



April 30, 2020

Chris Poirier, Deputy Director
Pima County Development Services Department
201 N. Stone Avenue, 2nd Floor
Tucson, Arizona 85701

Subject: Rationale for a Proposed Comprehensive Plan Amendment of 1.11 Acres at 2655 S. Mario Ranch Lane

Dear Mr. Poirier:

On behalf of Norma Chacon, the “Owner” of the parcel located at 2655 S Mario Ranch Lane (the “Property”), this letter provides substantial rationale for amending *Pima Prospers*, Pima County’s Comprehensive Plan, as per Section 18.89.040 – Plan Amendment Program of the *Pima County Zoning Code*. The subject request entails modifying the land use designation for the Property from Low Intensity Urban 1.2 (LIU-1.2) to Medium Intensity Urban (MIU) to allow for a subsequent rezoning request to TR (Transitional Zone). The overall intent of the proposed amendment is to allow the Owner to rezone to TR to move from being a smaller age-restricted care community, classified as a group home by the State of Arizona, to an Assisted Living Center. The vision is to use the beautiful and spacious 8,547 square foot building on the Property in a more efficient manner so that quality homecare services can be provided to more aging adults in need of at-home assistance.

The Property consists of approximately 1.11 acres located east of Houghton Road, south of Golf Links Road at 2655 S Mario Ranch Lane in Township 14S, Range 15E, Section 25. There are no washes, riparian areas, steep slopes or other constraints impacting the Property, which already has an 8,547 square foot building and a wrap-around driveway with two points of ingress/egress on Mario Ranch Lane.

Arizona Growing Smarter and Growing Smarter Plus

The purpose of the Arizona Growing Smarter and Growing Smarter Plus legislation is to provide a framework to guide growth within communities in Arizona that is responsive to the ever-changing nature of the natural, built and social environments. The proposed plan amendment will support the core fundamentals of smart growth by:

- Promoting infill / compact development: The proposed plan amendment promotes infill by setting the stage for the Owner to be able to accommodate more aging adults in the already existing senior living community on the Property. This type of compact development is preferable to the pattern of sprawl and wildcat development and offers a place for those that can no longer live on their own to remain close to family.

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Subject: 2655 S Mario Ranch Lane Comprehensive Plan Amendment

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- Providing housing options: According to 2019 population estimates from the U.S. Census Bureau, twenty percent (20%) of Pima County is over the age of 65. As the percent of Pima County's 65 and over population increases, the need for quality housing options for older adults will also increase. The Owner intends to help meet that growing need with this proposal.
- Promoting rational infrastructure expansion and improvements: Significant improvements have already been made to the property including the existing 8,547 square foot building that currently operates as a senior living community, entry landscaping and perimeter walls. The property is served by Tucson Water and during construction of the building, the Owner installed a dual septic tank system that has sufficient capacity for additional residents. The Owner will also be responsible for chip-sealing Mario Ranch Lane from the Property north to Golf Links Road.

Applicable Policies of Pima Prospers

Use of Land

1. Land Use Element Policies

- *Goal 1, Policy 1:* Promote land use patterns that support healthy people, a healthy environment, and a healthy economy.
- *Goal 1, Policy 4:* Support land uses, densities, and intensities appropriate for the urban, suburban, and rural areas of the unincorporated County.

2. Housing and Community Design Policies

- *Goal 1, Policy 1:* Ensure a safe, diverse, and quality housing supply for all income ranges for existing and future populations.
- *Goal 1, Policy 2:* Support and ensure multi-generational housing is accessible to jobs, multi-modal transportation, education, recreation, commerce, healthy foods and health-related services.
- *Goal 14, Policy 1:* Decrease heat island effect and reduce water run-off through site development strategies.
- *Goal 14, Policy 3:* Reduce indoor water use by installing water-efficient fixtures and appliances

Physical Infrastructure Connectivity

1. Energy Policy

- *Goal 1, Policy 9:* Mitigate urban heat island effect by reducing paved areas, increasing shade and applying other methods.

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2. Environmental: Air Quality and Solid Waste Policy

- *Goal 1, Policy 4:* Encourage land use patterns and transportation alternatives (walk, bike, and ride) that support the reduction of automobile emissions.

