



Medium Low Intensity Urban (MLIU)

- a. Objective: To designate areas for a mix of medium density single-family and lower density attached dwelling units; to provide opportunities for a mix of housing types throughout the region.
- b. Residential Gross Density: Residential gross density shall conform to the following:
 - 1) Minimum – 2.5 RAC
 - 2) Maximum – 5 RAC.
- c. Residential Gross Densities for Developments Using Transfer of Development Rights (TDRs): Projects within designated Receiving Areas utilizing TDRs for development shall conform to the following density requirements.
 - 1) Minimum – 2.5 RAC
 - 2) Maximum – 4 RAC.

NEIGHBORHOOD MEETING DETAILS



PROJECTS INTERNATIONAL, Inc.

STRATEGIC GUIDANCE
PERMITTING PROCESSES
LOCAL ADVICE & COUNSEL

1000 N. Alameda Ave.
Suite 200
Tucson, AZ 85724-2400
520-851-4311
amer@projectsintl.com
www.projectsintl.com

FROM: Jim Portner, Projects International, Inc.
DATE: May 31, 2016
RE: **Invitation to Attend a Neighborhood Meeting Regarding a Proposed Rezoning
20 Acres on Hardy Road, East of Thornydale Road
Pima County Rezoning Case No. P16RZ00005**

I'm sending you this information because you own property, or are a representative of a nearby homeowners or neighborhood association, within 1000' of a request we have filed with Pima County to rezone the twenty acres of vacant land on the north side of Hardy Road, approximately ¼ mile east of Thornydale Road.

I am the project manager for the rezoning effort, which is a request for CR-5 zoning to build fifty-five (55) single-family detached homes. The entire Hardy Wash channel and its associated floodplain corridor will be left in their natural state and we have created a thirty-five foot (35') setback and buffer between the backyard walls of our new lots and the backyard walls of the existing lots that border us to the west and east.

This same property was approved by the Board of Supervisors for an amendment to the Pima County Comprehensive Plan in late 2014. As such, the property is designated as *Medium/Low Intensity Urban (MLIU)*. Our rezoning application is the next step in the development process. If successful, it would then be followed by final subdivision engineering and platting, which requires an additional significant amount of time. With all of the required regulatory and permitting processes involved, any physical site development or actual construction on the property would likely not begin for nearly a year.

We have scheduled a neighborhood meeting on this rezoning application to provide a forum for your comments and for answering your questions. The meeting will take place as follows:

**Tuesday, June 14, 2016
6:15 PM to 7:45 PM
Tortolita Middle School – School Cafeteria (The Cougar Café)
4101 W. Hardy Road (approximately ¼ mile west of Thornydale Road)
Tucson, AZ 85742**

Enclosed you will find a *Fact Sheet*, as well as a copy of the original *Framework Plan* that was submitted at the time of our comprehensive plan amendment. It shows the basic conceptual breakdown of development areas, perimeter buffers, etc. Also enclosed is a copy of the required *Preliminary Development Plan (PDP)* that accompanies our current rezoning application. This provides a more detailed depiction of our development program for the property and demonstrates our full conformance with the originally approved *Framework Plan*.

Please be advised that, in addition to our above neighborhood meeting, a public hearing on this item will occur before the Pima County Planning & Zoning Commission, most likely during the month of July, 2016. You will receive a separate notice on the hearing directly from Pima County once its final date is scheduled. After that, a second public hearing will be scheduled before the Board of Supervisors, who will make the ultimate decision on this rezoning application.

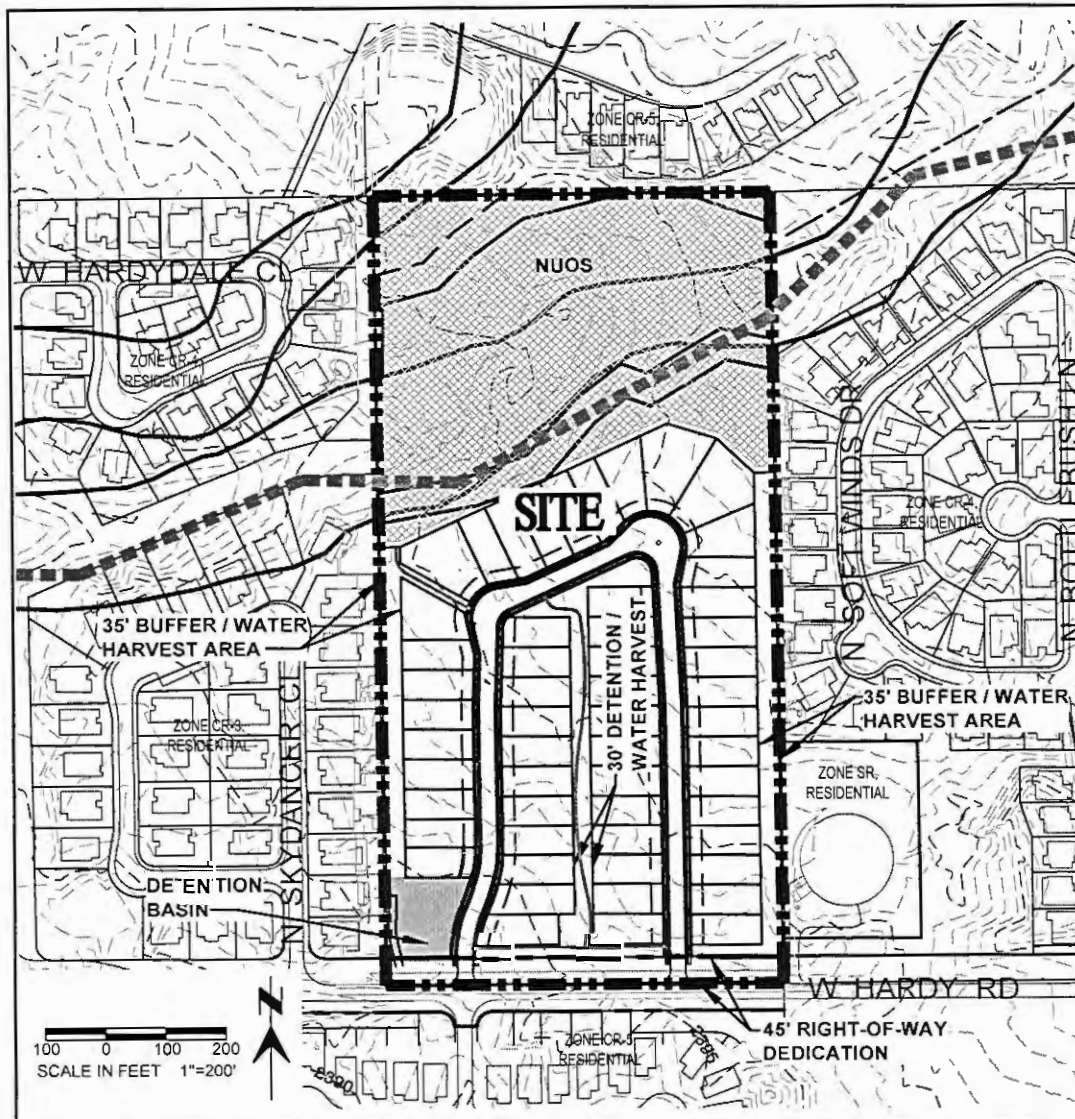
I encourage you to attend the above neighborhood meeting or to, alternatively, call or email me with any questions you might have. My cell phone number is 850.0917 and my email is jportner@projectsintl.com.

