



**BOARD OF SUPERVISORS AGENDA ITEM REPORT**

Requested Board Meeting Date: November 22, 2016

**Title:** Co9-15-005 - JT RP LLC - East Eagle Feather Road (Easement) Rezoning

**Introduction/Background:**

The applicant requests a rezoning from SR (Suburban Ranch) zone to CR-1 (Single Residence) zone

**Discussion:**

Owner is requesting to split a 3.81 acre parcel into four (4) approximately 1-acre lots.

**Conclusion:**

The proposed site is generally located in the NE Corner of Bear Canyon Road and Tanque Verde Road. There is CR-1 and higher density residential in the area. The site is surrounded by SR zone on three sides; however, along the south boundary of the site is a two-story condominium complex in the COT limits. Development would be able to connect to COT water and Pima County sewer.

**Recommendation:**

Staff recommends approval of the rezoning with standard and special conditions; Planning & Zoning Commission recommends denial.


**Fiscal Impact:**

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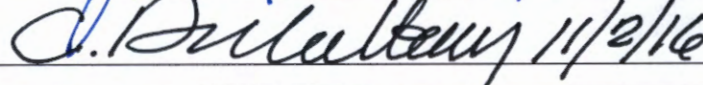
**Board of Supervisor District:**

- 1
- 2
- 3
- 4
- 5
- All

Department: Pima County Development Services - Planning Telephone: 520-724-9000

Department Director Signature/Date:  10-26-16

Deputy County Administrator Signature/Date:  11/1/16

County Administrator Signature/Date:  11/2/16



**PIMA COUNTY**

DEVELOPMENT SERVICES

**TO:** Honorable Ray Carroll, Supervisor, District 4

**FROM:** Chris Poirier, Planning Official  
Public Works-Development Services Department-Planning Division

**DATE:** October 31, 2016

**SUBJECT:** Co9-15-005 JT RP LLC - EAST EAGLE FEATHER ROAD (EASEMENT)  
REZONING

The above referenced Rezoning is within your district and is scheduled for the Board of Supervisors' **TUESDAY, NOVEMBER 22, 2016** hearing.

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**REQUEST:** For a rezoning of approximately 3.81 acres from SR (Suburban Ranch) Zone to CR-1 (Single Residence) Zone on property located approximately 800' east of Bear Canyon Road on the south side of East Eagle Feather Road (Easement).

**OWNER:** JT RP LLC  
Attn: Rita Pizarro  
4802 E. Ray Rd., Ste. 23  
PMB 3395760 E. Territory Avenue  
Phoenix, AZ 85044 - 6410

**AGENTS:** Kathy Gormally  
1215 North Wentworth Road  
Tucson, AZ 85749

Brent L. Davis & Associates  
Attn: Brent Davis  
660 S. Country Club Road  
Tucson, AZ 85716

**DISTRICT:** 4

**STAFF CONTACT:** Susan Morman

**PUBLIC COMMENT TO DATE:** As of October 31, 2016, staff has received seven letters of opposition; with duplicates a total of 15 comments.

**PLANNING & ZONING COMMISSION RECOMMENDATION:** DENIAL (6 – 2, Commissioners Cook and Membrila were absent).

**STAFF RECOMMENDATION:** APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS.

**MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM DESIGNATIONS:** The subject property is located outside of the Maeveen Marie Behan Conservation Land System (MMBCLS).

TD/SM/ar  
Attachments





## **BOARD OF SUPERVISORS MEMORANDUM**

Subject: Co9-15-005

Page 1 of 10

### **FOR NOVEMBER 22, 2016 MEETING OF THE BOARD OF SUPERVISORS**

TO: HONORABLE BOARD OF SUPERVISORS

FROM: Chris Poirier, Planning Official  
Public Works-Development Services Department-Planning Division

DATE: October 31, 2016

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### **ADVERTISED ITEM FOR PUBLIC HEARING**

#### **REZONING**

#### **Co9-15-005 JT RP LLC – EAST EAGLE FEATHER ROAD (EASEMENT) REZONING**

Request by **JT RP LLC**, represented by **Brent Davis**, for a rezoning of approximately 3.81 acres from SR (Suburban Ranch) Zone to CR-1 (Single Residence) Zone on property located approximately 800' east of Bear Canyon Road on the south side of East Eagle Feather Road (Easement). The proposed rezoning conforms to the Pima County Comprehensive Plan (Co7-00-20). On motion, the Planning and Zoning Commission voted 6-2 to recommend **DENIAL** (6 – 2, Commissioners Cook and Membrila were absent). Staff recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**.  
(District 4)

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#### **PLANNING AND ZONING COMMISSION HEARING SUMMARY (September 30, 2015)**

Staff gave a brief report.

Five letters of opposition were received; concerns by longtime neighbors included increased residential density, loss of habitat and wildlife, paving of their road, and reduction of property values.

Agent (Kathy Gormally) presented project with owner. The agent stated that the project is a transition from the two-story condominiums to the south and the neighborhood community of 3-acre parcels to the north.

A Commissioner asked what impact the new development will have on existing wells, and if the new development will hook up to City of Tucson Water.

The request is to rezone a 3.81-acre parcel from Suburban Ranch (SR) zone to Single Residence (CR-1) zone for residential use, to divide the parcel into four (4) approximately 1-acre lots. The Planning and Zoning Commission continued the public hearing three times to provide the owner and agents time to meet and come to agreement with surrounding neighbors, and expended their allowed 9-month review period for hearing a rezoning case per Pima County Zoning Code 18.91.070(A)(3).

**Planning and Zoning Commission Public Hearing (September 30, 2015)**

Staff gave a brief report.

Five letters of opposition were received; concerns by longtime neighbors included increased residential density, loss of habitat and wildlife, paving of their road, and reduction of property values.

Agent (Kathy Gormally) presented project with owner. The agent stated that the project is a transition from the two-story condominiums to the south and the neighborhood community of 3-acre parcels to the north.

A Commissioner asked what impact the new development will have on existing wells, and if the new development will hook up to City of Tucson Water.

A Commissioner asked the owner what contact, other than distributing a letter of introduction, was made with the neighbors. The owner said that she had met with neighbors to the east who will be most affected by the request and offered to put up a wall to protect their privacy. However, she questioned whether a wall was necessary because there will be wide buffers of native vegetation between the development and the adjacent neighbors. The owner also addressed reduction of property values by presenting data that showed that new homes generally sold for 62% more money than the older existing homes.

The Chair opened the public hearing.

There were four speakers. Their concerns were:

1. Negative impact on water table for residents who are on existing wells;
2. Existing CR-1 properties in the area are subdivisions; owner is avoiding subdivision requirements;
3. Very short public notice; many elderly neighbors can't attend hearing, others work or are out of town, but everyone is opposed to this rezoning;
4. Owner does not know the area;
5. One neighbor purchased adjacent properties to buffer home and protect their privacy and lifestyle;
6. Owner's adjacent parcel has deteriorated since it was purchased; the house is in disrepair and used by transients and packrats;
7. East Eagle Feather Road (easement) should remain unimproved because few people use it; it is impassible during heavy rains; four more residences could add possibly 30 trips per day;
8. If rezoning is approved, a wall should be required along the east property line; and
9. SR zone should be preserved in this area; the proposed CR-1 zone is surrounded on three sides by the SR zone.



The owner rebutted that the development would not change the 'sense of community' in the neighborhood; the two-story condos to the south are just as much an invasion of privacy as the new proposed development; and the development will raise property values.

A Commissioner asked if the owner would be willing to meet with the neighbors and work out some of their concerns. The owner was receptive.

A Commissioner asked how close the home sales presented as data are to the site. The agent stated that they were further east and northeast of the site and sold within the last 6 months. There had been no home sales in the immediate neighborhood for comparison.

A Commissioner asked if the owner would be amenable to preparing a more detailed site plan showing access, house footprints, setbacks, view sheds, vegetative buffers, access, etc., and then be willing to meet with the neighbors so that they could see the plan.

Commissioners encouraged the applicant to work with the neighbors and asked the neighbors to have an open mind to proposed development.

**Motion to CONTINUE to October 28, 2015 Planning and Zoning Commission Public Hearing passed 8-0 (Commissioners Neeley & Cook absent).**

**Planning and Zoning Commission Public Hearing (October 28, 2015)**

Owner and new agent (Brent Davis) addressed the Commission and requested a continuance to provide an opportunity to set up a meeting with the neighbors.

The Chair opened the public hearing.

There were 6 speakers, all opposed to the rezoning request. Their concerns were:

1. Owner still hasn't met with the neighbors;
2. Loss of neighborhood character and inadequate infrastructure to support new development;
3. Previous rezoning requests in the area have been unsuccessful;
4. Development would have negative impacts to desert flora and wildlife in the area;
5. Neighbors are all against the rezoning, and against another continuance.

Speakers also noted that this was the second day they had to take time out of their schedules to attend a public hearing.

The agent responded that he and the owner want the opportunity to meet with neighbors, and that they are unprepared to address many details of the proposed rezoning at this hearing.

A Commissioner questioned the good faith of the applicant, as no outreach was done to the neighbors as requested by the Commission.

**Motion to CONTINUE to January 27, 2016 Planning and Zoning Commission Public Hearing passed 8-0 (Commissioners Neeley and Cook were absent).**

**Planning and Zoning Commission Public Hearing (January 27, 2016)**

The agent and owner presented the update to the proposed rezoning. The agent described their attempt to purchase an access easement from the neighbor of the property to the east for direct access of the development onto Catalina Highway; their offer was not accepted.

Unfortunately, focusing on the Catalina Highway access did not allow time to meet with the other neighbors. The agent also stated that use of the well onsite could be connected to Tucson Water or be used for irrigation. Sewer connections to the development were available from the south.

Four speakers addressed the Commission. Their concerns were:

1. The owner and agent had still not contacted or met with the neighbors;
2. City of Tucson is not interested in annexing this area because of the poor condition of East Eagle Feather Road and the need to install fire hydrants;
3. East Eagle Feather Road is not designed for heavy construction traffic, chip-sealing would wash away, and there is not an agreement about long-term maintenance responsibility;
4. There is no need for more housing in the area;
5. Concerned that the owner is evading subdivision laws and plans on rezoning the adjacent lot for an additional 4 lots expanding the development to 8 lots on both parcels.

The owner's agent responded that East Eagle Feather Road would be improved to accommodate the new development's traffic; the owner's adjacent site should not be considered pertinent to this rezoning request; and, their plan for alternate direct access to Catalina Highway would have mitigated neighbor concerns, but they were unable to make a last-minute agreement. The agent opined that they had met all of Commission's recommendations to date, except for meeting with neighbors.

A Commissioner suggested the owner consider withdrawing the rezoning request and re-apply when negotiations with neighbors are accomplished. Interim Planning Director Chris Poirier noted that the 2015 Comprehensive Plan update had down-planned the area from Low Intensity Urban 1.2 (LIU 1.2) to Low Intensity Urban 0.3 (LIU 0.3). The owner submitted the rezoning application prior to approval of the update and the site was allowed to maintain its earlier land use designation; however, re-submitting the rezoning application requesting the CR-1 zone would now first require a Comprehensive Plan amendment to change the land use designation on the site.

The Chair moved to recommend denial of the rezoning request; a Commissioner seconded the motion. Another Commissioner made a substitute motion to continue the hearing for the maximum time allowed by the Zoning Code (to the P&Z June 29, 2016 public hearing). This would give the owner and agent more time to meet with the neighbors as recommended by the Commission. The substitute motion was accepted.

**Motion to CONTINUE the Planning and Zoning Commission Public Hearing until June 29, 2016 passed 4-3 (Commissioners Matter, Mangold and Peabody voted NAY; (Commissioners Bain, Cook and Holdridge were absent).**

**Planning and Zoning Commission Public Hearing – June 29, 2016 Canceled - No Quorum P&Z was Rescheduled to July 13, 2016**

**Planning and Zoning Commission Public Hearing (July 13, 2016)**

The Chair introduced project and noted that it was continued.

The agent updated the Commission on the two neighborhood meetings that were held since the last Commission hearing. He noted that fourteen neighbors attended the February meeting and seven attended the follow-up March meeting. The owner agreed to meet some of the neighbors' requests as outlined at the second meeting. The agent noted that staff's recommendation is still in favor of this rezoning request and the owner concurs to meet the staff report and additional neighborhood conditions.

The five new conditions that the owner agreed to with neighbors are as follows:

1. There will be no wall along the north and east site boundaries; a buffer easement will be created to keep the native vegetation in place.
2. Property owner will pay for the cost of paving East Eagle Feather Road (Easement) from onsite cul-de-sac to Bear Canyon Road rather than just chip sealing it. East Eagle Feather Road is currently a 60-foot easement and construction of the paved road will be laid out so that it will not encroach upon existing neighbor's fences.
3. Orientation of the new homes will face the cul-de-sac and will not impact any mountain views north to the Catalina Mountains.
4. The paved road will be maintained per a financial agreement with the four new lot owners and the owner's second parcel. Existing residents will not be required to participate in the maintenance of East Eagle Feather Road.
5. There will be a deed restriction on the owner's second parcel that it will not be rezoned or subdivided for 15 years.

The agent also noted that the owner agreed to Condition 6:

6. The owner will create a private MOU (Memorandum of Understanding) on her second parcel with the Kartchner's regarding any further subdividing.

The agent recognized that there was still not unanimity with the neighbors in support of this rezoning but felt that everyone had a better understanding of the request and noted that there is consensus with some of the neighbors.

A Commissioner asked if Condition 6 was not included as a rezoning condition because it is not enforceable.

The agent answered Yes.

Staff gave a brief report.

This is the fourth public hearing before the Commission for this rezoning request and the allowed nine month Commission review period for the rezoning has expired. Today the Commission must make a recommendation on this case and move it forward to the Board of Supervisors.

Staff noted that although there was not an official mailed public notice for this meeting, staff did provide notice to those interested property owners for whom we had contact information. Staff has not received any new comments of opposition from neighbors since the January 27, 2016 Commission hearing.



Staff received a total of 15 comments of opposition. Seven are non-duplicates and provide enough protest to require a Board supermajority vote.

The planning official confirmed that Condition #6 is not enforceable. He also noted that the owner/agent Condition #5 is not enforceable and therefore, should not be included as a rezoning condition in this case.

Staff recommends approval of this rezoning request with the conditions outlined in the original staff report. At this point, it is up to the Commission to recommend any additional conditions proposed by the owner.

A Commissioner asked for a summary of staff's rationale for supporting the rezoning.

Staff responded that the proposal meets the Pima County concurrency requirements. Utilities and access are at the property line. The City of Tucson limits and a two-story condominium complex are along the site's south property line. This rezoning request is an infill site for large approximately 1-acre lots. The site is very vegetated, and can still provide expansive buffering between properties and the owner proposes to build one story ranch style homes in character with the area.

A Commissioner asked except for the condominiums, if the surrounding County zoning was SR (Suburban Ranch).

Staff answered Yes, and also explained that there is CR-1 residential, higher density residential, commercial, and arterials within one-fourth mile of the site.

The Chair opened the public hearing.

Three speakers addressed the Commission with their concerns. All had spoken at previous public hearings in opposition to the rezoning request, have submitted protest letters, and still oppose the request. The issues are that the neighbors do not want change.

1. They want to keep the natural desert habitat and wildlife;
2. Paving may sound really, good but our driveways will remain dirt and heavy rains will undercut the pavement, create more erosion problems, and wash our driveways away creating more access problems;
3. The neighborhood is 100% adamantly against this rezoning; not everyone can attend these meetings;
4. If approved, there needs to be a financial agreement for road maintenance by the developer; and
5. They are concerned that the owner is evading subdivision laws and plans to rezone her second parcel into four more lots.

One speaker noted that she had just heard about neighbor agreements with the developer at this hearing but is still against the rezoning and asks that the Commission say No to this rezoning request.

Another speaker noted that per the planning official, the 2015 Comprehensive Plan Update the owner would not be able to request a CR-1 rezoning under the current land use designation. However, he did say that the applicant and owner spoke to us in good faith at the neighborhood meetings but stated that we still do not want this rezoning.

The Chair asked if the agent wanted to respond.

The agent commented that at least one if not two of those who spoke today did not attend either of the two neighborhood meetings where we came to agreements. Therefore, it is difficult to respond when not everyone has the background discussion of those two meetings.

The owner and neighbors agreed on the aforementioned conditions at the second neighborhood meeting.

The agent reassured the neighbors that the owner will definitely create an agreement for maintaining the pavement among owners of the new development and the owner of the adjacent lot to the west.

The agent commented that the neighbors keep saying that the owners' second parcel will be subdivided next. The owner agreed not to develop this second parcel for fifteen years. She plans to rehab the house and use it as a residence or sell it.

The owner unknowingly submitted this rezoning request under the old rules. The new rules make it more difficult to request a rezoning and it is not fair to assume that the owner will make a request to subdivide her second parcel next year or a year later.

The agent summarized that they had good dialogue with the neighbors and came to some hard but good conclusions. There is not unanimity in this neighborhood but there are neighbors who have supported us.

The agent asked the Commission to recommend the rezoning request favorably.

A Commissioner asked for clarification regarding the outcome of the neighborhood meetings.

The agent said that most the neighbors who attended the second meeting are more comfortable with the rezoning. What came out of the second meeting are agreed upon rezoning conditions. This is not to say that everyone is in favor of the rezoning but the neighbors are more accepting that this will be a better development because of these conditions.

The Chair closed the public hearing and asked if there were any comments from the Commissioners.

Several of the Commissioners were having trouble deliberating what to recommend.

1. This is a property rights issue;
2. A large lot infill project;
3. Access is questionable for increasing density, but there is similar density in the area;
4. The neighbors are still unsatisfied;
5. Can Catalina Highway still be a viable option; and
6. Does this proposal maintain the character of this neighborhood?