Maeveen Marie Behan Conservation Lands System

The subject property is outside of the Maeveen Marie Behan Conservation Land Systems.

Applicable Special Area Policies

The subject property is not subject to any Special Area Policies.

Applicable Rezoning Policies

The subject property is not subject to any Rezoning Policies.

April 30, 2020

Pima County
Development Services Department, Planning Division
201 North Stone
Tucson, AZ 85701

Subject: **2655 S Mario Ranch Lane Comprehensive Plan Amendment
On Tax Parcel: 136-10-0470**


To Whom It May Concern:

As owner of the above referenced tax parcel, I hereby authorize The Planning Center to act as my agent throughout the plan amendment and subsequent rezoning application process.

Very Truly Yours,

Norma Chacon

By:



Norma Chacon

Property Owner:
Chacon Norma
P.O. Box 90682
Tucson, AZ 85752-9068

May 14, 2020

Pima County Development Services
Planning Division
201 N. Stone Avenue
Tucson, AZ 85701

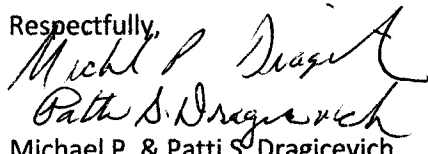
Subject: P20CA00001 CHACON – S. MARIO RANCH LANE PLAN AMENDMENT

To whom it may concern,

This letter is in protest of the proposed comprehensive plan amendment changing the subject parcel from LIU-1.2 to MIU.

Our reasons for protest are the following:

1. This change is inappropriate to the adjacent residential zoning.
2. This area has seen slow creep from LIU-0.3 (SR) to LIU-1.2 (CR) to MIU. These changes degrade the character of our neighborhood.
3. From previous experiences with zoning/intensity changes it is apparent that once a change is made the change then becomes a reason why similar changes are requested and allowed. This increases the chance of further density increases in the neighborhood.
4. Changes to higher density MIU decrease the property values of the less dense properties.
5. We do not want to see apartments, offices, medical offices, or hotels in our residential neighborhood. All of these non-residential uses are allowed with an MIU zoning change.

Respectfully,

Michael P. & Patti S. Dragicevich
10645 E Pinal Vista
Tucson, AZ 85730

**Public
Comment
For
P20CA00001**

STEPHEN & MARY PARKER

10490 E. Golf Links Rd.

Tucson, AZ 85730-1550

May 18, 2020

Pima County Development Services

Attn: Planning Division

201 N. Stone Ave., 1st Floor

Tucson, AZ 85701

RE: P20CA00001 CHACON – S. MARIO RANCH LANE PLAN AMENDMENT

Hearing Date: Wednesday, May 27, 2020, at 9:00a.m.

To the Pima County Planning and Zoning Commission:

We would like to express our opposition to this proposal as residents of the affected community. we oppose this proposal for many reasons including the following:

- The proposed changes will significantly harm the integrity of the neighborhood involved
- The lot in question is in the middle of a designated Low Intensity Urban residential neighborhood
- The proposed changes will result in an increase in vehicular traffic on a low traffic unimproved dirt road, causing harm to residents of the neighborhood
- The proposed changes will likely decrease property values for surrounding homes
- The petitioner has not considered the interests of the neighborhood
- The petitioner chose to acquire a property in a Low Intensity Urban neighborhood and could instead have built in a Medium Intensity Urban neighborhood where zoning and neighborhood expectations meet the needs and desires of the petitioner's choice of business
- Pima County Planning and Zoning Commission Staff Recommendation for Transitional Zoning violates established guidelines for Low Intensity Urban neighborhoods

The neighborhood in question is comprised of approximately 14-16 residential structures on lots of about an acre each. The neighborhood borders on additional similar neighborhoods east of Houghton Rd, where residential density significantly decreases in comparison to neighborhoods west of Houghton.

