



# United States Department of the Interior

Fish and Wildlife Service  
Arizona Ecological Services Office  
9828 N. 31st Avenue Ste C3  
Phoenix, AZ 85051



Telephone: (602) 242-0210 Fax: (602) 242-2513

AESO/SE  
02EAAZ00-2017-TA-1062

August 16, 2017

Mr. Terrill L. Tillman  
Pima County  
Development Services Department Planning Division  
201 North Stone Avenue  
Tucson, Arizona 85701

Dear Mr. Tillman,

Thank you for your August 9, 2017, request for review of a rezoning request of 6.5 acres for the proposed Kachina subdivision located approximately 700 feet north of the intersection of N. La Cholla Boulevard and W. Old Magee Trail in Pima County, Arizona (Case P17RZ00004). The request includes 3.58 acres of Suburban Ranch and 2.92 acres of Single Residence zones to be changed to the Multiple Residence zone. The subject properties are 0.4 miles east of Canada del Oro Wash and lie outside of the Maeveen Marie Beehan Conservation Lands System. We have reviewed the information you provided and have the following comments regarding this action.

The project proposal falls within the range of the lesser long-nosed bat (*Leptonycteris curasoae yerbabuena*; LLNB), a species listed as endangered under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1544) (Act). The project also includes habitat for the cactus ferruginous pygmy-owl (*Glaucidium brasilianum cactorum*) (pygmy-owl), a species formerly listed as endangered under the Endangered Species Act. A 12-month finding on a petition to list the pygmy-owl completed on October 5, 2011 concluded that the listing of the species is not warranted at this time (76 FR 61856). Therefore, the protective regulations of the Act no longer apply to the pygmy-owl. However, upon request, we continue to provide technical assistance related to the conservation of the pygmy-owl.

No LLNB roosting habitat (caves, mines, crevices, etc.) is found within the project boundaries. Therefore, no direct effects to roosting LLNBs are anticipated. However, this project falls within foraging range of LLNB roosts located in the Catalina and Rincon mountains. These parcels may support LLNB foraging habitat and rezoning to more dense development could further decrease foraging habitat. Saguaros (*Carnegiea gigantea*) are an important forage species for the LLNB so we recommend the preservation on site of all saguaros within the project area. If saguaros must be impacted by construction and cannot be salvaged and transplanted on site, we recommend their replacement on site at a ratio of 3:1.

Habitat connectivity among foraging areas and between roost sites and foraging areas is important for the conservation of LLNBs. This project has the potential to affect habitat connectivity as it is within a half mile of the Canada del Oro Wash. LLNBs will often use

Mr. Terrill L. Tillman

xeroriparian habitat (washes) to move through the landscape and lighting appears to influence the areas selected by LLNBs for movement and foraging. We recommend that all lighting associated with the proposed development be minimized and directed away from the open space areas associated with the Canada del Oro Wash.

Many of the same habitat elements important to the LLNB are also important to the pygmy-owl. Protection of saguaros within the project will protect potential pygmy-owl nest sites. However, research indicates that pygmy-owls have successfully nested in areas that are characterized by an average of 30% ground disturbance (houses, roads, utilities, landscaping, etc.). This project will exceed this level of ground disturbance so this area will likely not support pygmy-owl nest sites once developed.

This letter is not intended to express any requirement of, or conditions necessary for compliance with, the Endangered Species Act. Our comments are provided to you as technical assistance regarding how effects of the proposed residential development on biological resources can be minimized, but they do not constitute legal requirements. If there is a Federal nexus for this project, such as a Clean Water Act section 404 permit, the Federal action agency will make a determination on the effects of the action on listed species and whether section 7 consultation, pursuant to the Act, is required.

We appreciate the opportunity to review this preliminary plat. If you have any questions regarding our comments, or need any additional information, please contact Cat Crawford at 520-670-6150 (x 232) or Scott Richardson (x 242). Thank you for your consideration of endangered species.

