



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 01/19/2016

Title: P15RZ00003 Hardy-Thornycdale 1 Associates, Et Al. – W. Hardy Road Rezoning

Introduction/Background:

The applicant requests a rezoning from SR (Suburban Ranch) to CR-5 (Multiple Residence) for residential infill development of a 84-lot single-family residential subdivision on 30 acres.

Discussion:

Current SR zoning allows only seven single-family residences to be developed. A Comprehensive Plan amendment was approved for the site in 2014.

Conclusion:

Requested rezoning conforms to the Comprehensive Plan; rezoning on site would allow subdivision development similar to most of the residential density and zoning of surrounding neighborhoods with buffer provision to the higher density (RAC) residences per acre subdivision to the west and like density to the east.

Recommendation:

Staff recommends approval of the rezoning with conditions; Planning & Zoning Commission also recommends approval with conditions.

Fiscal Impact:

0

Board of Supervisor District:

1 2 3 4 5 All

Department: Development Services - Planning Telephone: 724-9000

Department Director Signature/Date: [Signature] 12/22/2015

Deputy County Administrator Signature/Date: [Signature] 12/30/15

County Administrator Signature/Date: [Signature] 12/31/15



PIMA COUNTY
DEVELOPMENT SERVICES

TO: Honorable Ally Miller, Supervisor, District # 1
FROM: Arlan M. Colton, Planning Director 
DATE: December 28, 2015
SUBJECT: P15RZ00003 HARDY-THORNYDALE 1 ASSOCIATES, ET AL.- W. HARDY ROAD REZONING

The above referenced Rezoning is within your district and is scheduled for the Board of Supervisors' **TUESDAY, JANUARY 19, 2016** hearing.

REQUEST: A rezoning of approximately 30 acres from the SR (Suburban Ranch) zone to the CR-5 (Multiple Residence) zone, on property located on the south side of W. Hardy Road, approximately 1,300 feet east of N. Thornydale Road.

OWNER: Hardy Thornydale 1 Assoc., Et Al.
Attn: Pacific International
8710 N. Thornydale Rd., Ste. 120
Tucson, AZ 85742

AGENT: Projects International, Inc.
Attn: Jim Portner, Principal
10836 E. Armada Lane
Tucson, AZ 85749-9460

DISTRICT: 1

STAFF CONTACT: Terrill Tillman

PUBLIC COMMENT TO DATE: As of December 28, 2015, staff has received six written comments in opposition to the rezoning citing concerns with traffic capacity of area roads, whether Hardy Road will continue to dead end, impacts to views, and destruction of the natural desert vegetation

PLANNING & ZONING COMMISSION RECOMMENDATION: APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS (7 – 0, Commissioners Peabody, Membrilla and Cook were absent.).

STAFF RECOMMENDATION: APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS.

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM DESIGNATIONS: The subject property is located within the Maeveen Marie Behan Conservation Land System (MMBCLS) classified as Multiple Use Management Area and Special Species Management Area.

CP/TT/ar
Attachments



BOARD OF SUPERVISORS MEMORANDUM

Subject: P15RZ00003

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FOR JANUARY 19, 2016 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

FROM: Arlan M. Colton, Planning Director
Public Works-Development Services Department Planning Division

DATE: December 28, 2015

ADVERTISED ITEM FOR PUBLIC HEARING

REZONING

P15RZ00003 **HARDY-THORNYDALE 1 ASSOCIATES, ET AL. – W. HARDY ROAD REZONING**
Request of **Hardy-Thornycdale 1 Associates, Et Al.**, represented by **Projects International, Inc.**, for a rezoning of approximately 30 acres from the SR (Suburban Ranch) zone to the CR-5 (Multiple Residence) zone, on property located on the south side of W. Hardy Road, approximately 1,300 feet east of N. Thornycdale Road. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Medium Intensity Urban. On motion, the Planning and Zoning Commission voted 7-0 to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS** (Commissioners Cook, Membrilla and Peabody were absent). Staff recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**.
(District 1)

PLANNING AND ZONING COMMISSION HEARING SUMMARY(November 25, 2015)

Staff presented information from the staff report to the commission with a recommendation of approval with conditions and with an amendment to rezoning condition #4C.

