MEMORANDUM

DATE: June 6, 2018
For June 21, 2018 Hearing

TO: Zoning Examiner

FROM: Scott Clark
Planning & Development Services Director

SUBJECT: REZONING
PLANNING & DEVELOPMENT SERVICES REPORT
C9-18-10 La Roca Vista
SR to R-1 (Ward 2)

Issue – This is a request by Brian Underwood of the Planning Center, on behalf of the property owner, Francis Hart, to rezone approximately 4.58 acres from SR to R-1 zoning. The rezoning site is located on the south side of Tanque Verde Road; approximately 0.63 miles east of Catalina Highway (see Case Location Map). The preliminary development package (PDP) proposes a 19-lot single family residential (SFR) subdivision.

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

Background Information

Existing Land Use: One single-family residence

Zoning Descriptions:

SUBURBAN RANCH (SR): This zone provides for very low density, large lot, single-family, residential development and suburban ranch uses. Uses that would adversely affect the open space, agricultural, or natural characteristics of this zone shall not be permitted.

RESIDENCE ZONE (R-1): This zone provides for urban, low density, single-family, residential development, together with schools, parks, and other public services necessary for a satisfactory urban residential environment. Certain other uses, such as day care and urban agriculture, are permitted that provide reasonable compatibility with adjoining residential uses.

Surrounding Zones and Land Uses:
North: Zoned CR-1; SFR (North of Tanque Verde Road)
South: Zoned R-1; SFR
East: Zoned R-1; SFR
West: Zoned RX-, R-1; SFR

Previous Cases on the Property: C9-05-24 Young – Tanque Verde Road, SR to R-1. This was a request for a 12-lot single family residential subdivision. Mayor and Council authorized the R-1 zoning on April 25, 2006, and granted a five-year time extension in April, 2011. The rezoning expired April 25, 2016.

Related Cases:
Seven (7) rezoning cases, not including the case cited above, have been approved by the City of Tucson for R-1 zoned subdivisions within one mile of the rezoning site since 1993. That number more than doubles within two miles of the rezoning site. Therefore, this general area has a long history of rezoning to R-1 for single-family subdivisions. It should be noted that the R-1 zoning immediately surrounding the rezoning site was established in unincorporated Pima County and annexed into the City. Pima County rezonings to the equivalent of City R-1 are not included in the count, however, a look at an aerial of the unincorporated area within two miles shows additional rezonings to the R-1 equivalent.

Applicant's Request – "Proposes to develop 19 single-family residential lots with appropriate landscape borders, screening and setbacks."

Planning Considerations – The *Bear Canyon Neighborhood Plan* (*BCNP*) and *Plan Tucson* provide land use policy direction for this area. Policies in the *BCNP* support preservation of the integrity of established neighborhoods, promotion of high-quality residential in-fill development, compatible new development and a mix of housing types. The Bear Canyon General Development Map calls for low-density residential uses (up to 6 residences per acre) for the subject property. Policies also support buffers (walls, berms, setbacks and vegetation) where necessary to mitigate impacts of the new development on existing residences. Flexible lot designs are encouraged and new developments are encouraged architecturally designed to enhance and be compatible with the visual character of the neighborhood. New utility wires should be undergrounded and developers are encouraged to place existing overhead wires underground.

The rezoning site is located within an Existing Neighborhood as identified on the Future Growth Scenario Map of *Plan Tucson*. Existing neighborhoods are primarily developed and largely built-out residential neighborhoods and commercial districts in which minimal new development and redevelopment is expected in the next several decades. The goal is to maintain the character of these neighborhoods, while accommodating some new development and redevelopment and encouraging reinvestment and new services and amenities that contribute further to neighborhood stability.

Plan Tucson supports the retention and expansion of existing businesses as well as infill and redevelopment projects that reflect sensitivity to site and neighborhood conditions and also adhere to relevant site and architectural design guidelines. *Plan Tucson* policies protect established residential neighborhoods by supporting compatible development, which may include other residential, mixed-use infill and appropriate nonresidential uses.