Sincerely,



Steven L. Spangle  
Field Supervisor

cc: (electronic)

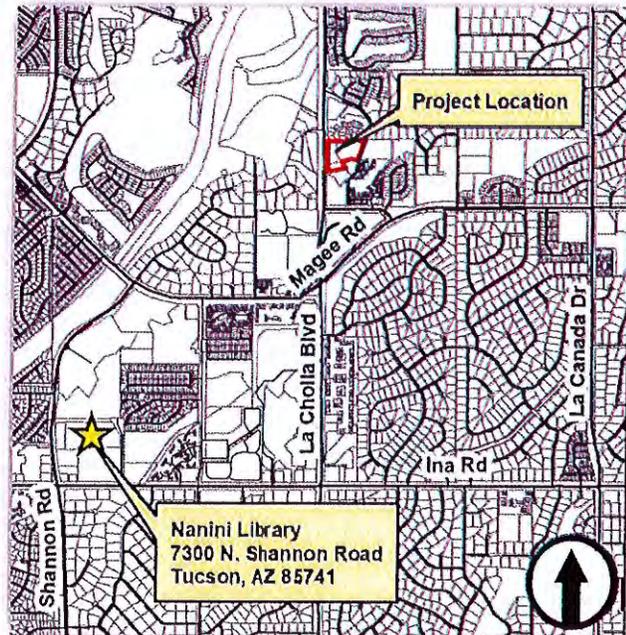
Assistant Field Supervisor, Fish and Wildlife Service, Tucson, AZ  
Regional Supervisor, Arizona Game and Fish Department, Tucson, AZ (Attn: John Windes)

August 11, 2017

Dear Neighbor:

The Planning Center invites you to attend a neighborhood meeting on August 23, 2017, regarding a rezoning proposal for a ± 6.68-acre property located approximately 750 feet north of the intersection of La Cholla Boulevard and Old Magee Trail (see location map).

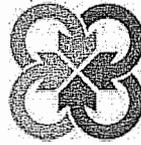
Kachina Homes, a Tucson custom homebuilder, proposes to develop 25 detached one- and two-story single family residential homes on the northern portion of the property and 24 multi-family units on the southern portion. The proposed single-family residences will average approximately 1,900 square feet in size. The homes would be accessed from a gated entry on McCarty Road, but the apartments would be accessed exclusively from La Cholla.



To be able to accomplish this, the property must be rezoned from its current CR-1 and SR zoning to CR-5. The Planning Center, a Tucson-based planning and landscape architecture company, is assisting Kachina with this process. At the proposed density of 7.3 residences per acre, the plan is consistent with the Pima County Comprehensive Plan designation of Medium Intensity Urban, which requires a minimum density of 5 residences per acre, and a maximum of 13 residences per acre. The proposed home-sites are similar to those platted on the parcel to the north. Likewise, the proposed apartment homes sit adjacent to land that has zoning and is planned for a future larger apartment community.

As a local homebuilder, Kachina prides itself on unique home designs that reflect the character of Tucson and the Sonoran Desert. They plan to bring that same high quality home craftsmanship to this project by incorporating custom architectural features and Low Impact Development (LID) strategies such as: rainwater harvesting micro-basins, permeable pavers in driveways, meandering sidewalks, custom home designs, and drought-tolerant landscaping. Many of the existing saguaros on the property will also be salvaged and transplanted around the perimeter of the proposed community. Kachina is excited about the opportunity to build their houses in this area and we look forward to sharing our plans and more details about the project.

Please join us at a meeting on **Wednesday August 23rd at 6:00 p.m.** to discuss the rezoning process and project details, and to provide feedback on the proposal. The meeting will be held in the Nanini Library at 7300 North Shannon Road, Tucson, AZ 85741. In the meantime, if you have any questions, please contact Brian Underwood at (520) 623-6146 or [bunderwood@azplanningcenter.com](mailto:bunderwood@azplanningcenter.com).



THE PLANNING CENTER  
a division of TPC Group, Inc.