As residents on a property adjacent to the lot in question, we can state that the density and integrity of the neighborhood was a major factor in our decision to take out a large mortgage to purchase our home. The 8,000 sq. ft. structure on the lot in question was still under construction and we were unaware that a care home business was about to open across the street from our new

home until after we had already moved in. Fortunately, the Low Intensity Urban zoning has kept the number of patients at the care home low, but even still there are multiple deliveries and visits to the business every day, far exceeding the traffic to and from any other residence in the neighborhood. This traffic takes place on Golf Links Road, an unimproved dirt road, causing additional degradation to the road and stirring up additional dust next to our house. Despite those minor inconveniences we are happy to say the care home does not cause us distress at this time. We do not believe that will be the case if they are allowed to change the zoning designation and add more and possibly double the number of patients.

Changing this lot from Low Intensity Urban to Medium Intensity Urban will dramatically alter the integrity of our neighborhood. The lot is not on the periphery of the neighborhood, but is rather surrounded by it. A Medium Intensity Urban designation opens the door for future changes that could include additional properties subdividing and requesting similar zoning designations, or the property owner either selling or changing business models resulting in the property being used for apartments, office space or other commercial purposes that are allowed under Medium Intensity Urban but not Low Intensity Urban. A change to the zoning plan opens the door down the road to further disrupt the intended purpose and integrity of this neighborhood, and devalues properties due to the potential for such disruptions. These neighborhoods were designed to preserve open space and reduce population density. This proposal subverts those goals.

The home in question is a part of Mom & Dad Place Assisted Living Communities, a group home business that runs two additional assisted living facilities on the north side of Tucson as well as Catalina. The petitioner is running an assisted living facility, a business, not protecting her private residence. The petitioner's interests are unlike the interests of everyone else in the neighborhood for that reason. Ms. Chacon was aware of the zoning restrictions when she acquired ownership of the property, or she should have been as a business owner. The facility has been open for less than a year and a half and is already trying to expand beyond the scope of its originally designated zoning. If Ms. Chacon wanted this location on S. Mario Ranch Ln. to be an assisted living facility rather than a group home it seems she could easily have sought a property in a zoned Medium Intensity Urban neighborhood, rather than disrupting a Low Intensity Urban neighborhood and attempt to change it to suit her business needs. All residents in this neighborhood want to continue to be good and friendly neighbors with Ms. Chacon and her business patrons and employees. Ms. Chacon does not seem to consider the needs of the neighborhood where she placed her business. Keeping the zoning designation as it currently exists will promote the current cohesion of the neighborhood.

The Pima County Planning and Zoning Commission Staff Recommendation is currently a proposal to allow Ms. Chacon's expansion while not granting the Medium Intensity Urban designation and rather rezoning the property to Transitional Zone (TR). We oppose this proposal as well. As previously stated, the doubling of patient occupancy at the facility will have a noticeable negative impact in what is a quiet residential community. A TR title would also likely have an effect of lowering property values, and risks future degradation of the neighborhood by future incursions by like-minded businesses and allows for an incremental attack on the structure of the neighborhood by Ms. Chacon. What is to stop her from, once getting the bar moved a little lower with TR designation, requesting and receiving Medium Intensity Urban designation in one

or two years? In addition, the Pima County Planning and Zoning Commission's own background research states that "MIU (Medium Intensity Urban) is considered to be the lowest-intensity land use designation which permits a rezoning to TR." (*See 2020 Plan Amendment Program, Planning and Zoning Commission Staff Report, P20CA00001 Chacon, May 27, 2020, Page 2.*) This would imply that the staff recommendation violates Pima County's own guidelines regarding how Low Intensity Urban zoned neighborhoods are to be treated.

In conclusion, the residents of this neighborhood want to be good neighbors to Ms. Chacon and her business. We consider ourselves all to be one community. But those who live in residential homes here (everyone except those at the lot in question) have different interests than Ms. Chacon on this issue. She wants to expand her business and profit potential; we are protecting our retirement homes and land investments by preserving the integrity of our neighborhood. For that reason and the many others listed in this letter we believe our voices must carry more weight. We hereby request that the Planning and Zoning Commission deny Ms. Chacon's request to modify the land use designation.

