



DATE: November 13, 2014
TO: Honorable Board of Supervisors
FROM: Tom Drzazgowski, Deputy Chief Zoning Inspector
SUBJECT: November 18th Board Agenda Item #49 – Conditional Use Permit P21-14-003 Bike Ranch

Recently a new site plan was submitted to staff for the Bike Ranch which will be before the Board of Supervisors on the November 18, 2014 agenda. The new site plan that has been submitted is significantly different than the original site plan presented before the Hearing Administrator. Notable changes include;

1. In the original submittal the area of development was confined to the eastern portion of the property. The new site plan shows 50 units for the resort and an additional seven single family homes on the western portion of the property.
2. An additional access road has been added to serve the seven proposed homes on the western portion of the property.
3. Substantial change in design and location of the Bike Ranch units has occurred. This includes an expanded footprint.

DEVELOPMENT SERVICES COMMENTS

Staff believes that the new submittal does not address the issues and concerns that have been raised throughout the process by staff, Saguaro National Park and the property owners in the immediate area.

Staff's report to the Pima County Hearing Administrator (dated May 20, 2014, included), addresses four concerns that staff had about the project. The concerns raised by staff were;

1. Amount of opposition to the project from adjacent property owners.
2. Concentration and number of units on the property.
3. Close proximity and directly across Old Spanish Tr. from Saguaro National Park main entrance. Working collaboratively and demonstrating compromise with the National Park to limit impact.
4. Two story development of Bunkhouses not being in character with surrounding area.

In reviewing the new submittal none of the four issues raised by staff have been addressed and the applicants are proposing to increase the density of the project to include seven additional single family residences.

The seven newly proposed residences require 23.14 acres of property to meet the density requirements outlined in SR (Suburban Ranch). This leaves approximately 22.05 acres to support the Bike Ranch, its 50 units and additional resort uses. The original proposal included 50 units on 45.19 acres, or 1.1 resort unit per acre. The current proposal includes 50 units on 22.05 acres, which is approximately 2.26 resort units per acre. The closest property with a residence on less than an acre is 1.25 miles away. The density of units including the additional seven residences that are proposed are inconsistent with development in the area.

In comparing the new proposal to the original submittal it appears that the area of disturbance to the site has been increased as a result of the new design. This increase in disturbance further adversely affects neighboring property owners including Saguaro National Park. The current site plan also still proposes a two story component.

Saguaro National Park has issued a press release dated November 13, 2014 which outlines the park's position on the case. Saguaro National Park still opposes the Bike Ranch and outlines some of the concerns the park has with the project, including the magnitude of the development, safety concerns near the park entrance, protecting dark skies, and impacts to wildlife corridors to and from the park.

Public processes typically produce outcomes of compromise. An applicant initially proposes a project and then through staff and public input the applicant is able to identify opportunities to adjust the scale and scope of the project that, at a minimum, lessens concerns of stakeholders. Despite input from staff, the Hearing Administrator, affected neighbors and Saguaro National Park, this latest proposal is a more intense project than originally proposed. Additionally, the latest proposal does not address the concerns outlined in the Hearing Administrator's May 27, 2014 memo which states "...the duty and responsibility to initiate, coordinate, and engage such dedicated and on-going discussions is one that falls squarely on the shoulders of the applicants."

In conclusion, the applicant has addressed concerns raised by staff, immediate property owners in the area and Saguaro National Park. Staff continues to recommend **DENIAL** of the Bike Ranch.



MEMORANDUM

PUBLIC WORKS - DEVELOPMENT SERVICES

PUBLIC HEARING – May 21, 2014

DATE: May 20, 2014

TO: Jim Portner, AICP, Hearing Administrator

FROM: Tom Drzazgowski, Deputy Chief Zoning Inspector

SUBJECT: **P21-14-003 – EL CORTIJO LLC – SOUTH OLD SPANISH TR.**
Type II Conditional Use – Minor Resort

LOCATION:

The subject property is located northwest of the intersection of Old Spanish Trail and Escalante Road. The property is located directly to the north and west of Saguaro Corners which is located on the northwest corner of the intersection. The property is approximately 45.00 acres and is zoned SR (Suburban Ranch).

SURROUNDING LAND USE OR CONTEXT:

Properties to the north, west and south are also zoned SR. All property to the east of Old Spanish Trail is part of Saguaro National Park and is zoned IR (Institutional Reserve). IR zoning is reserved to national parks and other parks and large government land holdings. Saguaro Corners which abuts the subject property to the southeast is zoned CB-1 (Local Business).

PUBLIC COMMENT:

To date staff has received a substantial amount of calls on the case. Callers are concerned about the development far exceeding the density of the surrounding area. In addition, the buffer from the national park and transportation issues were raised by many callers. Staff also has received numerous letters of correspondence. Staff has included the correspondence with the report. Additional comments received will be provided to the Hearing Administrator at the hearing.

PREVIOUS CASES ON PROPERTY:

There are no previous cases on the property.

BACKGROUND INFORMATION

The subject property is located in eastern Pima County in an area classified as low density.