Note: This mailing has been sent to a list of surrounding property owners that was generated using Pima County property-ownership information on file with the Pima County Assessor's Office. I apologize if the name or address information on your envelope is incorrect in any way.

Fact & Information Sheet

Application & Request to Rezone a 20-Acre Property Hardy Road, Approximately ¼ Mile East of Thornydale Road Pima County Rezoning Case No. P16RZ00005

- **Property Location:** on the north side of Hardy Road, approximately ¼ mile east of Thornydale Road.
- **Property Size:** twenty (20) acres.
- **Existing Comprehensive Plan Designation:** *Medium/Low Intensity Urban (MLIU)*, as approved by the Pima County Board of Supervisors under Case No. Co7-14-02 and per adopted Resolution No. 2015-28. The same *MLIU* designation applies to all adjoining properties.
- **Existing Use of the Property:** the property is vacant.
- **Proposed Use of the Property:** a residential subdivision with fifty-five (55) single-family, detached residences; both one-story and two-story homes in response to market preferences.
- **Existing/Proposed Zoning:** Existing zoning: SR (Suburban Ranch); proposed zoning: CR-5.
- **Zoning and Use of Surrounding/Adjacent Properties:** Developed residential subdivisions adjoin the property on all four sides. To the west: Hardydale I & II (54 lots on 20 acres). To the east: Saguaro Vistas (66 lots on 18 acres). To the north: Ironwood Meadows (103 lots on 35 acres). To the south: Sunnyvale Estates (145 lots on 35 acres).
- **Consistency of Requested Zoning with that of the Surrounding Properties:** All of the surrounding/existing residential subdivisions adjacent to the subject property were originally zoned SR (Suburban Ranch) and were rezoned for denser development. Existing zoning to the west and east: CR-3, CR-4 & CR-5. Existing zoning to the north and south: CR-5.
- **Impact on Traffic, Drainage:** Thornydale Road is scheduled for a complete reconstruction, to a four-lane divided facility, beginning in 2018. With this planned improvement in mind, the Pima County Department of Transportation (PCDOT) finds the proposed subdivision to meet County concurrency requirements. With respect to drainage, there will be no downstream impacts. The entire Hardy Wash and its floodplain corridor will be left in its natural state.
- **Public Process:** A public hearing will be held on the matter before the Planning & Zoning (P&Z) Commission, most likely on July 27, 2016. You will receive a separate notice for this hearing directly from Pima County. A Board of Supervisors (BOS) meeting will be scheduled following the P&Z hearing; the BOS will make the final decision on this rezoning request.
- **Contact Information:** please contact Jim Portner of Projects International, Inc. with any questions or comments you might have at cell phone 520.850.0917 or by way of email at jportner@projectsintl.com. If you are unable to attend our neighborhood meeting on June 14, 2016, I am glad to meet with you personally, at your convenience, to discuss this request.



LEGEND

- PDP Boundary
- Existing Condition Topographic Contour (1' Interval)
- CLC Set-Aside Area (Natural Open Space)
- Approximate 100-Year Post-Development Floodplain Limit
- Detention Basin
- Mapped Riparian Habitat Important Riparian Areas (CLC-IRA) with underlying Xeroriparian "C"
- Hardy Wash Trail #160
- On-site Pedestrian Path

PROJECT AREA

Gross Area: 20.00 AC (Approximate)
Net Area (Post R.O.W. Dedication): 19.30 AC (Approximate)

PROJECT PARTICULARS

Existing Zoning: SR
Proposed Zoning: CR-5
Comprehensive Plan: MLIU

PROPOSED USE(S)

Single-Family Residential Subdivision (55 Lots)
Typical Lot Size: 50' x 120' (6,000 SF)

BUILDING HEIGHT

Maximum 34' Permitted; Project will contain both 1-Story and 2-Story Residences.

ON-SITE STREETS

Proposed Right-of-Way Width: 45'
Travel Lanes: Two (2) 12' Lanes; 2' Wedge Curbs
Total Pavement Width: 28' (Including Wedge Curbs)
Sidewalks: 4' Sidewalks Both Sides

PARKING

Parking will be in accordance with Section 18.75

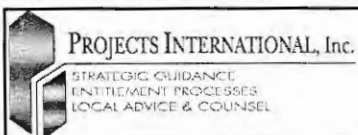
BUFFER YARDS

Bufferyard "A" is required along Hardy road frontage. Bufferyard "C" is required along the east, west, and north boundaries.

CONSERVATION LANDS SYSTEM (CLS)

Natural Open Space per this PDP: 7.2 AC

Jim Portner, Agent for Owner
PROJECTS INTERNATIONAL, INC.
10836 E. ARMADA LANE
TUCSON, ARIZONA 85749
520 850-0917



Hardy Estates
NORTH SIDE HARDY RD, EAST OF THORNYDALE RD
(Ownership Entity: Whisper Canyon Holdings, LLC)
REZONING: SR to CR-5

EXHIBIT II-B.1a-p
PRELIMINARY DEVELOPMENT
PLAN
PAGE 53

Sign-In Sheet

Full-Notice Neighborhood Meeting

P16RZ00005 – Whisper Canyon Holdings, LLC – Hardy Road east of Thornydale Road

June 14, 2016 -- 6:15 PM to 7:45 PM

Tortolita Middle School (Cougar Café)

Name	Street Address	Phone Number	Email Address
AVOTT	8960 N. Boulder ^{Ln}	520-235-8818	TUCONOTT@COMCAST.NET
Jim & Debbie Gessaman	8822 N. Sky Dancer Cir	520-572-6713	jim.gessaman@gmail.com deb.gessaman@gmail.com
Scott Martinez	8830 N. Sky Dancer C.	520-349-5869	smartinez@mcgannland.com
Bruce Jorgensen CHRISTINE RUIZ	8887 N SOFT WINDS DR	520-403-0133	bruce.jorgensen@gmail.com
Jodi Snyder	9018 N. Jessy Lane	520 744 7377	IAMJOLIASCHILLO@AOL.COM
JOANNE CANNON	3590 W. NESTLED DESERT	520 275 6615	JOANNECANNON@COMCAST.NET
Elle Marshall	9024 N Jessy Ln	520-271-6095	elretta@hotmail.com
Patricie Monsen	3580 W. Ironwood Meadows Dr	572-1467	
BRETT & Debra QUART	8818 N. SKYDANCER CIRCLE	602-451 7998	baquadt@hotmail.com

Neighborhood Meeting Summary

Rezoning Case No. P16RZ00005 Whisper Canyon Holdings, LLC – Hardy Road Rezoning Hardy Road east of Thornydale Road

Meeting Date & Time: Tuesday, June 14, 2016; the meeting was scheduled for a start time of 6:15 PM and, after waiting a bit longer for any late arrivals, commenced at 6:20 PM.