August 25, 2017

Chairman Brad Johns  
Pima County Planning and Zoning Commission  
Pima County Administration Building  
130 W. Congress St., 1<sup>st</sup> Floor  
Tucson, AZ 85701

Subject: P17RZ00004 Michael E. & Linda A. Arnold Family Tr. – N. La Cholla Boulevard  
Rezoning  
08/30 Commission Agenda Item #6

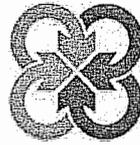
Dear Chairman Johns:

On behalf of the applicant, Michael E. & Linda A. Arnold Family Tr., we respectfully request a continuance of the above referenced case to the **September 27, 2017** Commission meeting in order to further address concerns raised during the meeting with surrounding property owners.

Sincerely,  
THE PLANNING CENTER

Brian Underwood  
Project Manager

cc: Thomas Drzazgowski, Deputy Chief Zoning Inspector  
Terrill Tillman, Development Services



**Kachina Homes Rezoning  
Neighborhood Meeting  
September 21, 2017  
6:00 PM Start Time**

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**In attendance:**

Brian Underwood, The Planning Center	Betsy Sandlin
Lexy Wellott, The Planning Center	Donna Heidinger
Linda Morales, The Planning Center	Barbara Rosano
Mike Arnold, Kachina Homes	Kai Gerkey
Kevin Arnold, Kachina Homes	Lorie Gerkey
Linda Arnold, Kachina Homes	Doug Frank
Judy Wilbert	Connie Frank
W.G. Matlock	Ben Crowder
Gary Dickert	Cecelia Crowder
Rosalie Wilson	Earl Van Swearingen
Kelly Demmel	Brian Bickel
Hans Demmel	Brenda Young
Donald/ Karen Wood	

**Meeting Notes:**

This meeting was held at the behest of neighbors who attended the August 23, 2017 neighborhood meeting.

A PowerPoint presentation was presented and included the following slides:

- An aerial display showing the general vicinity of the project location
- An aerial display showing the site in relation to Mesa Verde Elementary School
- An aerial display of the project site
- A comprehensive plan designation display showing the existing comprehensive plan designations for the property and the surrounding area
- An existing zoning display showing the existing property zoning and surrounding zoning
- A conceptual site plan
- A slide demonstrating the rezoning process
- A slide displaying the findings of a preliminary traffic analysis and traffic signal warrants
- An exhibit from the traffic memorandum displaying existing traffic counts/ turn movements
- An exhibit from the traffic memorandum displaying the projected traffic counts/ turn movements at full build-out
- A slide offering key points of the project.

*Brian Underwood gave the presentation. He began his presentation with a brief discussion about the history of the property and the surrounding area, particularly in relation to Mesa Verde*

Elementary. He discussed the concerns associated with the bus traffic from Mesa Verde Elementary School that were brought forth at the previous neighborhood meeting. He presented findings and pointed out that no bus routes utilize the Dawn Road/ McCarty Road to access La Cholla Boulevard. Following this discussion, the existing zoning and comprehensive plan designations were described. Mr. Underwood then described the minimum density (homes per acre) that is required by the MIU comprehensive plan designation and reiterated that the proposed development is compatible with the County's vision and further provides a transition from the more intensive uses south of the proposed site to the less intensive uses to the north. The site plan was described and it was emphasized that the detached single-family homes would be limited to single story; the two homes nearest to McCarty Road would be custom homes and would face McCarty; the right-of-way has been widened to allow the sidewalk to meander and contain opportunities for water harvesting; and the site will have appropriate buffers, walls and screening. The neighbors were then provided with the approved preliminary development plan for the apartments that are planned adjacent to the south end of the property. The traffic findings were described in greater detail and the AM/PM peak hour trips and average daily trips were broken down for existing and proposed conditions. Additionally, the warrants for traffic signalization were then described and thresholds were provided for the intersection of La Cholla Boulevard and McCarty Road.

The following is a list of questions and comments from the neighbors in attendance and responses from The Planning Center team.

**Neighbor Question: How many units will be in the Apartments?**

- Response: There will be twenty-four (24) apartment units – 8 units per building. The shape of the boxes displayed on the site plan may be reconfigured, but the total square footage will not exceed what we have described.

