vail Connection Road
Rezoning Case C9-13-06, T16S, R16E, SECTION 06

RECEIVED: Rezoning Preliminary Development Plan for ZE Hearing on July 23, 2013

The Preliminary Development Plan is acceptable pertaining to Engineering and Floodplain review. However, the proposed subdivision, as shown the Preliminary Development Plan (PDP), does not appear to have an acceptable access to any existing major or local street. Consequently, Engineering and Floodplain Review requests the following rezoning conditions for any proposed improvements:

1. The proposed subdivision shall be provided with an acceptable street access to any nearby major or local road. The street will have a standard street cross section that accommodates the traffic count generated from the proposed subdivision. If Mountain Vail Estates 2 is constructed before Mountain Vail Estates 1, the required access shall be provided with Mountain Vail Estates 2. The design of the access shall be subject to PDS and TDOT review and approval during the Development Package submittal.
2. Submit of a drainage report that addresses onsite and offsite drainage and its impact on the proposed improvements. Drainage report shall also address the provision of runoff detention/retention in accordance with the requirements and

recommendations of the Stormwater Detention/Retention Manual.

3. A small portion of the parcel lies within FEMA designated regulatory floodplain on the north side of the parcel at two different locations. A floodplain use permit will be required for any encroachment within the regulatory floodplain.
4. The Atterbury Wash, whose regulatory floodplain impacts the subject parcel at the northeast side of the project, is classified as a W.A.S.H. Wash. No encroachment shall be allowed within the 50' study area.
5. The tributary to the Atterbury Wash, that traverses the subject parcel south to north, is classified, on the north side of the parcel, as a proposed ERZ Wash. No Encroachment shall be allowed within the regulatory floodplain of the proposed ERZ section of the tributary.
6. The proposed runoff detention/retention basins will incorporate sediment traps to minimize future sedimentation and reduce maintenance cost.
7. The detention/retention basins design shall incorporate curvilinear shapes to provide a more desirable visual character

08/01/2013 PMCLAUG1 ENV SVCS

This has been completed

Comments:

none

08/06/2013 JOSE ORTIZ DOT TRAFFIC

This has been completed

Comments:

TO: Development Services Department
Rezoning Section

FROM: Zelin Canchola
TDOT Traffic Engineering

PROJECT: Mountain Vail Estates 2, Old Vail Connections Road
Rezoning Case Number - C9-13-06
SH to R-1 FLD

The layout of the proposed development plan/subdivision is acceptable, however there is not enough information to review access to the site.

In order to evaluate access issues and requirements a Category II Traffic Impact analysis is recommended, based on 730 trips per day.

08/06/2013 JOE LINVILLE LANDSCAPE

Approved

Comments:

none

08/09/2013 MPADILL1 COMMUNITY PLANNING

This has been completed

Comments:

DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES

C9-13-06 Mountain Vail Estates II - Old Vail Connection (Ward4)
SH to R-1 (flexible lot development)
General Plan and the Esmond Station Area Plan
7/9/13 msp

Background:

The site was approved for annexation by Mayor and Council on April 16, 2013. The site is currently zoned GR-1, Pima County Rural Residential zone. The annexation transitional zone (Original City Zone) is proposed as SH, Suburban Homestead a residential zone.

The applicant proposes to rezone approximately 20.3-acres of land from Original City Zone of SH, Suburban Homestead zone to R-1, Residential zone with flexible lot development (FLD). The site is located one and two-thirds mile east of the Houghton Road and Old Vail intersection. The applicant proposes single-family residential development with seventy-five (75) lots with one and two-story detached residential units. The average lot size is proposed at 5,500 square feet, providing a density of 3.75 units per acre (RAC). This proposed development is an expansion to the Mountain Vail Estates, a platted residential developed which has yet to be constructed but is planned for development and will be located across Old Vail Connection Road to the north. Primary access for Mountain Vail Estates II will be through Mountain Vail Estates, which has direct access to Mary Ann Cleveland Way. According to the Major Streets and Routes Plan, Mary Ann Cleveland Way is a scenic arterial street and Pima County Major Streets and Route Map indicates there may be future road improvements for a major street (Old Vail Connection Road), along the northern boundary of the proposed rezoning site.

Surrounding Zoning and Land Uses:

To the northwest; The Mountain Vail Estates I, a platted residential development zoned R-1 with 150-acres. Yet to be developed, but proposed for detached single-family (cluster), with a residential density of 4.5 units per acre (RAC), with a site design to preserve open/recreational space; to the north is a vacant 365-acre State Land parcel zoned MH-1, supports single and multi-family and manufacturing housing; to the east is a vacant State Land parcel with 20-acres, zoned GR-1 and within the Pima County jurisdiction; and to the south and west is a rural community with approximately one-acre parcels developed with a mix of site built homes and manufactured homes, zoned GR-1 and within the Pima County jurisdiction.

Land Use Policies: The site is within the bounds of the General Plan and the Esmond Station Area Plan. The site is being annexed so it will become part of the City limits boundary. The adjacent Pima County jurisdiction and the City both have policy direction to support rural density and may support suburban density up to six units per acre where appropriate, based on design compatibility report and environmental resource report that includes addressing preservation of natural desert when appropriate.

The proposed Mountain Vail Estates II is an expansion to Mountain Vail Estates I and will be subject to compatible site design, residential architectural elements, open space, pedestrian connectivity, protection of natural wash areas, and recreational amenities in compliance with the American Disability Act (ADA), as approved in Mountain Vail Estates I.

The site design shall comply with the Plan policy, which require an Environmental Resource Report (ERR), sensitive design and mitigation techniques that respond to site features and to the character of the surrounding neighborhood. Open space design can link floodplains, washes, pocket park and trail areas when considering the Flexible Lot Development (FLD) and assist in buffering adjacent less intense residential development.

The site is under annexation procedures. Once completed, the site will be subject to General Plan and the Esmond Station Area Plan policies. General Plan, Element 1-Growth Areas Evolving Edge, supports rural and suburban residential densities, protect washes, linkages to important habitat areas, and wildlife corridors through design practices which respect the natural environment. Policy supports regional trails and connections to the Pima County System. Element 2-Land Use, Residential Policy 3 supports rural character residential development, typically located in the Evolving Edge Growth Area. Element 10-Recreation, Open Space, and Trails (PROST), supporting policy 6 promotes a balanced recreational program which offers a diversity of recreational amenities to meet the needs of the population. Followed by supporting policy 1.E - to pursue programs to benefit mentally and physically disabled people of all ages. In addition, supporting policy 8.1.A promotes preservation of remaining natural washes as the basis of an interconnected open space and policy 9.1.