The applicant's representative spoke. He presented additional information for the proposed development and described the on-site and off-site compliance with the MMBCLS. He discussed the allowable higher densities allowed under the subject property's comprehensive plan land use designation of MIU (Medium Intensity Urban) and the desire to maintain a density similar to the surrounding developments and the constraints related to the CLS.

A commissioner asked about whether the retention/detention basins would affect the adjacent cactus nursery. The applicant's representative responded that the downstream drainage will not change.

The commissioner asked about whether Hardy Road would be extended through. The representative indicated that Hardy Road will maintain the dead-end roadway and not change the existing conditions.

A commissioner asked if the off-site mitigation property for the CLS has been determined. The representative stated that a very valuable wildlife corridor with high value vegetation has been identified but will be finalized at the subdivision platting stage and approved by staff. Staff clarified that a subdivision plat will not be approved if the CLS off-site mitigation set asides have not been negotiated and approved.

A commissioner commented that the removal of the saguaros is bothersome, but the property's wildlife connectivity has been compromised by the surrounding developments. The proposed off-site mitigation property will contain a higher wildlife connectivity that will benefit the region's wildlife and biological resources.

Speaker #1 stated opposition to the design of the rezoning. He stated that the flora, fauna, saguaros, and wildlife on the property contain a high resource value. The watershed across the property onto Maya Court is large. He further stated that this property is not an isolated property and supports the property being developed at the existing SR (Suburban Ranch) zoning designation. He also stated that the mitigation property will be under review for rezoning at some time in the future and the mitigation will be moved.

A commissioner clarified that the mitigation property will be held in perpetuity and will not be rezoned or conveyed and there will be no development rights for the mitigation property through the use of a legal instrument.

Speaker #2 stated that she is the wife of the previous speaker and is here to protest the rezoning. She discussed that when she purchased her home, she expected that the development of the property would be in accordance with SR zoning and this rezoning will have an enormous impact to the adjacent property owners, the wildlife movement on the property, and the beautiful saguaros.

Speaker #3 discussed the adjacent SR zoning of the subject property and the history of the denial of previous request for the comprehensive plan amendment. He stated that the concept of mitigation is appalling and is not in support of the rezoning request.

Speaker #4 is an adjacent property owner to the east and explained that the comprehensive plan ensured that the subject property would not be developed at a density greater than what SR zoning would allow. She further stated that the beautiful ironwood forest with the plant and animal species is the primary reason she purchased her property. The speaker also purchased her parcel of land in this area to open up her veterinary practice because she chose to live in haven rather than a more lucrative location. The speaker commented she is opposed to the rezoning.

Speaker #5 stated that he is in opposition to the rezoning. He appreciated the support by the P&Z commission for their recommendation of denial, like the previous speaker, to the Board of Supervisors. He discussed the removal of the beautiful Sonoran Desert. The current SR zoning should remain in place and be preserved.

Speaker #6 stated that she represented the Coalition for Sonoran Desert Protection which supports the rezoning and that the off-site CLS is a significantly large property. She also stated that development in the SR zoning designation could be worse than the preservation of a portion of the site as proposed.

The applicant's representative discussed that infill development is difficult due to the fact that neighborhoods get used to a nice piece of property and don't want to see increased density.

A commissioner asked the representative why the request is for CR-5 zoning and not CR-4. The representative explained that they are trying to be consistent with all of the sites and that CR-5 does not allow any greater flexibility and that the preliminary development plan will be the defining document and there will be no higher density than proposed.