**Neighbor Question: Is there a block wall around the property?**

- Response: There will be walls around each lot and the apartments.

**Neighbor Question: What is the size of the wall?**

- Response: The wall will be at least 5-feet minimum. It will be a decorative masonry wall and will likely stagger given the topography of the site.

**Neighbor Question: Will the apartments be two-stories? Will they have a wall around it?**

- Response: Yes, the apartments will be two stories and will have at least a 5-foot decorative masonry wall around the exterior. The apartments will also feature a recreational area as required by Pima County. The apartments will access exclusively from La Cholla.

**Neighbor Question: Who owns the property to the north? Do you have any idea when that piece will develop?**

- *Response: The property to the north is owned by a gentleman named Hank Bowers. The property was rezoned quite some time ago and a plat has been approved. The site has quite a few physical constraints which are prolonging development of his property. This proposed development will help alleviate some of the challenges Mr. Bower's is facing and may allow him to develop his property sooner.*

**Neighbor Question: I noticed there are several washes on the site. How will those be dealt with and how will this development affect the neighborhood and the community?**

- *Response: The water will be drained from McCarty Road west to La Cholla with some drainage retained on-site just north of the apartments in the basin south of Lot #16 before exiting the site.*

**Neighbor Question: Do they need to have a lot of accidents at the intersection of La Cholla Boulevard and McCarty Road before a traffic signal will be considered?**

- *Response: There are a number of things Traffic Engineering looks at when determining the need for a signal. Some of those things include; the number of trips, the timing of the adjacent signals, the flow of traffic and interruptions of flow. Making changes in one area may not provide a solution for the whole area. The County could commission a study to determine the extent of the traffic issues in this area, but they also have regional studies and strategic planning efforts that look at those issues.*

**Neighbor Question: Can you take access for the entire development from La Cholla Boulevard? It would be a sure compromise to neighbors living here.**

- *Response: The marketability for the proposed single family residential would significantly decrease if the only access was through the apartments. Accessing homes starting in the \$300,000-\$325,000 range through an apartment complex off a major arterial would render the homes virtually unsellable.*

**Neighbor Question: Did the traffic engineer perform the study while school was in session?**

- *Response: Yes, the counts were taken in April 2017 while school was in session.*

**Neighbor Question: Would the builder consider using the La Cholla Boulevard access during construction and then closing it up at buildout?**

- *Response: We will consider that option. However, there may be an issue crossing between the single-family residences and the apartments given utility infrastructure will be in place and routing all construction traffic out to La Cholla will cause*

*degradation to the onsite drainageway from crossing between the single-family homes and the apartments.*

**Neighbor Question: Am I correct that McCarty Road is a private road?**

- *Response: No, McCarty is a public road and maintained by Pima County.*

**Neighbor Question: So does the traffic count include the morning time?**

- *Response: Yes, the traffic count does include the AM peak hour which is between 7 and 8 AM.*

**Neighbor Question: When do we have to do another traffic study to determine if there are any changes in the traffic flow?**

- *Response: The builder will have to perform another traffic study before a plat is approved.*

**Neighbor Question: How do lot sizes compare to the KB Homes up the road?**

- *Response: The proposed lots are comparable to those in the KB Homes development and have slightly deeper depths than those in the Highgate subdivision.*

**Neighbor Question: Can you explain what you are doing with the water harvesting in the right-of way?**

- *Response: There will be a water harvesting basin next to the driveways for each lot. The idea being that water discharging from each individual lot will be detained in the basin before draining into the street.*

**Meeting End Time: 7:30 PM**  
**Author: Lexy Wellott, The Planning Center**

To:  
Pima County Board of Supervisors,  
Pima County Zoning and Planning

Re: Kachina Homes Rezoning Request and Planned Development  
#T17RZ00004

The purpose of this communication is to indicate my support for the rezoning and development planned for the above property. I live at 1502 W. Dawn Dr., which will be impacted by any development that happens on this property. Knowing what could be built there and what is planned makes the difference in my support. I know the product that Kachina Homes builds and have no objections to this level of development and rezoning for the above parcel. I have read the entire proposed development plan. I have attended a neighborhood meeting regarding this rezoning and voiced my opinion there as well. While others may not support it or want conditions made to it, I am pleased with the proposal and concur with its rezoning and development.

