



CITY OF
TUCSON

PLANNING AND
DEVELOPMENT
SERVICES
DEPARTMENT

April 10, 2019

Ms. Keri Silvyn, Esq.
Lazarus, Silvyn & Bangs, P.C.
5983 E. Grant Road, Suite 290
Tucson, AZ 85712

Dear Ms. Silvyn:

SUBJECT: Saguaro Trails Planned Area Development (PAD-30, C9-16-09),
Minor Amendment – Multi-Family Residential Units Are Permitted in Both
Planning Area B and C

I have reviewed your letter (attached) requesting a minor amendment to the Saguaro Trails PAD which proposes the following modifications:

- Planning Area B - permit multi-family residential units at a density of 14.9 RAC with heights of just under 37-feet;
- Planning Area C – within the eastern portion (approximately 9.76 acres) permit multi-family residential units at a density of 20.5 RAC with heights just under 37-feet.

The PAD document recognizes that amendments to this PAD may become necessary for a variety of reasons, including responding to a changing market and new residential market preferences, provided such changes are not in conflict with the overall intent, goals and objectives of the PAD.

Therefore, it is determined that the request for a minor amendment to the Saguaro Trails PAD, Planning Area C is a non-substantial change and is approved, pursuant to the City of Tucson's Unified Development Code, Section 3.5.5.J.2.

This minor amendment is supported by the following:

1. Addition of new information to the PAD, Site Plan, maps, or text that does not change the effect of any regulation, development standard, or guideline (Saguaro Trails PAD, III.H.2.A, p 115) - *Revised density and product type responds to new residential market preferences as evaluated during a strategic planning workshop that included focus group sessions to evaluate buyer preferences;*

April 10, 2019

2. Allow Adjustments to the Development Standards in Sections III.B.2 through III.B.7 of the PAD that are not harmful to the interests of the larger community, or adjacent neighborhoods, or which are not explicitly stated in the PAD, but which are consistent with the guiding goals and objectives of the project and which do not create any public health or safety issues (III.H.2, p 115) - *The Saguaro Trails PAD calls for a spectrum of housing options for both homebuyers and renters. Consistent with this approach each Planning Area is allowed to feature any or all of the permitted residential housing types ranging from single-family detached to multi-family apartments;*

3. Compliance with the goals, purposes and intent of the PAD (Saguaro Trails PAD IB.5.C, p. 12) – *Establish a PAD that provides development flexibility going forward and ensures the ability to respond to changing market conditions and preferences within its originally established regulatory framework. The proposed density of 20.5 RAC within Planning Area C is consistent not only with the PAD, but with the Houghton Area Master Plan which calls for minimum densities high enough to support mass transit usage and commercial activities.*

A copy of this letter and attached materials must be attached to any development package submittal.

Sincerely,



Scott Clark, Interim Director

Planning and Development Services Department

Attachments: Applicant's Request Letter and Materials



LAW OFFICES OF

Lazarus, Silvyn & Bangs, P.C.

A PROFESSIONAL CORPORATION

April 8, 2019

VIA E-MAIL (JOHN.BEALL@TUCSONAZ.GOV)

John Beall
City of Tucson
Planning and Development Services Department
201 N. Stone Ave.
Tucson, Arizona 85701

RE: Saguaro Trails PAD; Minor Amendment to PAD

Dear John:

Thank you for meeting with me, Mike Censky from HSL Properties (“HSL”), Ryan Stucki with Engineering and Environmental Consultants, Inc. (“EEC”) and Scott Kolt of Mattamy Homes (“Mattamy”) last week. The purpose of that meeting was to discuss HSL’s proposal to construct multi-family units (the “Project”) in Planning Areas (“PA”) B and a portion of C (the “Property”) within the Saguaro Trails PAD (“PAD”), south of Drexel Road. As you know, the PAD was adopted in 2016 and construction of homes has begun. The PAD is within the Houghton Area Master Plan (the “HAMP”), which designates the Property “Neighborhood/Low Density Residential.” Multi-family uses are a permitted use within the PAD. The purpose of our meeting and this letter is to present a preliminary concept plan for the multi-family use, and confirm this use is permitted within the PAD in both PA B and the portion of PA C proposed. This letter serves as a request for a Minor Amendment/clarification pursuant to Section III.H of the PAD. Below is an overview of the Project, relevant PAD and associated HAMP policies, and our analysis of conformance to the PAD. Enclosed is the applicable fee of \$291.50 for this Minor Amendment request.

1. Overview of the Project.

HSL will be purchasing the Property, which includes Planning Area B and approximately 9.7 gross acres of PA C from Mattamy. Mattamy will retain the remainder of PA C, which is approximately 11.73 gross acres (“Retained Property”) for future development. **Attachment 1** depicts PA B, and the portion of PA C that HSL will develop for multi-family as C1. The Retained Property is noted as PA C2 on that attachment.

HSL is proposing just over 300 multi-family units within 15 separate multi-family buildings, a clubhouse and a maintenance building on the Property as shown on **Attachment 2**. The buildings are all 2 and 3-story with a maximum building height of just under 37 feet, well under the 4-story/52-foot PAD permitted heights for multi-family. The two-story buildings are closest to Houghton Road and Drexel Road. The 3-story buildings are predominantly interior to



the Project and along the western edge. The Project is planned for approximately 152 units within PA B and another 152 units in PA C1 as noted on Attachment 1. Access for each PA will be from Drexel Road to the north with internal circulation driveways. Approximately 305 parking spaces are provided in PA B and 315 parking spaces in PA C1, which exceeds the PAD parking requirements. Residents will have access to the walking trails and other open space amenities within the PAD.