Further supported by the Esmond Station Area Plan (ESAP),

Assessment: The proposed 20-acre site is in the process of being annexed into the City of Tucson. To the south and west is a rural residential community zoned GR-1 within the Pima County jurisdiction, which has a mix of site built and manufactured homes on one acre parcels. This residential development (Mountain Vail Estates II)

is proposed as an expansion to Mountain Vail Estates I, which is an approved tentative plat with rezoning condition using the Houghton Area Master Plan (H.A.M.P.) policy direction. Although not in the H.A.M.P, Mountain Vail Estates II, as an expansion of the approved phase I plat will be reviewed for consistency and continuity of the approved plat as it relates to residential density, housing architectural designs, preservation of open space and community recreational amenities.

Currently the subject site is traversed by dirt path/trails used by the rural residential community located to the south. These dirt paths are used to access the Old Vail Connection alignment dirt road, as a means to access onto Mary Ann Cleveland Way. Mary Ann Cleveland Way is approximately one half mile away to the northeast and is the nearest paved arterial street, followed by Houghton Road located approximately two miles to the northwest. Some of these existing dirt paths/trails will be eliminated at the time of site construction. A concession would be for the applicant to work with area residents to assure direct access onto Mary Ann Cleveland Way is continued for the rural community during and after construction of Mountain Vail Estates I and II.

The road alignment located between Mountain Vail Estate I and II is identified in the PDP as Rincon Range Road. In the Major Streets and Route Plan this alignment is identified as the Old Vail Connection Road alignment and is shown in the MS&R Plan as a future Pima County Major Street alignment. This issue should be addressed with Pima County Department of Transportation prior to plat approval

The PDP shows an on-site street layout with only one point of access to enter and exit the development. The one access point is onto Rincon Range Drive (Old Vail Connection Road alignment). Plan policy supports a site design that will allow future option(s) to integrate vehicular and pedestrian connections with future adjacent residential developments. Adjacent residential homes should have units which face each other using common streets, sidewalks, paths, and trails that allow people to move within the community without having to exit onto arterial or spine roads.

The submittal identifies two pocket parks, one which is the Esmond Station Rail alignment area also identified as a trail easement. As with Mountain Vail Estates I, staff is looking to identify the Esmond Station railroad as a major landmark of the area. The Esmond Station Trail Easement area is identified as common area and has possibilities to be used as a recreational area with community amenities including an ADA accessible pedestrian path/trail. The Esmond Station railroad should stand as a historic landmark and identified with markers to allow the community to learn of its history. Recreational

amenities adjacent to the Esmond Station railroad alignment should emphasize its historic value. All amenities should be ADA accessible.

As approved in Mountain Vail Estate I, the Flexible Lot Development (FLD) option offers a density adjustment that allows smaller lots clustered together where ever possible to allow an increase in land area that will be preserved as natural open spaces, including the natural wash areas to protect wildlife habitat corridors. These protected areas should have minimal encroachment. Some encroachment may be necessary and may be permitted through the mitigation of the disturbed area, and only to permit required utilities, road crossings and natural pedestrian trails. In this case, it would be the on-site un-named wash, a tributary of the Atterbury Wash identified with ERZ and riparian vegetation. The Plans and the FLD support protection of these natural areas.

The General Plan and the Esmond Station Area Plan support rural density along the Evolving Edge at a density of two units per acre and may support suburban density up to six units per acre where appropriate, based on a Design Compatibility Report and the Environmental Resource Report. Mountain Vail Estates phase I is approved with 4.5 units per acre (4.5-RAC), and the proposed Mountain Vail Estates phase II is seeking 3.75 units per acre (3.75-RAC).

The proposal is consistent with the land use plan policies, and does not require a plan amendment. The proposed Mountain Vail Estates II is an expansion to Mountain Vail Estates I and the applicant should expect similar policy direction and rezoning mitigating considerations as conditions of rezoning.

Recommendation

The proposed rezoning for a 3.5 RAC residential development (as per PDP) is in general compliance with pertinent policies of the General Plan, the Esmond Station Area Plan, and Design Guidelines. Staff offers the following to be considered as conditions of rezoning:

1. Prior to tentative plat approval, Pima County Department of Transportation, division of transportation systems shall review and give input on the Major Streets and Route Map requirement, which indicates a Pima County Major Route designation, proposed along the north side of this development (Old Vail Connection Road).

Relevant Policies:

GP, Element #1, Policy 21, and 22
 GP, Element #2, Policy 2, and 2.4
 GP Element # 3, Policy 5, 5.1, and 5.3
 GP, Element # 4, Policy 2, and 2.1
 GP, Element # 4, Policy 3, 3.5, 3.8
 GP, Element # 4, Policy 4.7, 4.9
 GP, Element # 4, Policy 5, 5.4,
 GP, Element # 4, Policy 6, 6.2
 GP, Element # 5, Policy 3, 3.1, 3.2
 GP, Element# 7, Policy 5, 5.13
 GP, Element#10, Policy 6, 6.1, 12
 GP, Element #14, Policy 1, 1.3, Policy 3, 3.1, 3.2, 3.3, and 3.4
 ESAP, Residential Policy 1, 1.B, 1.D, 1.E, 1.H, 1.I,
 ESAP, Residential Policy 2, 2.A,
 ESAP, Annexation Subgoal, A.
 ` ESAP, Transportation Policy 2, 2.B, 2.C
 ESAP, Parks & Recreation, Open Space Policy 2, 2.B, 2.C, and 2.F

2. Applicant shall provide two pocket parks, one to be located west of lot 39 and the

second park to be west of lots 12 and 19 (as shown on PDP), and shall at a minimum

include the following

2.1 Active and passive recreational amenities to include the following

2.1.1 Bicycle parking facilities;

2.1.2 Exercise stations;

2.1.3 Children playground equipment area to include turf, table, and benches;

2.1.4 Thornless native desert trees, plants, shrubs, planted to provide shade for park

amenities;

2.1.5 Ramada's with tables and benches, BBQ grills, and trash bins; and,

2.1.6 Provide an all-weather, ADA accessible, pedestrian paths that connect street sidewalk to all park amenities.

Relevant Policies:

GP, Element #1, Policy 21, and 22
 GP, Element #2, Policy 2, and 2.4
 GP Element # 3, Policy 5, 5.1, and 5.3
 GP, Element # 4, Policy 2, and 2.1
 GP, Element # 4, Policy 3, 3.5, 3.8
 GP, Element # 4, Policy 4.7, 4.9
 GP, Element # 4, Policy 5, 5.4,
 GP, Element # 4, Policy 6, 6.2
 GP, Element # 5, Policy 3, 3.1, 3.2
 GP, Element# 7, Policy 5, 5.13
 GP, Element#10, Policy 6, 6.1, 12
 GP, Element #14, Policy 1, 1.3, Policy 3, 3.1, 3.2, 3.3, and 3.4
 ESAP, Residential Policy 1, 1.B, 1.D, 1.E, 1.H, 1.I,
 ESAP, Residential Policy 2, 2.A,
 ESAP, Annexation Subgoal, A.
 ` ESAP, Transportation Policy 2, 2.B, 2.C
 ESAP, Parks & Recreation, Open Space Policy 2, 2.B, 2.C, and 2.F

3. Provide in the Esmond Station Trail Easement pocket park (located west of lots

12

& 19), the following amenities:

3.1 An ADA all-weather path/trail at a minimum width of 12 feet to accommodate both

pedestrians and bicyclist

3.2 Pedestrian/bicycle path/trail shall run the length of the 1AC Park and connect to the two adjacent cul-de-sac streets sidewalks.