Thank you for your consideration of my opinions in making these recommendations.

Sincerely,  
Steven Culbertson  
1502 W. Dawn Dr.,  
Tucson, Az. 85704

Mark Clelland  
1461 West Dawn Drive  
Tucson, AZ 85704

Pima County Development Services  
Planning and Zoning  
Pima County Board of Supervisors

September 25, 2017

P17RZ00004

To whom it may concern

I understand there is a request for a zoning revision by Mike Arnold for the above listed activity number. I have attended one meeting with several other members of the neighborhood at which time several ideas we discussed. I have been a residence in this neighbor since 1995. I am not opposed to the development moving forward. I know Mike Arnold and the company he represents. I know the homes that Mike Arnold will build will be of high quality and will be an improvement to the area. I have like others only one concern and that's traffic. The area has grown over the years and with the increase of growth comes traffic. I ask the Planning and Zoning officials, the County Board of Supervisors to look at a very simple fix to the traffic situation, Romero Road needs to exit at Magee rd. This will relieve the congestion of general traffic but also of parents bringing their kids to Mesa Verde school and then trying to exit from either Sage , Dawn or McCarthy at morning rush hour and evening rush hour. I ask the county officials to look into this matter for the safety of the entire neighborhood.

Respectfully,

Mark Clelland

**From:** Hank Bowers [mailto:BowersProperties@hotmail.com]  
**Sent:** Tuesday, September 26, 2017 8:58 AM  
**To:** Brian Underwood <bunderwood@azplanningcenter.com>  
**Subject:** Rezoning P17RZ00004, Arnold Family TR

Pima County Planning and Zoning Commission  
Pima County Board of Supervisors  
130 W. Congress St, Tucson, AZ, 85701

To whom it may concern;

I am writing as the owner and agent of the property directly North of rezoning request, P17RZ00004, Arnold Family TR. I have known Mike Arnold for about 30 years and feel he is a builder of quality custom homes. I feel he and his company Kachina Custom homes will add to our community by constructing homes of quality and architectural relevance. I do have two request of there rezoning request.

1. Please only allow one story homes on Lots 1 through 11. These lots abut our property and we were restricted to one story on all of the lots, in our subdivision, Sunset Mesa P1208095.
2. I'm told that they wish to connect to the sewer that we have extended to service our Subdivision known as Sunset Mesa. Please have there development plan comply with our sewer plan, as designed in our plan, Sunset Mesa P1208095, including any reseeding or stabilized surface needs per PCRWRD SD111.

Thank you for considering our request. If our concerns are met we would like to provide our support for there rezoning request and feel they will be a positive addition to the neighborhood.

Thank you,

Hank Bowers  
P.O. Box 35205  
Tucson, AZ 85740

(520) 449-0012

## Terri Tillman

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**From:** Betsy Sandlin <romeroneighbors@gmail.com>  
**Sent:** Monday, September 25, 2017 2:18 PM  
**To:** Terri Tillman  
**Cc:** Ally Miller; Brian Underwood  
**Subject:** P17RZ00004

*Please distribute this letter to the P&Z commissioners before Wednesday's meeting. Thank you.*

To Brad Johns, Chair:

Section 26 in District 1, a unique area of northwest Pima County, was initially zoned primarily SR and CR-1. The area north of Magee Road accommodates horse parcels (open space and horses, intentionally retaining the "Old West" atmosphere of Tucson's roots). This area is certainly growing in density as "infill" happens, but Section 26 is definitely not suburban or semi-urban; semi-rural is a more apt description. I am not opposed to infill: however, while it is better than leaving property at the whim of vagrants and miscreants, we need the right kind of infill to complement the area as it was intended to be.

As neighbors and concerned citizens, the residents of this — and adjoining sections — have made differences, both large and small, in how developers have proceeded. The end result, whatever the development plan, is that "vacant" land is bladed, habitat and open space is gone, traffic increases, and safety issues arise.