The project site is a trapezoid-like shaped property with approximately 242 lineal feet of frontage on Tanque Verde Road; and extending south of Tanque Verde Road nearly 1000 feet. The property is bordered on the west, south and east sides by single-family residences, with lots ranging in size from 4,700 square feet (SF) in the Lakes at Castle Rock (LACR) to 35,000 square feet within Tanque Verde Acres to the west. The LACR density in the vicinity of the rezoning site is approximately 4.4 units per acre, while the density of Tanque Verde Acres is approximately one. All homes in the Tanque Verde Acres are one-story. No two-story homes were identified along the east boundary of the subject property. Two-story structures are adjacent to the extreme southwest corner of the site.

Vehicular access to the rezoning site is proposed from Tanque Verde Road, identified as a Scenic Route and an arterial roadway with a future right-of-way of 150 feet on the *Major Streets and Routes Plan* map. It is estimated that the proposed development will generate 115 vehicle trips per day. Field inspection by staff indicates there are currently no billboards on the rezoning site.

The current rezoning will make use of the Flexible Lot Development Option, which exchanges functional open space for flexibility in lot sizes. The subject property is an infill site. Existing walls and lack of physical access would make connectivity to adjacent neighborhoods difficult. However, bicycle lanes and sidewalk on the south side of Tanque Verde Road provide alternative transportation options, with ample retail and other services (library, bus stops) available less than a mile away at the Tanque Verde and Catalina Highway intersection. A number of schools are about 2 miles away, and recreational trails in the Tanque Verde Wash are about a quarter-mile to the south, but lacking direct access. The applicant's property is surrounded by existing established residential neighborhoods and is a good candidate location for a transitional density residential subdivision.

Design Considerations

Land Use Compatibility – Currently, the subject property contains a single-family dwelling and out-buildings, near the south end. Other than the driveway and the area adjacent to the existing structures, the vegetation on the site is relatively undisturbed.

The proposed development consists of a row of lots along the east side of a cul-de-sac extending nearly the length of the property. Thirteen lots are proposed for the east side of the cul-de-sac, adjacent to lots in LACR. Two lots, near the entrance from Tanque Verde Road, are proposed for the west side of the cul-de-sac. Four lots will use the cul-de-sac ball at the south end of the development.

West of the cul-de-sac, except for the two lots previously mentioned, is proposed for open space, detention/retention and water harvesting. The open space is appropriate to the existing low-density development in Tanque Verde Acres.

The Design Compatibility Report (DCR) states that "...at least 33% of the proposed lots will be limited to single-story (including lots 1-3 as shown on the PDP)." With 19 lots proposed, that leaves an additional 3-4 lots reserved for single-story. As stated above, staff has not identified any two-story structures along the east boundary of the site. The City has a long-standing policy of conditioning rezoning cases to limit two-story homes adjacent only to existing two-story homes. Therefore, lots shown on the PDP as 3-17 should be limited to single-story homes with a maximum height of 18 feet.

In 2005, the City approved a rezoning case for this property for 12 single-family lots. The current 19-lot proposal, calculates to about 4.2 units per acre, which is within the *BCNP* range. The pure density numbers do not convey, however, that with the one-side-loaded cul-de-sac, the linear design creates sense of greater density along the east boundary. The impact on the properties to the east is recognized and PDP offers a 10-foot wide buffer along the east side of the development. The shortcoming of the buffer is that there is no workable plan for how this buffer will be maintained – both the space itself as an open space buffer and the mature landscaping within the buffer. Experience has shown that such buffers or open space areas confined between two walls as proposed are often not maintained as anticipated, and may attract individuals looking to conceal their activities. Due to this experience, staff does not accept the proposed 10-foot buffer as a workable buffer for the properties to the east.

The proposed restriction of single-story only structures helps to mitigate the density impression, however, the sense of greater density remains. Staff's proposed solution is to reduce the number of units along the east boundary to increase the lot sizes and reduce the density impression. Staff recommends a condition that lots 4 -17 be reduced by four (4) lots and that the remaining 10 lots be widened to mitigate the density impression created by the design. The 10-foot area identified as the "buffer" should also be retained and incorporated as an increased rear yard setback for those properties. This can be accomplished on the plat.