3.3 Provide pedestrian exercise/rest stations and bicyclist parking facility along the pedestrian/bicycle path/trail.

3.4 Provide ground cover/shrub landscape and native thornless drought tolerant trees,

placement of trees to be staggered on both sides of path/trail at a maximum distance

of forty (40) feet between trees. Landscape to be on a permanent irrigation system.

3.5 Exercise/rest stations to be located so that they will be shaded by trees (at time

of tree maturity), and at appropriate distances to provide rest and view sheds; and,

3.6 The trail shall not exclude any type of lighting that may spill over to adjacent residential units, except as may be required for security and safety.

Relevant Policies

GP, Element #1, Policy 21, and 22

GP, Element #2, Policy 2, and 2.4

GP Element # 3, Policy 5, 5.1, and 5.3

GP, Element # 4, Policy 2, and 2.1

GP, Element # 4, Policy 3, 3.5, 3.8

GP, Element # 4, Policy 4.7, 4.9

GP, Element # 4, Policy 5, 5.4,

GP, Element # 4, Policy 6, 6.2

GP, Element # 5, Policy 3, 3.1, 3.2

GP, Element# 7, Policy 5, 5.13

GP, Element#10, Policy 6, 6.1, 12

GP, Element #14, Policy 1, 1.3, Policy 3, 3.1, 3.2, 3.3, and 3.4

ESAP, Residential Policy 1, 1.B, 1.D, 1.E, 1.H, 1.I,

ESAP, Residential Policy 2, 2.A,

ESAP, Annexation Subgoal, A.

` ESAP, Transportation Policy 2, 2.B, 2.C

ESAP, Parks & Recreation, Open Space Policy 2, 2.B, 2.C, and 2.F

4 The northeast area of the site design shall allow the option to have a continues trail system following the Atterbury Wash, which runs through the eastern portion of the project site.

Relevant Policies

GP, Element #1, Policy 21, and 22

GP, Element #2, Policy 2, and 2.4

GP Element # 3, Policy 5, 5.1, and 5.3

GP, Element # 4, Policy 2, and 2.1

GP, Element # 4, Policy 3, 3.5, 3.8

GP, Element # 4, Policy 4.7, 4.9

GP, Element # 4, Policy 5, 5.4,

GP, Element # 4, Policy 6, 6.2

GP, Element # 5, Policy 3, 3.1, 3.2

GP, Element# 7, Policy 5, 5.13

GP, Element#10, Policy 6, 6.1, 12

GP, Element #14, Policy 1, 1.3, Policy 3, 3.1, 3.2, 3.3, and 3.4

ESAP, Residential Policy 1, 1.B, 1.D, 1.E, 1.H, 1.I,

ESAP, Residential Policy 2, 2.A,

ESAP, Annexation Subgoal, A.

` ESAP, Transportation Policy 2, 2.B, 2.C

ESAP, Parks & Recreation, Open Space Policy 2, 2.B, 2.C, and 2.F

5. Prior to closure of dirt roads located within the site, applicant to provide Pima County residents located to the south of the site, a direct viable route to Mary Ann Cleveland Way.

Relevant Policies

GP, Element #1, Policy 21, and 22

GP, Element #2, Policy 2, and 2.4

GP Element # 3, Policy 5, 5.1, and 5.3

GP, Element # 4, Policy 2, and 2.1

GP, Element # 4, Policy 3, 3.5, 3.8

GP, Element # 4, Policy 4.7, 4.9

GP, Element # 4, Policy 5, 5.4,

GP, Element # 4, Policy 6, 6.2

GP, Element # 5, Policy 3, 3.1, 3.2

GP, Element# 7, Policy 5, 5.13

GP, Element#10, Policy 6, 6.1, 12

GP, Element #14, Policy 1, 1.3, Policy 3, 3.1, 3.2, 3.3, and 3.4

ESAP, Residential Policy 1, 1.B, 1.D, 1.E, 1.H, 1.I,

ESAP, Residential Policy 2, 2.A,

ESAP, Annexation Subgoal, A.

` ESAP, Transportation Policy 2, 2.B, 2.C

ESAP, Parks & Recreation, Open Space Policy 2, 2.B, 2.C, and 2.F

6. On-site streets, including the bridge/path across the unnamed wash shall have minimum

five foot (5) wide sidewalks and to be provided on both sides of the streets.

Relevant Policies

GP, Element #1, Policy 21, and 22

GP, Element #2, Policy 2, and 2.4

GP Element # 3, Policy 5, 5.1, and 5.3

GP, Element # 4, Policy 2, and 2.1

GP, Element # 4, Policy 3, 3.5, 3.8

GP, Element # 4, Policy 4.7, 4.9

GP, Element # 4, Policy 5, 5.4,

GP, Element # 4, Policy 6, 6.2

GP, Element # 5, Policy 3, 3.1, 3.2

GP, Element# 7, Policy 5, 5.13

GP, Element#10, Policy 6, 6.1, 12

GP, Element #14, Policy 1, 1.3, Policy 3, 3.1, 3.2, 3.3, and 3.4

ESAP, Residential Policy 1, 1.B, 1.D, 1.E, 1.H, 1.I,

ESAP, Residential Policy 2, 2.A,

ESAP, Annexation Subgoal, A.

` ESAP, Transportation Policy 2, 2.B, 2.C

ESAP, Parks & Recreation, Open Space Policy 2, 2.B, 2.C, and 2.F

7. The retention/detention basin located next to lots 37 and 38 shall be used as multi-use

facilities providing additional passive recreational opportunities for the residents and shall include:

a. Thornless native desert trees, plants, shrubs

b. A ramada with table and benches

c. BBQ grills and trash bins.

d. An all-weather, ADA accessible pedestrian path from the sidewalk to the passive

recreational amenities;

Relevant Policies

GP, Element #1, Policy 21, and 22

GP, Element #2, Policy 2, and 2.4

GP Element # 3, Policy 5, 5.1, and 5.3

GP, Element # 4, Policy 2, and 2.1

GP, Element # 4, Policy 3, 3.5, 3.8

GP, Element # 4, Policy 4.7, 4.9

GP, Element # 4, Policy 5, 5.4,

GP, Element # 4, Policy 6, 6.2

GP, Element # 5, Policy 3, 3.1, 3.2

GP, Element# 7, Policy 5, 5.13

GP, Element#10, Policy 6, 6.1, 12

GP, Element #14, Policy 1, 1.3, Policy 3, 3.1, 3.2, 3.3, and 3.4

ESAP, Residential Policy 1, 1.B, 1.D, 1.E, 1.H, 1.I,

ESAP, Residential Policy 2, 2.A,

ESAP, Annexation Subgoal, A.