A Commissioner noted that just because the City of Tucson has made some bad land use decisions in this area, does not mean the County needs to follow suit and continue to make poor decisions to increase the density in this area. There is degradation of a neighborhood when one SR property is rezoned to CR-1 then there is opening for another rezoning, and another and so on. These changes over time dissolve the character that makes Tucson unique.

The planning official acknowledged that the road seems to be a core issue in deciding this case. Staff policy per PCDOT and PCDEQ is to minimize dust pollution as much as possible; for this reason, staff takes the position that the access be chip sealed or paved. In this case, the neighbors like a primitive dirt road. If this was a traditional subdivision, the road would be required to meet subdivision street design standards. For a project such as this, staff would not expect road drainage and engineering improvements to be known at this stage. However, it is the purview of the Commission and/or the Board to allow the road to remain a primitive dirt access road by not making it a rezoning condition that the road be paved or chip sealed. There are no County requirements for the road in this case.

**Commissioner Matter MOVED to DENY Co9-15-005 JT RP LLC - East Eagle Feather Road (Easement) Rezoning. Chairman Peabody seconded the motion.**

A Commissioner summarized that this is a property rights issue; a property right may be lost because of a timing issue. The property is behind a shopping center and a two-story condominium complex. The land use request makes sense in terms of density. How much should drainage and infrastructure issues be a determining factor in our recommendation when the question is this a reasonable use on this site.

On a roll call vote, **motion to recommend DENIAL passed 6-2 (Commissioners Bain and Becker voted NAY; Commissioners Cook and Membrilla were absent).**

Should the Board of Supervisors choose to approve the rezoning request, staff recommends the following requirements to be completed within five years from the date the rezoning request is approved by the Board:

1. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
2. Provision of development related assurances as required by the appropriate agencies.
3. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Development Services Department.
4. Adherence to the sketch plan as approved at public hearing.
5. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
6. Pima County Department of Transportation:  
Any common, private roadway/driveway serving more than one dwelling unit shall be paved (chip sealed) within six (6) months of the issuance of building permits.
7. Pima County Waste Water Reclamation District:  
Should the Board of Supervisors be inclined to approve this rezoning, the Pima County Regional Wastewater Reclamation Department (PCRWRD) recommends the following conditions:



The owner / developer 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 / developer to that effect.

- A. The owner / developer 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/developer 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.
- B. The owner / developer 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.
- C. The owner / developer 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.
- D. The owner / developer shall fund, design, and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified 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 / developer shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable 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.
- F. Pima County Office of Sustainability:  
An on-the-ground archaeological and historic site survey shall be conducted on the subject parcel(s) before any ground modifying activities occur. Any archaeological or historic sites that are recommended as eligible for Arizona or National Registers of Historic Places shall require cultural resources mitigation plan. The mitigation plan will need to be submitted to Pima County either before or at the time of the submittal of a site plan, tentative plat, or development plan. Any cultural resource survey and/or mitigation plan shall be conducted by an archaeologist permitted by the Arizona State Museum or registered architect as appropriate. 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.

- G. Upon the effective date of the Ordinance, the owner(s)/developer(s) of the rezoned property shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. 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.
- H. The property owner shall execute and record the following disclaimer regarding Prop 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(I)."
- I. 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.

TD/SM/ar  
Attachments

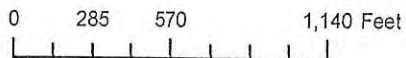
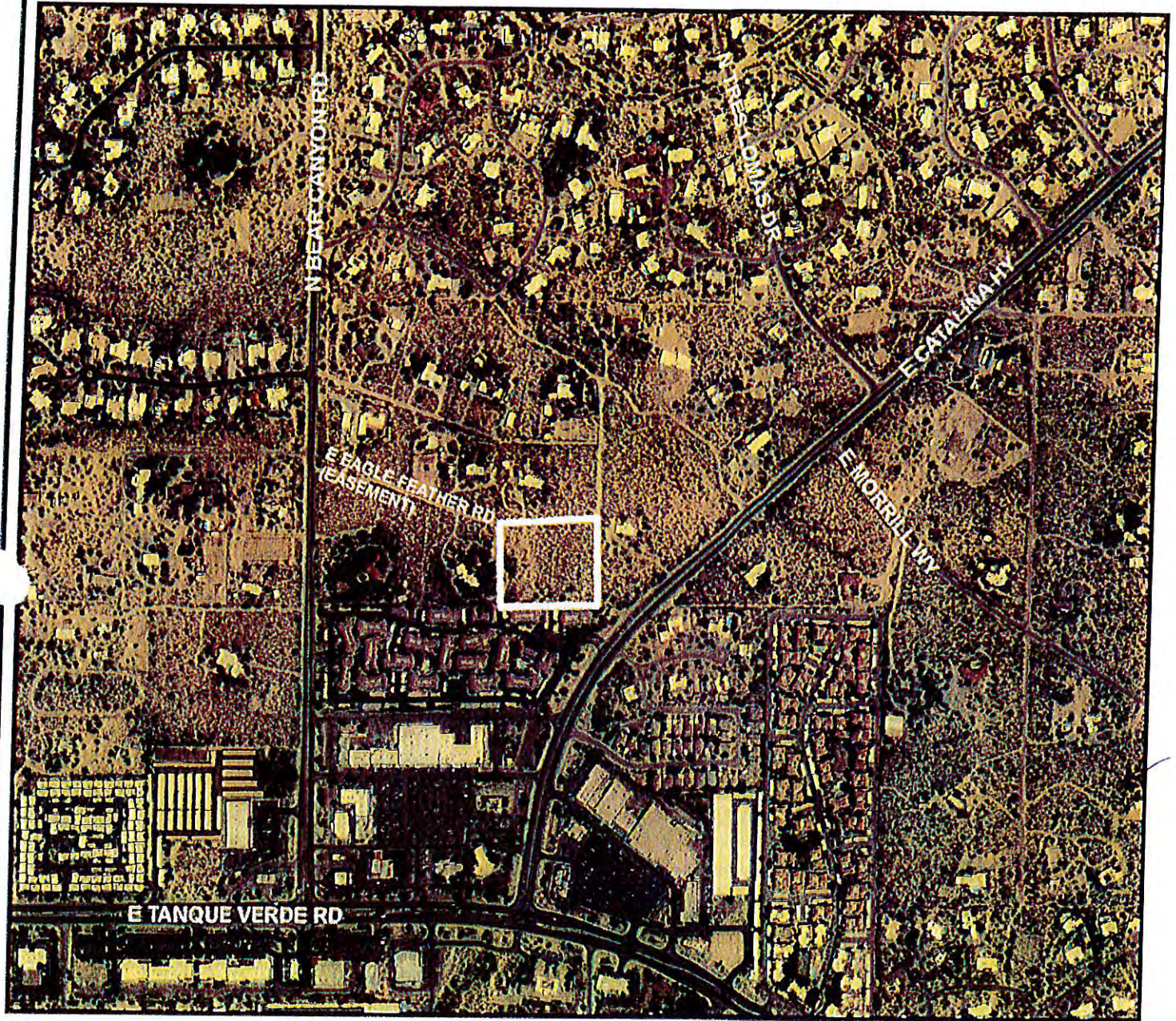
cc: JT RP LLC, Attn: Rita Pizarro, 4802 E. Ray Rd., Ste. 23, PMB 3395760 E. Territory Avenue  
Phoenix, AZ 85044 – 6410  
Kathy Gormally, 1215 North Wentworth Road, Tucson, AZ 85749  
Brent L. Davis & Associates, Attn: Brent Davis, 660 S. Country Club Road  
Tucson, AZ 85716  
Tom Drzazgowski, Principal Planner  
Co9-15-005 File

ROLL CALL VOTE FOR: *July 13, 2016*  
 PIMA COUNTY PLANNING AND ZONING COMMISSION



NAME	P- APPROVE DENY CONTINUE		P- APPROVE DENY CONTINUE		P- APPROVE DENY CONTINUE		P- APPROVE DENY CONTINUE		P- APPROVE DENY CONTINUE	
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<del>Almando-Membrilla</del>										
<del>Bob Cook</del>										
Lynne Mangold	<input checked="" type="checkbox"/>									
Jodi Bain		<input checked="" type="checkbox"/>								
Brad Johns	<input checked="" type="checkbox"/>									
Peter Gavin	<input checked="" type="checkbox"/>									
Bruce Gungle	<input checked="" type="checkbox"/>									
<i>Barbara</i> <del>Vacant</del> <i>Becker</i>		<input checked="" type="checkbox"/>								
Vice - Chair Eddie Peabody, Jr.	<input checked="" type="checkbox"/>									
Chair Vacant										
TOTAL VOTE:	<i>6</i>	<i>2</i>								



Case #: Co9-15-005  
 Case Name: JT RP LLC - E. EAGLE FEATHER ROAD (EASEMENT) REZONING  
 Tax Code(s): 114-51-1790



PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT  
 PLANNING DIVISION

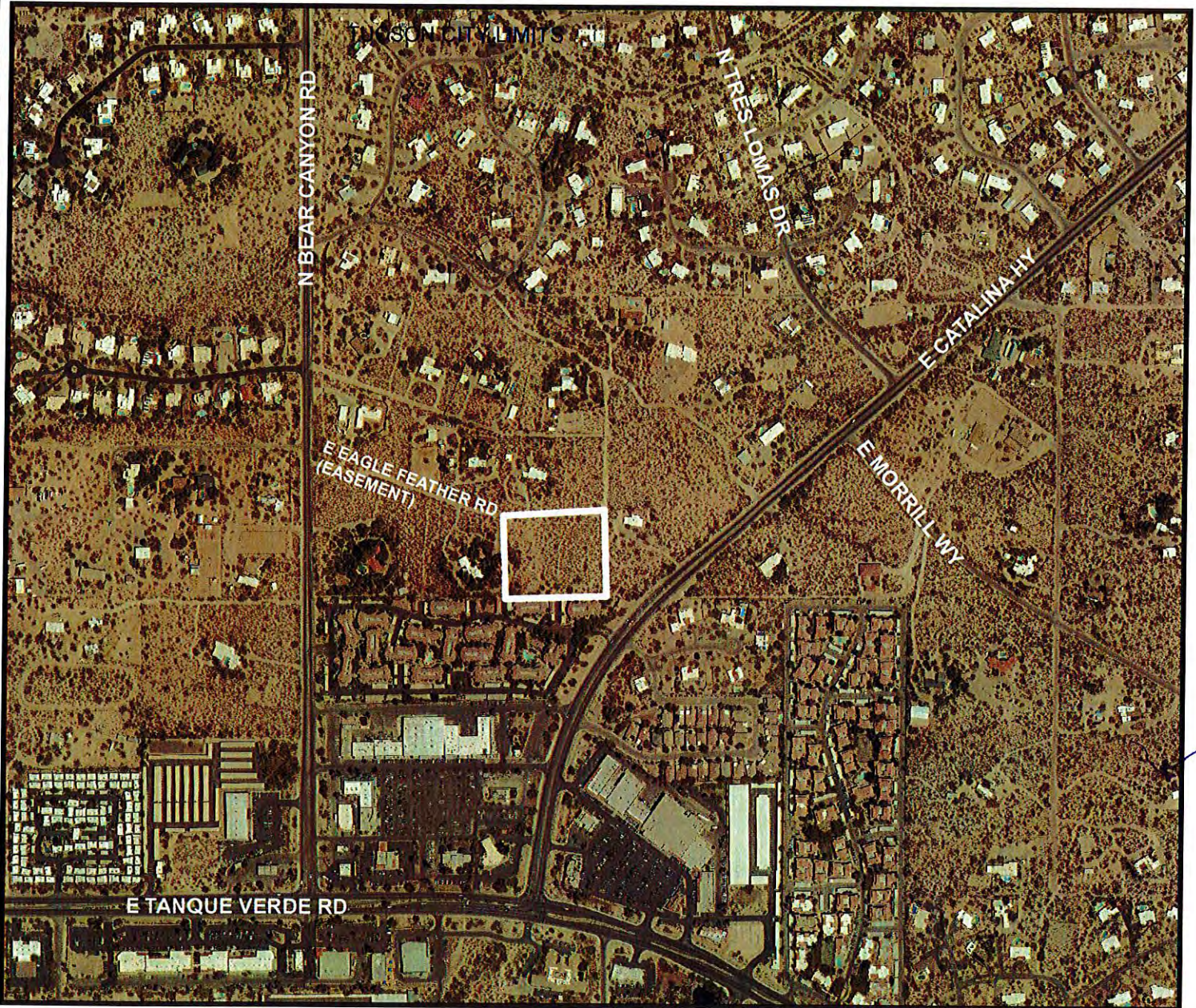
	Notes:		
	PIMA COUNTY COMPREHENSIVE PLAN (CO7-00-20)		
	Base Map(s): 52		Map Scale: 1:8,000



Case #: Co9-15-005



Case Name: JT RP LLC - E. EAGLE FEATHER ROAD (EASEMENT) REZONING

Tax Code(s): 114-51-1790

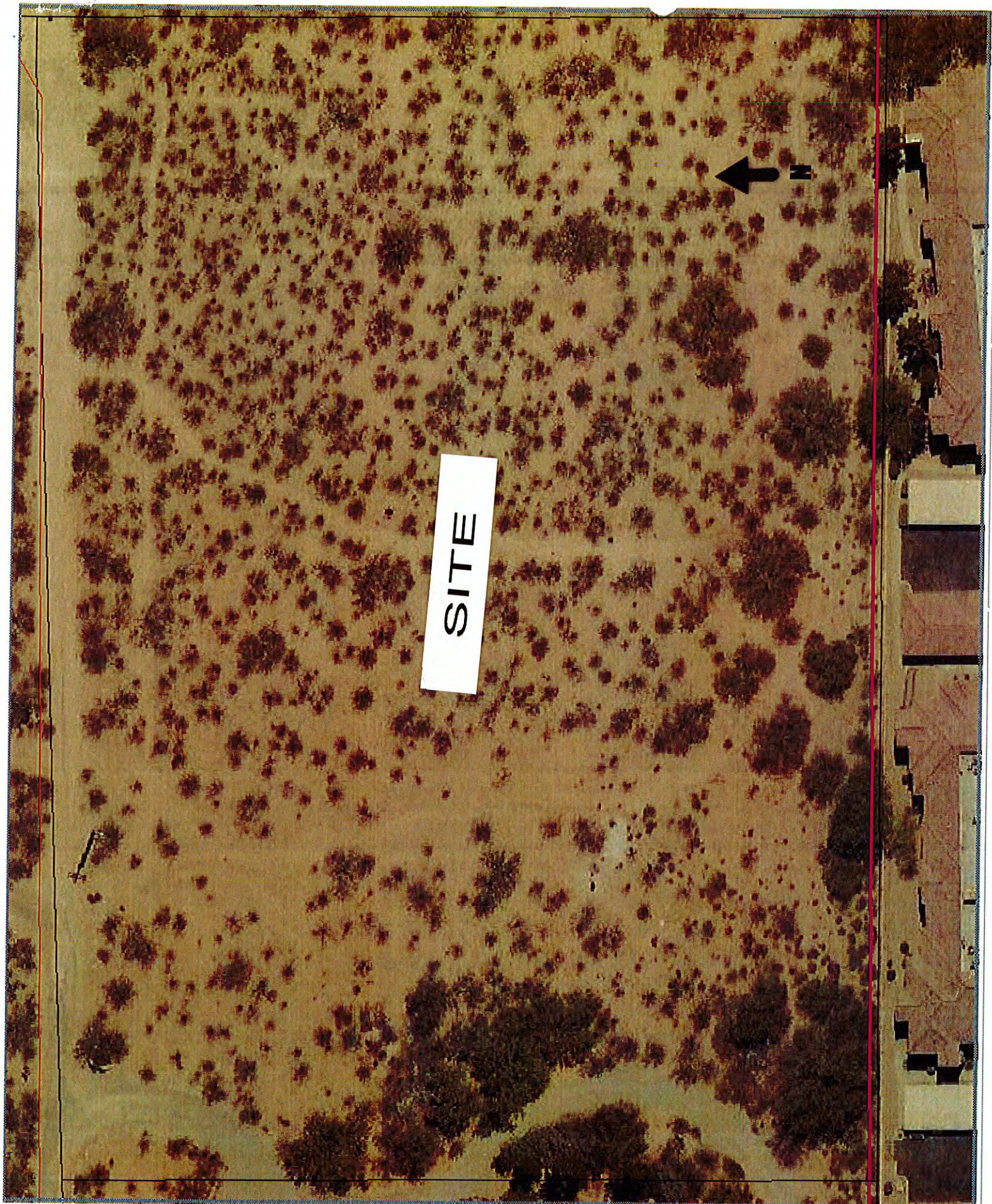


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**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION**

	Notes:		
	PIMA COUNTY COMPREHENSIVE PLAN (CO7-00-20)		
	Base Map(s): 52	Map Scale: 1:8,000	