With well over 106 homes going in on 58 acres at Overton Reserve, there is already a huge change in the open space of Section 26. All is now level ground for infrastructure. And, as the remaining larger parcels in this section come up for sale, they will in all likelihood be bought by developers willing to plan and then resell the plan to the next developer in line. This occurred with the 42 homes in LaCholla Vista on Old Magee — originally Emil Martinez's plan, after years changing hands, Pulte finally took it over and built it out. The Jackson property went through the same transfer of ownership until Lennar took it on. Pelado Place on Magee and Romero went through similar changes. It is possible that the same will happen with this Kachina development.

The main concern of the majority of neighbors who have become involved in this process is the excess traffic that will inevitably go through McCarty and Dawn. The roads within this section are patently unable to bear construction traffic. The LaCholla/McCarty intersection is designated (and used!) as an equestrian crossing; the traffic of construction vehicles will become an even greater safety hazard for both horse and rider. The developer, Kachina, represented by The Planning Center, is considering using the LaCholla access for ingress and egress for the entire site and will forgo the use of McCarty. Lennar has done this at the Overton Reserve/Jackson property, using only Overton, in order to minimize traffic concerns within the section. While this would resolve gravest traffic concerns, the matter of density is also a problem.

Kachina has 'lowered' the rezoning request from CR-5 to CR-4 but this makes no difference whatsoever in their plan to put 25 houses on the higher elevation 3+ acres, and 24 apartment units on the lower-elevation 3+ acres. All the revisions of the Comprehensive Plan notwithstanding, in a still semi-rural area of Pima County, this attempt at infill speaks of little else than the bottom dollar, both for the developer and the County, considering all the impact fees and property tax revenues to be gained. And, unlike proximate development plans that are already approved but not yet begun, this builder is ready to begin now.

In addition to the Kachina plan, there is immediately adjacent on its north boundary the approved Bowers plan for 23 single-family and town homes; and to the south, on the corner of Old Magee and LaCholla, there is an approved plan for 128 condos.

While MIU might be the right density for some sections within Pima County, for Section 26, this Kachina rezoning request is not seen as the right thing by a large number of the people who live within the section. If the developer could consider two custom houses per acre on the higher-elevation part of the parcel, it

would enhance, not further congest this neighborhood. However, if the developer will only proceed with the current plan, then I agree with the gentleman at the last Planning Center meeting on September 21st: County should use the revenue gained from this deal to procure a proximate designated Open Space area for the multitude of new residents, above and below the hills of LaCholla, who will be seeing little of their surroundings except walls.

I urge the Commission to reconsider Kachina's request and, in view of the opposition it has generated, to deny the CR-5 zoning to the higher-elevation single-home portion of the plan.

Respectfully submitted, Betsy Sandlin

Honorable Supervisors,

August 22, 2017

RE: Proposal P17RZ00004 Michael E & Linda A Arnold Family Tr – N La Cholla Blvd Rezoning

We protest this proposed rezoning.

Primarily, we feel the present traffic flow through our neighborhood is unacceptable and changing the current zoning will make a bad situation much worse.

Mesa Verde Elementary School is in the middle of our neighborhood. Access, before and after school, *should* be limited to Sage St via La Canada. However, the left turn bay on northbound La Canada, turning west onto Sage St, isn't long enough to accommodate all the traffic due to the specific demand times. Since Romero is closed at Magee, parents *and busses* attempt to reach the school the back way from La Cholla, going right down our street.

Many kids can no longer ride the bus, walk or bike to school and given the present situation, without sidewalks, we don't blame them. We can no longer walk during the hours before or after school for fear of our own safety. Parents race down our streets, running late and in a hurry, often exceeding the speed limit, taking many quick turns, talking or texting on their cell phones. An apartment complex on the land in question will add a *minimum* of 100 or more trips a day down our street.