` ESAP, Transportation Policy 2, 2.B, 2.C

ESAP, Parks & Recreation, Open Space Policy 2, 2.B, 2.C, and 2.F

8. The ERZ designated area of the central wash shall be protected from encroachment.

The proposed vehicular and pedestrian crossing shall be located outside of the northern

ERZ area of the wash.

Relevant Policies

GP, Element #1, Policy 21, and 22

GP, Element #2, Policy 2, and 2.4

GP Element # 3, Policy 5, 5.1, and 5.3

GP, Element # 4, Policy 2, and 2.1

GP, Element # 4, Policy 3, 3.5, 3.8

GP, Element # 4, Policy 4.7, 4.9

GP, Element # 4, Policy 5, 5.4,

GP, Element # 4, Policy 6, 6.2

GP, Element # 5, Policy 3, 3.1, 3.2

GP, Element# 7, Policy 5, 5.13

GP, Element#10, Policy 6, 6.1, 12

GP, Element #14, Policy 1, 1.3, Policy 3, 3.1, 3.2, 3.3, and 3.4

ESAP, Residential Policy 1, 1.B, 1.D, 1.E, 1.H, 1.I,

ESAP, Residential Policy 2, 2.A,

ESAP, Annexation Subgoal, A.

` ESAP, Transportation Policy 2, 2.B, 2.C

ESAP, Parks & Recreation, Open Space Policy 2, 2.B, 2.C, and 2.F

9. Aside from the proposed vehicular/pedestrian crossing, the erosion hazard setback

boundaries of the wash shall retain its natural undisturbed state and be preserved as open space amenity.

Relevant Policies

GP, Element #1, Policy 21, and 22

GP, Element #2, Policy 2, and 2.4

GP Element # 3, Policy 5, 5.1, and 5.3

GP, Element # 4, Policy 2, and 2.1

GP, Element # 4, Policy 3, 3.5, 3.8

GP, Element # 4, Policy 4.7, 4.9

GP, Element # 4, Policy 5, 5.4,

GP, Element # 4, Policy 6, 6.2
 GP, Element # 5, Policy 3, 3.1, 3.2
 GP, Element# 7, Policy 5, 5.13
 GP, Element#10, Policy 6, 6.1, 12
 GP, Element #14, Policy 1, 1.3, Policy 3, 3.1, 3.2, 3.3, and 3.4
 ESAP, Residential Policy 1, 1.B, 1.D, 1.E, 1.H, 1.I,
 ESAP, Residential Policy 2, 2.A,
 ESAP, Annexation Subgoal, A.
 ` ESAP, Transportation Policy 2, 2.B, 2.C
 ESAP, Parks & Recreation, Open Space Policy 2, 2.B, 2.C, and 2.F

10. Provide a native canopy tree within ten feet of the front property line on every other lot, on every street within the subdivision.

Relevant Policies

GP, Element #1, Policy 21, and 22
 GP, Element #2, Policy 2, and 2.4
 GP Element # 3, Policy 5, 5.1, and 5.3
 GP, Element # 4, Policy 2, and 2.1
 GP, Element # 4, Policy 3, 3.5, 3.8
 GP, Element # 4, Policy 4.7, 4.9
 GP, Element # 4, Policy 5, 5.4,
 GP, Element # 4, Policy 6, 6.2
 GP, Element # 5, Policy 3, 3.1, 3.2
 GP, Element# 7, Policy 5, 5.13
 GP, Element#10, Policy 6, 6.1, 12
 GP, Element #14, Policy 1, 1.3, Policy 3, 3.1, 3.2, 3.3, and 3.4
 ESAP, Residential Policy 1, 1.B, 1.D, 1.E, 1.H, 1.I,
 ESAP, Residential Policy 2, 2.A,
 ESAP, Annexation Subgoal, A.
 ` ESAP, Transportation Policy 2, 2.B, 2.C
 ESAP, Parks & Recreation, Open Space Policy 2, 2.B, 2.C, and 2.F

11. Structures shall be limited to one-story along the southern and western perimeter

of the site, this includes lots 1, 6, 12, 19, 26 - 29, 53, and 64;

Relevant Policies

GP, Element #1, Policy 21, and 22
 GP, Element #2, Policy 2, and 2.4
 GP Element # 3, Policy 5, 5.1, and 5.3
 GP, Element # 4, Policy 2, and 2.1
 GP, Element # 4, Policy 3, 3.5, 3.8
 GP, Element # 4, Policy 4.7, 4.9
 GP, Element # 4, Policy 5, 5.4,
 GP, Element # 4, Policy 6, 6.2
 GP, Element # 5, Policy 3, 3.1, 3.2
 GP, Element# 7, Policy 5, 5.13
 GP, Element#10, Policy 6, 6.1, 12
 GP, Element #14, Policy 1, 1.3, Policy 3, 3.1, 3.2, 3.3, and 3.4
 ESAP, Residential Policy 1, 1.B, 1.D, 1.E, 1.H, 1.I,
 ESAP, Residential Policy 2, 2.A,
 ESAP, Annexation Subgoal, A.
 ` ESAP, Transportation Policy 2, 2.B, 2.C
 ESAP, Parks & Recreation, Open Space Policy 2, 2.B, 2.C, and 2.F
 DG I.B.1.a. - Privacy of Adjacent Developments

12. Five sided architectural and design elements required on lots/units visible from

public right-of-way. Primary color palette to be a range of Sonoran Desert earth tones;

Relevant Policies

GP, Element #1, Policy 21, and 22
 GP, Element #2, Policy 2, and 2.4
 GP Element # 3, Policy 5, 5.1, and 5.3
 GP, Element # 4, Policy 2, and 2.1
 GP, Element # 4, Policy 3, 3.5, 3.8
 GP, Element # 4, Policy 4.7, 4.9
 GP, Element # 4, Policy 5, 5.4,
 GP, Element # 4, Policy 6, 6.2
 GP, Element # 5, Policy 3, 3.1, 3.2
 GP, Element# 7, Policy 5, 5.13
 GP, Element#10, Policy 6, 6.1, 12
 GP, Element #14, Policy 1, 1.3, Policy 3, 3.1, 3.2, 3.3, and 3.4
 ESAP, Residential Policy 1, 1.B, 1.D, 1.E, 1.H, 1.I,
 ESAP, Residential Policy 2, 2.A,
 ESAP, Annexation Subgoal, A.
 ` ESAP, Transportation Policy 2, 2.B, 2.C
 ESAP, Parks & Recreation, Open Space Policy 2, 2.B, 2.C, and 2.F
 DG, I.B. 2.e, II.A.1.a,

13. Within a common theme, provide a variety of housing facades, elevations, color

schemes, rooflines and garage setbacks to set a visual distinctiveness. No two adjacent

units shall have identical model façades, or color scheme.