The commissioner asked for a demonstration of 100 feet to understand the width of the proposed natural bufferyard to the properties to the east and west. The representative stated it would be approximately twice the full length of the board room to the outside edge of the porch.

A commissioner commented that the decision for the destruction of the rich native plant properties of the subject property is sad.

The public hearing was closed.

Commissioner Matter made a motion to **APPROVE** the rezoning subject to standard and special conditions with amended condition #4C as presented.

Commissioner Gavin gave second to the motion.

The commission voted to **APPROVE** the rezoning (7 – 0, Commissioners Peabody, Membrilla, and Cook were absent) with the following conditions:

Completion of the following requirements within five years from the date the rezoning request is approved by the Board of Supervisors:

1. The owner shall:
 - A. Submit a development plan if determined necessary by the appropriate County agencies.
 - B. Record the necessary development related covenants as determined appropriate by the various County agencies.
 - C. Provide development related assurances as required by the appropriate agencies.
 - D. Submit a title report (current to within 60 days) evidencing ownership of the property prior to the preparation of the development related covenants and any required dedications.
2. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
3. Transportation conditions:
 - A. The property owner/developer shall dedicate 45 feet of right-of-way for Hardy Road.
 - B. The property is limited to 2 access points as depicted on the preliminary development plan.

4. Regional Flood Control District conditions:
- A. First flush retention (retention of the first ½ inch of rainfall) shall be provided for all newly disturbed and impervious surfaces. This requirement shall be made a condition of the Site Construction Permit.
 - B. Modifications to the Public Drainageway in Sunnyvale Subdivision required to convey flows from this project into the drainageway shall be completed at no cost to Pima County.
 - ~~C. FEMA Floodplain and Pima County Regulated Riparian Habitat including mitigation area shall be contained in permanently identified natural open space through easement or dedication and shall be identified on the subdivision plat. This open space shall be protected by covenant and management responsibility shall be identified on the subdivision plat. The disturbance of riparian habitat shall be nominally avoided, however, boundary modifications are permitted.~~
 - C. The following shall be contained in permanently identified natural open space through easement or dedication and be identified on the subdivision plat. This open space shall be protected by covenant and management responsibility shall be identified on the subdivision plat.
 - 1) Post-development FEMA and developer mapped floodplains.
 - 2) Pima County Regulated Riparian Habitat. Boundary modifications may be made to accurately map the existing habitat. Nominal disturbance of riparian habitat is acceptable.
 - D. Water conservation measures identified in the Preliminary Integrated Water Management Plan shall be implemented with the development. Where necessary, some measures may also be required to be included in the project's CC&Rs and a Final Integrated Water Management shall be submitted to the District for review and approval at the time of development. *The FIWMP shall include a demonstration that no hydrologic connectivity exists between the wells serving the project and shallow groundwater areas per the Site Analysis Requirements OR additional conservation measures shall be identified to offset the increased use per Pima Prospers Policy.*
5. Regional Wastewater Reclamation conditions:
- A. The owner 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 to that effect.
 - B. The owner 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 shall enter into a written agreement addressing 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.
 - C. The owner 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.

- D. The owner 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.
- E. The owner shall complete the construction of all necessary public and/or private 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.

6. Environmental Planning conditions:

- A. The property owner/developer shall achieve compliance with the Maeveen Marie Behan Conservation Lands System conservation guidelines by providing a total of 75 acres as Natural Open Space (NOS). No less than 9 acres of NOS will be provided on-site; the difference between the total 75 acres of NOS and NOS provided on-site will be provided off-site. Off-site NOS must conform to the CLS Off-site Mitigation Policies (Pima County Comprehensive Plan 2015, Chapter 3 Use of Land Goals and Policies, Section 3.4 Environmental Element, Policy 11 Conservation Lands System Mitigation Lands) and comply with all of the following:
 - 1) The site areas of plan amendment cases Co7-13-04, 05, and 06 are not eligible to serve as off-site NOS;
 - 2) Off-site NOS is acceptable to the Pima County Planning Official or their designee; and
 - 3) Prior to the approval of the final plat, off-site NOS will be permanently protected as natural open space by a separately recorded legal instrument acceptable to the Pima County Planning Official or their designee.
- B. Upon the effective date of the Ordinance, the owner(s)/developer(s) shall have a continuing responsibility to remove invasive non-native species from the property, including those below. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the property owner. Prior to issuance of the certificate of compliance, the owner(s)/developer(s) shall record a covenant, to run with the land, memorializing the terms of this condition.