Location: Tortolita Middle School (Cougar Café), 4101 W. Hardy Road

Meeting Invitation & Mailing: All properties within 1000' of the site (slightly more than 350 in number) were mailed the following: 1) an invitation & explanatory cover letter; 2) a Fact Sheet further detailing the rezoning application; 3) a color copy of the *Framework Plan* that accompanied the approved comprehensive plan amendment application; and 4) a color copy of the proposed rezoning *Preliminary Development Plan (PDP)*.

Attendance: Twelve (12) individuals (representing 8 properties) attended the meeting, accounting for slightly more than 2% of the properties that were noticed.

Synopsis: Jim Portner, as applicant and representative of the property owner, welcomed the attendees and provided a historical overview of the property, including exhibit boards showing the surrounding context of the property, a summary of the approved comprehensive plan amendment, and the proposed concept plan (*Preliminary Development Plan*) accompanying the rezoning. In doing so, he highlighted the basic particulars of the project and demonstrated its consistency with the *Framework Plan* that accompanied the aforementioned comprehensive plan amendment approval. As one of the attendees (Scott Martinez, President of the Hardydale II HOA) had email'd some questions on the project earlier in the same afternoon, Portner gave a brief verbal response to the questions as part of his presentation, indicating that he would also provide a written email follow-up in the future. In closing his presentation, he outlined the anticipated process and timeline for the rezoning, including the public hearings that would be held before the Planning & Zoning Commission and the Board of Supervisors. After all of the above, the meeting was thrown open for a general discussion and questions.

Neighborhood Comments: For most in attendance, there seemed to be little enthusiasm that the subject property was being developed. The following specific issues were raised:

- **Views and 2-story versus 1-story residences:** Several attendees strongly expressed the position that their views should be preserved and that the new homes should be single-story units like those in their own subdivisions. It is probably accurate to state that this was the predominant concern expressed at the meeting. Portner explained that this concern has been common in the numerous recent infill rezonings in the area and throughout Pima County. He stressed that the residential market of today has a significant segment of families who seek a larger amount of square footage in their home, necessitating a two-story structure. He also asserted that it was his client's intent to be able to serve that sector of the market, as well as those desiring a single-story residence. With respect to views, he explained that no legal or prescriptive view rights accrue to anyone who may have enjoyed one in the past across another's property. That being said, he indicated that he would discuss the matter with his client to determine whether there was a willingness to make some voluntary concessions to address view concerns. Some individuals at the meeting

said they took offense at these remarks, reiterating their claim to their view and reasserting their belief that the new subdivision should be primarily one-story, with one individual stating that homebuyers are simply not interested in two-story homes. In the end, Portner indicated he would let those remarks stand as expressed and again said that he would take up the issue with his client.

- *Affect on Existing Property Values;* Portner asserted his opinion that the home values of existing surrounding properties would increase as a result of new home construction, together with the fact that the entire surrounding area was becoming increasingly desirable for residential growth, as evidenced by the several nearby residential rezonings that have already been approved in the last two years. One individual in attendance flatly disagreed with this statement, indicated that the value of the home owned by her and her spouse would decrease significantly due to the proposed project's negative impact on their view.
- *Amount of traffic on Hardy Road and Thornydale Road:* There was a general concern that too much traffic was being loaded onto Hardy Road and would significantly worsen an already bad traffic situation on Thornydale Road. This concern was exacerbated by the fact that Red Point Development had just recently received approval for another residential subdivision on a 30-acre property that fronts Hardy Road approximately 500' east of the subject site. Portner explained that the long-planned Thornydale Road improvements were now scheduled to begin in 2018 and that Pima County DOT had determined the current rezoning (and the aforementioned prior one) to meet its concurrency requirements.
- *Will Hardy Road be extended or remain dead-end?* Portner explained that Pima County has no intention of extending and connecting Hardy Road to the east and will instead maintain its existing dead-end condition.
- *Treatment of Hardy Wash Channel.* There were several questions as to how the existing Hardy Wash channel and corridor would be treated. Portner explained that it was being preserved as natural open space on the *PDP* and that there would be no perimeter fencing installed around it.
- *Hardy Wash Trail.* The question was asked as to whether this designated trail would be built as part of the project. Portner explained that this was a determination to be made more by the Pima County Department of Parks Recreation and Natural Resources (DPRNR), and that they may prefer a monetary contribution from the developer rather than the construction of a trail segment that had no physical continuation to the west or east.

After all of the above, the meeting essentially concluded at approximately 7:25 PM, with some individuals remaining for individual, informal discussions for about ten minutes more.

Public Comment

2 – Letters of Concern as of July 5, 2016

Terri Tillman

From: Scott Martinez <smartinez@mcgannland.com>
Sent: Friday, June 24, 2016 11:38 AM
To: Terri Tillman
Cc: jportner@projectsintl.com; Annemalvi@aol.com; deb.gessman@gmail.com
Subject: Re: PCRC#P16RZ00005 Hardy Estates Rezoning Neighborhood Meeting - Hardydale II HOA Questions / Comments

Hi Terri,
Thanks for the quick response. We'll continue to work with Jim and I'll also be sending out a letter to our residents to keep them informed as well.
Thanks,
Scott

On 6/24/2016 11:30 AM, Terri Tillman wrote:

Scott,
I just returned to my office from the Hardy Road rezoning site inspection and also received your voice mail. Jim Portner had already presented the email to me and I appreciate your comments. Your concerns are of importance, but at this stage, I will afford the developer and representative some time to work with your association to come to a reasonable agreement and to address the concerns outlined in your email. I suggest that you and members of your association plan on attending the July 13th meeting of the Planning and Zoning Commission to either support or object to the proposed rezoning. Please keep me informed as to the progress that the HOA and developer/representative make moving forward and hopefully some concessions with both concerned parties are made. Sending information via email is adequate and your comments will be submitted to the Planning and Zoning Commission.
Thanks,
Terri

Terrill L. Tillman, Sr. Planner

Pima County Development Services
520-724-6921
terri.tillman@pima.gov

From: Scott Martinez [<mailto:smartinez@mcgannland.com>]
Sent: Friday, June 24, 2016 11:11 AM
To: Terri Tillman <Terri.Tillman@pima.gov>
Cc: Mal Eisenberg <Annemalvi@aol.com>; Deborah Gessaman <deb.gessaman@gmail.com>
Subject: Fwd: Re: PCRC#P16RZ00005 Hardy Estates Rezoning Neighborhood Meeting - Hardydale II HOA Questions / Comments

Dear Terri Tillman,

I'm the HOA President for the Hardydale II Subdivision adjacent to the 20 acre lot that under review for rezoning. The case # is P16RZ000005. I was told that you were the point of contact

for this case. My homeowners have concerns regarding this rezoning and I have been in contact with Jim Portner of Projects International, the Owner's Representative, regarding our concerns. I wanted to make sure you have them as well so I'm forwarding you the email correspondence below as a record of our concerns and the responses we received back from Jim Portner, Projects International. Please review the comments and responses and let me know if you have any additional responses to our concerns. If there is another format you prefer for our concerns please let me know and I will submit them to you as soon as possible. I've CC'd my other board members Malvin Eisenberg, Vice President and Deborah Gessaman, Secretary on this email as well.