Relevant Policies

GP, Element #1, Policy 21, and 22
 GP, Element #2, Policy 2, and 2.4
 GP Element # 3, Policy 5, 5.1, and 5.3
 GP, Element # 4, Policy 2, and 2.1
 GP, Element # 4, Policy 3, 3.5, 3.8
 GP, Element # 4, Policy 4.7, 4.9
 GP, Element # 4, Policy 5, 5.4,
 GP, Element # 4, Policy 6, 6.2
 GP, Element # 5, Policy 3, 3.1, 3.2
 GP, Element# 7, Policy 5, 5.13
 GP, Element#10, Policy 6, 6.1, 12
 GP, Element #14, Policy 1, 1.3, Policy 3, 3.1, 3.2, 3.3, and 3.4
 ESAP, Residential Policy 1, 1.B, 1.D, 1.E, 1.H, 1.I,
 ESAP, Residential Policy 2, 2.A,
 ESAP, Annexation Subgoal, A.
 ` ESAP, Transportation Policy 2, 2.B, 2.C
 ESAP, Parks & Recreation, Open Space Policy 2, 2.B, 2.C, and 2.F
 DG I.B.2.e, II.A.1.a, II.B.1.a

14. Lots; 12, 19, and 39, as shown on the PDP, that abut community amenities such as

designated open space areas, common areas, and pedestrian/trail paths, shall incorporate

walls along those amenities with the following criteria:

a. The portion of the masonry wall(s) abutting common area amenities shall not exceed

four (4) feet, eight (8) inches in height, except for pillars, with one (1) foot six (6) inch wrought iron or other similar open fencing materials on top or other

design

approach that achieves the safe-by-design goal.

Relevant Policies

GP, Element #1, Policy 21, and 22

GP, Element #2, Policy 2, and 2.4

GP Element # 3, Policy 5, 5.1, and 5.3

GP, Element # 4, Policy 2, and 2.1

GP, Element # 4, Policy 3, 3.5, 3.8

GP, Element # 4, Policy 4.7, 4.9

GP, Element # 4, Policy 5, 5.4,

GP, Element # 4, Policy 6, 6.2

GP, Element # 5, Policy 3, 3.1, 3.2

GP, Element# 7, Policy 5, 5.13

GP, Element#10, Policy 6, 6.1, 12

GP, Element #14, Policy 1, 1.3, Policy 3, 3.1, 3.2, 3.3, and 3.4

ESAP, Residential Policy 1, 1.B, 1.D, 1.E, 1.H, 1.I,

ESAP, Residential Policy 2, 2.A,

ESAP, Annexation Subgoal, A.

` ESAP, Transportation Policy 2, 2.B, 2.C

ESAP, Parks & Recreation, Open Space Policy 2, 2.B, 2.C, and 2.F

15. Any proposed masonry walls visible from a public right-of-way shall be constructed

of, or painted with, graffiti-resistant materials. These walls shall incorporate one of the following decorative materials: (a) tile, (b) stone, (c) brick, (d) textured brick/block, (e) a coarse-textured material such as stucco or plaster, or (f) a combination

of both.

Relevant Policies

GP, Element #1, Policy 21, and 22

GP, Element #2, Policy 2, and 2.4

GP Element # 3, Policy 5, 5.1, and 5.3

GP, Element # 4, Policy 2, and 2.1

GP, Element # 4, Policy 3, 3.5, 3.8

GP, Element # 4, Policy 4.7, 4.9

GP, Element # 4, Policy 5, 5.4,

GP, Element # 4, Policy 6, 6.2

GP, Element # 5, Policy 3, 3.1, 3.2

GP, Element# 7, Policy 5, 5.13

GP, Element#10, Policy 6, 6.1, 12

GP, Element #14, Policy 1, 1.3, Policy 3, 3.1, 3.2, 3.3, and 3.4

ESAP, Residential Policy 1, 1.B, 1.D, 1.E, 1.H, 1.I,

ESAP, Residential Policy 2, 2.A,

ESAP, Annexation Subgoal, A.

` ESAP, Transportation Policy 2, 2.B, 2.C

ESAP, Parks & Recreation, Open Space Policy 2, 2.B, 2.C, and 2.F

DG I.B.3.a. - Freestanding Walls

16. Traffic calming devices within the subdivision shall be incorporated such as curvilinear

streets, traffic circles, islands, medians, landscape bump-outs

Relevant Policies

GP, Element #1, Policy 21, and 22

GP, Element #2, Policy 2, and 2.4

GP Element # 3, Policy 5, 5.1, and 5.3

GP, Element # 4, Policy 2, and 2.1

GP, Element # 4, Policy 3, 3.5, 3.8
 GP, Element # 4, Policy 4.7, 4.9
 GP, Element # 4, Policy 5, 5.4,
 GP, Element # 4, Policy 6, 6.2
 GP, Element # 5, Policy 3, 3.1, 3.2
 GP, Element# 7, Policy 5, 5.13
 GP, Element#10, Policy 6, 6.1, 12
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 ESAP, Residential Policy 2, 2.A,
 ESAP, Annexation Subgoal, A.
 ` ESAP, Transportation Policy 2, 2.B, 2.C
 ESAP, Parks & Recreation, Open Space Policy 2, 2.B, 2.C, and 2.F

17. Prior to the issuance of a grading permit, a registered land surveyor shall secure those areas of the central wash identified with ERZ and Erosion Hazard Setback with the installation of temporary fencing. At minimum the fence material installation shall consist of metal T-Posts, installed every ten feet, (terrain permitting), strung with two rows of metal wires. Top strand shall be level with the top half of the T-Posts and the second strand shall be placed at mid-level on T-Posts. Top strand of wire shall include multiple (single color) brightly colored plastic strips, to be placed between every T-Post. The temporary fencing shall create a durable and highly visible barrier to identify the protected limits/boundaries. Temporary fencing to remain in place until all required grading and site improvements are completed.