SITE

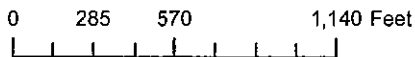
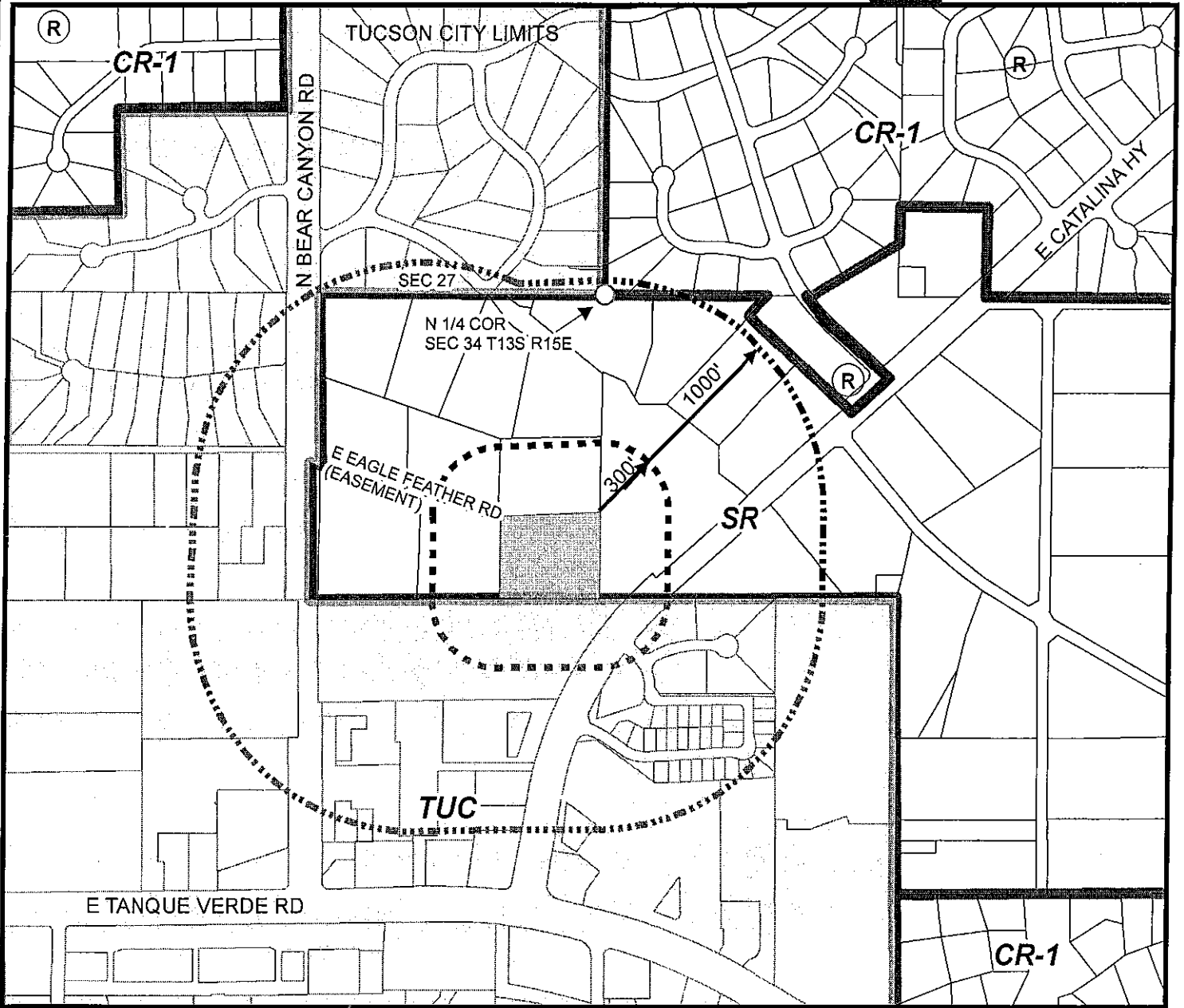
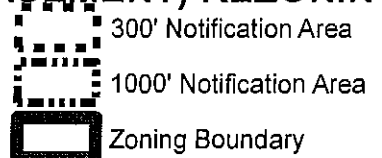




Case #: Co9-15-005

Case Name: JT RP LLC - E. EAGLE FEATHER ROAD (EASEMENT) REZONING

Tax Code(s): 114-51-1790



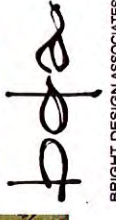
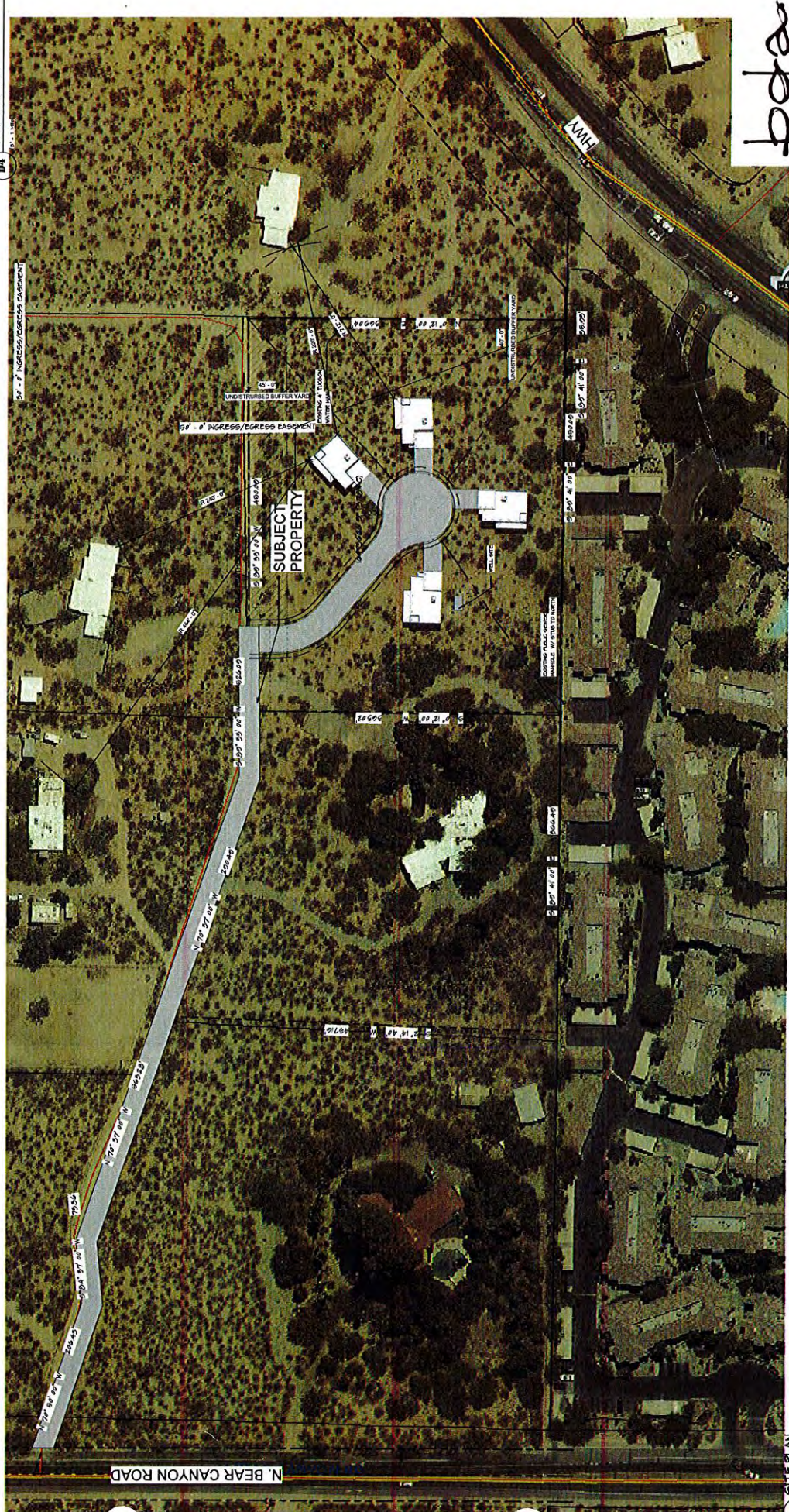
Area of proposed rezoning from SR to CR-1



**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION**

<p>PIMA COUNTY DEVELOPMENT SERVICES</p>	Notes:		
	PIMA COUNTY COMPREHENSIVE PLAN (CO7-00-20)		
	Planning & Zoning Hearing: 09/30/15 (scheduled)		
	Base Map(s): 52	Map Scale: 1:8,000	

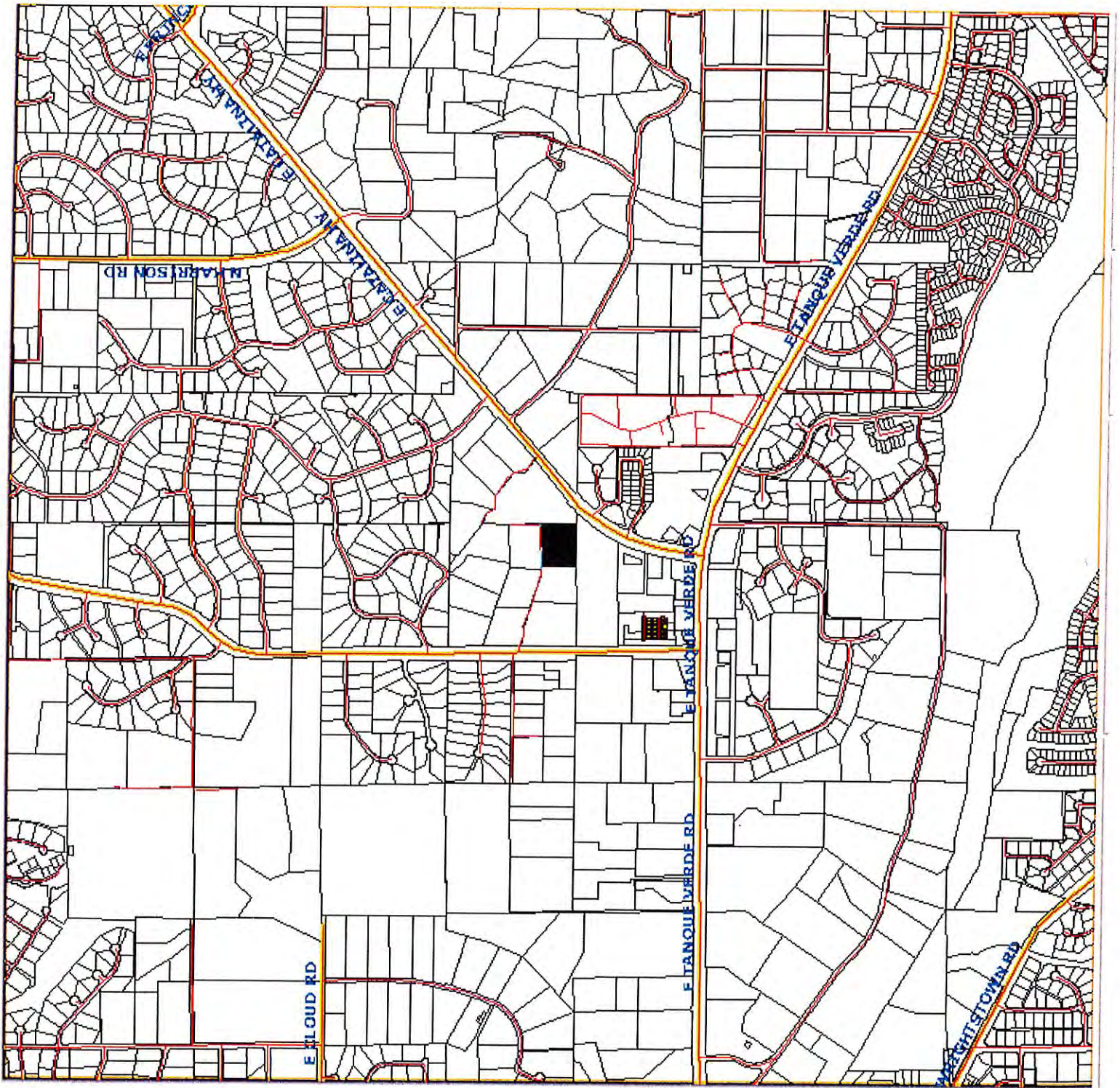




BRIGHT DESIGN ASSOCIATES

A1 SITE PLAN  
1" = 500'






← N





**PIMA COUNTY**

DEVELOPMENT SERVICES

**TO:** Planning and Zoning Commission  
**FROM:** Sue Morman, Senior Planner   
**DATE:** June 30, 2016  
**RE:** Update Staff Report for Continued Case:  
**Co9-15-05 JT RP LLC – East Eagle Feather Road (Easement) Rezoning**

Staff recommends **APPROVAL with conditions** as provided in original staff report.

The Planning and Zoning Commission (Commission) has requested that the applicant and/or their representative meet with the neighbors to discuss important issues. Neighbors attending the Commission meetings have expressed a desire to be included in project discussions.

The Commission on September 30, 2015 continued this rezoning case to October 28, 2015 to provide the applicant with more time to complete the following:

1. Prepare a more detailed site plan;
2. Seek clarification on Pima County's requirements for road improvements to East Eagle Feather Road (easement);
3. Identify existing utilities and easements; and
4. Meet with the neighbors.

At the October 28, 2015 Commission meeting the property owner/representative asked the Commission for a continuance because they needed more time to meet with neighbors. The Commission granted a continuance to January 27, 2016.

At the January 27, 2016 Commission meeting the applicant's representative, Brent Davis, noted that he had complied with all of staff's requirements and the Commission's requests except for meeting with all the neighbors. Mr. Davis presented a new detailed site plan and explained that he had been working with adjoining neighbors to the east to acquire an alternative access easement from the rezoning site to Catalina Highway. This alternative access solution was not accepted so the proposed site plan showed access as East Eagle Feather Road (easement).

The Commission approved a continuation of the case to the June 29, 2016 public meeting to provide Mr. Davis more time to meet with all the neighbors. Vote for continuation passed 4-3.

The applicant representatives held two meetings with the neighbors. (See attached neighborhood meeting invitation; and meeting summaries received on June 30, 2016).

**PUBLIC COMMENT:**

Staff has received opposition letters from seven (7) different property owners; however, several of the same neighbors submitted duplicate and triplicate letters on different dates throughout the Commission public meeting process. To date, 15 comments in total have been hand-delivered at the Commission meetings, mailed, and/or emailed to staff to re-iterate their strong opposition





## PIMA COUNTY

### DEVELOPMENT SERVICES

to the rezoning; there has also been consistent neighborhood attendance at each of the Commission meetings. Neighbor primary concerns are as follows:

- East Eagle Feather Road (Easement) has drainage problems and is not designed for more traffic and not heavy construction traffic;
- Chip seal washes away and is not a practical road improvement solution;
- Need for more housing in the area is not proven;
- Concerned that applicant/owner is avoiding the subdivision laws and plans on rezoning their adjacent lot in the future making a total of 8 lots in our three acre lot plus residential area;
- Disappointed that they were not contacted and included in proposal discussions by the developer/applicant;
- Concerned about potential increased maintenance costs since the neighbors maintain the road themselves; and
- City of Tucson would not annex the area because of the road conditions and the need for fire hydrants.

Opposition letters from property owners within 300 feet of the rezoning site has triggered a required super majority vote by the Board of Supervisors.

w/attachments: 1) Applicant's Neighborhood Meeting Invite; 2) Applicant's Neighborhood Meeting Summaries, "Update on the Eagle Feather Road Rezoning." 3) Complete set of total received public comments/letters.

cc: Mark Holden, Principal Planner  
Rita Pizarro, JT RP LLC  
Brent Davis, Brent L. Davis & Associates





660 S. Country Club Rd., Tucson, Arizona 85716 Phone: (520) 323-1115 Fax: (520) 323-3399 Mobile: (520) 977-6229 E-Mail: [brent.davis@gmi-tucson.com](mailto:brent.davis@gmi-tucson.com)  
Political Consulting ■ Seminars ■ Land Use Planning ■ Rezoning ■ Plans Check Assistance ■ Strategic Planning

March 10, 2016

Rita Pizarro  
4802 E. Ray Rd., #23-339  
Phoenix, AZ 85749

Pima County Development Services has received a request to rezone the property located at 9062 East Eagle Feather Rd. from SR (Suburban Ranch) to CR-1 (Single Family Residential). The owner is JT RP LLC and is represented by Rita Pizarro. Rick Bright, Architect and I represent Ms. Pizarro. The request is to split the 3.81 acre property into four approximately 1 acre lots. The County staff has recommended approval and the case is currently awaiting action by the Pima County Planning & Zoning Commission.

Since this property is in your neighborhood, we would like to invite you or your representative to a neighborhood meeting to discuss the rezoning proposal. A meeting will be held on Tuesday, March 29<sup>th</sup>, 6:00 p.m. at the Kirk-Bear Canyon Library located at 8959 E Tanque Verde Rd. in the large meeting room. Light refreshments will be served.

If you have any questions or input prior to the meeting, please feel free to e-mail me at [brent.davis@gmi-tucson.com](mailto:brent.davis@gmi-tucson.com). Thanks so much. We look forward to seeing you at the meeting.

Brent L. Davis

Principal  
Brent L. Davis & Associates



# Update on the Eagle Feather Rezoning

**Case No. Co0-15-005 JT RP LLC – East Eagle Feather Road  
(Easement) Rezoning, Rezoning from SR to CR-1, 9062 E. Eagle  
Feather Rd, parcel #114-51-1790**

As requested by Pima County Planning and Zoning Commission, representatives of the Developer, Rita Pizarro, met with neighbors on two separate occasions. In attendance from the developer side were Brent L. Davis, consultant and Rick Bright, AIA, Architect. The first meeting was held on March 29<sup>th</sup> at the Bear Canyon Library where 14 neighbors attended:

Mark Oppeboen  
Mark's father  
Mac Summer  
Sue Neufield  
Mark Kartchner  
Marion Kartchner  
David Rosner  
Arlen Rosner  
Christy Morrison  
Ken Nelson  
Carole Nelson  
Sam Hokett  
Judy Hokett  
Larry Willingham

Two of the neighbors were in favor of the rezoning and voiced their opinion to the consultants prior to the beginning of the meeting and then left. Discussion was held with the other neighbors and notes were taken. The following points were raised:

- 1 – Neighbors stated that Eagle Feather no long runs north.
- 2 – With a show of hands, the remaining 12 neighbors opposed the rezoning and were not interested in any mitigation.

After discussion on the fact that the rezone may go through and that input would be needed by the neighbors, the discussion turned to the issues on the rezoning.

- 3- Neighbors would like Rita to maintain the new road improvement or have the County maintain it.
- 4 – Neighbors would like to see a deed restriction on Rita's property with the house, that the lot could not be subdivided.
- 5 – Two neighbors present wanted a wall built along the eastern and northern edges of the property.