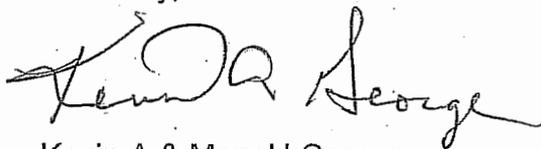
The roads throughout our neighborhood have long been neglected by the County. The pavement is worse than a dirt road, having become nothing more than a series of haphazard patches. Sage St. has become the poster child for County maintained roads. One lane is somewhat smooth and the other lane is a continuous landmine of patches and potholes. I invite you to see for yourselves the hundred or so cars that cue-up around the school, in all directions, every morning and afternoon. In addition, numerous vehicles park on the west side of the school on Romero.

Many mornings we are awoken at 6 AM by the roaring and beeping of tractors working on the 150 plus homes you approved for the very center of our neighborhood. We have yet to see the impact these residents will have when all those parents won't let their children walk to school, but take them a mile or more around, again down our street, twice a day, to wait for a half hour or more to be dropped off at the curb.

We also object to a zoning change in this particular case because a multi-level apartment complex will significantly alter the views of the mountains and obstruct many resident's enjoyment of sunsets. Doesn't this parcel fall into the slope ordinance because it's on the top of a steep hill?

Finally, we think it would be most prudent for the County to suspend all construction impacting our area until this situation is rectified. Please consider opening Romero, repaving our roads and installing sidewalks. We can no longer take the brunt of development without such improvements.

Sincerely,



Kevin A & Mary H George



## Terri Tillman

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**From:** labtekker67 <labtekker67@gmail.com>  
**Sent:** Monday, September 25, 2017 1:17 PM  
**To:** Terri Tillman  
**Cc:** Ally Miller  
**Subject:** Rezoning for Case# P17RZ00004. Tax codes 225-21-0080,225-21-0090,225-21-0100

The proposed rezoning of these parcels made me aware of Pima County's Comprehensive Plan for infill properties. It is hard to understand how some of these properties, which lie in well established communities are being rezoned to zones which do not reflect the character of the neighborhood. There must be better future communication between the home builders and the Planning Centers with the neighborhood in which they wish to greatly impact.

I am writing in opposition to the proposed rezoning of these parcels of land from their current zones of SR and CR1 to a CR4 for medium intensity urban. The proposed site should maintain a low intensity urban zoning in order to maintain the character, as well as safety, of this established neighborhood.

This neighborhood does not support any additional residencies or traffic along the McCarty/La Cholla Boulevard corridor. There are already two new home communities which are being built within close proximity to our neighborhood. The limited ingress and egress routes from our community onto La Cholla and La Canada already make for increased traffic within our neighborhood, with a major contributor being limited access to Mesa Verde elementary school. This poses an increased safety risk for the students, as well as all residents of this neighborhood.

I am also concerned that this proposed site has been identified by the United States Department of the Interior, letter dated August 16 2017, as habitat which supports the lesser long nosed bat, as well as the cactus ferruginous pygmy owl. The proposed medium intensity land use will cause a great disturbance to the wildlife. With a lower intensity zoning, this land can better support the wildlife and not cause such a habitat disturbance. Please do not allow the proposed rezoning to occur. If rezoning must occur, do not deviate from the low intensity urban designation this neighborhood has had for over 30 years. Please maintain the unique character of Tucson in these classic Tucsonan neighborhoods.

Respectfully,  
Mr. and Mrs. Douglas Frank

from my Virgin Mobile Phone.

[LCMNA2@aol.com](mailto:LCMNA2@aol.com); [ksc-heat11@q.com](mailto:ksc-heat11@q.com); [thorn.eric@comcast.net](mailto:thorn.eric@comcast.net); [leeharbers@gmail.com](mailto:leeharbers@gmail.com);  
[shildebrand2002@comcast.net](mailto:shildebrand2002@comcast.net); [tkgatto@comcast.net](mailto:tkgatto@comcast.net); [pgerba@comcast.net](mailto:pgerba@comcast.net)

Hello Everyone - A rezoning has been requested for the remaining vacant parcel along McCarty Road in Section 26. Board member Kathy Gatto attended the previous meeting(s) as she is now a resident of La Cholla Hills. A final meeting with the developer before this application goes to P&Z on Sept 27 is tomorrow evening at PCC on Shannon - see details in the letter below. **The developer proposes to build 25 detached 1 and 2 story single family homes AND 24 multi family units all on 6.68 acres.**

Following is my communication to Ally to which I have yet received no response. Because of the large lots in the area, notification to the potential protest zone is minimal. Residents from without the protest area will still be affected by additional traffic, and a few are participating in the meetings.