The recommended lot reduction, to 15 lots total, reduces the overall density of the proposed subdivision to approximately 3.3 units per acre. This density represents an improved transition from the higher density of LACR to the east and the low density of Tanque Verde Acres to the west.

The *BCNP*, Residential Implementation Technique #8 requires new utility wires to be underground. Staff has proposed such a condition for any new utility wires required by the subdivision, unless TEP objects to the undergrounding in writing to the City. TEP will review the Tentative Plat and will have the opportunity to comment on the utility design.

Drainage/Grading/Vegetation – The property generally slopes from north to south. Drainage is characterized as sheet flow that concentrates at the south end of the property, flows through a channel and discharges through a wall opening. There are no regulatory drainageways on the site, and it is not subject to the Floodplain Ordinance. The drainage design will be required to retain 100% of a five (5)-year storm event.

The onsite vegetation has been mapped by Pima County, and the majority is classified as Agriculture/Developed/Water/Bare Ground, with less than two acres identified as Sonoran Desert Scrub. Preservation of viable vegetation and any required mitigation due to plant removal will be governed by the Unified Development Code (UDC) Section 7.7 Native Plant Preservation.

Road Improvements/Vehicular Access/Circulation – The site will be accessed from Tanque Verde Road via a new 46-foot wide cul-de-sac. The DCR indicates that a deceleration lane will be provided for eastbound traffic entering the site.

Conclusion – The *Bear Canyon Neighborhood Plan* and *Plan Tucson* support infill development at this location. The development, as proposed, does not fully embrace the guidance to maintain the integrity of existing neighborhoods; however, subject to compliance with the attached preliminary conditions, approval of the requested R-1 zoning is appropriate.

PROCEDURAL

1. A development package in substantial compliance with the preliminary development package and required reports dated May 04, 2018, is to be submitted and approved in accordance with the *Administrative Manual*, Section 2-06.

2. The property owner shall execute a waiver of potential claims under A.R.S. Sec. 12-1134 for this zoning amendment as permitted by A.R.S. Sec. 12-1134 (I) in the form approved by the City Attorney and titled "Agreement to Waive Any Claims Against the City for Zoning Amendment". The fully executed Waiver must be received by the Planning & Development Services Department before the item is scheduled for Mayor and Council action.

3. Historic or prehistoric features or artifacts discovered during future ground disturbing activities should be reported to the City of Tucson Historic Preservation Officer. 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. The owner/developer shall obtain written documentation from the Pima County Regional Wastewater Reclamation District (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, sewer improvement plan or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner/developer shall have the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.

6. Five years are allowed from the date of initial authorization to implement and effectuate all Code requirements and conditions of rezoning.

LAND USE COMPATIBILITY

7. Lots 1-17 as shown on the PDP shall be one-story residences with a maximum height of 18 (eighteen) feet.

8. The area of lots 4 through 17 should be reduced from 14 lots to 10 (ten) lots and the remaining lots should be made wider.

9. The 10-foot wide buffer on the east property line should be incorporated into those lots as an additional setback established by the plat.

10. All walls visible from a public right-of-way and/or adjacent to existing residential development, are to be graffiti-resistant and 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 wall surface; varied wall alignments, (jog, curve, notch, setback, etc.); and/or trees and shrubs in voids created by the wall variations.

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

12. All new utility wires required by the proposed subdivision shall be installed underground unless TEP has an objection to undergrounding.