Thank you,

Scott Martinez, Hardydale II President
8830 N Sky Dancer Circle
Tucson, AZ 85742
520-349-5869

----- Forwarded Message -----

Subject:Re: PCRC#P16RZ00005 Hardy Estates Rezoning Neighborhood Meeting - Hardydale II HOA Questions / Comments

Date:Wed, 22 Jun 2016 18:13:54 -0700

From:Jim Portner <jportner@projectsintl.com>

To:Scott Martinez <smartinez@mcgannland.com>

Hello, Scott:

As we discussed, here's my written response to the questions you email'd on behalf of the Hardydale II HOA. I've embedded my responses into your email in green font.

As mentioned previously, I will let you know my client's position/response on potential concessions (related to one-story limitations) once we've defined it.

jp

On Jun 14, 2016, at 10:53 AM, Scott Martinez <smartinez@mcgannland.com> wrote:

Dear Mr. Portner,

I am the current Hardydale II HOA President. I live at 8830 N. Sky Dancer Circle. I received your letter regarding the neighborhood meeting tonight and the rezoning of the property located directly east of my property. At our last HOA meeting in April, several homeowners had concerns about how the area would be developed. There are also several new homeowners in Hardydale II since your last meeting regarding the revised land use/comprehensive designation plan for this property. Below is a summarized list of the homeowners concerns mentioned at this meeting and there will also be other homeowners at the meeting with

similar and additional concerns. I will only be able to attend the meeting for a brief time, as I need to coach my daughters softball practice at 6:30PM so I will not have time to fill out a comment form at the meeting. Consider this email my written comments and questions for the neighborhood meeting tonight.

Hardydale II Homeowner Concerns Mentioned at the Annual HOA Meeting in April 2016

- How this development will affect the value of their property? Do you have statistically valid information on how the proposed development and associated rezoning will impact the property values of homeowners adjacent to this property? As I stated at the neighborhood meeting, and reiterate here, I anticipate the property values of the surrounding subdivisions, including yours, will generally rise over time. This is the simple result of an area gaining in popularity as a location for new housing. This is definitely true of the Thornydale Road corridor, wherein four other recent residential rezonings have already been approved within the last year and a half. Construction of new homes near older, existing homes generally has the effect of raising the price tide for the surrounding area.
- Traffic. With this proposed development (Parcel 22502029C) and the development of parcel 22525009D how many new residents will be living in this area? Hardy Rd dead ends 1/2 mile east of Thornydale and the intersection of Hardy/Thornydale is the only safe route for residents of subdivisions along Hardy to exit out to Thornydale. How will all these new homes impact traffic and will the increase in traffic be a safety concern for fire access and other emergencies? Many Tortolita middle school students live in this area and the current condition of the intersection and Hardy Rd does not have any sidewalks or safe pedestrian walkways that allow students to safely walk to school. These conditions need to be improved with new sidewalks and a safe pedestrian crossing the intersection since the development will bring more students into our neighborhood. Pima County DOT has determined that our request (as well as the other aforementioned recent residential rezonings) meets their concurrency requirements for transportation infrastructure. This is based upon the County's plans, already on the books, to fully upgrade Thornydale Road to a four-lane, divided street section with bike lanes, sidewalks, landscaping, etc. This construction is planned for 2018. If we want to bring our project to market prior to that, we will be responsible for whatever interim physical street improvements DOT deems necessary for us to insure safe and efficient traffic movements in the area. Regarding school children and sidewalks, our internal subdivision streets will have sidewalks on both sides. Hardy Road does not have sidewalks, as is typical for most County streets that do not have curbs, and the County will determine the necessity for a sidewalk on Hardy.
- What will happen to the views Hardydale II homeowners to the east? Can you provide an exhibit the shows how these view sheds to the east will be affected by this development? Obviously, their viewshed will now have homes in the foreground instead of natural desert. As I tried to explain at the meeting, to the stated offense of some, the completely

unobstructed views they have enjoyed across my client's property constitute a privilege and do not establish some sort of legal right. As I also indicated, I will discuss this matter with my client to see if they are willing to make some voluntary concessions to limit some lots to one-story in consideration of neighbor views. We will not, however, agree to any unilateral one-story limitation over the property.

- 2 story homes. Homeowners do not want 2 story homes blocking their views to the east. Currently, there are no 2 story homes located east or west of this development. There is a 2 story home located at 3606 W. Sunbonnet PL to the south and a home located at 9042 N Jesse Ln to the north, but they are both located in areas the do not block any adjacent homeowners view from their back yard. Any new development should be consistent with the existing development and not have any 2 story homes that that would block views and or hinder adjacent homeowners privacy. Again, as explained at the meeting, today's home market is a very different one from that two or three decades ago. Also, the notion that 20 or 30-year old development must dictate the form of new development is not a principle found in, or supported by, our zoning code. There is a segment in today's market where families seeks more square footage in their home than can be accommodated with a single-story. We intend to be in a position to offer a home to families in that segment. This does not mean that the entire project will be two story or that the builder goes out and arbitrarily builds two story homes in hopes of then finding buyers. It is a purely market-driven factor and, as I said, we intend to be in a position to serve that particular segment of the buying market. There will still be many one-story homes in our subdivision, perhaps more than not, as there's another significant market segment that has no interest in living in a two-story residence. We must position ourselves to serve both.
- Environmental Impacts. The property is a remnant patch of undisturbed Sonoran Desert which features an enormous amounts of viable Protected Native Plants such as specimen saguaros, mature ironwood, and other native trees and cacti. There may also be several Arizona Safeguarded Species on this site. Has this area been surveyed for these species? Per Pima County Dev. Code 18.72 80% of the Saguaros and Ironwoods will need to remain on site by either transplanting, protecting in-place, or mitigation. How with these plants be protected in-place and or mitigated and where will they be planted on this project? Will there be any impacts to the mapped Riparian Habitat on-site (both IRA and Xero C)? If so, how will these impacts be mitigated and where? Also, please explain if and how there will be any off-site mitigation in regards to the CLS compliance. All the xeroriparian and CLS IRA are being preserved in-place and set aside as natural open space. We are in full compliance with all CLS preservation guidelines, both on-site and off-site. At the time of subdivision platting, we will prepare all necessary NPPO documentation regarding those protected specimens that will be salvaged, transplanted, etc. As I believe you area aware, this is all a routine part of the subdivision process.