Respectfully,

Stephen & Mary Parker

From: [DSD Planning](#)
To: [Donna Spicola](#)
Subject: FW: Land use change P20CA00001 - protest
Date: Wednesday, May 20, 2020 11:54:49 AM

From: Katrina Livingood <katrinahivingood@hotmail.com>
Sent: Wednesday, May 20, 2020 11:33 AM
To: DSD Planning <DSDPlanning@pima.gov>
Subject: Land use change P20CA00001 - protest

This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

To Whom It May Concern:

We are writing in regards to a letter we got about a proposed land use change to parcel at 2655 S Mario Ranch Lane (P20CA00001 CHACON). We live on this road, hence why we got the letter, and wanted to be sure to voice our protest to this proposed amendment this neighbor is requesting. The home on that lot is already double or triple the size of the homes on our lane (which is just a dirt road with some old, crumbling asphalt on part). As it is being used as a business, the traffic to/from that residence is already FAR more than from any other home on our street. As we all have at least one acre, and are outside the city limits, most of us moved out here to have more privacy. Though we don't mind our neighbors having visitors, get together and what not that normal families would have, we do not think it appropriate to grant this "residence" a land use change that would allow her to request rezoning to basically just make it a bigger business – there is already an inordinate number of vehicles, for a residential lane, coming and going daily from this business. We have talked with neighbors and know that at least 9 of the 14 homes on our Lane do NOT want this approved. Though they are proposing to chip seal the part of the lane in front of their business, that does NOTHING for the stretch of Golf Links that is dirt which creates a lot of dust and gets pot holes and all much more quickly with increased traffic. Also, unless they are also going to be mandated to maintain the chip seal, it will quickly get worn out and be worse off than if it were just a dirt road, as it will not be able to be grated if chip sealed.

We live at the end of the lane, 2820... and for over 2 years we have been dealing with delivery vehicles from all sources using our private driveway as a "through street" as you can access our driveway from the private drive to the South of our home and Mario Ranch dead ends at our house. Many of the companies GPS software and citizens' GPS show Pinal Vista going through to Houghton, which it does not, and show Mario Ranch Lane as connecting to Pinal Vista. So they come down the private drive (that does "connect" to Pinal Vista but has a locked gate) and think they can turn onto Mario Ranch. Seeing our driveway which is open to the private drive but OBVIOUSLY is our private driveway, they use our drive to get to Mario Ranch. Also, we have delivery trucks making stops on Mario Ranch and then cutting through our yard to get to the private drive to get to Houghton!! We

have no doubt that will only increase these issues if you allow this business to ultimately be rezoned to have more residents and therefore more visitors, workers and delivery trucks. We have small children that play outside often... even with an improvised blockade with buckets and pipe set up on South side of our property, and signs stating 'Dead End No Trespassing' on Mario Ranch, we still have people trying to cut through our yard, usually at a much higher rate of speed than should be used in a residential neighborhood, especially on a dirt road! And there is ALREADY a "No Outlet" sign on Mario Ranch Ln sign post that people completely ignore. We don't think the neighbor adding another sign will do anything to mitigate this issue.

The neighbor is citing her request as part of the "Pima Prospers" plan. This plan is supposed to be for the betterment of all Pima County – to "raise all boats" as it states. However, this neighbors proposed amendment and ensuing property changes are ONLY for the betterment of them. It does NOTHING but negatively affect all of us neighbors that are the only ones that have to live with those changes. If we heard the county was making sure the city would pave the end of Golf Links, or have the business owner pay to do so, which is our only access to our lane, then at least we'd see they were really looking at how it can be a benefit somehow to all residents in this neighborhood, not just one.

Thank you for your consideration of our concerns and request to NOT approve this amendment.

Sincerely,

Katrina & Mark Livingood
2820 S Mario Ranch Ln, 85730

[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: Friday, May 22, 2020 12:24 PM
To: DSD Planning <DSDPlanning@pima.gov>
Subject: Comprehensive Plan Amendment for 2655 S. Mario Ranch Ln

This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

To Whom it May Concern,

I Gilbert and Sherry Garcia, located at 2644 S. Mario Ranch Ln (directly across the street from the projected amendment change) are not in favor of the Low Intensity Urban PIU-1.2 to Medium Intensity because the road is already not being maintained as is, there is already too much dust, and too much traffic. We just had our new pool built and completed last month; and are barely keeping up with the dust settling with the traffic there is now. We do own horses, and the dust from traffic causes allergies and irritation; we are concerned that any additional traffic will cost our horses severe eye irritation, due to the dust.