Relevant Policies

GP, Element #1, Policy 21, and 22
 GP, Element #2, Policy 2, and 2.4
 GP Element # 3, Policy 5, 5.1, and 5.3
 GP, Element # 4, Policy 2, and 2.1
 GP, Element # 4, Policy 3, 3.5, 3.8
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 ESAP, Annexation Subgoal, A.
 ` ESAP, Transportation Policy 2, 2.B, 2.C
 ESAP, Parks & Recreation, Open Space Policy 2, 2.B, 2.C, and 2.F

18. An archaeological assessment and survey shall be performed by a qualified archaeologist before any grading or other ground modification takes place. If cultural features or remains are found, testing and data recovery shall be completed as needed. Copies of testing plans, testing reports, data recovery plans and final reports shall be submitted to and approved by the City Historic Preservation Office prior to construction work commencing. If, during construction, human remains and associated burial items are discovered, ground disturbing activities in the vicinity of the discovery will

cease, the discovery site will be secured, and the Arizona State Museum will be immediately notified as required under A. R. S. 41-865.

Relevant Policies

GP, Element #1, Policy 21, and 22
 GP, Element #2, Policy 2, and 2.4
 GP Element # 3, Policy 5, 5.1, and 5.3
 GP, Element # 4, Policy 2, and 2.1
 GP, Element # 4, Policy 3, 3.5, 3.8
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 ESAP, Annexation Subgoal, A.
 ` ESAP, Transportation Policy 2, 2.B, 2.C
 ESAP, Parks & Recreation, Open Space Policy 2, 2.B, 2.C, and 2.F

19. All lots to have primary access from an internal street platted as part of Mountain

Vail Estates II.

Relevant Policies

GP, Element #1, Policy 21, and 22
 GP, Element #2, Policy 2, and 2.4
 GP Element # 3, Policy 5, 5.1, and 5.3
 GP, Element # 4, Policy 2, and 2.1
 GP, Element # 4, Policy 3, 3.5, 3.8
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 ESAP, Annexation Subgoal, A.
 ` ESAP, Transportation Policy 2, 2.B, 2.C
 ESAP, Parks & Recreation, Open Space Policy 2, 2.B, 2.C, and 2.F

20. Prior to tentative plat approval, applicant to submit signed document(s) from the

Vail Preservation Society (Vail Preservation Society letter head), indicating they are in contact with applicant, as it relates to the preservation/improvements to the historic Esmond Station Railroad tracks located on-site.

Relevant Policies

GP, Element #1, Policy 21, and 22
 GP, Element #2, Policy 2, and 2.4
 GP Element # 3, Policy 5, 5.1, and 5.3
 GP, Element # 4, Policy 2, and 2.1
 GP, Element # 4, Policy 3, 3.5, 3.8
 GP, Element # 4, Policy 4.7, 4.9

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 GP, Element# 7, Policy 5, 5.13
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 ESAP, Residential Policy 2, 2.A,
 ESAP, Annexation Subgoal, A.
 ` ESAP, Transportation Policy 2, 2.B, 2.C
 ESAP, Parks & Recreation, Open Space Policy 2, 2.B, 2.C, and 2.F

21. The site is adjacent to State Land. Provide an on-site street design that allows the option to connect with potential future adjacent residential developments to the east and north.

Relevant Policies

GP, Element #1, Policy 21, and 22
 GP, Element #2, Policy 2, and 2.4
 GP Element # 3, Policy 5, 5.1, and 5.3
 GP, Element # 4, Policy 2, and 2.1
 GP, Element # 4, Policy 3, 3.5, 3.8
 GP, Element # 4, Policy 4.7, 4.9
 GP, Element # 4, Policy 5, 5.4,
 GP, Element # 4, Policy 6, 6.2
 GP, Element # 5, Policy 3, 3.1, 3.2
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 ESAP, Annexation Subgoal, A.
 ` ESAP, Transportation Policy 2, 2.B, 2.C
 ESAP, Parks & Recreation, Open Space Policy 2, 2.B, 2.C, and 2.F

Plan Policies

The General Plan:

Element #1 The Evolving Edge Growth Area

Policy 21 Support a mix of housing types and opportunities throughout the Evolving

Edge Growth Area to meet the diverse needs of the residents.

Policy 22 Protect washes, linkages to important habitat areas, and wildlife corridors through design and development practices which respect the natural environment.

Element #2, Land Use

Policy 2 - Provide sufficient land to support a mix of housing types and opportunities throughout the city to meet the diverse needs of residents.

Element #3, Circulation

Policy 5 -Encourage the use of pedestrian facilities as a critical element of a safe and livable community to meet the transportation and recreational needs of the community.

Element #4, - Community Character and Design

Policy 2, Protect and restore natural watercourses.
Policy 3, Preserve scenic views of natural features and community landmarks.
Policy 4, Design and maintain streets to enhance their overall functional and aesthetic quality.
Policy 5, Promote neighborhood identity and visual character.
Policy 6, Promote quality in design for residential

Element # 5, Culture Heritage

Policy 3, Consider the needs of unique and newly emerging preservation-related resource areas requiring special attention.

Element #7, Safety

Policy 5, Continue to maintain high quality and efficiency in police services to the extent that is consistent with policies and finances of the city
Sub-policy 5.13, Encourage crime prevention through the development and use of specific design criteria, standards, codes regulations, and development standards, such as "Safe by design" guidelines.

Element # 10, Parks, Recreation, Open Space, and Trails (PROST)

Policy 6, Provide and promote a balanced recreation program which offers a diversity of recreational amenities to meet the needs of the population.
Policy 12, Determine trail design criteria and amenity guidelines

Element #14 - Environmental Planning and Conservation

Policy 1, Continue to identify and protect environmentally sensitive natural areas and encourage the preservation of vegetation and wildlife within the area.
Policy 3, Implement methods to conserve and enhance habitat when development occurs.

The Esmond Station Area Plan:

Residential Policies:

Policy 1 - Design residential development to create viable neighborhoods.

Policy 1.B. - Promote clustering and design flexibility in residential developments by encouraging the use of planned unit development (now FLD).

Policy 1.D. - Suburban density residential development are generally appropriate along collector streets.

Policy 1.E. - Mid-urban residential developments are generally appropriate along and

with direct access to arterial streets.

Policy 1.H. - Require pedestrianway systems that integrate, rather than segregate, residential developments and furnish a connection with public pedestrianways.

Policy 1.I. - Require pedestrianways in, between, and around all neighborhood facilities, including schools, parks, and commercial centers.

Policy 2 - Ensure the compatibility of new residential development with existing and committed land uses and uses which would be permitted on adjacent parcels by their existing zoning classifications.

Policy 2.A. - Require appropriate design elements which provide a transition between developments such as setbacks, height restrictions, fences, walls, vegetation, and reduced density during the rezoning and development review process when locating higher density residential in proximity to existing and proposed rural or suburban neighborhoods.

