

Melissa Whitney

**From:** Steve Parker [REDACTED]  
**Sent:** Tuesday, August 25, 2020 11:46 AM  
**To:** COB\_mail  
**Subject:** Sept 1 Agenda Item P20CA00001 CHACON - S. MARIO RANCH LANE PLAN AMENDMENT  
**Attachments:** 2020.05.18 Zoning Ltr of Opposition.pdf

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To Whom It May Concern,

This email is intended to repeat our concerns regarding a zoning request for the property located at 2655 S. Mario Ranch Ln ( P20CA00001 CHACON - S. MARIO RANCH LANE PLAN AMENDMENT). The matter was originally set to be considered on July 7, was postponed to Sept 1, and now may be pushed back to Sept 15. This proposal remains a harmful proposition for our neighborhood.

A short summary for this agenda item states that the staff recommendation is for a modified approval. This is misleading at best. This recommendation was challenged and questioned by members of the Zoning Commission. When asked why staff would recommend changes that clearly harmed and were opposed by the residents of the neighborhood, the response was that neighborhood input was not considered and the only consideration was accommodating the petitioner's request. In addition, the staff report actually states that its recommendation was in violation of its own policies regarding the designation of Transitional Zoning on a Low Intensity Urban zoned area ("MIU is considered to be the lowest-intensity land use designation which permits a rezoning to TR" - page 2, 4th paragraph).

The staff recommendation was rejected by the Zoning Commission. Beyond the irreparable harm caused to our small neighborhood, it would set a dangerous precedent County-wide to disregard established protocols for the use of Transitional Zoning. Please review our previous correspondence on this matter as well as the input from other members of this community. The petitioner could have purchased and built their property in an area zoned to fit their business needs but instead purchased and built in our neighborhood with full knowledge of the preexisting zoning restrictions. Do not punish an entire neighborhood for one business owner's disregard for established neighborhood cohesion and zoning laws.

Thank you,  
Steve & Mary Parker  
10490 E Golf Links Rd  
Tucson AZ 85730

08-25-2020 11:47:14 AM C:\KOF-ED

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**10490 E. Golf Links Rd.  
Tucson, AZ 85730-1550**

Pima County Development Services  
Attn: Planning Division  
201 N. Stone Ave., 1<sup>st</sup> Floor  
Tucson, AZ 85701

To the Pima County Planning and Zoning Commission:

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

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

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

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

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

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

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

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

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

Respectfully,

Stephen & Mary Parker