As a homeowner and resident my personal concerns and my wife's, Rebecca Martinez, are listed below:

- All concerns mention above.
- Can you describe the what the 35' Buffer and Water Harvest Area is and what it is proposed to look like? How will this area drain? I'm concerned about drainage impacts and erosion along my property wall. Will these "water harvest areas" cause an infestation of mosquitoes? What will be the density of planting in this buffer area? On our rezoning site plan, we have shown the entire 35' area as being graded and revegetated. In practical terms and in final design, we will attempt to disturb only that area of the buffer as necessary to accommodate the new lots and related drainage and water-harvesting areas. In revegetating the disturbed areas, we will be using alot of the salvaged plant specimens relocated from within the interior of the project. The water-harvesting areas will not cause mosquitos, the are simply shallow depressions that allow water to percolate back into the soil and water the plantings rather than run-off to adjacent areas. The density of the planting will meet or exceed the County's normal buffer requirements and be detailed on our landscape plans if we get past the rezoning and into the subdivision stage.
- How will the detention basin overflow onto Hardy Rd? Will there be erosion protection and drainage improvements to protect the home owners next to the basin and protect erosion to Hardy Rd? The basin will outlet in the exact same fashion as does the basin at the southwest corner of your own subdivision. Weirs, erosion protection, etc. will be provided and the water metered out ... all of which are subject to final review and approval by the County's Regional Flood Control District.
- Will the Hardy Wash Trail #160 be developed as a part of this project? This trail would be a great amenity! Is there an existing trail that this would connect to? Will there be an additional recreational facilities, such as a pocket park with a playground or picnic area? There is no existing trail in place to the west or east, so exactly what happens with this trail will largely be determined by whatever position the Pima County Department of Natural Resources, Parks & Recreation takes on the matter. They may prefer a financial contribution from the developer, or they may find that having one short segment of the trail built is more valuable, even if it has no connectivity to the east or west. We'll find out further in the process once Parks & Rec formally weighed in.
- Rezoning to CR-5. A majority (67%) of the adjacent surrounding development is either CR-3 or CR-4 (see image below). I feel that this new zoning should match the majority. What is the benefit of having this area Zoned CR-5. I also noticed that the zoning allows for no set-back requirement and that " Zero lot-line siting of dwelling units on individual lots is permissible." Can you explain what this means and if this project is proposing this type of development? Will the development be have setbacks? I do not want any new dwellings to be located on the lot line or have any duplex, condo, or town home type developments. This does not match the subdivision developments surrounding this property and should

not be allowed. If all that is proposed is single family detached homes, then why shouldn't the zoning be CR-3 or CR-4 like the majority of the surrounding neighborhoods? Please explain. I don't embrace the original premise of the question. Looking at the zoning map in all surrounding directions, and not just east-west, there is far more acreage zoned and developed as CR-5 subdivisions than CR-3/4. CR-5 is more appropriate zoning for modern subdivisions and provides improved design flexibility. We will not be doing any duplex, condo, or town-home products. This rezoning approval, if granted, would be subject to the site plan we're showing, which is for detached, single-family residences. Any future change to this use would require a whole new public process for approval.

<pnpphonicabalpe.png>

Like I said, I will have limited time at the meeting tonight and I would like to request that you provide written responses to the comments and questions above so that they may be shared with the Hardydale II homeowners.

Thank you,

Scott Martinez, Hardydale II HOA President

8830 N Sky Dancer Circle

Tucson, AZ 85742

520-349-5869

Jim Portner, Principal
Projects International Inc.

Mailing Address:

P.O. Box 64056
Tucson, AZ 85728-4056

Street/Delivery Address:

10836 E. Armada Lane
Tucson, AZ 85749-9460

Office Phone 520.760.1976

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Cell Phone 520.850.0917

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Scott Martinez, RLA
6814 North Oracle Road, Suite 210, Tucson AZ 85704
Tel: (520) 297-9540 Fax: 520-297-9545



McGann & Associates
Landscape Architects and Planners

June 26, 2016

Jim Portner

Projects International, Inc.

10836 E. Armada Lane

Tucson, AZ 85749

Ref: Rezoning of 20-Acre Property Directly East of Hardydale II

(Rezoning #P16RZ000005, Parcel #225021470)

Dear Jim,

We live at 8822 N Sky Dancer Circle on the east side of Hardydale II (see attached map for our lot location marked in green) and have talked with you at two meetings you organized at Tortillita Middle School. For ten years, we have enjoyed uplifting and inspirational views of the flora and fauna within the 20 acres of desert east of our concrete block fence; and the many colors and shades of the Catalina Mountains beyond at different times of day and weather conditions, including clouds, rain, lightning, and snow cover.

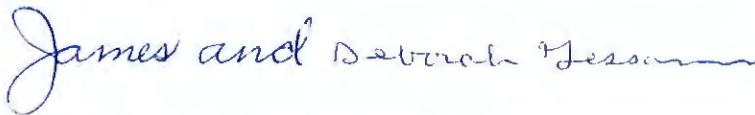
With the development of 55 homes on these 20 acres, we concede that our natural views will be urbanized. Can we live with that? Yes. We would prefer that all 55 homes be single-story, but we know that two-story homes are an option. The subdivision will undoubtedly be a mix of one-story and two-story homes.

We would ask that the developer, Miramonte Homes, consider the impact of the distribution of one and two-story homes on the natural views from homes in the surrounding subdivisions—Hardydale Estates, Hardydale II, and Saguaro Vista, all which do not have two-story homes.

Because two-story homes are much more of a barrier to the concept of open space than one-story homes, we are asking Miramonte to locate two-story homes on six lots in the northern loop of the subdivision, bordering the Hardy Wash; and/or on six lots adjacent to the "Zone SR residential" next to the water tank enclosure (see attached map for the location of these twelve lots marked in red). Located there, they should have less impact on views of homes in Hardydale II and Saguaro Estates, as well as on Hardydale Estates that would be separated from the two-story homes by Hardy Wash.

We trust that Miramonte homes will not simply be driven by a desire to sell 55 homes as quickly as possible but also by the desire to be a good neighbor to the people living in homes that surround this new subdivision. Lessening the impact of two-story homes by considerate distribution of those homes would allow their clients a choice of lots and those of us in surrounding homes some modicum of consideration by Miramonte Homes for the natural aesthetics we now enjoy.