Annexation Subgoal - Pursue an orderly annexation and development program for unincorporated areas within the Plan boundaries.

Implementation Techniques

A. - Establish original City zoning for vacant areas using the Esmond Station Area Plan and current County zoning as a guide.

Transportation Policies:

Policy 2 - Provide adequate access to all properties.

Policy 2.B. - Require sidewalks in all private and public developments.

Policy 2.C. - Require that all pedestrian facilities be accessible to the handicapped.

Parks and Recreation, Open Space Policies:

Subgoal- Provide for existing and future recreational, park, and open space requirements in the area.

Policy 2- Develop additional park areas and open space areas in the Esmond station area.

Policy 2.B - Drainways and floodplains left in their natural state shall be accessible to the public

Policy 2.C - Provide a system of equestrian and pedestrian trails throughout the Esmond Station area where appropriate.

Policy 2.F. - Encourage dedication of property for public park use during the design stages of proposed development within the Esmond Station area. Dedications will be subject to approval by the City of Tucson Department of Parks and Recreation.

s:\UPF\caserev\rezoning\rez12-13\C9-13-06.doc

08/12/2013 HEATHER SIGNS This has been
THRALL completed

Comments:

Sign Code review - Heather Thrall 8/6/13

- 1) No billboards on site.
- 2) Subdivision signage, if proposed, will require sign permits

08/15/2013 PMCLAUG1 DOT ENGINEERING This has been
completed

Comments:

none

08/20/2013 PMCLAUG1 TUCSON WATER NEW AREA This has been
DEVELOPMENT completed

Comments:

none

No FINAL STATUS record available for this Workflow

Conditions:

none

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[Help](#)



MEMORANDUM

Office of Conservation and Sustainable Development

DATE: August 5, 2013

TO: Peter McLaughlin, Lead Planner
Planning & Development Services

FROM: Irene Ogata, RLA, ASLA, CPM
Urban Landscape Manager

SUBJECT: Case : C9-13-06 Mountain Vail Estates 2 – Old Vail Connection Road, RX-1 to S-1-FLD

The following are comments and conditions of rezoning to the June 2013 Preliminary Development Package/Rezone and Flexible Lot Design submittal for the above referenced case.

The City of Tucson has been moving toward achieving sustainable development, mitigation of Urban Heat Islands (UHI) and green building principles. In addition to the City of Tucson's recently adopted Plan Tucson: General and Sustainability Plan 2013, Mayor and Council endorsed the United Nations Urban Environmental Accords in 2005, adopted the US Mayors' Climate Protection Agreement in 2006, endorsed the City of Tucson Urban Landscape Framework and adopted the City's Framework for Advancing Sustainability in 2008.

Water is a critical resource being addressed through a number of different applications. In 2009, Mayor and Council adopted a Commercial Rainwater Harvesting Ordinance and amended the landscape bufferyard ordinance changing the required number of trees in parking lots. Both ordinances address not only efficiency in water resources, but also human health and mitigation of urban heat islands. In 2008, the city's Transportation Dept. approved curb cut standards to allow street drainage to flow into planting basins next to residential roadways. Also at Mayor and Council study session, May 29, 2013, they adopted a Green Streets Policy for the Dept. of Transportation's Active Practice Guidelines.

Surfaces, such as paving from roadways and asphalt parking areas contribute to approximately 40% of impervious surfaces in a city. These contribute to increasing urban heat islands which can have detrimental health effects. The young, elderly and those living alone without social network capacity are the most vulnerable populations to heat exhaustion during extreme heat events; increasingly those with chronic health conditions associated with heart, lungs, obesity and diabetes are also affected. Increasing reflectivity of these paved surfaces, providing shade (trees and/or shade structures) or pervious surfaces mitigate the heat absorption quality of dark pavement. The City encourages developers to work with staff to apply best management practices to mitigate urban heat island effects; this includes use of cool roof surfacing.

1. Relevant Policy/Ordinance:
 - a. General Service Architecture and Engineering Division, Design and Construction Standards, Division 7: Thermo and Moisture Protection

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- b. Rainwater Harvesting Ordinance (No. 10957) and associated Development Standards (10-03.00)
- c. Department of Transportation, Engineering Division, Active Practice Guidelines: Green Streets Policies
- d. Plan Tucson: General & Sustainable Plan 2013: Policies in :
 - The Economic Environment: Tourism & Quality of Life:
Policy TQ2: Preserve and celebrate the beauty of Tucson's natural landscape and the wonder of the Sonoran Desert.
Policy TQ3: Recognize the importance of well-maintained and attractive roadways and gateways in establishing an initial impression for visitors and generating pride among residents.
 - The Natural Environment: Energy & Climate Readiness:
Policy EC3: Reduce the urban heat island effect by minimizing heat generation and retention for the built environment using a range of strategies.
Policy EC9: Assess and address the vulnerability of the community's health and safety, economy, and natural resources to climate change, and development assurances that vulnerable and disadvantaged populations are not disproportionately impacted by climate change.
 - The Natural Environment: Water Resources:
Policy WR2: Expand the use of alternative sources of water for potable and non-potable uses, including rainwater, gray water, reclaimed water, effluent, and stormwater.
Policy WR6: Integrate land use and water resources planning.
Policy WR8: Integrate the use of green infrastructure and low impact development for stormwater management in public and private development and redevelopment projects.
 - The Natural Environment: Green Infrastructure:
Policy GI1: Encourage green infrastructure and low impact development techniques for stormwater management in public and private new development and redevelopment, and in roadway projects.
Policy GI2: Rehabilitate and enhance natural drainage systems, water detention and retention basins, and other infiltration areas for multiple benefits, such as recreation, wildlife habitat, and stormwater management.
Policy GI3: Create and maintain a connected urban greenway system for non-motorized mobility and to provide human and environmental health benefits.
Policy GI4: Expand and maintain a healthy, drought-tolerant, low-water use tree canopy and urban forest to provide ecosystem services mitigate the urban heat island, and improve the attractiveness of neighborhoods and the city as a whole.
Policy GI5: Create, preserve, and manage biologically rich, connected open space; wildlife habitat; and wildlife corridors, including natural washes and pockets of native vegetation, while working to eradicate invasive species.

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Policy GI6: Protect, restore, enhance, and manage trees for their long-term health, including providing guidance on proper planting, care and maintenance.

- The Built Environment: land Use, Transportation, and Urban Design Policies:

Policy LT4: Ensure urban design that:

- e. Includes ample, usable public space and green infrastructure

Policy LT10: Support urban agriculture and green infrastructure opportunities in new development or redevelopment when appropriate.

Policy LT12: Design and retrofit streets and other rights-of-way to include green infrastructure and water harvesting, complement the surrounding context, and offer multi-modal transportation choices that are convenient, attractive, safe, and healthy.