Best Regards,
Sherry and Gilbert Garcia
2644 S. Mario Ranch Ln
[REDACTED]

From: Sherry Garcia [REDACTED]
Sent: Friday, May 22, 2020 12:44 PM
To: DSD Planning <DSDPlanning@pima.gov>
Subject: Comprehensive Plan Amendment for 2655 S. Mario Ranch Ln

This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

To Whom it May Concern,

I, Marry and Mario Jr. Garcia, located at 10480 E. Golf Links Rd, are not in the favor of the Low Intensity Urban PIU-1.2 to Medium Intensity Urban because we believe our road is not maintained as it should be as is, and the dust from the extra traffic will severely effect my, already unpleasant allergies. My son and I have both been diagnosed with Asthma, and we know the extra traffic will dramatically effect our life style due to our condition.

Best regards,
Mario Jr. and Marry Garcia
10480 E. Golf Links Rd

Contact number: 520-228-3841 home phone: [REDACTED]

From: [DSD Planning](#)
To: [Donna Spicola](#)
Cc: [Thomas Drzazgowski](#); [Chris Poirier](#)
Subject: FW: 2655 s. mario ranch ln
Date: Tuesday, May 26, 2020 8:26:40 AM

From: JACK W FRYE [REDACTED]
Sent: Saturday, May 23, 2020 4:00 PM
To: DSD Planning <DSDPlanning@pima.gov>
Subject: 2655 s. mario ranch ln

This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

I am protesting the proposed amendment to change the land use from piu-1.2 to miu. This is a residential area and should not be changed to anything else. They knew what the zoning was when they put in the assisted living facility. So they should not be trying to change it. Area is too small for the traffic it could cause. Thanks Jack Frye
Sent from [Mail](#) for Windows 10

From: [DSD Planning](#)
To: [Donna Spicola](#)
Subject: FW: P20CA00001 Chacon S. Mario Ranch Lane
Date: Tuesday, May 26, 2020 8:26:23 AM

From: [REDACTED]
Sent: Saturday, May 23, 2020 3:22 PM
To: DSD Planning <DSDPlanning@pima.gov>
Subject: P20CA00001 Chacon S. Mario Ranch Lane

This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

John and Jan Naccarati, 2605 S. Mario Ranch Lane, would like to voice opposition to the proposed rezoning of the property at 2655 S. Mario Ranch Lane.

Our opposition is based on these negative effects:

- The loss of neighborhood character. This is a rural residential area with most lots in the area are over 1 acre.
- Possible decrease in the market value to our home. It is comparing to an apartment complex.
- Increased traffic congestion adding to an already dangerous situation entering and exiting our driveway.
- Increased dust due to the increase in traffic and construction.
- We still have some trash on our property from their initial construction; we are not able or willing to condone more construction debris.
- We searched for over a year to find a quiet neighborhood in an rural setting but close to medical facilities. We were not informed that an assisted living home was planned for next door. It is currently permitted for 10 or fewer residents but the floor plan from the website for Mom and Dad Place lists 15 bedrooms already.

We live next door to this property and have no problems with Ms. Chacon. Her facility seems to be a quiet peaceful place with the residents well tended. We just do not think that adding more residents is good for our neighborhood.

Thank you for your consideration,

John and Jan Naccarati
2605 S, Mario Ranch LN.
Tucson, AZ85730

Sent from [Mail](#) for Windows 10

From: [DSD Planning](#)
To: [Donna Spicola](#)
Cc: [Thomas Drzazgowski](#); [Chris Poirier](#)
Subject: FW: 2655 S Mario Ranch Ln Plan Amendment
Date: Tuesday, May 26, 2020 2:52:41 PM

From: Cynthia McDaniel [redacted]
Sent: Tuesday, May 26, 2020 2:43 PM
To: DSD Planning <DSDPlanning@pima.gov>
Subject: 2655 S Mario Ranch Ln Plan Amendment

This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

May 25, 2020

Warren Davison and Cynthia McDaniel

Comment on P20CA00001 CHACON - S. MARIO RANCH LANE PLAN AMENDMENT

We own and reside at 10540 East Old Spanish Trail (approximately 200 feet from the property) and have a partial ownership of 10520 East Old Spanish Trail.