DRAINAGE/GRADING/VEGETATION

13. Developer shall provide 100% retention of a five-year storm event.

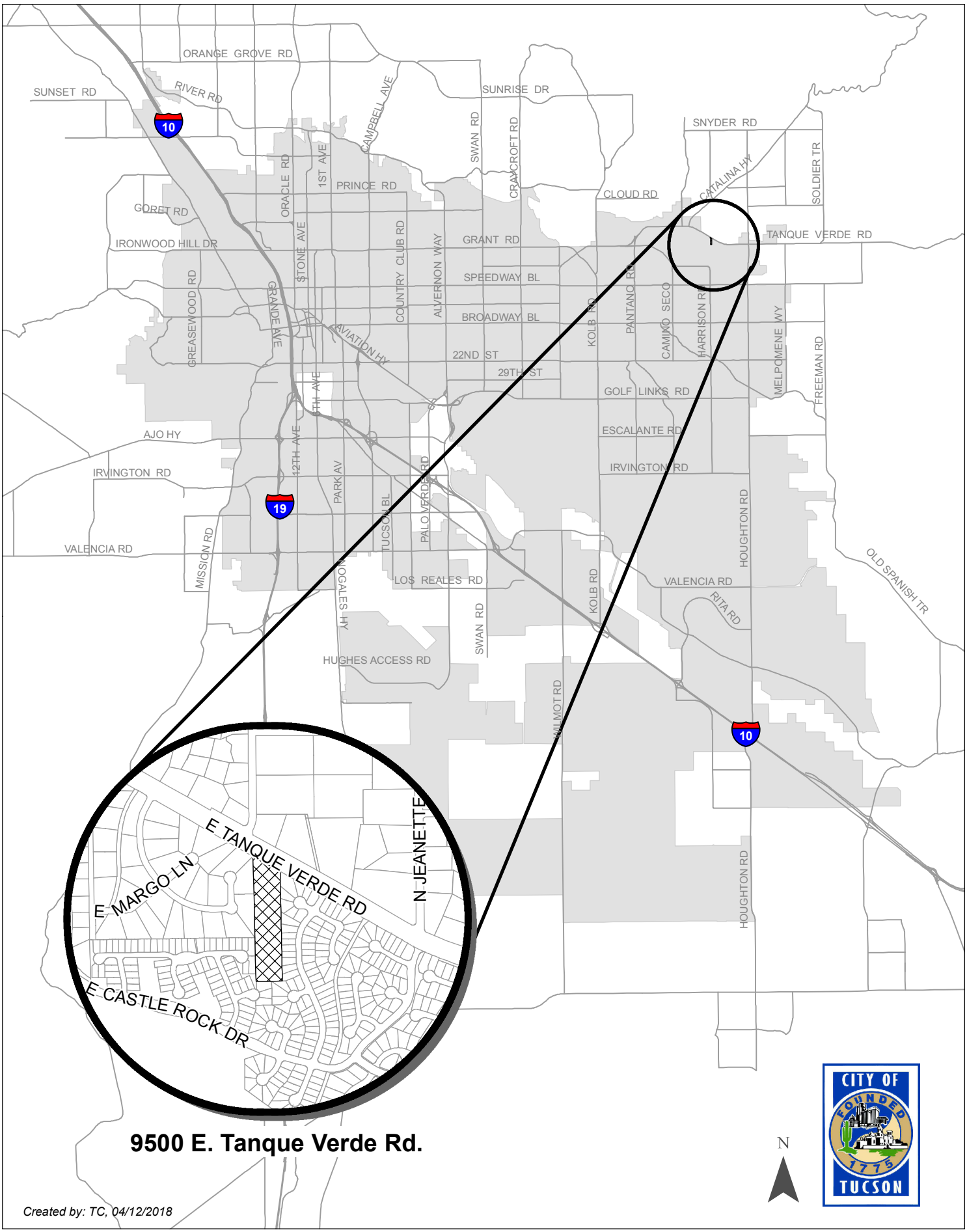
ROAD IMPROVEMENTS/VEHICULAR ACCESS/CIRCULATION