Policy LT21: Consider the application of the Conservation Land System designation and requirements in rezoning reviews.

Policy LT28: Apply Guidelines for Development Review to the appropriate Building Blocks in the Future Growth Scenario Map to evaluate and provide direction for annexations, plan amendments, rezoning requests and special exception applications, Board of Adjustment appeals and variance requests, and other development review applications that require plan compliance. The Guidelines referenced in this policy and represented in Exhibit LT-11 are integral to this policy and are the tools used to meet policy objectives. Apply specific plan and functional plan policies to these types of development applications. Refer to the Design Guidelines Manual for additional guidance.

- Set 1: Guidelines for Development Review that Apply to All Locations and Types of Development

Policy LT28.1.17: Support methods to conserve and enhance habitat when development occurs.

Policy LT28.1.18: Support the development and management of healthy and attractive urban vegetation.

Policy LT28.1.20: Support an accessible open space system that connects open space in the urbanized area to the surrounding public natural areas.

Policy LT28.1.21: Support an interconnected open space system.

Policy LT28.1.22: Support an interconnected urban trail system throughout the city to meet the recreational needs of pedestrians, bicyclists, and equestrians.

2. Targets in the U.S. Mayors Climate Protection Agreement applicable to this site include:

C.5. Make energy efficiency a priority through building code improvements, retrofitting city facilities with energy efficient lighting and urging employees to conserve energy and save money;

C.7. Practice and promote sustainable building practices using the U.S. Green building Council's LEED program or a similar system;

C.10. Maintain healthy urban forests; promote tree planting to increase shading and to absorb CO₂

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The following conditions of rezoning are requested for this project:

The no name wash traversing the center of the site, an upstream branch of the Atturbury Wash, is designated as Xeroriparian C vegetation density. These areas have important habitat and ecological benefits to the adjacent and surrounding land use and also provides connectivity as a watercourse and habitat movement corridor. These areas are valued for higher water availability, vegetation density and biological productivity.

1. No more than 75% of the wash area shall be disturbed.
2. Disturbance of wash area, vegetation, trees and shrubs shall be replaced at a ratio of 1:1; vegetation replacement shall first be placed to enhance the riparian wash area and if not possible, placed onsite in common areas.
3. This development shall retain 100% of post-development rainwater/stormwater drainage from impervious surfaces onsite; water to be utilized as part of a passive, active or a combination of both water harvesting system to be used for onsite landscape irrigation; or associated with open space mitigation measures that will regenerate/revegetate preserved open and/or riparian spaces. A water harvesting budget table shall be provided (existing commercial water harvesting standards methodology or other calculation methodology can be utilized) to illustrate the amount of post development water runoff being retained on individual lots and/or common areas.
4. Roofing material to be either Energy Star rated or rated as a cool roof (initial solar reflection greater than, or equal to, 0.65 and minimum infrared emitance greater than or equal to 85%); placement and utilizing energy of solar panels on the roof will be considered an acceptable alternative.
5. To mitigate urban heat island effects of paving, a minimum of one tree per lot shall be placed adjacent to the driveway, paved sidewalk and/or paved roadway.



**Pima County
Regional Wastewater Reclamation Department**

Jackson Jenkins
Director

201 N. Stone Avenue
Tucson, Arizona 85701
(520) 724-6500

Visit our website:
<http://www.pima.gov/wwm>

August 2, 2013

TO: Peter McLaughlin, Lead Planner
Rezoning Section
City of Tucson Planning and Development Services

FROM: Mirela Hromatka
Mirela Hromatka, Program Manager
Capital Planning Unit
Pima County Regional Wastewater Reclamation Department

SUBJECT: C9-13-06 –Mountain Vail Estates 2 – Old Vail Connection Road Rezoning
From RX-1 to R-1
Tax Parcel #305-09-004C; 20 Acres; 73 lots

The Planning Section of the Pima County Regional Wastewater Reclamation Department (PCRWRD) has reviewed the request for a rezoning and the preliminary development plan and offers the following comments for your use. Approval of the rezoning would allow approximately 20 acres to be developed as a residential subdivision.

The rezoning site is within the PCRWRD service area and tributary to the Roger Road Wastewater Reclamation Facility via the Southeast Interceptor and Northwest Outfall. Connection to the public sewer will become available upon completion of the Mountain Vail Estates subdivisions just north of the rezoning site.

A capacity determination letter stating that conveyance system capacity for the proposed project is available in the downstream public sewerage system will need to be obtained from the PCRWRD, if the project is to connect to the public sewer system.

The PCRWRD has no objections to the proposed rezoning request or preliminary development plan but adds the following rezoning conditions:

REZONING CONDITIONS

Should the City of Tucson be inclined to approve this rezoning, the PCRWRD recommends the following rezoning conditions:

1. The owner / developer shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner / developer to that effect.

2. The owner / developer shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and / or conveyance capacity not be available at that time, the owner / 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.
3. The owner / developer shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
4. The owner / developer shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
5. The owner / developer shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.
6. The owner / developer shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.

If you wish to discuss the above comments, please contact me at 724-6488.

MH Copy: Project



Approval – Protest Form

If you wish to submit a written protest or approval, this form is provided for your convenience. Please print your comments below, sign your name, and mail to the Rezoning Section of the Planning and Development Services Department at the address on the reverse side (you will need to attach postage). The number of approvals and protests along with protest calculations will be reported at the Zoning Examiner's public hearing.

Approvals and protests must have an owner's signature to be recorded.

If protests are filed from property owners representing 20% or more by area in any quadrant of the area located within a 150 foot radius of the parcel(s) on which the rezoning is proposed, an affirmative vote of ¾ of the Mayor and Council will be required to approve the rezoning ordinance.

**Case: C9-13-06 Mountain Vail Estates II – Old Vail Connection Road, SH to R-1
Ward # 4**

I/We the undersigned property owners, wish to

- APPROVE the proposed rezoning.
 PROTEST the proposed rezoning.

Reason:

PLEASE PRINT YOUR NAME	PLEASE PRINT MAILING ADDRESS	PLEASE PRINT LEGAL PROPERTY DESCRIPTION		
		Subdivision	Block	Lot

Owner's Signature: _____ Date _____

Place
Stamp
Here

City of Tucson
Planning and Development Services Department
Rezoning Section
201 N. Stone
P.O. Box 27210
Tucson, Arizona 85726-7210

C9-13-06

Expose this flap - Affix stamp and return



City of Tucson PMc
Planning and Development Services
Department -Rezoning Section
201 N. Stone Avenue
P.O. BOX 27210
Tucson, Arizona 85726-7210

C9-13-06

IMPORTANT REZONING NOTICE ENCLOSED

F:\Sharedir\REZONING\Rezoning TEMPLATES\ZE mailout