6 – Neighbors felt it a high priority that Rita fix up the existing house on the adjacent lot also owned by Rita. They felt it is becoming a nuisance with people occupying the property and bringing a criminal element to the neighborhood.

7 – Neighbors would like a 30 foot wide AC paved road without curbs along Eagle Feather as a condition of the rezone. They did not want chip and seal.

8 – Neighbors wanted to be notified of the next Planning Commission meeting.

9 – There was some discussion of a new wall along Eagle Feather Road but there was not 100% agreement on this.

10 – Neighbors would like to participate in the alignment of the new road paving. They were concerned about native vegetation and existing walls and fences in the existing 50 foot easement.

Rita and the consultants evaluated the issues raised by the neighbors, developed some new conditions for the rezoning request and met with the neighbors again on June 15<sup>th</sup>. Attending for the developer were Rita Pizarro, the owner and developer, Brent L. Davis, Consultant, and Rick Bright, AIA, Architect.

The first meeting was held on March 29<sup>th</sup> at the Bear Canyon Library where 14 neighbors attended and this second meeting on June 15<sup>th</sup> was held at the offices of Brent L. Davis & Associates where 6 neighbors were able to attend:

Mark Kartchner  
Marion Kartchner  
Ken Nelson  
Carole Nelson  
Richard Johnson  
Larry Willingham

At this meeting, the developer and neighbors discussed and TENTATIVELY agreed upon the following additional conditions of the rezoning in exchange for approval of the rezoning request by the neighbors present at the meeting:

1 – In keeping with the character of the neighborhood, there will be no wall on the north and east boundaries of the property in question; instead a buffer easement will be place on the property to keep native vegetation in place.

2 – In exchange for not building the wall, the money that was earmarked for the wall will be put into the cost of paving Eagle Feather from Bear Canyon Rd. to the cul-de-sac of the proposed development. We will work with the existing neighbors on the alignment of the newly paved Eagle Feather so as to minimize the impact on their properties.

3 – We will orient all of the new homes toward the new cul-de-sac, while not impairing mountain views.



4 – The paved road will be maintained by agreement among the four new re-zoned lots and the existing home to the west. Neighbors will not be required to participate in the maintenance.

5 – We will place a deed restriction on the property of the existing home to the west of the subject property indicating that that it cannot be re-zoned or subdivided for 15 years.

6 – We will agree with the Kartchners by MOU that a timeline for upgrading and improving the property to the east of their lot and to the west of the subject property will be developed that is acceptable to both them and the developer.

An email has been sent to all of those individual present at the June 15<sup>th</sup> meeting asking them to concur with the discussion. To date, we have received acceptance and approval from Mark and Marion Kartchner. Other approvals, if they are agreed to, will come in prior to the meeting of the Planning and Zoning Commission and will be presented at that time.

Of note is that two of the neighbors offered to buy the subject property from Rita Pizarro for cash. The offer was not accepted due to the price point being too low. Rita Pizarro intends to move ahead with the rezoning.

The consultant team and Rita Pizarro have negotiated in good faith with the neighbors and ask that the Pima County Planning and Zoning Commission recommend approval for this rezoning.

Thank you.

A handwritten signature in cursive script that reads "Brent L. Davis".

Brent L. Davis  
Brent L. Davis & Associates  
Consultant



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

**HEARING**      September 30, 2015

**DISTRICT**      4

**CASE**          Co9-15-005 JT RP LLC - East Eagle Feather Road (Easement) Rezoning

**REQUEST**      Rezone from SR (Suburban Ranch) to CR-1 (Single-Family Residential) (3.81 acres)

**LOCATION**      9062 East Eagle Feather Road (Easement) Approx. 800 feet East of North Bear Canyon Road Parcel 114-51-1790

**OWNER**        JT RP LLC (Agent Rita Pizarro) – 4802 East Ray Rd #23-339, Phoenix, AZ 85044



LOCATION MAP  
T13S-R15E-S34

**APPLICANT**    Kathy Gormally  
1215 N. Wentworth Road  
Tucson, AZ 85749

**APPLICANT'S PROPOSED USE**

The property is proposed to be split into four residential lots.

**APPLICANT'S STATED REASON**

"Develop highest use" for the property

**COMPREHENSIVE PLAN DESIGNATION**

The land use designation of the subject site is Low Intensity Urban 1.2 (LIU-1.2) under the Pima County Comprehensive Plan, Co7-00-20. The recent update of the Pima County Comprehensive Plan also known as Pima Prospers was adopted by the Board of Supervisors on August 17, 2015. The current land use designation for this site per Pima Prospers is Low Intensity Urban 0.3 (LIU-0.3). The rezoning for this site will be processed as LIU-1.2 under the Pima County Comprehensive Plan (Co7-00-20) that was in effect at the time of submittal. There is no special area or rezoning policies associated with the site.

**SURROUNDING LAND USES/GENERAL CHARACTER**

North:      SR (Suburban Ranch) Residential  
South:     City of Tucson – Bear Canyon Condominiums  
East:       SR (Suburban Ranch) Residential  
West:      SR (Suburban Ranch) Residential



### **PREVIOUS REZONING CASES ON PROPERTY**

There is no previous rezoning request on the property.

### **PREVIOUS REZONING CASES IN GENERAL AREA**

There have been three similar rezoning cases within the vicinity of the site. The requests were to rezone single parcels from SR (Suburban Ranch) zone to CR-1 (Single-Family Residence). There have been no rezoning requests in the area since October of 2001. The rezoning cases were not approved.

1. Co9-84-40 – Request was for the third lot west of the site on the north side of East Eagle Feather Road (Easement).

The following two rezoning cases were requests on the same parcel three lots northeast of the project site.

2. Co9-94-010
3. Co9-00-58

The City of Tucson has annexed the area on generally three sides of the project area. The City of Tucson City Limits is the approximately 1,000 feet north, 800 feet west at Bear Canyon Road and south along the site boundary.

### **STAFF REPORT SUMMARY**

Staff recommends **APPROVAL with conditions**. The owner proposes to split the 3.81 acre property into four one acre single-family lots. The residential lots will rely on an existing well and connection to the sewer. The site is not located within the Maeveen Marie Behan Conservation Lands System (MMBCLS).

### **Planning Analysis**

This is a mixed residential area ranging from large single-family lots to condominium units. This request to rezone to CR-1 one acre lots is greater than the CR-1 minimum lot size of 36,000 sq.ft. Adjacent to the site are six SR (Suburban Ranch) lots and a 238-unit two-story condominium subdivision. There are four CR-1 subdivisions within a radius of 1,000 sq.ft. These four CR-1 subdivisions have minimum size CR-1 lots. The proposed one acre, 43,500 sq.ft. lots are considerably larger than the 36,000 sq.ft. subdivision lots. The four large lots can easily be buffered from the neighboring view sheds.

The property will be connected to sewer and has an existing well to serve the four lots. The vegetation on the site is mostly desert scrub. There are no washes onsite. Currently East Feather Road (Easement) is unpaved and dependent on maintenance by neighbors. The property owner will be required to pave (chip seal) the 800-foot easement from the project site to Bear Canyon Road. The 15-foot access easement for the four lots will also be paved (chip sealed) and utilities brought to the site. The individual driveways do not require paving. The property owner is responsible for utilities and prior to any ground disturbance will need to provide an archeological survey.

Concurrency of Infrastructure

Concurrency of infrastructure exists to serve the proposed development:

<b>CONCURRENCY CONSIDERATIONS</b>		
<i>Department/Agency</i>	<i>Concurrency Considerations Met: Yes / No / NA</i>	<i>Other Comments</i>
TRANSPORTATION	Yes	No objection subject to conditions
FLOOD CONTROL	Yes	No objection
WASTEWATER	Yes	No objection – subject to connecting to the adjacent sewer to the south and standard conditions
PARKS AND RECREATION	Yes	No objection

**TRANSPORTATION REPORT**

The Pima County Department of Transportation has no objection to the rezoning request. The additional four unsubdivided lots could generate approximately 30 ADT (Average Daily Trips). Traffic from these additional four lots will not impact the nearby arterial roads. Access to the site will be off of a private easement known as Eagle Feather Road (Easement). This easement is only site access via Bear Canyon Road into the City of Tucson/Pima County road network. Major arterial streets within proximity to this site are Bear Canyon Road, Catalina Highway, and Tanque Verde Road. Most trips leaving this site will travel west on Tanque Verde Road.

**FLOOD CONTROL REPORT**

The PCRFCDD has no objections to this request.

**WASTEWATER RECLAMATION REPORT**

The PCRWRD has no objection to the proposed rezoning but adds the following comment: The applicant will be required to connect to the public sewer available from the South Bear Canyon Condominiums. The sewer improvements will be subject to the standard conditions of the PCRWRD.

**NATURAL RESOURCES, PARKS AND RECREATION REPORT:**

Staff has no objection.

**CULTURAL RESOURCES REPORT:** The site has never been surveyed for cultural resources.

The subject property is located on the edge of the Tanque Verde Creek Priority Archaeological Site Complex (SDCP). There are 10 previously identified archaeological sites within a one-mile radius of the parcel. The property owner will be required to provide an onsite archeological survey and will be subject to standard conditions.

**PUBLIC COMMENT:** To date, September 22, 2015 staff has received six phone calls requesting further information. One letter and one email of opposition have been received. The property owner who sent the email has noted that there will be a letter with original signatures in the mail.

**IF THE DECISION IS MADE TO APPROVE THE REZONING, THE FOLLOWING STANDARD AND SPECIAL CONDITIONS SHOULD BE CONSIDERED:**

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

1. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
2. Provision of development related assurances as required by the appropriate agencies.
3. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Development Services Department.
4. Adherence to the sketch plan as approved at public hearing.
5. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
6. Pima County Department of Transportation:  
Any common, private roadway/driveway serving more than one dwelling unit shall be paved (chip sealed) within six (6) months of the issuance of building permits.
7. Pima County Waste Water Reclamation District:  
Should the Board of Supervisors be inclined to approve this rezoning, the Pima County Regional Wastewater Reclamation Department (PCRWRD) recommends the following conditions:
  - A. The owner / developer 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 / developer to that effect.
  - B. The owner / developer 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/developer 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 / developer 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 / developer 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 / developer shall fund, design, and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.
- F. The owner / developer shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable 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.
- G. Pima County Office of Sustainability:  
An on-the-ground archaeological and historic site survey shall be conducted on the subject parcel(s) before any ground modifying activities occur. Any archaeological or historic sites that are recommended as eligible for Arizona or National Registers of Historic Places shall require cultural resources mitigation plan. The mitigation plan will need to be submitted to Pima County either before or at the time of the submittal of a site plan, tentative plat or development plan. Any cultural resource survey and/or mitigation plan shall be conducted by an archaeologist permitted by the Arizona State Museum or registered architect as appropriate. 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.
- H. Upon the effective date of the Ordinance, the owner(s)/developer(s) of the rezoned property shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. 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.
- I. The property owner shall execute and record the following disclaimer regarding Prop 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(I)."

- J. 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.

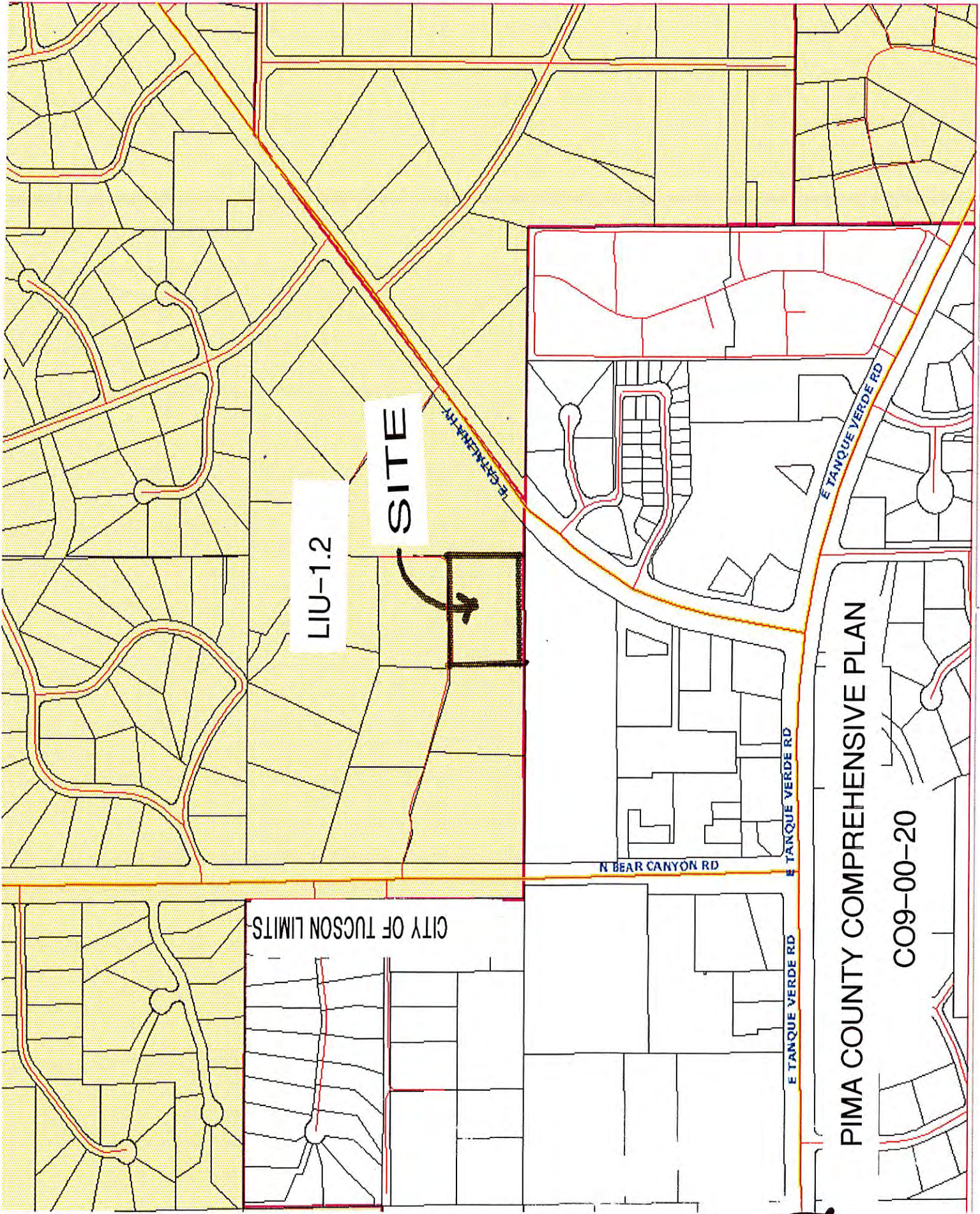
Respectfully Submitted,



Sue Morman, Senior Planner

cc: Brent Davis  
Mark Holden  
Rita Pizarro  
Chris Poirier





LIU-1.2

SITE

CITY OF TUCSON LIMITS

PIMA COUNTY COMPREHENSIVE PLAN

CO9-00-20





DESCRIPTIONS OF LAND USE DESIGNATIONS for Co9-15-005-East Eagle Feather Road (Easement)  
Rezoning

Pima County Comprehensive Plan Co9-00-20

This is the land use designation in place at the time of submittal of this subject property. The rezoning is processed under LIU-1.2 (Low Intensity Urban 1.2):

8. **Low Intensity Urban** **LIU (or C) on the Land Use Plan Maps**

- a. Purpose: To designate areas for low density residential and other compatible uses; to provide incentives for clustering residential development and providing natural open space; and to provide opportunities for a mix of housing types throughout the region.
- b. Residential Gross Density: Only land area zoned and planned for residential use, or natural or cluster open space areas, shall be included in gross density calculations. Natural and cluster open space shall be defined as set forth in Section 18.09.040B, except that cluster open space shall not include land developed under the GC Golf Course Zone. Projects utilizing any of the cluster options set forth in this section shall conform with the provisions of Section 18.09.040 Cluster Development Option. Residential gross density shall conform with the following:

2) Low Intensity Urban 1.2:

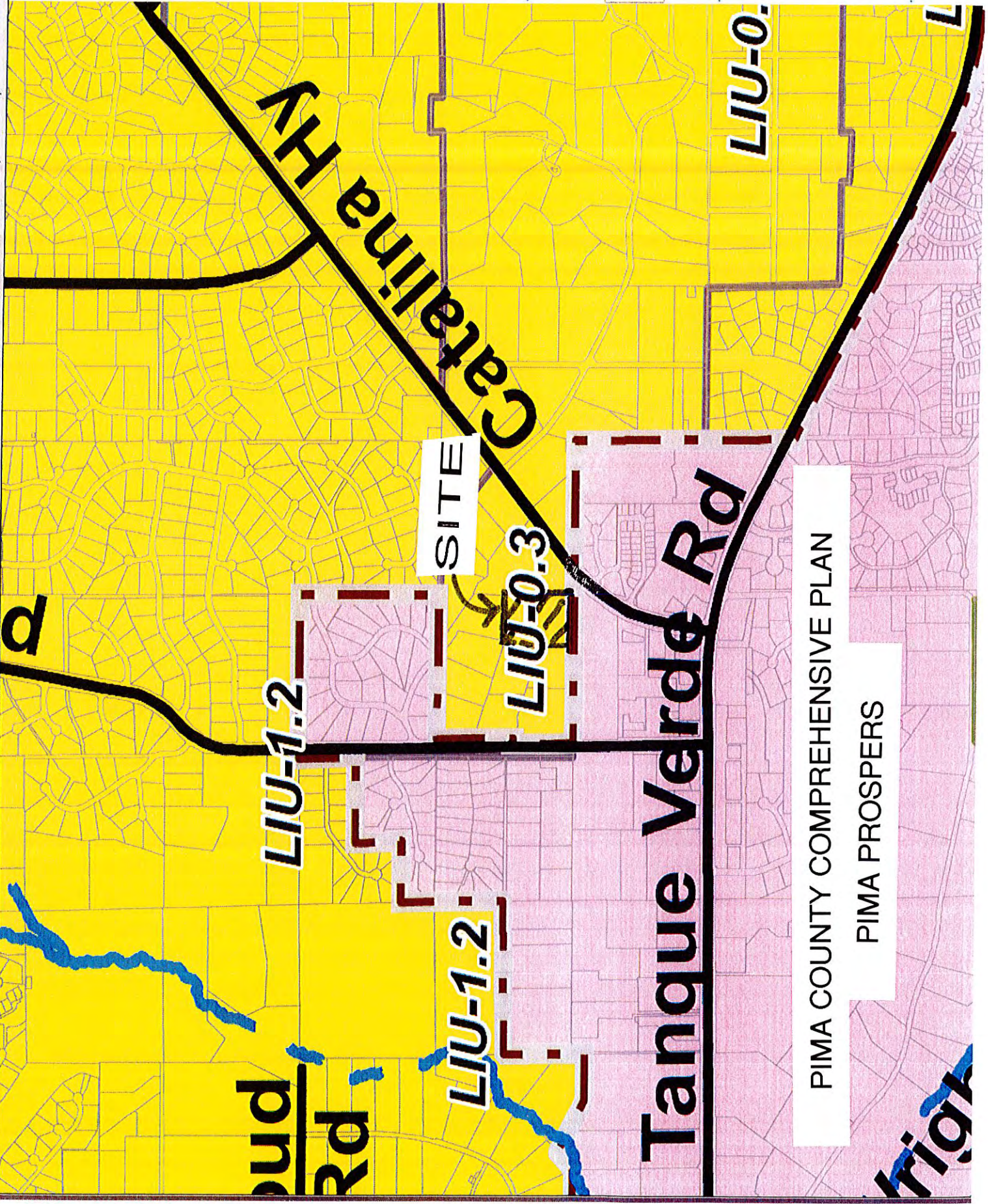
- (a) Minimum - (none)
- (b) Maximum - 1.2 RAC. The maximum gross density may be increased in accordance with the following cluster options:
  - (i) Gross density of 2.5 RAC with 30 percent cluster open space, plus 15 percent natural open space; or
  - (ii) Gross density of 4.0 RAC with 30 percent cluster open space, plus 30 percent natural open space.
- (c) Residential Gross Densities for Developments Using Transfer of Development Rights (TDR's): Projects within designated Receiving Areas utilizing TDR's for development (refer to Chapter 18.92 of the Zoning Code) shall conform to the following density requirements:

Minimum – (none)

Maximum – 1.2 RAC. The maximum gross density may be increased in accordance with the following cluster option:

- (i) Gross density of 2.0 RAC with 30 percent cluster open space plus 20 percent natural open space.