EEC has provided the density calculations per the PAD for both PA B and PA C on **Attachment 3**. These densities were calculated pursuant to the PAD “gross” and “net” density calculation methodologies established in Table III.1 and Section III.B.2.B. PA B has a gross acreage of 13.045 acres and net acreage of 10.184 acres. PA C has a gross acreage of 21.513 acres and a net acreage of 17.107 acres. PA C1 with the multi-family use is approximately 7.4 net acres and the Retained Property is approximately 9.7 net acres.

2. PAD and Applicable Policies.

The HAMP provides the policy guidance for the regulatory PAD. Per your letter dated January 27, 2016, the PAD is in substantial conformance with HAMP based on a number of policies, including but not limited to:

- The overall PAD will achieve a minimum density of 4 RAC and maximum density of 8 RAC;
- The PAD will provide a variety of market-rate housing types to include apartments/multi-family;
- The PAD provides residential densities high enough to support mass transit usage and commercial activities.

The PAD establishes the permitted uses, density ranges and development standards within the five PAs and as shown on Exhibit III.1: Conceptual Master Plan. The PAD, section III.B.2 establishes the permitted uses within all PAs to include Single-Family Residential Detached, Single-Family Attached, Multi-Family Attached and Parks/Recreation. As stated in this section, “(t)hese housing options will ensure the diversity in housing products and visual aesthetics, as well as accommodate varying age groups, income levels, and lifestyles.” (See p. 73). The PA also states that the Single-Family Residential Detached, Attached and Multi-Family are the three categories that will be the foundation of the regulatory development standards for the residential land uses within the PAD. See Section III.B.2.D, page 74. In addition, Section III.B.2.C states that each PA “is allowed to feature any or all of the permitted uses identified” within the list of permitted uses, and then references Table III.1.

The PAD also establishes permitted densities within each of the PAs with the goal of achieving the PAD’s required densities of at least 4 residences per acre (“RAC”). Table III.1 lists the conceptual primary uses within each PA (note the language cited above in the PAD stating that all permitted uses are allowed in each PA), along with the approximate gross/net acres for each PA and the “anticipated” density range. PA B was approximated at 11 gross



acres, 8.8 net acres with an “anticipated” density of 3-36 RAC. PA C was approximated at 17.3 gross acres, 17.3 net acres with an “anticipated” density of 8-15 RAC. As you can see, the estimated acreages in Table III.1 are close to the actual calculated gross and net acreages established in Attachment 3. The PAD requires the density calculations be determined using the net acreage calculation. With each tentative plat and/or development package submittal within the PAD, a running table of densities is required to ensure the density range overall within the PAD is a minimum 4 RAC and a maximum 8 RAC. See PAD page 73, Section III.B.2.B.

3. The Project is in conformance with the PAD pursuant to this Minor Amendment.

Pursuant to the PAD language, multi-family residential units are permitted in both PA B and C. The Project is proposing a net density in PA B of 14.9 RAC, which is well within the 3-36 anticipated RAC range for this PA. The proposed density in PA C with just the multi-family use is approximately 8.8 RAC, which is well within the 8-15 anticipated RAC range for PA C. As you can see, within PA C, with 152 multi-family units proposed on 7.424 net acres, Mattamy will have an additional 105 single-family residential or other units available to develop on the Retained Property. HSL and Mattamy will both ensure that the running density table for the entire PAD area is submitted with any future development package/tentative plan. In addition, the multi-family residential proposal meets the parking, height and other requirements within the PAD.

4. Conclusion

Based on the HAMP policies and PAD regulations, we are requesting a Minor Amendment/clarification that the Project can be developed as proposed in this letter in conformance with the PAD regulatory framework, and the Project can be processed through the City’s development package process.

Thank you for your consideration. Please feel free to contact me with any questions or concerns.

Sincerely,

Keri Silvyn, Esq.

- cc: Mr. Omar Mireles, HSL Properties
- Mr. Mike Censky, HSL Properties
- Mr. Scott Kolt, Mattamy Homes
- Mr. Bill Carroll, EEC
- Mr. Ryan Stucki, EEC

| | Gross Area (Acres) | Net Area (Acres) | Unit Type | Number of 2-Story | Number of 3-Story | Total Number of MF Units | Total Number of SF Units | Density | PAD Density Estimate* | Allowable Units* |
|---------------------------------|--------------------|------------------|-----------|-------------------|-------------------|--------------------------|--------------------------|---------|-----------------------|------------------|
| Planning Area B | 13.045 | 10.184 | MFR | 5 | 3 | 152 | | 14.9 | 36.0 | 367 |
| Planning Area C | 21.513 | 17.107 | | | | 152 | 105 | 15.0 | 15.0 | 257 |
| Planning Area C _{EAST} | 9.776 | 7.424 | MFR | 2 | 5 | 152 | | 20.5 | | |
| Planning Area C _{WEST} | 11.737 | 9.683 | SFR | | | | 105 | 10.8 | | |

*Based on high Anticipated Net Density Range per PAD