Invasive Non-Native Plant Species Subject to Control

<i>Ailanthus altissima</i>	Tree of Heaven
<i>Alhagi pseudalhagi</i>	Camelthorn
<i>Arundo donax</i>	Giant reed
<i>Brassica tournefortii</i>	Sahara mustard
<i>Bromus rubens</i>	Red brome
<i>Bromus tectorum</i>	Cheatgrass
<i>Centaurea melitensis</i>	Malta starthistle
<i>Centaurea solstitialis</i>	Yellow starthistle
<i>Cortaderia</i> spp.	Pampas grass
<i>Cynodon dactylon</i>	Bermuda grass (excluding sod hybrid)
<i>Digitaria</i> spp.	Crabgrass
<i>Elaeagnus angustifolia</i>	Russian olive
<i>Eragrostis</i> spp.	Lovegrass (excluding <i>E. intermedia</i> , plains lovegrass)

<i>Melinis repens</i>	Natal grass
<i>Mesembryanthemum</i> spp.	Iceplant
<i>Peganum harmala</i>	African rue
<i>Pennisetum ciliare</i>	Buffelgrass
<i>Pennisetum setaceum</i>	Fountain grass
<i>Rhus lancea</i>	African sumac
<i>Salsola</i> spp.	Russian thistle
<i>Schinus</i> spp.	Pepper tree
<i>Schismus arabicus</i>	Arabian grass
<i>Schismus barbatus</i>	Mediterranean grass
<i>Sorghum halepense</i>	Johnson grass
<i>Tamarix</i> spp.	Tamarisk

7. Cultural Resources condition: Prior to ground modifying activities, an on-the-ground archaeological and historic sites survey shall be conducted on the subject property. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property shall be submitted at the time of, or prior to, the submittal of any tentative plan or development plan. All work shall be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate. Following rezoning approval, any subsequent development requiring a Type II grading permit will be reviewed for compliance with Pima County’s cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.

8. Adherence to the preliminary development plan as approved at public hearing.

9. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.

10. The property owner shall execute and record the following disclaimer regarding Proposition 207 rights. “Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(l).”

CP/TT/ar
 Attachments

c: Hardy Thornydale 1 Assoc, Et Al., Attn: Pacific International, 8710 N. Thornydale Rd., Ste. 120
 Tucson, AZ 85742
 Projects International, Inc., Attn: Jim Portner, Principal, 10836 E. Armada Lane
 Tucson, AZ 85749-9460
 Chris Poirier, Assistant Planning Director
 P15RZ00003 File

**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT - PLANNING DIVISION
STAFF REPORT TO THE PLANNING AND ZONING COMMISSION**