PIMA COUNTY COMPREHENSIVE PLAN

PIMA PROSPERS





DESCRIPTIONS OF LAND USE DESIGNATIONS for Co9-15-005-East Eagle Feather Road (Easement)  
Rezoning

Pima County Comprehensive Plan Update – Pima Prospers

The Pima County Comprehensive Plan (Pima Prospers) was adopted recently by the Board of Supervisors on August 16, 2015. The land use designation under the comprehensive plan update (Pima Prospers) was changed to LIU 0.3 (Low Intensity Urban 0.3).

**9. Low Intensity Urban (LIU)**

Low Intensity Urban includes four land use categories designations ranging from a maximum of 3 RAC stepped down to 0.3 RAC. The Low Intensity Urban categories are LIU3.0, LIU1.2, LIU0.5, and LIU-0.3.

- a. Objective: To designate areas for low density residential and other compatible uses and to provide incentives for residential conservation subdivisions to provide more natural open space. Density bonuses are offered in exchange for the provision of natural and/or functional open space. Natural open space must be set aside, where applicable, to preserve land with the highest resource value and be contiguous with other dedicated natural open space and public preserves.

***Low Intensity Urban 0.3 (LIU-0.3)***

- a) Residential Gross Density:
  - i) Minimum – none
  - ii) Maximum – 0.3 RAC. The maximum gross density may be increased in accordance with the following options:
    - a] Gross density of 0.7 RAC with 50 percent open space; or
    - b] Gross density of 1.2 RAC with 65 percent open space.

## Sue Morman

---

**From:** Richard Sarti <Richard.Sarti@tucsonaz.gov>  
**Sent:** Thursday, August 13, 2015 4:56 PM  
**To:** Sue Morman  
**Subject:** RE: Co9-15-005-JT RP LLC. East Eagle Feather Road (Easement) Rezoning

You're welcome Sue.

Richard  
>>> Sue Morman <Sue.Morman@pima.gov> 8/13/2015 4:54 PM >>>  
Thanks Richard and thanks for your clarification.

*Sue Morman, Sr. Planner*

Pima County Planning  
**\*\*520-724-9000**  
sue.morman@pima.gov

### Help us Plan Pima County's Future!

<http://www.pimaprospers.com/>

---

**From:** Richard Sarti [mailto:Richard.Sarti@tucsonaz.gov]  
**Sent:** Thursday, August 13, 2015 4:19 PM  
**To:** Sue Morman  
**Subject:** Co9-15-005-JT RP LLC. East Eagle Feather Road (Easement) Rezoning

Location: 9062 E. Eagle Feather Road, Parcel # 114-51-1790

Dear Ms. Morman:

Tucson Water has no objections to the proposed rezoning of the subject parcel from SR to CR-1.

Currently this parcel is not being served by Tucson Water. As the parcel currently exists it would be eligible to receive water service from Tucson Water (contingent upon official application being made) since it is less than 20 acres in area and it is surrounded on at least three (3) sides by parcels currently being served by Tucson Water. If this parcel were to be divided in four (assuming NW, NE, SE and SW quarters) and application was then made for Tucson Water service, the resulting parcels would no longer meet the requirements of the Water Area Service Policy since they would no longer conform to the "three side rule".

This email does not constitute a "will serve letter" for the parcel in its current configuration or otherwise.

If you have any questions or comments please feel free to contact me.

Sincerely,

Richard A. Sarti, P.E.

520 837-2215

**Sue Morman**

---

**From:** Manny Padilla <Manny.Padilla@tucsonaz.gov>  
**Sent:** Wednesday, August 12, 2015 3:30 PM  
**To:** Sue Morman  
**Cc:** John Beall  
**Subject:** Co9-15-005 - JT RP LLC. East Eagle Feather Road

Good afternoon Sue.

---

The Department of Planning and Development Services, Community Planning Section has no comments on Pima County rezoning case Co9-15-005. The City limits border the southern border of the rezoning site, which is under the *Bear Canyon Neighborhood Plan* policy.

A side comment as noted on the application is that the site will be connected to sewer and not septic systems. Looking at the aerial it seems the nearest existing sewer line is on the adjacent property to the south (located in the City) and would require a cross-access easement to extend this site's sewer and tie into a manhole located on private property and City jurisdictions. This may require a City permit and inspections for that part of the sewer construction occurring on the adjacent property to the south.

The other note is the application indicates the new 4 lots will be connected to a private on-site well. Will this require a fifth (5) parcel/lot to be created around the well site to create a legal description added to each lots (4 new, 1 existing) to be serviced by the private well? Or is that strictly a private matter between buyer and seller?

Have a good day.  
Manny

**Sue Morman**

---

**From:** Richard B. Obenshain <rbobenshain@azwater.gov>  
**Sent:** Tuesday, July 28, 2015 5:20 AM  
**To:** Sue Morman  
**Subject:** Pima Co. rezoning request

Hi Sue, since the landowner is only creating 4 lots, the Assured Water Supply (AWS) program does not apply. We operate under the AZ Dept of Real Estate's definition of a subdivision which is 6 or more lots.

~~Cordially,~~

---

Rick Obenshain, Mgr  
Recharge, Assured & Adequate Water Supply programs  
Arizona Department of Water Resources

**PIMA COUNTY PLANNING DIVISION  
APPLICATION FOR REZONING  
FOR PROJECTS NOT REQUIRING A SITE ANALYSIS**

Puecunit AZ 85044

602 748 4134

JT RP LLC

4802 E Ray Road #23-339

richpizarro@gmail.com

Owner

#850-8064

Mailing Address

Email Address/Phone daytime / (FAX)

Kathy Gormally

1215 N. Wernwitt Rd.

gormally1@cox.net

Applicant (if other than owner)

Mailing Address

Email Address/Phone daytime / (FAX)

9062 E Eagle Feather Rd.

Puecunit AZ 85749

#114-51-17990

Legal description / property address

CATFOOT /

Tax Parcel Number

3.81  
Acreage

SR  
Present Zone

CR-1  
Proposed Zone

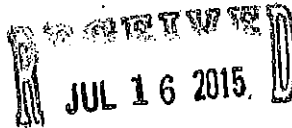
LOW INTENSITY URBAN L1.2  
Comprehensive Plan Subregion / Category / Policies

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 a **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, a **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, a **signature** from an officer with his/her title is required along with a disclosure of the officers of the entity.
2. Submit a sketch plan in accordance with **Chapter 18.91.030.E.1.a. & b** of the Pima County Zoning Code. Submit a detailed description of the proposed project, including existing land uses, the uses proposed and to be retained, special features of the project and existing on the site (e.g., riparian areas, steep slopes) and a justification for the proposed project. Include any necessary supporting documentation, graphics and maps (all documentation should be legible and no larger than 8.5" X 11").
3. Submit three (3) copies of the Biological Impact Report.
4. 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.

5/20/15  
Date



[Signature]  
Signature of Applicant

BY: [Signature]

**FOR OFFICIAL USE ONLY**

JT RP LLC - E. EAGLEFEATHER RD.

Co9-15-0#5

Case name

SR

CR-1

52

4

Rezoning from

Rezoning to

Official Zoning Base Map Number

Fee

Supervisor District

NA

Conservation Land System category

CATFOOT / L1.2 /

Cross reference: Co9-, Co7-, other

Comprehensive Plan Subregion / Category / Policies

Received by [Signature]

Date 7/16/15

Checked by [Signature]

Date 7-17-15

Book-Map-Parcel: **114-51-1790** [Oblique Image](#) Tax Year: Tax Area: **0100**

Property Address:  
 Street No: **9062** Street Direction: **E** Street Name: **EAGLE FEATHER RD** Location: **Pima County**

Taxpayer Information: **JT RP LLC**  
**4802 E RAY RD STE 23 PMB 339**  
**PHOENIX AZ**

Property Description:  
**N369.04' M/L E450.09' NE4 NW4 3.81 AC**  
**SEC 34-13-15**

85044-6410

Valuation Data:

		2015			2016			
	LEGAL CLASS	VALUE	ASMT RATIO	ASSESSED VALUE	LEGAL CLASS	VALUE	ASMT RATIO	ASSESSED VALUE
LAND FCV	Vacant/Ag/Golf (2)	\$150,000	16.0	\$24,000	Vacant/Ag/Golf (2)	\$175,000	15.0	\$26,250
IMPR FCV		\$0				\$0		
TOTAL FCV	Vacant/Ag/Golf (2)	\$150,000	16.0	\$24,000	Vacant/Ag/Golf (2)	\$175,000	15.0	\$26,250
LIMITED VALUE	Vacant/Ag/Golf (2)	\$149,940	16.0	\$23,990	Vacant/Ag/Golf (2)	\$157,437	15.0	\$23,616

Property Information:

Section: **34**  
 Town: **13.0**  
 Range: **15.0E**  
 Map & Plat: **/**  
 Block:  
 Tract:  
 Rule B District: **6**  
 Land Measure: **3.81A**  
 Group Code:  
 Census Tract: **4024**  
 Use Code: **0012 (VACANT RESIDENTIAL URBAN NON-SUBDIVIDED)**  
 File Id: **1**  
 Date of Last Change: **11/7/2014**

Valuation Area:

Condo Market: **13**  
 DOR Market: **5**  
 MFR Neighborhood: **FW\_WEST\_NW**  
 SFR Neighborhood: **01003401**  
 SFR District: **7**

Sales Information:

Affidavit of Fee No.	Parcel Count	Sale Date	Property Type	Sale	Time Adjusted Sale	Cash	Validation
20132840586	2	10/2013	Single Family	\$550,000	\$550,000	Y	XAut

Supervisor District:

(4) RAY CARROLL

Recording Information:

Sequence No.	Docket	Page	Date Recorded	Type
20132840586	0	0	10/11/2013	WARRANTY DEED
0	5811	251	7/6/1978	

Petition Information:

Tax Year	Owner's Estimate	Petition	SBOE
2014	\$110,000		
2013	\$100,000		
2008	\$254,100		

Parcel Note: Click to see/expand 7 note(s)







Search Date and Time:  
7/16/2015 4:01:16 PM

File Number:  
L14542533

Corporation Name:  
JT/RP, L.L.C. LATEST DATE TO DISSOLVE 12/31/2038

Collapse | Expand

Corporate Inquiry 	
File Number	L14542533
Corporation Name	JT/RP, L.L.C.
Standing	<input type="button" value="Check Corporate Status"/>
Domestic Address 	
4802 E RAY RD #23-339 PHOENIX, AZ 85044	
Statutory Agent Information 	
Agent Name: RITA PIZARRO	
Agent Mailing/Physical Address: 4802 E RAY RD #23-339 PHOENIX, AZ 85044	
Agent Status: APPOINTED 08/27/2013 	

Manager/Member Information

Name	Title	Address	Date of Taking Office	Last Updated
RITA PIZARRO	MEMBER	4302 E RAY RD #23-339 PHOENIX, AZ 85044	06/02/2008	08/25/2011
JAMES TROXELL	MEMBER	4830 S 38TH ST PHOENIX, AZ 85040	06/02/2008	08/01/2011

Scanned Documents



**PIMA COUNTY**  
DEVELOPMENT SERVICES

Building & Site Development  
201 N. Stone Avenue, 1<sup>st</sup> Floor  
Tucson, AZ 85701-1207

**LETTER OF AUTHORIZATION**

As required by Arizona Revised Statutes I hereby certify that I am the owner of the property referenced below and that the party whose name is listed below is authorized to take out Development Services permits in my name:

9062 E. Eagle Feather Rd. Tucson, Az  
Property Address 85749

App. for Resizing  
Type of Permit Applied for: (SFR/MF/Remodel/Addition/Fence or Wall/Home Occupation/Child Care/Secondary Dwelling/Assisted Living Home/Group Home)

[Signature]  
Signature of Applicant

6/2/15  
Date

**AUTHORIZED BY:**

[Signature: Park P...  
Signature of Property Owner

6/18/15  
Date

*Per Board of Technical Registration and Registrar of Contractors regulation, Registrants and Licensed Contractors may apply for building permits without use of this form.*

**Building & Site Development**  
201 N. Stone Avenue, 1<sup>st</sup> Floor  
Tucson, AZ 85701-1207

**LETTER OF AUTHORIZATION**

As required by Arizona Revised Statutes I hereby certify that I am the owner of the property referenced below and that the party whose name is listed below is authorized to take out Development Services permits in my name; and represent me on rezoning meetings and all necessary matters concerning rezoning.

9062 E Eagle Feather Dr. Tucson AZ.  
Property Address

Rezoning  
Type of Permit Applied for: (SFR/MF Remodel Addition/Fence or Wall Home Occupation/Child Care/Secondary Dwelling/Assisted Living Home/Group Home)

Brent L. Davis  
Signature of Applicant **REPRESENTATIVE**

10/28/2015  
Date

**AUTHORIZED BY:**

Al Pizarro  
Signature of Property Owner

10-27-15  
Date

*Per Board of Technical Registration and Registrar of Contractors regulation, Registrants and Licensed Contractors may apply for building permits without use of this form.*

September 24, 2015

JTRP LLC  
4802 E Ray Rd Ste 23-339  
Phoenix, AZ 85044

Hello to all Eagle Feather Dr neighbors, my name is Rita Pizarro, I love animals and horses and living in properties with acreage where I can keep my animals and feel a part of nature, I love the Tanque Verde Mountains and the outdoor natural feel of the area, I am the RP of the company JT RP LLC JT which I have with my Partner Jim Troxell, a couple of years ago JT RP LLC purchased a property on Eagle Feather Dr. and now I have the vision of subdividing a 4 acre parcel with the intention of keeping 4 one acre parcels in which we would be building one story ranch houses each on one Acre lots.

The addition of new homes built in the area is very likely to increase property values as a new home build sells for more per square foot than existing home sales and the neighbors and adjacent property owners would benefit from the improvements and values to their property, while keeping the rural feel and peaceful setting of the Tanque Verde mountain, all homes would be one story and would not obstruct anyone's mountain views since they are located south of the mountain, the 4 acre parcel has sparse vegetation so we would not be affecting the local flora

New homes being built in the area will raise property values, hope you can join us at the public meeting to show your support.