14. A deceleration lane shall be installed for eastbound traffic entering the subdivision.

s/rezoning/2018/C9-18-10 preliminary conditions.doc

C9-18-10 La Roca Vista

Rezoning Request: From SR to R-1



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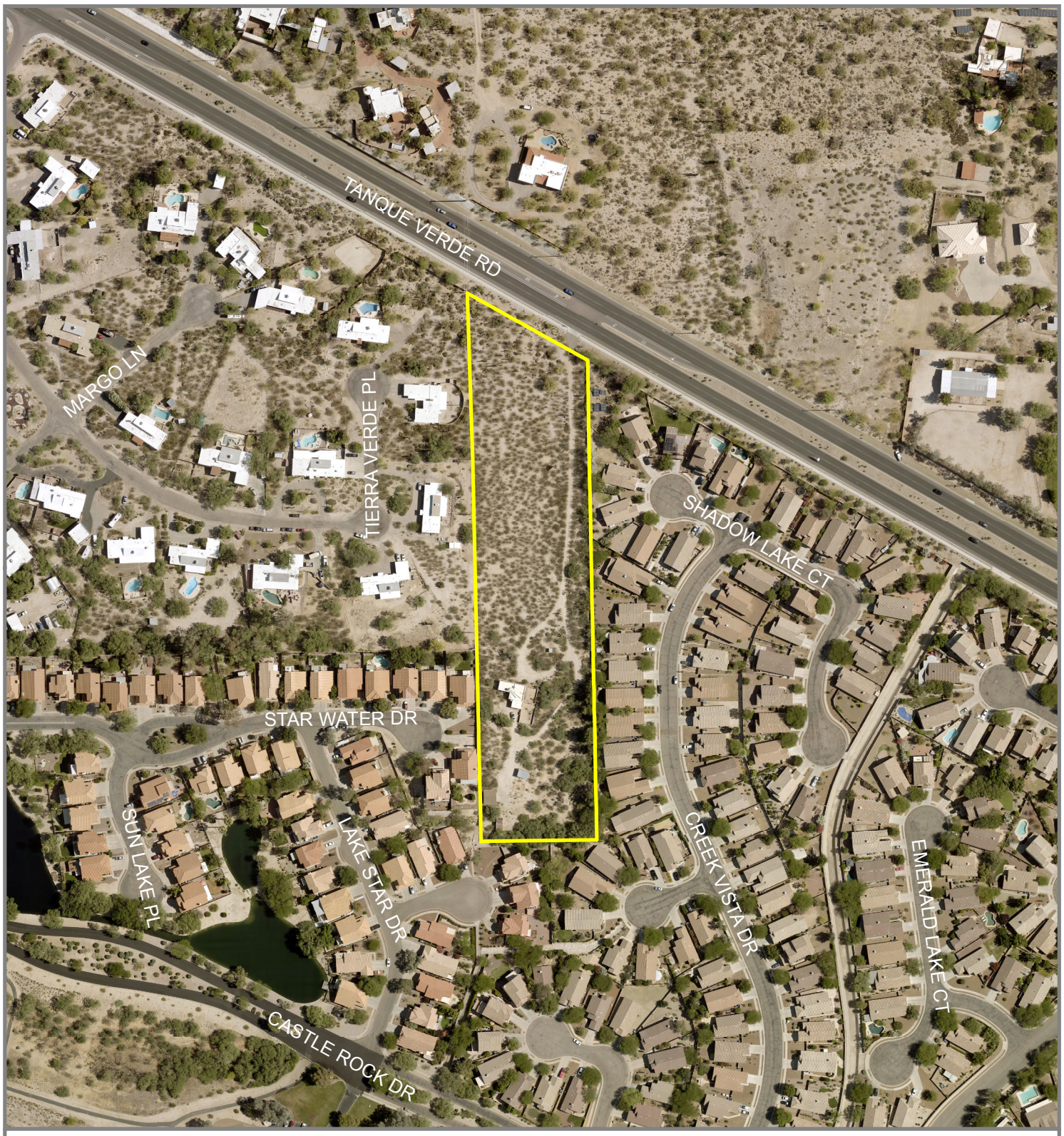
Rezoning Request: From SR to R-1