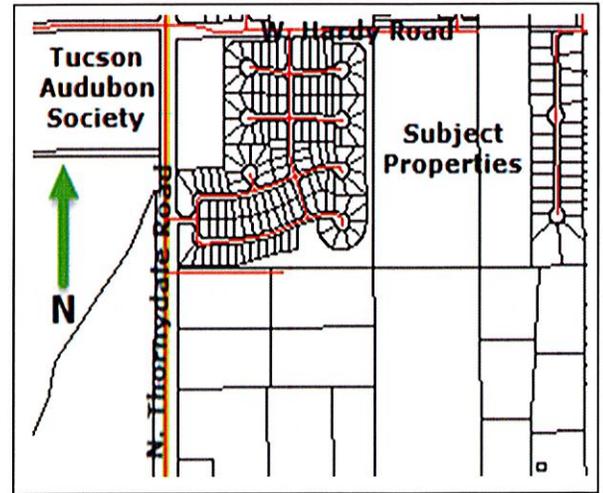
HEARING November 25, 2015

DISTRICT 1

CASE P15RZ00003 Hardy-Thornydale 1
Associates, Et Al. – W. Hardy Road
Rezoning

REQUEST Rezone from SR (Suburban Ranch)
to CR-5 (Multiple Residence) (30.0
acres) Zone

OWNER Hardy Thornydale 1 Assoc, Et Al.
Attn: Pacific International
8710 N. Thornydale Rd., Ste 120
Tucson, AZ 85742



APPLICANT Projects International, Inc.
Attn: Jim Portner, Principal
10836 E. Armada Lane
Tucson, AZ 85749

APPLICANT'S PROPOSED USE

The two parcel, 30.0-acre site will be developed as a 84-lot, single-family residential subdivision.

APPLICANT'S STATED REASON

"The proposed rezoning is an infill development that fits well within its surrounding, urbanizing context and will make efficient use of the existing network of public and utility infrastructure that exists."

STAFF REPORT SUMMARY

The Development Services Department recommendation is **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. The applicant proposes a rezoning to the CR-5 (Multiple Residence) zone on approximately 30.0 acres for a 84-lot residential subdivision with 9.2 acres of on-site natural open space and approximately 66 acres of off-site natural open space to meet the rezoning policies of the comprehensive plan amendment and the Maeveen Marie Behan Conservation Lands System. The site is an infill project and consistent with the density of the nearby and surrounding neighborhoods.

COMPREHENSIVE PLAN

A plan amendment from Low Intensity Urban 0.3 (LIU 0.3) to Medium Intensity Urban (MIU) for approximately 30.0 acres was approved for by the Board of Supervisor's in 2014 by case Co7-13-06. Rezoning Policy 137 was established within the approved plan amendment and is listed below:

- A. Post development floodplains and riparian habitat shall be preserved in open space and be identified on the rezoning preliminary development plan and subdivision plat or development plan. This open space shall be protected by covenant and management responsibility identified on the subdivision plat or development plan.
- B. Future development shall be in full compliance with the Special Species Management Areas conservation objectives as established by the Conservation Lands System – Regional Environmental Element. Subsequent rezoning(s) will be considered in conformance with this policy when all of the following are met:
- natural open space set-asides will either be provided entirely within the amendment area or as a combination of on-site and off-site areas;
 - the site areas of plan amendment cases Co7-13-03, 04, and 05 are not eligible to serve as off-site set-asides;
 - off-site set-aside areas are acceptable to the Pima County Planning Official or designee;
 - off-site set-aside areas are permanently protected as natural open space by a separately recorded legal instrument acceptable to the Pima County Planning Official or designee; and
 - the approximate minimum total natural open space (NOS) set-aside is 75 acres, the approximate minimum on-site NOS set-aside is 10 acres, and the approximate minimum off-site NOS set-aside is 65 acres (acreage may be adjusted accordingly if more than minimum on-site set-aside acreage is provided).

The Comprehensive Plan Update, Pima Prospers, did not change the planned land use designations of the site but both the former MIU designation and the existing MIU under Pima Prospers differ slightly. This rezoning application was received prior to the approval of Pima Prospers, therefore, the approved comprehensive plan land use designation by case Co7-13-06 applies. The rezoning application is in conformance with the approved comprehensive planned land use plan. For comparison, the following table demonstrates the resultant changes of the comprehensive plan update.