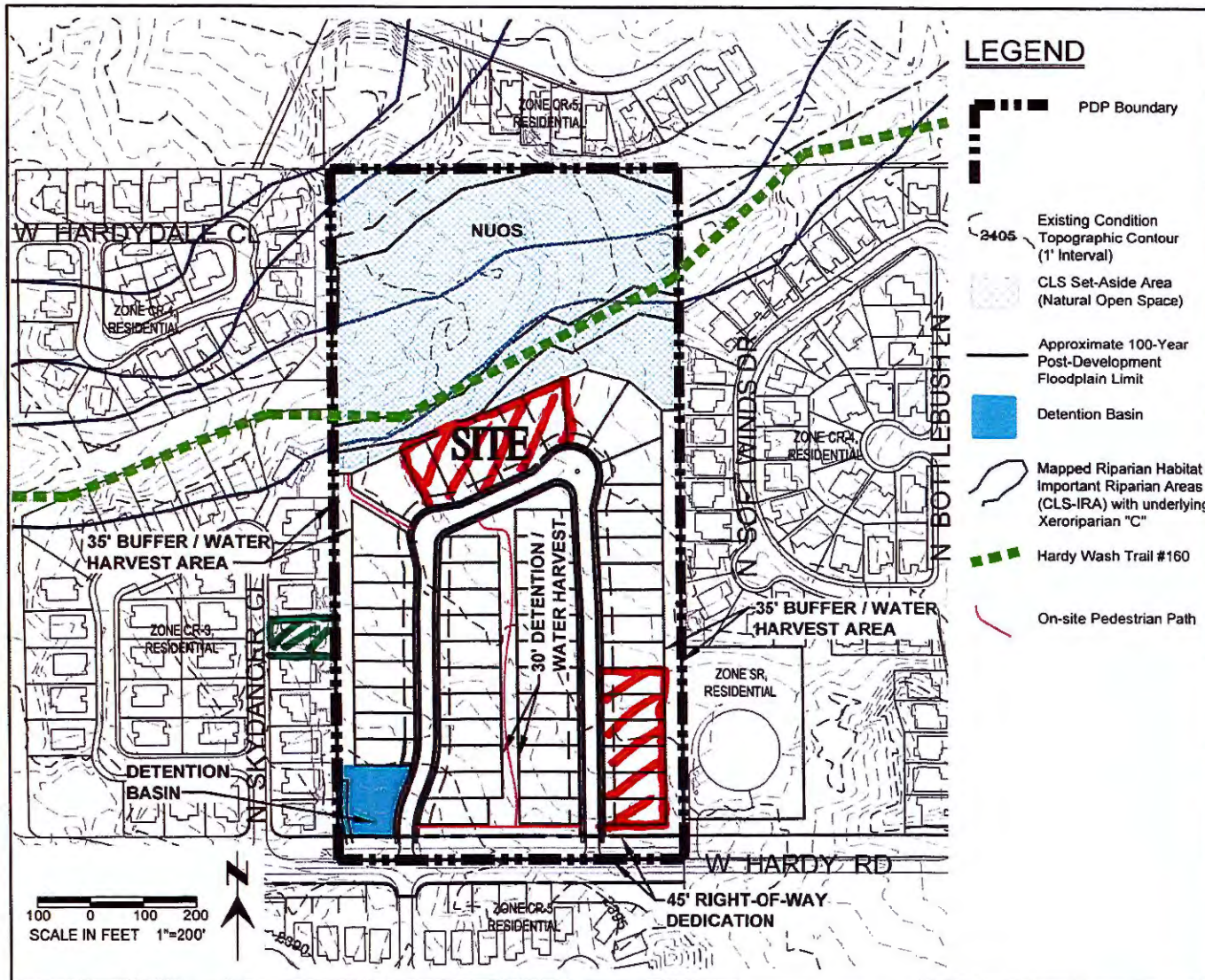
Sincerely,

A handwritten signature in blue ink that reads "James and Deborah Gessaman". The signature is fluid and cursive, with the first names being more prominent.

James (Jim) and Deborah (Debbie) Gessaman

Jim.gessaman@gmail.com

deb.gessaman@gmail.com



PROJECT AREA

Gross Area: 20.00 AC
Net Area (Post R.O.W. Dedication): 19.30 AC

PROJECT PARTICULARS

Existing Zoning: SR
Proposed Zoning: CR-5
Comprehensive Plan: MLIU

PROPOSED USE(S)

Single-Family Residential Subdivision (55 Lots)
Typical Lot Size: 50'x120' (6,000 sq ft)

BUILDING HEIGHT

Maximum 34' Permitted; Project will contain both 1 and 2-Story Residences.

ON-SITE STREETS

Proposed Right-of-Way Width: 45'
Travel Lanes: Two (2) 12' Lanes
Total Pavement Width: 28' (Including Sidewalks)
4' Sidewalks

PARKING

Parking will be in accordance with Section 18.

BUFFER YARDS

Bufferyard "A" is required along Hardy Road
"C" is required along the east, west and north

CONSERVATION LANDS SYSTEM (CLS)

Natural Open Space per this PDP:

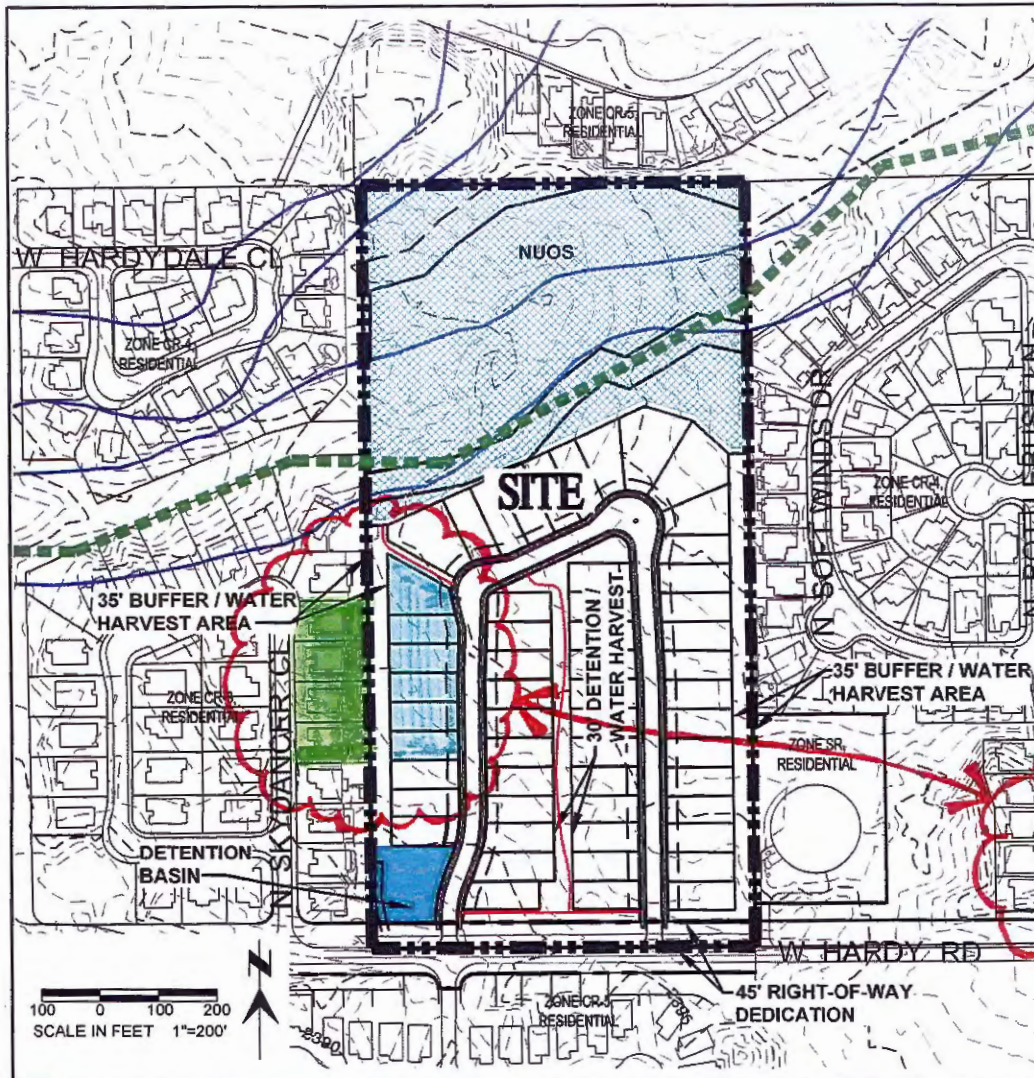
Jim Portner, Agent for
PROJECTS INTERNATIONAL
10836 E. ARMADA L
TUCSON, ARIZONA 85748
520 850-0917



Hardy Estates
NORTH SIDE HARDY RD, EAST OF THORNYDALE RD
(Ownership Entity: Whisper Canyon Holdings, LLC)
REZONING: SR to CR-5

EXHIBIT
PRELIMINARY
P
PA

The following two preliminary development plans demonstrate the proposal that the owner/applicant have proposed in response to the letters of concern that have been received.