Area of Rezoning Request

Address: 9500 E. Tanque Verde Rd.
Base Maps: Twp.13S Range15E Sec. 35
Ward: 2

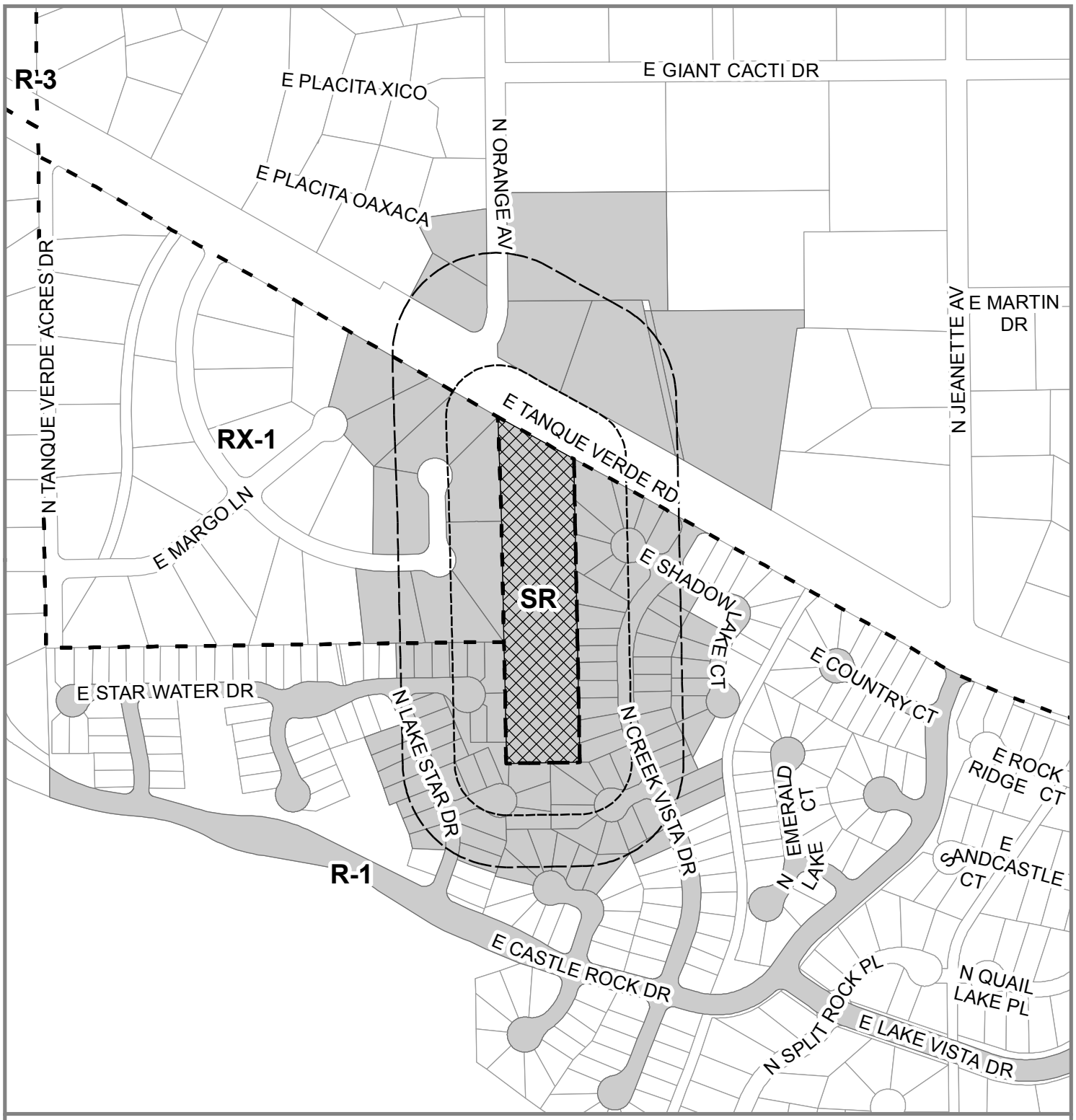
0 125 250 Feet
1 inch = 250 feet

N

Created by: TC, 04/12/2018

C9-18-10 La Roca Vista

Rezoning Request: From SR to R-1



Subject Property

Notification Area (300-foot Radius)

Protest Area (150-foot Radius)