Pima Prospers Changes to the Map Legend (Land Use Designations)					
Designation	Proposed Change	Reason for Change	Existing Density Range	Proposed Density Range	Zone Change
MIU Medium Intensity Urban	Retain designation; add minimum & extend maximum density; delete list of zones for which rezoning requests have to comply.	Non-residential transitional uses are now more appropriate bundled with higher-density residential development above new 5 RAC minimum.	0-10 RAC For TDRs – 3-5 RAC	5-13 RAC For TDRs – 5-10 RAC	Delete GC, CR-1 thru 5, SH, CMH-1, CMH-2, MR, TR

The objective of the MIU land use designation is to provide a variety of residential type developments with attention to site design to assure compatibility with adjacent lower density residential uses. The proposed density within the MIU land use designation is 2.8 residences per acre which conforms to the land use designation MIU that allows a maximum of 10 residences per acre and is compatible with the surrounding densities.

SURROUNDING LAND USES/GENERAL CHARACTER

North:	SR, CR-4	Municipal Water Site, Developed Residential
South:	SR	Legacy Charter School
East:	CR-4	Developed Residential Subdivision
West:	CR-5	Developed Residential Subdivision

Located to the south of the subject site is an elementary through junior high charter school, to the southwest is a commercial cactus nursery. Professional offices exist at the southwest corner of W. Hardy Road and N. Thornydale Road. The nearest services are approximately one-half of a mile south and west of the subject site at the southeast corner of W. Cortaro Farms Road and N. Thornydale Road providing banking, retail, grocery and shopping. Approximately 1300 feet west of the subject property, recreational opportunities exist within the Arthur Pack Regional Park on the northwest corner of W. Hardy Road and N. Thornydale Road. The park contains a golf course, ball fields, batting cages, basketball courts, playground, soccer fields, and hiking trails within the Maeveen Behan Desert Sanctuary Trails. The Tucson Audobon Society offers bird watching and other educational programs on the southwest corner of W. Hardy Road and N. Thornydale Road.

PREVIOUS REZONING CASES ON PROPERTY

A rezoning (Co9-80-043) request in 1980 for CR-5 zoning was closed because no action had been taken by the property owners. The rezoning request did not include the easternmost 10 acre parcel of land (Parcel ID 225-29-009F).

A second rezoning (Co9-96-019) was requested in 1996 for CR-4 (Mixed-Dwelling Type) zoning for the 30-acre site. The rezoning case was heard by the Planning and Zoning Commission July 31, 1996 in which the commission recommended approval with a 5-1 vote. The Board of Supervisors public hearing was held on September 17, 1996. The applicant requested a continuance to the December meeting to work out the details of the proposed Hardy Road access with the neighbors. The Board of Supervisors held the public meeting and denied the request 5-0.

PREVIOUS REZONING CASES IN GENERAL AREA

Recent activity:

Rezoning case Co9-15-02 - Briar Rose Lane for SR (Suburban Ranch) to CR-4 was approved by the Board of Supervisors October 15, 2015 which is located approximately one mile north of the subject property.

Past activity:

There has been a substantial amount of land in the vicinity of the site that has been rezoned from original SR. An attached map shows properties (in blue) within approximately one-half mile of the site for which rezoning requests have been made from 1961 to 2006. Most rezonings were approved. Some were withdrawn or denied.

Areas adjacent to and near the site were rezoned in the 1980's and early 1990's to CR-4, and CR-5 with resultant single-family subdivision lot development. There has also been a number of lower density CR-1 (Single Residence) and CR-2 (Single Residence) rezonings in the general area.

Rezoning resulting in commercial uses and offices in the CB-1 (Local Business) zone have also occurred in the area to include a shopping center at the southeast corner of Cortaro Farms Road and Thornydale Road and retail and other commercial buildings at the northeast corner of Thornydale Road and Overton Road.