Sincerely,

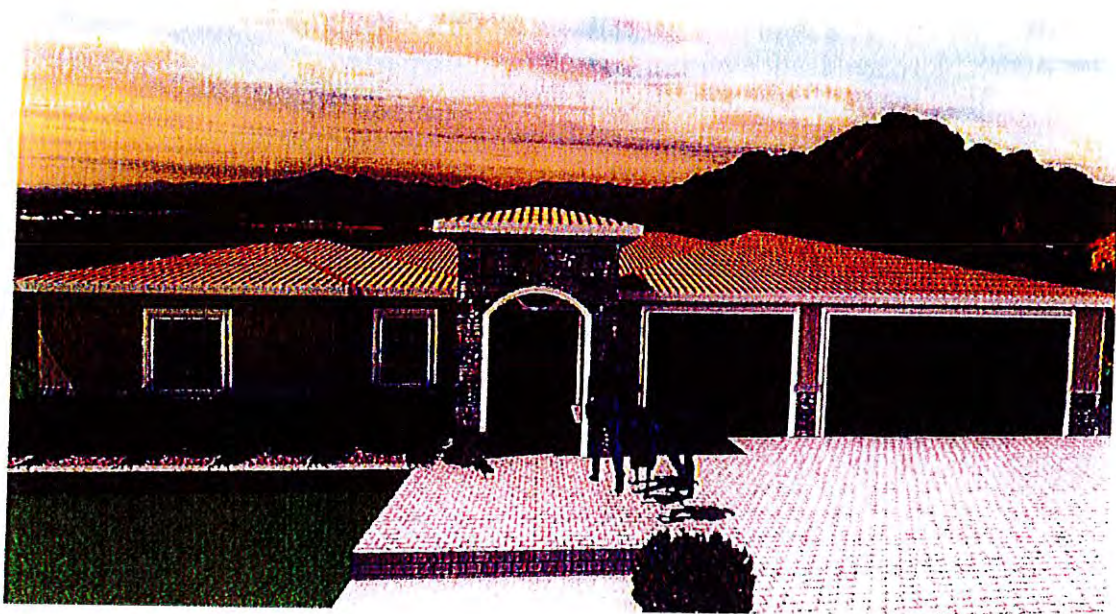
Rita Pizarro  
[ritapizarro@gmail.com](mailto:ritapizarro@gmail.com)  
602 748-4134



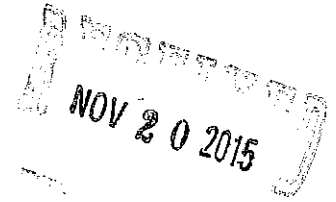


Proposed example of rendering for homes to be built on:

9062 E Eagle Feather Rd  
Tucson, AZ 85749



Kathy Gormally  
1215 N. Wentworth Rd.  
Tucson, Az. 85749  
520-850-8064



Pima County Development Services,

I represent Rita Pizarro in her request to change the zoning on the 3.8 acre lot located at 9062 E.Eagle Feather Rd., presently zoned SR to the proposed CR-1. This conforms to the Pima County development plan for the area. The proposal is not a detriment to the integrity of the nearby existing properties. In fact, the property that borders the lot on the south side is a high density apartment complex.

I understand that there have been some objections by neighboring land owners to this proposal. There appear to be two main complaints that I would like to address.

1. Privacy Standards

This parcel is well away from all of the objecting parties. In most instances, it does not border any of them.

2. The Maintenance of the Easement- known as "Eagle Feather Road"

The existing easement is an ungraded dirt road in very poor shape. Rita Pizarro has offered to upgrade the road, and pave it if necessary.

I have been Rita Pizarro's real estate agent for years. I have seen her improve and upgrade properties over and over , consistently increasing their values and esthetic qualities. This project will follow her same high standards of ethical performance, and be an upgrade to the existing area. The proposed project will be a gradual transition from the high density apartment complex on it's southern boundary, to a well

developed "high end" single family ranch style neighborhood on four 1 acre lots.

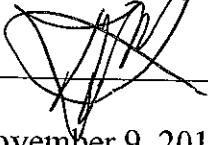
I am a native of Tucson and have seen so many developments over the years.

This plan is exactly what will move Pima County forward in its growth and beauty.

I wholeheartedly encourage you to grant approval of this project.

Thank you for your consideration,

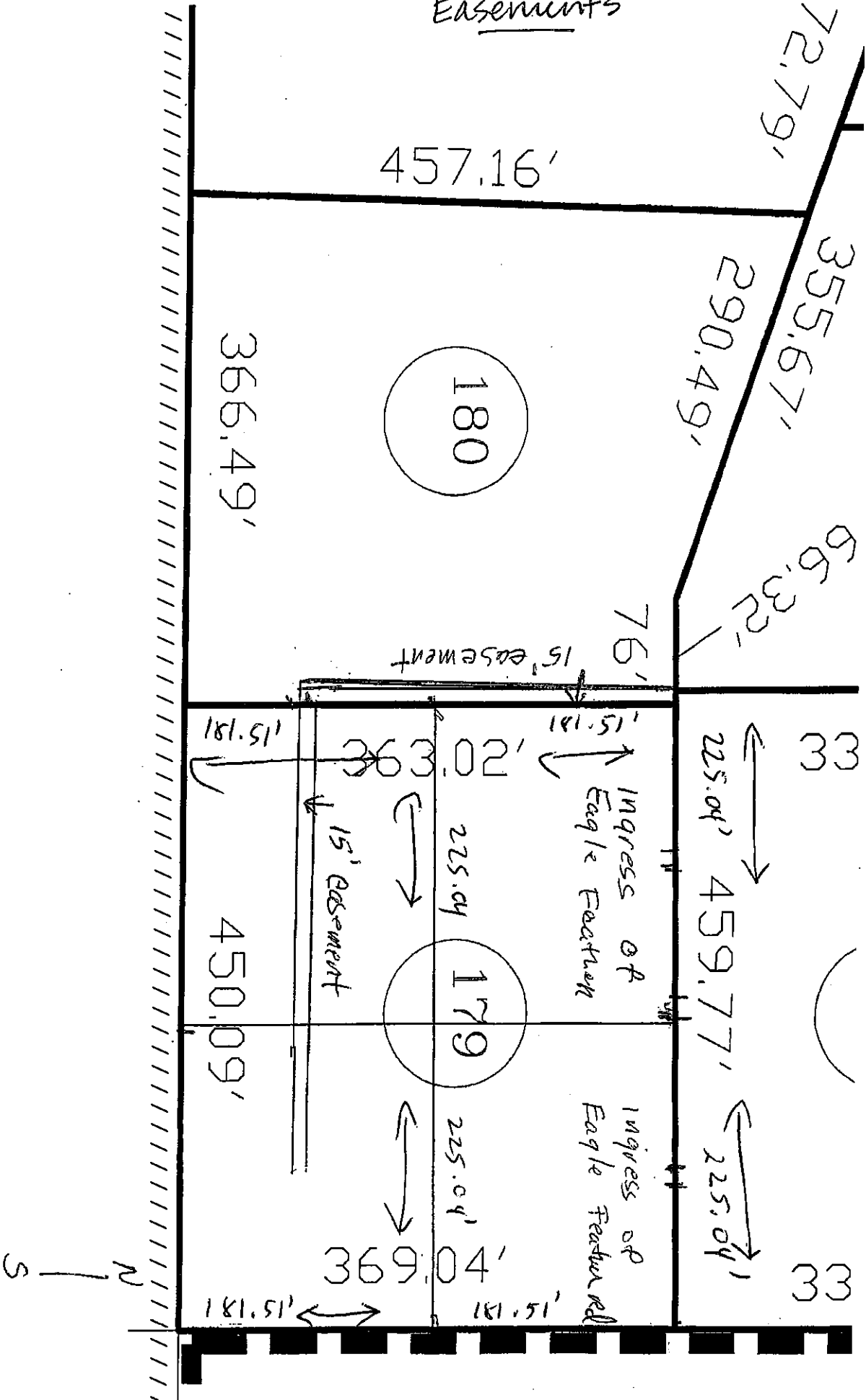
Kathy Gormally



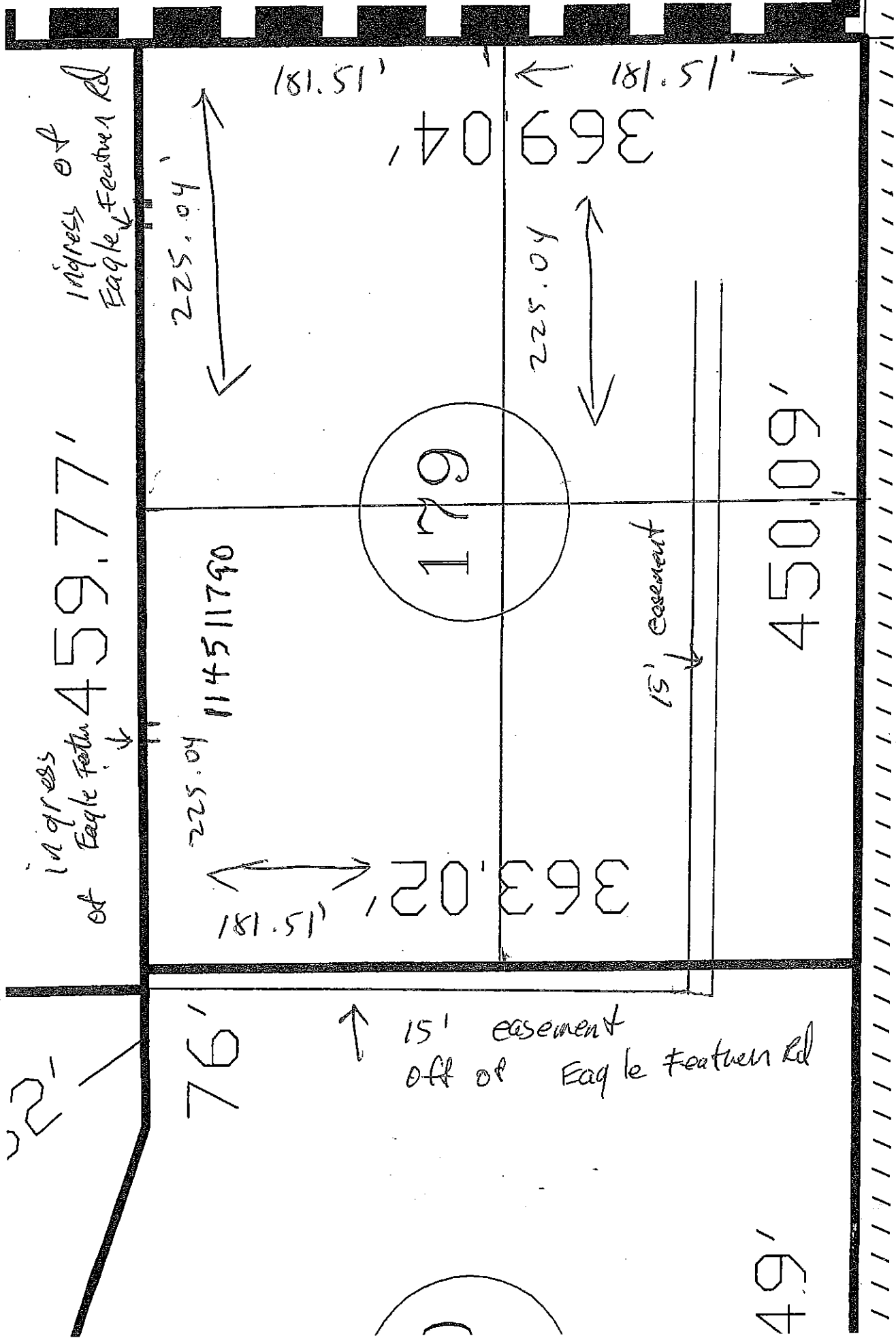
---

November 9, 2015

Easements



Each unit





Case 15-04

PIMA COUNTY  
REZONING IMPACT STATEMENT

Please answer the following questions completely; required hearings may be delayed if an adequate description of the proposed development is not provided. Staff will use the information to evaluate the proposed rezoning. Additional information may be provided on a separate sheet.

NAME (print) Rita Pizarro DBA JTRP LLC

NAME OF FIRM (if any) \_\_\_\_\_

INTEREST IN PROPERTY Sub Divide

SIGNATURE Rita Pizarro DATE 6/18/15

A. PROPOSED LAND USE

1. Describe the proposed use of the property.

Single Family Residence in CR1 zoning

2. State why this use is needed.

Develop highest use.

3. If the proposed use is residential, how many total residential units would there be on the property to be rezoned? Will these be detached site-built homes, manufactured homes, or another type?

Total units: 4 Type: SFR

4. Will the subject property be split into additional lots? YES  NO  (circle one)

5. How many total lots are proposed to be on the property to be rezoned, and what size in acres will each lot be?

4

6. If more than one lot would be created by this rezoning, how will all-weather access be provided to these lots from a dedicated public road? (e.g. direct access, existing easement, new easement, etc.)

Eagle Feather Dr. a parcel 180 ingress & egress

7. What is the maximum proposed building height?

\_\_\_\_\_ feet and 1 stories

8. Provide an estimate of when proposed development will be started and completed.

Starting date: \_\_\_\_\_  
Completion date: Oct 1 estimate

9. If the proposed development is commercial or industrial:

- a. How many employees are anticipated? \_\_\_\_\_
- b. How many parking spaces will be provided? \_\_\_\_\_
- c. What are the expected hours of operation? \_\_\_\_\_

- d. Will a separate loading area be provided? \_\_\_\_\_
- e. Approximate size of building (sq. feet)? \_\_\_\_\_

10. a. For commercial or industrial developments, or residential developments of three residences per acre or greater, state which bufferyards are required, according to Chapter 18.73 (Landscape Standards) of the Zoning Code.

b. Describe the buffer choice that would be provided (e.g.: buffer width, use of walls, or type of plant material) to meet the Code requirement. Refer to Chapter 18.73 of the Zoning Code.

11. If the proposed development is an industrial project, state the industrial wastes that will be produced and how they will be disposed of. (Discuss the means of disposal with the Wastewater Management Department at 740-6500 or the Department of Environmental Quality at 740-3340.)

B. SITE CONDITIONS - EXISTING AND PROPOSED

1. Are there existing uses on the site? YES  NO

a. If yes, describe the use, stating the number and type of dwelling unit, business, etc.

NO

b. If no, is the property undisturbed, or are there areas that have been graded?

NO

2. If the proposed rezoning is approved, will the existing use be removed, altered, or remain as is?

remain as is

3. Are there any existing utility easements on the subject property? YES  NO

If yes, state their type and width, and show their location on the sketch plan.

4. Describe the overall topography of the subject property, and note whether any slopes of greater than 15% are present on the property. Note any rock outcropping or unusual landforms or features.

None

5. Note any areas of heavy vegetation on the sketch plan and describe its type and general density.

none

6. Conservation Land System (CLS):

a. Is the subject property within the MMB Conservation Land System (see Attachment A)?

Yes  No

b. If so, which of the following does the subject property fall within, and if more than one, provide the approximate percentage of the site within each?

Important Riparian area, Biological Core, Multiple Use, Special Species Management area, or Recovery Management area, or Existing Development within the CLS.

7. How has the plan for the rezoning met the conservation standard for the applicable category area?

N/A

8. Are there any natural drainageways (washes) on the subject property? YES  NO   
If yes, state whether these natural drainage patterns would be altered by the proposed development, and what type of alteration is proposed.

(NOTE: For information regarding flood control requirements, call the Regional Flood Control District, 243-1800.)

9. Approximately how much of the subject property is proposed to be graded, including areas where most vegetation will be cleared? \_\_\_\_\_ Acres, or 10% percent of the land area. How much of this area is currently graded? none

10. Describe any revegetation proposal in areas where development would require removal of natural vegetation.

N/A

11. For rezonings larger than 3.3 acres (144,000 square feet) or for more than one residential unit per 3.3 acres:

a. Is the subject property elevation less than 4,000 feet?

NO  YES

b. Are there any saguaros on the subject property that are eight feet or taller or that contain a woodpecker cavity? If yes, how many?

NO  YES

Number: Over 8 feet: \_\_\_\_\_ under 8 feet with cavity: \_\_\_\_\_

c. Are there any mesquite trees on the subject property with trunks six inches or greater in diameter as measured four feet above ground? If yes, how many?

NO  YES

Number: \_\_\_\_\_

d. Are there any Palo Verde trees on the subject property with trunks six inches or greater in diameter as measured four feet above ground? If yes, how many?

NO YES Number: \_\_\_\_\_

e. Are there any ironwood trees on the subject property with trunks six inches or greater in diameter as measured four feet above ground? If yes, how many?

NO YES Number: \_\_\_\_\_

f. Have any Cactus Ferruginous Pygmy Owls been found on the subject property or within 1,600 feet of the proposed development project as a result of an Owl Habitat Survey?

- \_\_\_ 1) No survey has been done.
- 2) No owls were found as a result of a survey performed on \_\_\_\_\_ (date).
- \_\_\_ 3) \_\_\_ (Number of) owls were found as a result of a survey performed on \_\_\_\_\_ (date).

11. Will a septic system or public sewer be used for the proposed development?

SEPTIC  SEWER

If septic is to be used, state whether one currently exists on the property and, if so, whether additions to that system will be needed for this development. (NOTE: For information on septic system requirements, call the Department of Environmental Quality at 740-3340.)

\_\_\_\_\_  
\_\_\_\_\_

12. How will water be supplied to the property? If a water company, state which one.

existing well water  
\_\_\_\_\_  
\_\_\_\_\_

C. SURROUNDING LAND USE

Describe in detail adjacent and nearby existing land uses within approximately 600 feet of the subject property in all directions.

NORTH:  SR4 \_\_\_\_\_

SOUTH: High Density Bear Canyon Condominiums ~~SR~~ SR

EAST:  SR4 \_\_\_\_\_

WEST:  SR4 \_\_\_\_\_



## PIMA COUNTY DEVELOPMENT SERVICES BIOLOGICAL IMPACT REPORT GUIDELINES

*(Not Applicable for Rezoning Applications that Require a Site Analysis)*

With the Board of Supervisors' approval of Ordinance No. 2001-103 in July 2001, Chapter 18.91 of the Zoning Code was amended to require that a Biological Impact Report be included as part of the documentation submitted for rezoning applications, Type 2 and Type 3 conditional use permits, zoning plan plat waivers, modification to or waiver of rezoning conditions, and requests for rezoning time extensions. The Biological Impact Report is a tool which staff will use to facilitate an assessment of the proposed project's potential to impact sensitive biological resources. A project's design should, to the greatest extent possible, seek to conserve these important resources. The Biological Impact Report should, at a minimum, include responses to all the questions set forth below.

A significant amount of the information requested below is available on Pima County's MapGuide. To access the MapGuide version that displays the appropriate SDCP information, go to [www.dol.co.pima.az.us/gis/maps](http://www.dol.co.pima.az.us/gis/maps) and click on the Sonoran Desert Conservation Plan Maps under the Maps From Others section. Among the choices of maps found on that page, select the SDCP MapGuide Map. If you don't readily find the data layer referenced in the following questions, continue to zoom in until the desired data layer appears in the menu box.