Zone Boundaries

Properties Notified

Address: 9500 E. Tanque Verde Rd.
Base Maps: Twp.13S Range15E Sec. 35
Ward: 2

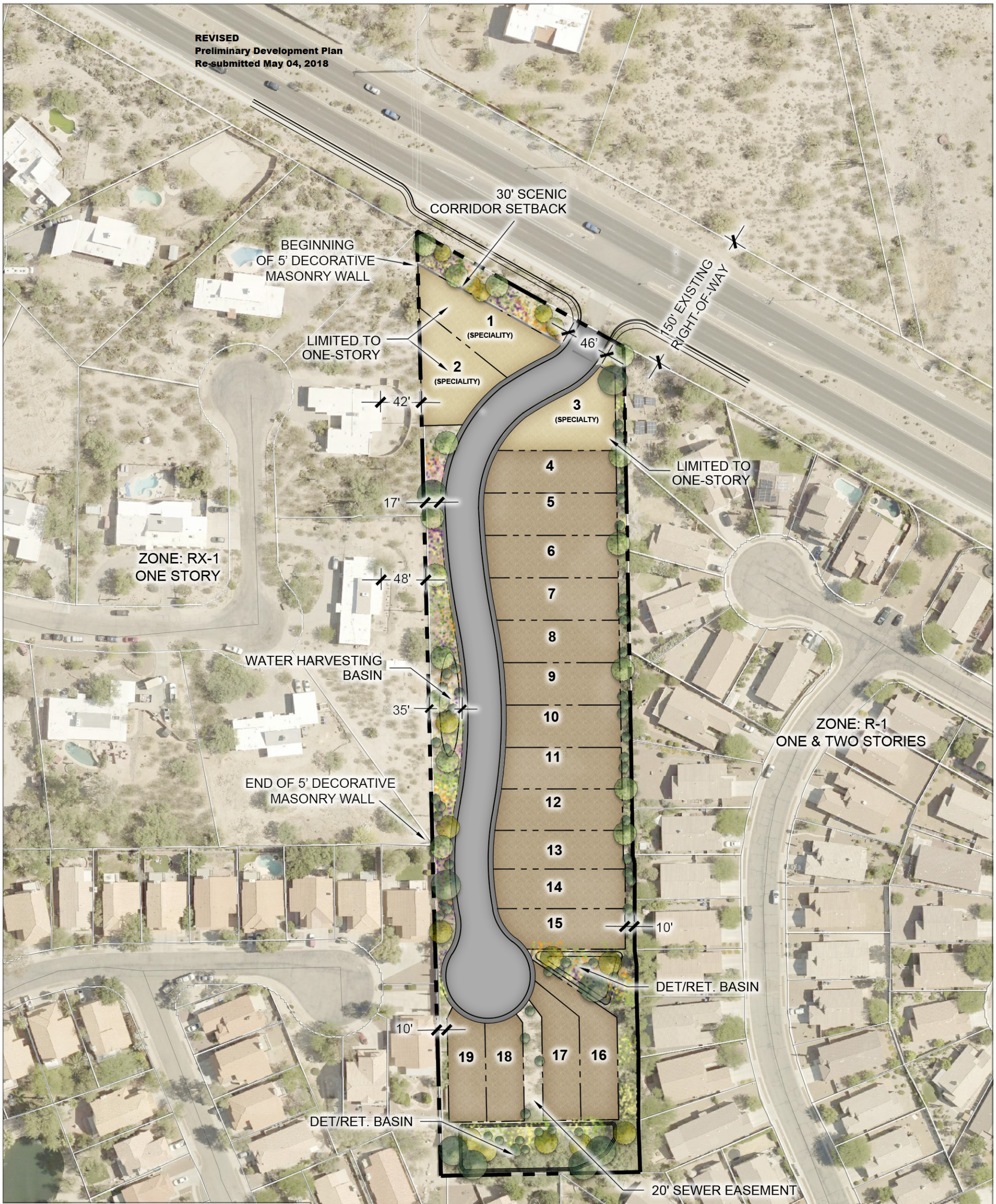
0 200 400 Feet

1 inch = 400 feet

N

Created by: TC, 04/12/2018

PRELIMINARY DEVELOPMENT PLAN



NOTES:

ADDRESS: 9500 E. TANQUE VERDE RD
APN: 114-55-038A
ACREAGE: 4.58
EXISTING ZONE: SR
PROPOSED ZONE: R-1
FLEXIBLE LOT DEVELOPMENT OPTION
PROPOSED LOTS: 19 (45' x 110' TYP)
FUNCTIONAL OPEN SPACE: 1.13 AC

LA ROCA VISTA

0' 10' 20'
SCALE: 1"-20'-0"
NORTH

PROJECT: FRH-01 DATE: 5/3/18
FILE NAME: FRH-01_SITE PLAN_2.27.18.DWG

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