LEGEND

- PDP Boundary
- Existing Condition Topographic Contour (1' Interval)
- CLS Set-Aside Area (Natural Open Space)
- Approximate 100-Year Post-Development Floodplain Limit
- Detention Basin
- Mapped Riparian Habitat Important Riparian Areas (CLS-IRA) with underlying Xeroriparian "C"
- Hardy Wash Trail #160
- On-site Pedestrian Path

- DENOTES

- DENOTES

PROJECT AREA

Gross Area: 20.00 AC (Approximate)
Net Area (Post R.O.W. Dedication): 19.30 AC (Approximate)

PROJECT PARTICULARS

Existing Zoning: SR
Proposed Zoning: CR-5
Comprehensive Plan: MLIU

PROPOSED USE(S)

Single-Family Residential Subdivision (55 Lots)
Typical Lot Size: 50'x120' (6,000 SF)

BUILDING HEIGHT

Maximum 34' Permitted; Project will contain both 1-Story and 2-Story Residences.

ON-SITE STREETS

Proposed Right-of-Way Width: 45'
Travel Lanes: Two (2) 12' Lanes; 2' Wedge Curbs
Total Pavement Width: 28' (Including Wedge Curbs)
Sidewalks: 4' Sidewalks Both Sides

PARKING

Parking will be in accordance with Section 18.75

BUFFER YARDS

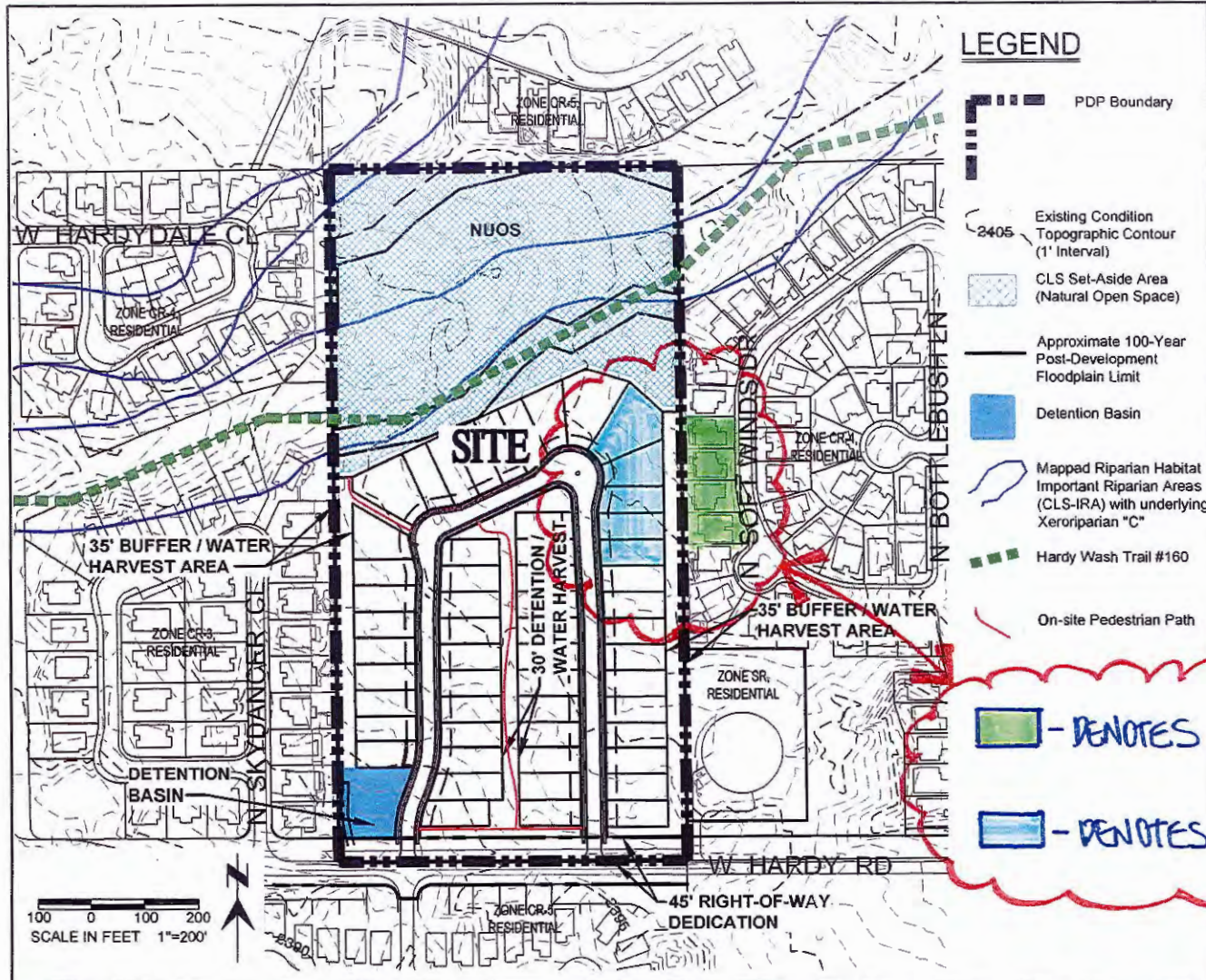
Bufferyard "A" is required along Hardy Road frontage. Bufferyard "C" is required along the east, west and north boundaries.

CONSERVATION LANDS SYSTEM (CLS)

Natural Open Space per this PDP: 7.2 AC

NEIGHBORHOOD LEADERS/
ACTIVE PARTICIPANTS
LOTS LIMITED TO 1-STORY ONLY

Jim Portner, Agent for Owner
PROJECTS INTERNATIONAL, INC.
10836 E. ARMADA LANE
TUCSON, ARIZONA 85749
520 850-0917



LEGEND

- PDP Boundary
- Existing Condition Topographic Contour (1' Interval)
- CLS Set-Aside Area (Natural Open Space)
- Approximate 100-Year Post-Development Floodplain Limit
- Detention Basin
- Mapped Riparian Habitat Important Riparian Areas (CLS-IRA) with underlying Xeroriparian "C"
- Hardy Wash Trail #160
- On-site Pedestrian Path

PROJECT AREA

Gross Area: 20.00 AC (Approximate)
Net Area (Post R.O.W. Dedication): 19.30 AC (Approximate)

PROJECT PARTICULARS

Existing Zoning: SR
Proposed Zoning: CR-5
Comprehensive Plan: MLIU

PROPOSED USE(S)

Single-Family Residential Subdivision (55 Lots)
Typical Lot Size: 50'x120' (6,000 SF)

BUILDING HEIGHT

Maximum 34' Permitted; Project will contain both 1-Story and 2-Story Residences.

ON-SITE STREETS

Proposed Right-of-Way Width: 45'
Travel Lanes: Two (2) 12' Lanes; 2' Wedge Curbs
Total Pavement Width: 28' (Including Wedge Curbs)
Sidewalks: 4' Sidewalks Both Sides

PARKING

Parking will be in accordance with Section 18.75

BUFFER YARDS

Bufferyard "A" is required along Hardy Road frontage. Bufferyard "C" is required along the east, west and north boundaries.