Should you have specific questions about compiling the Biological Impact Report or any of the information being requested, please contact the Planning Division at 520/740-6800.

### Landscape Resources

- NO - outside 1. Identify whether the proposed project site occurs wholly or partially within any Maeveen Marie Behan Conservation Lands System Category including Important Riparian Areas and Special Species Management Areas.
- NO - 2. Identify whether the proposed project occurs in the vicinity of any of the six general areas identified as Critical Landscape Linkages. (Critical Landscape Linkages are not viewable on MapGuide. Textual descriptions and general locations of these 6 general areas can be found on a hardcopy of the Maeveen Marie Behan Conservation Lands System Map; for a map and textual descriptions of Critical Landscape Connections see Attachment A.)
- NO - 3. If the property is a Habitat Protection or Community Open Space priority acquisition property, as displayed on SDCP MapGuide, identify which designation applies to the site and comment on the status of communications, if any, between the owner and Pima County regarding the County's potential acquisition of the property.

**Species-Specific Information (including Pertinent Federally-Threatened and Endangered Species)**

Cactus Ferruginous Pygmy-owl:

Yes 1. Does the proposed project site occur within the Priority Conservation Area for the cactus ferruginous pygmy-owl? (This information is viewable on MapGuide.)

NO 2. Has the proposed project site been surveyed for pygmy-owls?

a. If yes, disclose the dates when surveys were done and provide a summary of the results.

NO  
surveys planned  
for future

b. If no, are surveys planned in the future?

Western Burrowing Owl:

NO 1. Does the proposed project site occur within the Priority Conservation Area for the western burrowing owl? (This information is viewable on MapGuide.)

2. Has the proposed project site been surveyed for burrowing owls?

a. If yes, disclose the dates when surveys were done and provide a summary of the results.

b. If no, are surveys planned in the future?

Pima Pineapple Cactus:

NO 1. Does the proposed project site occur within the Priority Conservation Area for the Pima pineapple cactus? (This information is viewable on MapGuide.)

2. Have Pima pineapple cactus been found on the proposed project site?

3. Has the proposed project site been surveyed for Pima pineapple cactus?

a. If yes, disclose the date when surveys were done and provide a summary of the results.

b. If no, are surveys planned in the future?

Needle-Spined Pineapple Cactus:

- NO
1. Does the proposed project site occur within the Priority Conservation Area for the needle-spined pineapple cactus? (This information is viewable on MapGuide.)
  2. Have needle-spined pineapple cactus been found on the proposed project site?
  3. Has the proposed project site been surveyed for needle-spined pineapple cactus?
    - a. If yes, disclose the date when surveys were done and provide a summary of the results.
    - b. If no, are surveys planned in the future?

6-15-2016

C09-15-005

E. Eagle Feather Rd Renaming

Complete set of letters  
of Neighborhood

OPPOSITION

Date Order

Back to Front

SEPTEMBER 2015

THRU

SEPTEMBER 2016



Case Name: JT RP LLC – E. EAGLE FEATHER ROAD (EASEMENT) REZONING

**In the past 3 months, Brent Davis has done nothing with the collective neighbors.**

The Pima County Planning and Zoning Commission granted an additional 3-month extension from 10/28/15 to 1/27/16, atop the previous 1-month extension, so Rita Pizarro's newly hired representative could work with the neighbors and address their concerns regarding rezoning.

Brent Davis hasn't communicated with the neighbors. He hasn't contacted them. He hasn't listened to or addressed their concerns. He hasn't negotiated any solutions with them. As of 3 days prior to the Planning and Zoning Commission meeting, on 1/24/16, Brent Davis had not contacted one neighbor besides us! And we were not even contacted until the first week of January—2 months and 1 week after the Commission granted the extension.

Brent Davis has spent 3 months recreating the wheel. He identified a main issue—the problem of access to the proposed new homes due to the current condition of Eagle Feather Rd. This issue has already been identified by the neighbors in written letters and verbal addresses to the Planning and Zoning Commission at both of the previous meetings. It is definitely a major concern, and there are many other concerns the neighbors have, too.

On 1/7/16 Brent Davis met with us, Mac Summer and Sue Newfield, at his office and presented 2 options for reaching Ms. Pizarro's property via ground: (Option 1) Access via the existing Eagle Feather Rd, currently a narrow, one-lane dirt easement not maintained by the county. He identified the same logistical problems associated with this as the neighbors had already pointed out over and over again. Not one realistic solution has been offered. The chip seal idea has been tried and failed. The neighbors were expecting to hear a different idea—an idea that might work. (Option 2) That we could allow access to the new homes via our Catalina Hwy private property, either by selling Ms. Pizarro a strip of our property to be used for access to her property, or by permitting Ms. Pizarro an easement across our property. This would entirely avoid using Eagle Feather Rd to get to the new homes. Those were the 2 options he said on 1/7/16 that he had prepared to present to the neighbors. Less than 3 weeks before the 1/27/16 Planning and Zoning Commission meeting.

Brent Davis said he would like to propose these 2 scenarios to the other neighbors, but he wanted to see if we could come to an agreement first. Because if we did, he would be able to tell the neighbors access would be via Catalina Hwy and the new homes would not have to use Eagle Feather Rd. We were willing to take his proposal into consideration. We told him to make us an offer. He said he would talk to Ms. Pizarro and get back to us. More than 2 weeks later, he got back to us with an offer—exactly 3 days prior to the Commission meeting of 1/27/16, Wednesday—on 1/24/16, Sunday! On a weekend, nonetheless. He still had not contacted any neighbors. He said he did not have contact information for the neighbors and he had the audacity to ask "us" for contact information for the neighbors!

The Commission's expectation in granting an extension was for him to contact the neighbors and work out resolutions during the 3-month period. And just 3 days before the Commission's meeting he did not even have the neighbors' contact info? What a mockery he made of the Planning and Zoning Commission's generous extension.

On 1/24/16 Brent Davis asked us for contact information for one or two neighbors so he could call them and ask them to disseminate information that he would like to offer to host 2 open houses for the neighbors: one the next night, Monday 1/25/16, and one the following night, Tuesday 1/26/16. These were to be on each of the 2 nights prior to the 3-month extended meeting granted by the Planning and Zoning Commission, scheduled for Wednesday 1/27/16. Are you kidding me? He wanted to give the neighbors a 24-48 hours notice to come to his office, to be shown the 2 optional plans for access to Ms. Pizarro's property with new homes on it. Does he think that, after absolutely no communication from him for 3 months, 2-3 days before the Commission's meeting neighbors can drop any plans they have and go to his office to hear him tell them Ms. Pizarro would need to access new homes via Eagle Feather Rd... or Catalina Hwy—if Mr. Summer works out a deal?

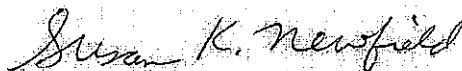
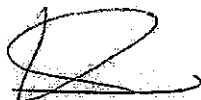
Brent Davis is as disrespectful to the long-term residents of our neighborhood as Rita Pizarro has been!

The neighbors had asked for sketches of the proposed homes, ideas of where they would sit on the property, an insurance that the desert vegetation would stay intact, and that privacy would not be compromised to homes close by, etc., etc. Instead, in 3 months' time, Brent Davis was able to accomplish finding out access to the new homes via Eagle Feather would be difficult and another solution would be more ideal. The neighbors were intelligent enough to figure that out as soon as they heard about the rezoning proposal!

Again, in the past 3 months Brent Davis has done nothing with the collective neighbors. The extension did not put into motion the actions the Commission had intended it to and, therefore, did not produce any results. This rezoning is, has been and will be a disaster.

**PLEASE DENY RITA PIZARRO'S REQUEST FOR REZONING, INCLUDING CONSTRUCTION OF NEW HOMES, IN OUR EAGLE FEATHER NEIGHBORHOOD.**

Sincerely,



**Mac Summer & Sue Newfield**  
9091 E Eagle Feather Rd  
Tucson, AZ 85749  
(520) 331-7279  
(520) 850-1177

## Sue Morman

---

**From:** Sue Newfield <suenewfield7@yahoo.com>  
**Sent:** Tuesday, January 26, 2016 5:17 PM  
**To:** Sue Morman  
**Subject:** Fw: Request for copy of paperwork

Sue Morman, Sr. Planner,  
Please attach this email to our 1/26/16 letter for the Pima County Planning and Zoning Commission. This will substantiate the claims we have made in the letter.  
Thank you,  
Sue Newfield  
& Mac Summer

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

**From:** Brent Davis <brent.davis@gmi-tucson.com>  
**To:** 'Sue Newfield' <suenewfield7@yahoo.com>  
**Sent:** Sunday, January 24, 2016 1:49 PM  
**Subject:** RE: Request for copy of paperwork

Sue,

I have been out with back problems and am finally able to get back to the office today (Sunday).

Here are my thoughts about our project:

1. Rita would purchase a perpetual right-of-way from you and Mack for ingress/egress from Rita's property to Catalina Hwy. according to County standards (not sure how wide).
2. We would price the purchase at \$15,000.
3. We would agree to build a wall north of the new ingress/egress road to Catalina Hwy. at your option to include or not include an opening for access to your property (approximate value is \$5,000)
4. We would agree to construct a wall running between your property and Rita's property prior to development of the lots (approximate cost is \$22,000).
5. We would agree to place a one foot no access right-of-way on the north edge of Rita's property so the new development would NOT have access to Eagle Feather.

With this agreement, all traffic would be directed to Catalina Hwy. with no traffic impact on the existing neighborhood. The existing Eagle Feather would not be improve nor would it carry any traffic to Rita's property. These stipulations would be placed in the rezoning approval, should it be granted, and would need to be complied with before subdivision could be developed. In other words, we do not need to sign any agreement as they will be contained in the rezoning paperwork, if approve by the Board of Supervisors.

I hope this will work.

On the topic of meeting with the neighborhood, we would like to offer to host two open houses, one on Monday evening and one on Tuesday evening of this week prior to the hearing on Wednesday. We would host them at our office (where we met) and show the optional plans to the neighbors. If you accept the agreement above, we would, of course, emphasize the plan that offers access to Catalina Hwy.



One other note, I do not have the contact information for the neighbors, but would call one or two and ask them to disseminate the information about the open houses, if you could provide me with a phone number or two. Thanks so much and I hope the above meets your approval.

Thanks for meeting with us and for considering our offer above. I am available this afternoon on my cell and e-mail.



BRENT L. DAVIS  
& ASSOCIATES  
CONSULTING

*Brent L. Davis*

Brent L. Davis  
660 S. Country Club Rd.  
Tucson, AZ 85716  
520-323-1115 O  
520-323-3399 F  
520-977-6229 C  
[brent.davis@gmi-tucson.com](mailto:brent.davis@gmi-tucson.com)

January 24, 2016

**Against Rezoning of Co9-15-05 E. Eagle Feather Road (easement) Rezoning**

From:

Roy and Miriam B. Kile

3160 N. Bear Canyon Road

Tucson, AZ. 85749

To Sue Morman and Pima County Planning and Zoning Commission

MY WIFE AND I ARE EXPRESSING OUR UTMOST OBJECTIONS TO THIS REZONING REQUEST. We have lived at this location 46 + years which we had built. At a meeting in November we were promised a visit by the Phoenix Developer by their representative at this meeting. As of this date not one of the these people have contacted any property owners. There has not been any good faith cooperation while having extension after extension of this matter.

This rezoning is not an enhancement to our neighborhood especially since this will create two subdivisions side by side with 8 houses and families crammed in the center of our SR community while skirting Pima County rules for 6 lots or more. This surely is not an enhancement of the neighborhood and will leave us all with an undesirable situation while the Phoenix Speculators hunt or long gone.

We hope you will turn down this Speculator. Thank you for your consideration.

*Roy B Kile*  
*Miriam B Kile*

RECEIVED  
FEB 02 2016

BY: *SM*

January 21, 2016

## ***Against Rezoning* of Co9-15-05 E. Eagle Feather Road (easement) Rezoning**

From:

Larry & Leslie Willingham

3150 N Bear Canyon Road

Tucson, AZ 85749

RECEIVED  
JAN 27 2016

To: Sue Morman & Pima County Planning and Zoning Commission

We are writing a letter once again to express our firm objection to this rezoning request. This next meeting (Jan 27, 2016) will be the third hearing and second extension to give the Phoenix developer an opportunity to contact the local affected residents in an effort find common ground. This is what we were promised at the November meeting by the Phoenix developer and her representative. As of today, January 21, here has been ZERO contact. This developer has not operated in good faith from the start of this process and has caused me and my neighbors great inconvenience and hardship by requesting extension after extension. I hope that the committee will take that into consideration and the fact that the Phoenix developer has no support from any of the property owners in this neighborhood. There was a time when that mattered.

The rezoning is to divide an empty SR lot into 4 lots. The owners of this parcel also own the adjoining SR lot to the west. If this rezoning is successful they will most likely move to change the zoning on that property as well. This would then create the potential of two wildcat subdivisions, side by side, with 8 houses and families crammed in the center of our SR community while skirting Pima County subdivision rules for 6 lots or more. This is not an enhancement for our neighborhood and will leave us with an undesirable situation while these Phoenix speculators are long gone. Although we are surrounded by CR-1 subdivisions, the continuity and identity of our very unique community will be broken up by this action. Not a single one of us want this to happen.

Thank you for your consideration,

Larry Willingham





**From:** k moeckly [mailto:k9moeckly@yahoo.com]

**Sent:** Saturday, January 16, 2016 12:15 PM

**To:** Sue Morman

**Subject:** East Eagle Feather Road Rezoning

Item # 5

I understand there is a 3rd meeting coming up on the Eagle Feather Road rezoning matter. We as property owners to the north must contest such a rezoning. The petition to rezone absolutely flies in the face of maintaining the peaceful residential place that Eagle Feather Road is and has been for many, many years. The present zoning was known by the new property owners. They must simply live by these rules and adapt these rules to their plans. How wrong it is to allow them to come into this area and change everything around so they can make more money to the detriment of all the neighbors. Certainly the Commission can see through their devious plan. This appears to be one of those what is right is right and what is wrong is wrong situations.

We as adjoining neighbors object to the rezoning and pray the motion will not be approved and will be properly disposed of once and for all. Thank you.

Respectfully,

Kent Moeckly  
Box 903  
Britton, SD 57430

10/28/15

Co9-15-05

Pima County Planning and Zoning Commission,

9-15-05

After much thought and discussion since last month's meeting, we have not changed our position. We are still opposed to Case #: Co9-15-115, Case Name: JT RP LLC – E. Eagle Feather Road (Easement) Rezoning from SR to CR1 at this time.

We have done what the commission has asked—we have been open-minded and had communications with Rita Pizzaro during this one-month postponement period. Since last month's meeting we have (1) spoken to Rita Pizzaro in person, (2) communicated via email and (3) had a lengthy telephone conversation.

Rita Pizzaro has not addressed any of our concerns to our satisfaction. In fact, we feel even stronger now that the proposed vacant property should not be rezoned into multiple smaller parcel lots because we believe it will not stop there. We believe she intends to rezone the adjacent property as well, where there is a standing house, which she has allowed to become dilapidated due to 2 years of neglect. She denied this and told us she could not put more houses on this adjacent property even if she wanted to because Pima County has put a "moratorium on property rezoning" since the time she applied for this rezoning. We have talked to 2 different county employees, including Sue Mormon who has handled this specific case, and found this "moratorium" is not true.

Another concern is the City of Tucson annexation issue. This has been a neighborhood discussion since the annexation of Indian Hills to the north of us this summer. We had our first meeting last week, Monday October 19. Rita Pizzaro is firmly against it. We do not want her to divide up her property, put it in any other names or company's names and then carry more than one vote regarding the annexation and be the deciding factor.

We insist the E Eagle Feather Rd dirt easement cannot handle the traffic this rezoning will bring. The proposal to put down chip seal is not a feasible solution. At last month's meeting one long-time resident said over the years he has seen many things used—including chip seal—to try to improve the condition of the easement and all have failed. The easement has a major water drainage problem, which will just wash away chip seal.

Rita Pizzaro claims the property is nothing more than "desert scrub" and we have brought photos to show otherwise. From a miles-high satellite image the property and surrounding properties may look like "scrub", but standing on the ground there is lush desert vegetation, many varieties of cacti, and 5-6 feet (and even much taller) trees and bushes natural to the Sonoran Desert. We don't want the ruin of the natural habitat around us nor the displacement of the variety of desert wildlife we currently enjoy.

My wife and I are also here again in person at the public hearing on Wednesday, October 28, 2015, to reinforce our opposition to the rezoning proposal.

Sincerely,



"Mac" Laurence Summer and Sue Newfield, Pima County Residents

9091 E Eagle Feather Rd, Tucson, AZ 85749

03 2015

R: Case #: Co9-15-005/ Case Name: JT RP LLC - E. Eagle Feather...

k moeckly

Today at 5:14 PM

To Sue.Morman@pima.gov

Dear Ms. Morman:

My sister, Marlys Moeckly, and I are Merl Moeckly Co. and own the property at 9051 E. Eaglefeather Road, which is on the north side the property requesting the rezoning.

We strongly object to this zoning change. It will definitely push the value of our property down. It will also destroy the quality of life we have enjoyed at that address for many, many years. This rezoning can not help our property in any way, shape or form.

Please do not approve this rezoning request. Thank you.

Sincerely

10-22-15

Ms. Morman:

Kent Moeckly  
Box 903  
Britton, SD 57430  
605-448-8968

we are still completely  
opposed to this attempt  
of rezoning. Please  
do not approve.