All residential properties in the area are located on property that is zoned SR and requires a minimum lot size of 3.3 acres. Immediately to the east of the subject property is Saguaro National Park which is a regional destination for hiking, biking and other recreational uses. The access to the park is located directly across Old Spanish Trail from the northeast corner of the subject property.

Currently the property has eight rental units on the property. The units were permitted and constructed in the late 1950's and early 1960's. There are no recent permits for updating or remodeling of the rental units.

This project is subject to the Buffer Overlay Zone (BOZO) requirements of the Pima County Zoning Code since this property is a minimum of 25 acres in size. There are design standards that apply because the BOZO requirements. Some of the requirements are increased setbacks, location and designs of walls and fence to minimize interference with wildlife movements and lighting requirements that will need to be met during the Development Concept Permit and Building Permit process.

The Bike Ranch submittal consists of 49 units plus an onsite manager unit. The development is proposed on the eastern portion of the 45 acre property. The proposal includes 11 casitas which consist of 3 separate, independent suites. There is also a luxury casita and 15 bunkhouses. The bunkhouses are located in the northern section of the property. Some of the bunkhouses are proposed to be two stories. A Bike Barn and Ranch House are also proposed. The Ranch House consists of a large dining room and living room/lounge. There will also be a kitchen and office space in the 12,000 square foot building. The Bike Barn includes a bike shop and other fitness related facilities such as training and fitness rooms and yoga studio.

DEPARTMENT OF TRANSPORTATION AND FLOOD CONTROL

The Department of Transportation and the Flood Control District have been provided copies of the Bike Ranch submittal. Both departments provided comment memos which have been included. Neither department objected to the request. The Department of Transportation requested one condition be included which is listed below.

Department of Transportation Special Condition

The property owner/developer shall dedicate 45 feet of right-of-way for Old Spanish Trail, and 45 feet of right-of-way for Escalante Road.

CULTURAL RESOURCES

Please be aware that Pima County cultural resources requirements could apply to Pima County Conditional Use Permits. If cultural or historic sites will be impacted by the proposed use, mitigation of impacts on sites eligible to the National Register of Historic Places could be required before the County issues the building permit. A first step in identifying the cultural resources status of your property is to request an archaeological records review from the Arizona State Museum (ASM), at 621-2096, and submit it with the permit application. The County Office of Cultural Resources and Historic Preservation will review the ASM report and determine whether additional cultural resources actions are necessary.

DEVELOPMENT SERVICES COMMENTS/RECOMMENDATION:

Overall this type of use in the appropriate location appears to be a valuable asset to the community. Tucson Arizona is consistently ranked in the top ten of most bike friendly towns in the country. The combination of natural desert environment, cloudless days and warm climate attracts recreational enthusiasts to Tucson and the surrounding community. Providing these types of visitors' additional recreational options further solidifies Tucson as a recreation vacation destination.

While there are positives to this type of development, there are numerous concerns that staff has about the project. One of the greatest concerns is the amount of opposition to the project. The number of neighboring property owners staff has spoken to on the project is substantial. Some of the property owners who staff spoke stated they had never been contacted by the owners of the subject property. Others had received a written letter from the owners. Staff believes a collaborative approach where neighbors are engaged from the beginning of the project is the best approach. In discussion with neighboring property owners, staff has heard many of the same issues being raised. Most concerns were about increased traffic and safety, density being inconsistent with the surrounding area and the development's proximity to the national park.

An additional concern for staff is the concentration of units on the property compared to the neighboring properties and the area as a whole. Forty-nine units on a 45 acre property equates to one unit for each .92 acres. It appears that every property in the area is located on at least 3.3 acres. The closest residential property where a residence is located on an acre or less is over 1.25 miles away, making the number of units proposed inconsistent with the neighboring properties. Should the Hearing Administrator decide to recommend approval, staff suggests additional conditions be added to ensure the remaining portion of the 45 acre property is left predominantly natural and free of development.

A third concern is the close proximity to Saguaro National Park. The proposed development begins approximately 300 feet from Old Spanish Trail and Saguaro National Park. It appears that portions of the subject property further to the west could provide a better buffer from the park. Staff believes input from the Saguaro National Park and Friends of Saguaro National Park is critical in ensuring that there is limited negative impact on the park. The access road to the site from Old Spanish Trail has existed on the property for many years and can be seen in aerial photos from 1998. This property is subject to Section 18.67 of the Pima County Zoning Code – Buffer Overlay Zone (BOZO). The BOZO restricts access points within 100 feet of a public preserve. While this access drive has existed for many years, staff recommends it should be removed and revegetated, if the project is approved, so access would be limited to Escalante Road. Staff believes the increased traffic related to the Old Spanish Trail access would adversely affect the national park.

Lastly, staff is concerned with the two-story portions of the bunkhouses. The increased height is not in character with the area and could adversely affect neighboring properties and views. Should the Hearing Administrator decide to recommend approval, staff recommends only one-story be allowed for the project.

In conclusion, given the numerous concerns staff does not support this request.

c: Carmine DeBonis, Development Services Director
El Cortijo LLC, Applicant
John Riggs, Architect