MAEVEEN MARIE BEHAN CONSERVATION LAND SYSTEM (MMBCLS)

The subject property is located within the Maeveen Marie Behan Conservation Land System (MMBCLS) classified as Multiple Use Management Area and Special Species Management Area. The policies of the comprehensive plan amendment address the MMBCLS conservation guidelines and allow both on-site and off-site natural open space set asides to meet the policies. The natural open space provided within this project totals 9.2 acres or 31% of the site. The proposed off-site mitigation of dedicated natural open space will make up the remaining difference and be calculated during the subdivision platting process when the off-site set aside location has been formally negotiated and approved.

PLANNING REPORT

Staff supports the request because the proposed residential development is compatible with the surrounding existing residential, public recreational opportunities, public school, and commercial uses. Concurrency of infrastructure exists to serve the use. The subject property is an infill property that will contain a similar density as the surrounding area.

The property is relatively flat, is mostly undisturbed and is traversed by several washes. The limitations of the site arise from the MMBCLS designations and riparian areas around the washes. The vegetative qualities of the property contain dense populations of saguaros and ironwood trees. Forty percent of the ironwood trees and thirty-three percent of saguaros will be preserved in place in the on-site natural open space. Much of the salvaged vegetation from on-site will be incorporated into the proposed bufferyards and streetscapes within the subdivision. A native plant preservation plan will be submitted with the subdivision plat. A 100-foot natural bufferyard is proposed to the east and west boundaries of the property. A minimum 10-foot bufferyard "A" is proposed along Hardy Road and a bufferyard "C" along the southern boundary. The proposed 84-lot subdivision will be accessed by two driveways onto Hardy Road and includes both two-story and one-story dwelling units with a maximum height of 34 feet.

Concurrency of Infrastructure

Concurrency of infrastructure exists to serve the proposed development:

CONCURRENCY CONSIDERATIONS		
<i>Department/Agency</i>	<i>Concurrency Considerations Met: Yes / No / NA</i>	<i>Other Comments</i>
TRANSPORTATION	Yes	No objection. Minor Concurrency Concern with Thornydale Road.
FLOOD CONTROL	Yes	No objection, subject to conditions
WASTEWATER	Yes	No objection, subject to conditions
PARKS AND RECREATION	Yes	No objection
WATER	Yes	Metro Water "will serve" letter in site analysis.
SCHOOLS	Yes	Capacity response letter from Marana USD in site analysis.
AIR QUALITY	Yes	None

TRANSPORTATION REPORT

There is a secondary transportation concurrency concern for this case due to the over capacity nature of Thornydale Road. The subject property is located on the south side of Hardy Road, approximately ½ mile east of Thornydale Road. The rezoning is proposing 84 single-family homes which could generate approximately 840 ADT. Two access points on Hardy Road are proposed.

Hardy is a paved, county maintained public roadway which dead-ends approximately 250 feet west of this site. A 45-foot right-of-way was deeded to the county through the development of the Saguaro Vista subdivision. There is an additional 45-foot easement for Hardy Road along the frontage of the rezoning site. Along the eastern 330 feet of frontage, no dedications have been made. As a condition of the rezoning, the entire 45-foot half right-of-way for Hardy Road will need to be dedicated. There are no traffic counts for this segment of Hardy Road.

Thornydale has an existing right-of-way of approximately 100 feet. Thornydale Road is a three-lane roadway with a continuous center left turn lane. There are no curbs, sidewalks, or bike lanes. The posted speed is 35 mph, with a capacity estimated at 13,200 ADT. Thornydale is scheduled to be widened, at which time the capacity will be approximately 34,000 ADT. The most recent traffic count is 19,959 ADT Cortaro Farms Road and Overton Road.

Major roadway projects in the vicinity of this project include the widening of Thornydale Road north of Cortaro Farms Road to Linda Vista. This project was approved through the RTA bond, and will fully reconstruct the road into a four-lane divided urban cross section with curbs, sidewalks, landscaped medians, and bike lanes in both directions. Construction is tentatively scheduled to start in 2018.