CONSERVATION LANDS SYSTEM (CLS)

Natural Open Space per this PDP: 7.2 AC

- DENOTES

- DENOTES

NEIGHBORHOOD LEADERS/
ACTIVE PARTICIPANTS
LOTS LIMITED TO 1-STORY ONLY

Jim Portner, Agent for Owner
PROJECTS INTERNATIONAL, INC.
10836 E. ARMADA LANE
TUCSON, ARIZONA 85749
520 850-0917

PIMA COUNTY PLANNING DIVISION
APPLICATION FOR REZONING

Whisper Canyon Holdings, LLC
c/o Steve Quinlan, Member

4727 N. Camino Ocotillo
Tucson, AZ 85718

sequinlan@aol.com

Owner
Jim Portner, Principal
Projects International, Inc.

Mailing Address
10836 E. Armada Lane
Tucson, AZ 85749-9460

Email Address/Phone daytime / (FAX)
Cell 520.850.0917
jportner@projectsintl.com

Applicant (if other than owner)

Mailing Address

Email Address/Phone daytime / (FAX)

19.81 acres on Hardy Road, east of Thornydale Road

225-02-029c

Legal description / property address

Tax Parcel Number

19.81

SR

CR-5

Northwest Sub-region / MLIU / RP-142

Acreage

Present Zone

Proposed Zone

Comprehensive Plan Subregion / Category / Policies

The following documentation must be attached:

1. **Assessor's map** showing boundaries of subject parcel and **Assessor's Property Inquiry (APIQ) printout** showing **current ownership** of subject parcel. **DEEDS AND/OR TITLE REPORTS WILL NOT BE ACCEPTED.** If the applicant is not shown as the owner of the subject parcel a letter of authorization with an **original signature** matching the APIQ must accompany the application at the time of submittal. For example, if the APIQ indicates ownership in a numbered trust such as Chicago Title and Trust #700, an **original signature** of the Trust Officer is required along with a disclosure of the beneficiaries of the trust. If the APIQ indicates ownership to be in an LLC, LP, corporation or company, an **original signature** from an officer with his/her title is required along with a disclosure of the officers of the entity.
2. Submit the site analysis fee and eight (8) copies of the site analysis document. If the proposed project will use an on-site wastewater treatment and disposal system (such as a septic system), nine (9) copies of the site analysis document must be submitted. Also submit one CD of the site analysis document.
3. For all rezonings, submit the **entire** rezoning fee.

This application is true and correct to the best of my knowledge. I am the owner of the above described property or have been authorized by the owner to make this application.

May 4, 2016

Date

Signature of Applicant

Jim Portner, Principal
Projects International, Inc.

FOR OFFICIAL USE ONLY

Co9-

Case name

Rezoning from

Rezoning to

Official Zoning Base Map Number

Fee

Supervisor District

Conservation Land System category

Cross reference: Co9-, Co7-, other

Comprehensive Plan Subregion / Category / Policies

Received by _____ Date _____ Checked by _____ Date _____



Coalition for Sonoran Desert Protection

300 E. University Blvd., Suite 120
Tucson, Arizona 85705
p (520) 388-9925 • f (520) 791-7709
www.sonorandesert.org

July 12, 2016

Arizona Center for Law
in the Public Interest

Arizona League of Conservation
Voters Education Fund

Arizona Native Plant Society

Bat Conservation International

Cascabel Conservation
Association

Center for Biological Diversity

Center for Environmental
Connections

Center for Environmental Ethics

Defenders of Wildlife

Desert Watch

Drylands Institute

Empire Paper Coalition

Environmental and Cultural
Conservation Organization

Environmental Law Society

Friends of Catalina Pinta

Friends of Ironwood Forest

Friends of Madera Canyon

Friends of Saguaro National
Park

Friends of Tortolita

Gates Pass Area Neighborhood
Association

Native Seeds/SEARCH

Neighborhood Coalition of
Greater Tucson

Northwest Neighborhoods
Alliance

Protect Land and
Neighborhoods

Safford Peak Watershed
Education Team

Save the Scenic Santa Ritas

Siena Club - Grand Canyon
Chapter

Siena Club - Tucson Group

Silverbell Mountain Alliance

Sky Island Alliance

Sky Island Watch

Society for Ecological
Restoration

Sonoran Anthropo-
Studies Institute

Sonoran Farm Culture Guild

Southeastern Biological
Institute

Tortolita Homeowners
Association

Tucson Audubon Society

Tucson Herpetological Society

Tucson Mountains Association

Wetlands Network

Women for Sustainable
Technologies

Eddie Peabody, Jr., Vice Chair
Pima County Planning and Zoning Commission
130 W. Congress St., 11th Floor
Tucson, AZ 85701

RE: P16RZ00005 Whisper Canyon Holdings, LLC – W. Hardy Rd. Rezoning

Dear Vice Chair Peabody and Commissioners:

Thank you for the opportunity to provide comments on the proposed rezoning for W. Hardy Road (P16RZ00005 Whisper Canyon Holdings, LLC – W. Hardy Rd. Rezoning).

This 19.81-acre parcel falls within the Maeveen Marie Behan Conservation Lands System (CLS) of the Comprehensive Land Use Plan. The entire parcel has an underlying Multiple Use Management Area designation with a Special Species Management Area (SSMA) overlay throughout. There is also an Important Riparian Area in the northern end of the property. The CLS open space guidelines for IRA call for at least 95% open space and guidelines for SSMA call for at least 80% open space. CLS guidelines allow for on-site conservation and/or off-site mitigation to be utilized.

The Coalition for Sonoran Desert Protection supports the applicant's proposal to comply with CLS guidelines by using a combination of on-site conservation and off-site mitigation. This includes 7 acres of on-site conservation in the form of protected natural undisturbed open space along with 45 acres of off-site mitigation. We are in support of the proposed rezoning standard and special conditions, in particular Conditions 6A-B:

6A) The property owner shall achieve compliance with the Maeveen Marie Behan Conservation Lands System conservation guidelines by providing a total of 52 acres as Natural Open Space (NOS). No less than 7 acres NOS will be provided on-site and will conform to the approximate location and configuration shown on the approved Preliminary Development Plan. The difference between the total 52 acres 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 of Conservation Lands System Mitigation Lands) and comply with all of the following:

- 1) Off-site NOS is acceptable to the Pima County Planning Official or their designee; and
- 2) 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.

6B) 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. (List of Invasive Non-Native Plant Species Subject to Control is also included in condition 6B.)

Climate science tells us that, in the future, storms may be less frequent but more extreme. Due to the nature of the alluvial fan, the development that has occurred upstream, and the adjacency of the proposed development to the floodplain, we are concerned that flooding may cause issues that would need to be mitigated at some point in the future.

Therefore, we also propose that the owners consider deeding the NOS on site to Pima County Regional Flood Control District (District), and that the District consider accepting. This would provide consistent conservation ownership and management for the majority of the Hardy Wash.

We are pleased that the property owners are in support of a solution to CLS compliance that involves both on-site conservation and off-site mitigation. With the continued inclusion of special and standard conditions 6A-B, we are in support of this rezoning proposal.

Thank you again for the opportunity to comment. If you have any questions, please do not hesitate to contact me.

Sincerely,



Carolyn Campbell
Director