Thank you.  
Kent Moeckly

Reply, Reply All or Forward | More

Click to Reply, Reply All or Forward



Existing property  
 Sales \$ 250,000  
 \$ 200,000

List Number	Street #	Direction	Street Name	Apt/Unit #	Suffix	City	State/Prov/Zip	Code	List Price/SqFt
21513897	11630	E	Miles		Street	Tucson	AZ	85748	154.97
21513337	10236	E	Buffaloberry		Loop	Tucson	AZ	85748	99.48
21500553	10069	E	Cedar Hill		Drive	Tucson	AZ	85748	102.79
21519689	809	N	Shepherd Hills			Tucson	AZ	85710	114.25
21505541	11620	E	Darcy		Place	Tucson	AZ	85748	129.52
21507368	10951	E	Desert Senna		Drive	Tucson	AZ	85748	109.78
21518433	129	S	Sycamore Creek		Place	Tucson	AZ	85748	110.72
21520765	52	N	Nightfall		Avenue	Tucson	AZ	85748	133.26
21519858	920	N	Corinth		Avenue	Tucson	AZ	85710	112.75

Average  
 118,546  
 Count  
 9

**Sue Morman**

---

**From:** mavis donnelly <mavisdonnelly@msn.com>  
**Sent:** Wednesday, October 21, 2015 4:19 PM  
**To:** Sue Morman  
**Subject:** RE REZONING of Co9-15-05 E. Eagle Feather

**October 19, 2015**

**RE Co9-15-05 JT RP LLC- EAST EAGLE FEATHER ROAD REZONING**

Dear Ms. Morman,

I am again writing to passionately protest the rezoning request wherein "JT RP LLC" seeks to change the SR property to CR-1 properties. I have lived on the property immediately abutting that parcel since 1989. My address is 3170 North Bear Canyon Road; my name is Mavis J. Donnelly.

I and the other residents of this subdivision/neighborhood purchased our homes precisely because of the SR zoning to ENSURE privacy and a Nature-based environment and precisely to AVOID more "compact" lots and houses. We strongly value the packed earth roads on which we travel to our properties and do not want paved roads.

I completely object to the creation of smaller CR lots and homes because such revision will irrevocably destroy the existing natural, private, quiet, and unspoiled ecology and ambience. This request by "JT RP LLC" is merely profit-driven with no concern whatsoever for the existing residents. Such rezoning will provide massive financial gain for "JT RP LLC", while I and the other residents will face congestion, loss of the natural setting for which we bought our homes and encroachment by the kind of residential plans we deliberately chose to avoid and escape.

I shall attend the (second) hearing on October 28. I beseech you to reject this unwarranted, intrusive, and frankly irresponsible request to rezone.

Very sincerely,  
Mavis J. Donnelly

October 19, 2015

Pima County Development Services Department  
Attention: Sue Mormon  
201 North Stone Avenue, 2<sup>nd</sup> Floor  
Tucson, Arizona 85701



RE Co9-15-05 JT RP LLC- EAST EAGLE FEATHER ROAD REZONING

Dear Ms. Mormon,

I am again writing to passionately protest the rezoning request wherein "JT RP LLC" seeks to change the SR property to CR-1 properties. I have lived on the property immediately abutting that parcel since 1989. My address is 3170 North Bear Canyon Road; my name is Mavis J. Donnelly.

I and the other residents of this subdivision/neighborhood purchased our homes precisely because of the SR zoning to ENSURE privacy and a Nature-based environment and precisely to AVOID more "compact" lots and houses. We strongly value the packed earth roads on which we travel to our properties and do not want paved roads.

I completely object to the creation of smaller CR lots and homes because such revision will irrevocably destroy the existing natural, private, quiet, and unspoiled ecology and ambience. This request by "JT RP LLC" is merely profit-driven with no concern whatsoever for the existing residents. Such rezoning will provide massive financial gain for "JT RP LLC", while I and the other residents will face congestion, loss of the natural setting for which we bought our homes and encroachment by the kind of residential plans we deliberately chose to avoid and escape.

I shall attend the (second) hearing on October 28. I beseech you to reject this unwarranted, intrusive, and frankly irresponsible request to rezone.

Very sincerely,

A handwritten signature in black ink, appearing to read "Mavis J. Donnelly". The signature is fluid and cursive, with a large loop at the end.

Mavis J. Donnelly

9/30/15

Pima County Planning and Zoning Commission,

This letter is to express our absolute opposition to Case #: Co9-15-<sup>005</sup>115, Case Name: JT RP LLC – E. Eagle Feather Road (Easement) Rezoning from SR to CR1 at this time.

I have lived at 9091 E Eagle Feather Road since 1980. I am a 35-year resident. The neighbors and I have chosen to reside in this area of SR properties for the privacy, remoteness, insulation from through-traffic, abundance of natural desert vegetation and wildlife, mountain views, etc. that our large acreage properties on our dead-end roads/easements provide. The county does not maintain our dirt roads/easements and we as neighbors work together on this task because of the rewards that come from living on an SR property.

I have a lot of skin in the game here. I own three SR-zoned parcels near the proposed rezoning property. They comprise a total of nearly 15.5 acres of property. Two of my parcels are 3.5+/- acres and are within the 1,000' area. They are (1) my residence at 9091 E Eagle Feather Rd and (2) my son's and daughter-in-law's residence at 9101 E Morrill Way. One of my parcels is 8.5+/- acres and is within 300'. It is my rental property at 9125 E Catalina Highway, valuable to tenants because of the large acreage and separation of houses.

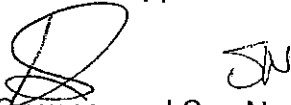
In fact, the 8.5 acres I own is the adjacent property on the east side of the property being proposed for rezoning. If the rezoning would be approved from 1 to 4 parcels, the 2 eastern parcels would share a property line with my property. This is unacceptable at this time.

My SR house on its 8.5-acre parcel and the 4 houses that would be built on the proposed CR 1-acre parcels would only be separated by a ranch wire fence. Because of the 50' proximity of my house to the property line, I am not ensured any privacy whatsoever and my house/property would immensely lose its value as a rental income property for me. Having one SR-zoned home built on the currently vacant property would be acceptable, as it would most surely be positioned further from the property line and keep intact the current mature desert vegetation, which would have to be destroyed to construct 4 houses.

E Eagle Feather Road/Easement is also not suitable at this time for any more traffic than it currently has. It has not been maintained as anything more than a 1-lane wide dirt driveway for the few residents who live off of it. Rezoning to four 1-acre parcels with the intent to build 4 new ranch houses would bring another 4-8 residential cars using it, as well as their visitors. This is preposterous to anyone who has physically seen the current condition of the easement/road.

My wife and I are also here in person at the public hearing on Wednesday, September 30, 2015, to reinforce our opposition to the rezoning proposal.

Sincerely,



"Mac" Laurence Summer and Sue Newfield, Pima County Residents

9091 E Eagle Feather Rd, Tucson, AZ 85749

RECEIVED  
SEP 30 2015

BY: .....



To: Sue Mormon and Pima County Planning and Zoning Commission  
From: Mina J. Greer, 9001 E Eagle Feather Rd.

Re: Rezoning of Co9-15-05

I am formally protesting this rezoning from SR to CR-1.

You have in your possession two letters that I know of that also strongly protest this rezoning. I will add my voice to theirs in that the rezoning will alter our area in a negative way. Also that I am convinced that the values of our properties will decrease.

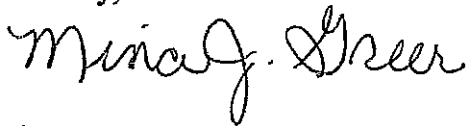
In addition, I have read the application. I understand that no survey has been done for pygmy owls nor are any surveys being planned for the future. While I haven't seen any, this still is a condition of the application. This however ties into the massive disruption of our local wildlife, which includes hawks, owls, javalina, quail and bobcats. I cannot see how this development will benefit that wildlife, nor our community's enjoyment of them.

Another consideration is the well water to be supplied to the new development. My husband and I and the previous owners, the Maslands, all contracted to have our wells (2) developed at the same time. Both were for personal use for our properties. I have a great concern that putting four (4) additional houses on the same well will necessarily affect my own well. In addition, will Ms. Pizarro then become a water utility? I realize that you have contacted the state agency and no comment was made, but that will be something I look into should this rezoning occur.

As noted in Mr. Larry Willingham's letter, Ms. Rita Pizarro is a developer. I have enclosed a partial listing of properties owned by her company JTRP LLC. No one has lived in the existing house since she bought it, so I cannot see how she can infer in her letter that she has any idea of our community. Please, do not let a developer from Phoenix come in and ruin our way of life.

Thank you for your consideration in this matter.

Sincerely,



Mina J. Greer

Untitled

Entity Details for Jtrp Llc  
Description provided by Recordnexus.com. Only the first 30 results will be displayed.  
Real Estate Ownership

Property Location	From	To	
6058 S 19th Place	Phoenix, AZ 85042		Present
6030 S 19th Place	Phoenix, AZ 85042	2012	Present
1741 E Illini Street	Phoenix, AZ 85040	2004	Present
4003 S Potter Drive	Tempe, AZ 85282	2002	Present
931 S George Drive	Tempe, AZ 85281	2006	Present
5208 S 48th street	Phoenix, AZ 85040	2005	Present
1942 W Georgia Avenue	Phoenix, AZ 85015	2004	Present
1330 W Gary Way	Phoenix, AZ 85041		Present
521 W Piedmont Road	Phoenix, AZ 85041		Present
815 E Long Avenue	Buckeye, AZ 85326	2003	Present
22761 W Yavapai Street	Buckeye, AZ 85326	2006	Present
4229 W Sioux Street	Buckeye, AZ 85326	2006	Present
1663 S 229th Avenue	Laveen, AZ 85339		Present
16698 W Bellevue Street	Buckeye, AZ 85326	2005	Present
20414 W Arlington Road	Goodyear, AZ 85338	2006	Present
	Buckeye, AZ 85326		Present

SEPTEMBER 28, 2015

AGAINST REZONING OF Co 9-05 EAST EAGLE FEATHER ROAD (EASEMENT) REZONING

FROM: KEN AND CAROLE NELSON 3140 NORTH BEAR CANYON ROAD

TUCSON, ARIZONA 85749

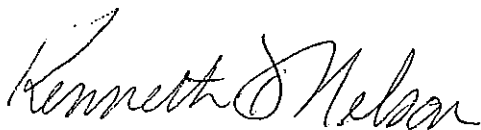
TO: SUE MORMAN AND PIMA COUNTY PLANNING AND ZONING COMMISSION

WE STRONGLY OBJECT TO REZONING THE PROPERTY IN QUESTION. CONTRARY TO THE LETTER WE RECEIVED FROM THE OWNER IT WILL NOT INCREASE THE VALUE OF OUR PROPERTY OR THAT OF OUR NEIGHBORS. WHAT MAKE OUR PROPERTY UNIQUE IS THAT WE ARE IN A RURAL SETTING AND ENJOY THAT OPPORTUNITY SAME AS THE INDIVIDUAL WHO SENT THE LETTER IS ENJOYING. THIS WILL NOT BE AN OWNER OCCUPIED PROPERTY SO IT IS OF LITTLE CONCERN THAT AS AN INVESTOR OUR PROPERTY VALUES WILL DECREASE. OUR PROPERTY IS SOUTH OF THE EASEMENT SO WE WILL EXPERIENCE A GREAT INCREASE IN TRAFFIC.

WE WOULD APPRECIATE IT IF YOU WOULD CONSIDER OUR OBJECTION, AND THAT OF OUR NEIGHBORS.

THANK YOU,

KEN AND CAROLE NELSON

A handwritten signature in cursive script that reads "Kenneth Nelson". The signature is written in dark ink and is positioned below the typed name "KEN AND CAROLE NELSON".

SEP 23 2015

R: Case #: Co9-15-005/ Case Name: JT RP LLC - E. Eagle Feather...

---

k moeckly

Today at 5:14 PM

To: Sue.Morman@pima.gov

Dear Ms. Morman:

My sister, Marlys Moeckly, and I are Merl Moeckly Co. and own the property at 9051 E. Eaglefeather Road, which is on the north side the property requesting the rezoning.

We strongly object to this zoning change. It will definitely push the value of our property down. It will also destroy the quality of life we have enjoyed at that address for many, many years. This rezoning can not help our property in any way, shape or form.

Please do not approve this rezoning request. Thank you.

Sincerely



Kent Moeckly  
Box 903  
Britton, SD 57430  
605-448-8968

**Reply, Reply All or Forward | More**

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Click to Reply, Reply All or Forward



New 10/E  
 Property Sales  
 250,000  
 800,000

List Number	Street #	Direction	Street Name	Apt/Unit #	Suffix	City	State/Prov/Zip	Code	List Price/SqFt
21423651	7376		Sabino Terrace		Place	Tucson	AZ	85750	151.73
21427934	3873 N		Foothills Club		Avenue	Tucson	AZ	85750	171.93
21430053	7256 E		Park Land		Loop	Tucson	AZ	85750	167.71
21426931	4289 N		Camino Kino			Tucson	AZ	85718	197.94
21405397	7316 N		Camino Sin Vacas			Tucson	AZ	85718	277.16
21408764	6232 E		Tanuri Valley		Place	Tucson	AZ	85750	283.85
21428288	6184 E		Tanuri Valley		Place	Tucson	AZ	85750	204.84
21431837	3849 N		Foothills Club		Avenue	Tucson	AZ	85750	195.01
21415385	7284 N		Christie		Drive	Tucson	AZ	85718	167.71
21424621	3993 N		Foothills Club		Avenue	Tucson	AZ	85750	175.15
21421045	7266 E		Park Land		Loop	Tucson	AZ	85750	145.88
21420525	3946 N		Foothills Club		Loop	Tucson	AZ	85750	164.87

Average  
 191, 281

Count 12

6.7% Increase

September 22, 2015

## ***Against Rezoning of Co9-15-05 E. Eagle Feather Road (easement) Rezoning***

From:

Larry & Leslie Willingham

3150 N Bear Canyon Road

Tucson, AZ 85749

SEP 28 2015

BY: .....

To: Sue Morman & Pima County Planning and Zoning Commission

We are writing this letter to express our firm objection to this rezoning request. We have a small community of residents on SR zoned lots with many having lived here for 30-40 years. My wife and I have been here 22 years and all of us enjoy (and do not want to give up) our quiet open space setting. The parcel in consideration is part of our community and is in fact surrounded on three sides by SR lots of our community. Ingress and egress to this property can only be attained through the middle of our community.

The rezoning is to divide an empty SR lot into 4 lots and therefore the traffic potential of 4 additional families to our undeveloped road infrastructure and very old waterline system. The water mains were installed prior to the Tucson Water Department taking them over and the water pressure is already low. The owners of this parcel also own the adjoining SR lot to the west. If this rezoning is successful they will most likely move to change the zoning on that property as well. This would then create the potential of two wildcat subdivisions, side by side, with 8 houses and families crammed in the middle of our SR community. This is not an enhancement for our neighborhood, could very well hurt our property values and leave us with an undesirable situation while these speculators are long gone. This is an investment deal for these owners who do not live here. Although we are surrounded by CR-1 subdivisions, the continuity and identity of our very unique community will be broken by this action. None of us want this to happen.

Thank you for your consideration,

Larry Willingham



SEP 28 2015

BY: .....

SEP 28 2015

RE Co9-15-05 JT RP LLC- EAST EAGLE FEATHER ROAD REZONING

Dear Sue Mormon and Pima County Planning and Zoning Commission,

I am writing to you to passionately protest the rezoning request wherein "JT RP LLC" seeks to change the SR property to CR-1 properties. I have lived on the property immediately abutting that parcel since 1989. My address is 3170 North Bear Canyon Road; my name is Mavis J. Donnelly.

I and the other residents of this subdivision/neighborhood purchased our homes precisely because of the SR zoning to ENSURE privacy and a Nature-based environment and precisely to AVOID more "compact" lots and houses. We strongly value the packed earth roads on which we travel to our properties and do not want paved roads.

I completely object to the creation of smaller CR lots and homes because that will irrevocably destroy the existing natural, private, quiet, and unspoiled ecology and ambience. This request by "JT RP LLC" is merely profit-driven with no concern whatsoever for the existing residents. Such rezoning will provide massive financial gain for "JT RP LLC", while I and the other residents will face congestion, loss of the natural setting for which we bought our properties, and encroachment by the zoning we deliberately chose to avoid and escape.

I am unable to attend the hearing on September 30 due to my work and the quite short notice. I beseech you to reject this selfish and frankly irresponsible request.

Very sincerely,

*Mavis J. Donnelly*  
Mavis J. Donnelly

9/21/2015

SEP 28 2015

From: Roy & Miriam Kile <rkile85749@aol.com>  
To: sue.morman <sue.morman@pima.gov>  
Subject: Co9-15-05 Object to rezoning  
Date: Sat, Sep 19, 2015 9:13 am

Having resided in the SR zoned area at 3160 N Bear Canyon Road , Tucson ,Arizona , 85749 for 46 years , we, Roy B. Kile and Miriam B. Kile , vehemently object to rezoning of adjacent property currently zoned as SR to be rezoned to CR-1 for the following reasons:

- the change to CR-1 for the proposed parcel will allow for 4 houses to be built with the expectation for a rezoning request for the adjacent parcel with the same owner /developer to be requested for rezoning in the near future
- adding 4-8 houses in an area zoned as SR will change the ambience of the neighborhood dramatically
- and also will reduce the value of our property and home dramatically
- the attraction of this rural -like area is the SR zoning
- the owner /developer assured the seller of the property to be rezoned in October, 2013 that the sale would be for the personal use of the new owner
- no attempt by the owner/developer was made to discuss the change with neighbors impacted ,in fact, the owner/developer made it clear that feedback from adjacent property owners is not accepted
- this request is for spot zoning which we understand may be considered inappropriate for this parcel within the SR zoned area

We request a postponement of the September 30th hearing as the major property owners impacted greatly by the rezoning are out of town until mid-October. We further request a recommend that the rezoning request be denied due to the untoward impact on the SR neighborhood.

Thanks you for your consideration for our request for denial . A confirmation letter will be submitted with original signatures . See below for electronic signatures.

Roy B. Kile

Miriam B. Kile

*Roy B. Kile 09/19/15*  
*Miriam B. Kile 09/19/15*