We object to the Comprehensive Plan Amendment and rezoning for the following reasons. This property is an island within a residential community. Although commercial development along Houghton is acknowledged, this property is not along or adjacent to those properties and not directly accessed from Houghton.

The access to the property is a dead-end dirt road, Golf Links, and improvements to that road are unwanted and would just invite more lost travelers. There is no logical future development in that area without removing residences; there is no vacant land.

The current use is appropriate and has not affected us significantly. Will the change open the door for future changes? For instance, if an adjacent house were acquired, would more requests be coming, or maybe combining with apartments. This establishment has only operated for a short period and significant changes are already requested.

Warren Davison

Cynthia McDaniel

Neighborhood Meeting Summary

M E M O R A N D U M

Date: May 26, 2020 **Job No:** HER-01

To: Donna Spicola, Pima County Development Services

From: Brian Underwood, The Planning Center

Project: P20CA00001 Neighborhood Meeting Summary

This memorandum provides a summary of the virtual neighborhood meeting held on May 21, 2020 for the S Mario Ranch Lane Plan Amendment request (Case No. P20CA00001). The memorandum will describe the main points of discussion at the meeting that was attended by one resident, Mark Livingood (2820 S Mario Ranch Lane). Forty-four (44) property owners within 1,000 feet of the subject site were notified of the meeting. Mr. Livingood expressed that he was opposed to the proposed project for a couple of reasons and further suggested that his neighbors would echo a similar sentiment. According to Mr. Livingood, nothing short of paving Golf Links Road will garner anyone's support, and that might not be enough – "No one wants it."

Two main concerns were expressed by Mr. Livingood:

1. *Increased/cut-thru traffic in the neighborhood* – The Livingood residence is located at the south end of Mario Ranch Lane off a dirt driveway over 500 feet in length. The street, E Pinal Vista borders the Livingood residence to the south. Mr. Livingood explained there is a lot of delivery truck traffic attempting to turn around on, or use, the private driveways on the south and north sides of his property to connect S Mario Ranch Lane and E Pinal Vista. He also described increased traffic from visitors and staff at the existing group home on the subject property.
 - a. It was explained to Mr. Livingood the number of employees currently working at the group home and number anticipated with the expansion are as follows: two (2) during the day from 6am to 6pm, one (1) at night from 6pm to 6am and three (3) during the day, one (1) at night, respectively. Only two (2) vehicles were observed during a site visit on the morning of May 21, 2020. No other specialized care is or will be provided at this location that would necessitate additional staff.
 - b. Four (4) of the ten (10) existing residents have out-of-state families that visit infrequently (once every 3-6 months) or only via FaceTime or Skype. Some residents are visited weekly and at least one has someone come visit daily. However, there has been no visitation for the last 2.5-3 months due to COVID-19 and that is expected to continue until at least the end of the year, possibly longer.

- c. There are no linen service deliveries at this location and deliveries directly to residents from UPS, FedEx and Amazon are very infrequent. Medical supplies are delivered once a month unless a resident is on hospice care, in which case, deliveries come weekly. This is not expected to change with this proposal.
- 2. *Increased dust* – Mr. Livingood explained the proposal would increase traffic on Golf Links Road and Mario Ranch Lane, adding to existing dust issues.
 - a. Additional signage to slow down and reduce the amount of traffic using Mario Ranch Lane and the dirt section of Golf Links Road was discussed as a means of mitigating existing traffic and dust issues. New signage strategically placed at the beginning of the dirt section of Golf Links Road, midway, and at the start of Mario Ranch Lane, as well as at/on the subject property could help alleviate traffic and dust in the neighborhood. Chip sealing the northern half of Mario Ranch Lane at time of rezoning will also help reduce dust levels.

Should you have questions or would like additional information, please do not hesitate to contact me.