As well as an FYI, this is an invitation to join us tomorrow.

(Happy New Year Betsy, et.al.)

Donna

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From: [DJSoldat@aol.com](mailto:DJSoldat@aol.com)  
To: [ally.miller@pima.gov](mailto:ally.miller@pima.gov)  
Sent: 9/18/2017 4:28:37 P.M. US Mountain Standard Time  
Subj: P17RZ00004

The Honorable Ally Miller  
Supervisor, District One  
130 West Congress 10th Floor  
Tucson AZ 85701

**RE: P17RZ00004 MICHAEL E & LINDA A ARNOLD FAMILY TR - N. LA CHOLLA BOULEVARD REZONING**

Request of Michael E and Linda A Arnold Family TR, represented by The Planning Center, for a rezoning of approximately 6.5 acres from SR (Suburban Ranch) (3.58 acres) and CR-1 (Single Residence) (2.92 acres) to the CR-5 (Multiple Residence) zone, parcel codes 225-21-0080, 225-21-0090, and 225-21-0100, located approximately 700 feet north of the intersection of N. La Cholla Boulevard and W. Old Magee Trail on the east side of N. La Cholla Boulevard. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Medium Intensity Urban. (District 1)

Dear Ally,

I was invited by proximate residents and attended two meetings in the past 3 weeks regarding the subject property and the requested action cited above.

A subsequent meeting arranged by the Planning Center will be held this **Thursday, Sept 21, at 6 PM**, held at Pima Community College on Shannon room A 207. Building A is located on the north end of the campus, the room is on second floor. **It would be great if you or a representative from your office could join the neighbors.**

**The first meeting** was organized by Brian Underwood of the Planning Center and held at the Nanini Library on Aug 23. Some of the residents in attendance were confused and not knowledgeable of the details of rezoning procedures, or about the proposed rezoning at all, just a little contentious, and Brian wisely asked for a postponement of the scheduled Aug 30 P&Z Hearing. The mere thought of additional

traffic on the Dawn/McCarty intersection and increased traffic at the La Cholla/McCarty intersection engendered an all-resident request for a traffic signal at McCarty/La Cholla, as southbound access onto La Cholla at this intersection during peak hours is difficult and worsening, causing many to turn north and make a U-turn ASAP instead. The stacking lanes are growing.

I recall that proximate residents also asked for this traffic signal at the adjacent (north) Bowers property rezoning (Co9-07-15, approved Jan 25 2008?) and were advised that there was not sufficient traffic to warrant a signal at that time.

Also, when Tucson National Inc initially rezoned for an assisted living center (? - Co9-23-03, approved 12-07-04) on La Cholla directly across from the La Cholla Hills access of Coral Ridge Loop Drive, residents viewed those additional ADTs as a harbinger of problems to heading south on La Cholla, and the installation of a traffic signal was discussed for the main entrance to the proposed assisted living center/Coral Ridge Loop Drive. (I am foggy on the details of how the assisted living complex morphed into a subdivision.) HSL has subsequently transferred that property to KB Homes for a subdivision development, which will generate more ADTS than the previously planned development, thereby additionally increasing traffic congestion at non-signalized intersections.

*Hopefully, with the fruition of developments on the west side of La Cholla between Old Magee Trail and Overton and in the interest of traffic/pedestrian/equestrian safety, southbound traffic from the east side of La Cholla can be mitigated with a traffic signal somewhere between Old Magee Trail and Overton.*

There was a short discussion of a potential access on La Cholla Blvd for the entire Kachina development.

I might comment at this point that when residents asked if the rezoning could be less dense than CR-5, the builder/developer suggested that if the residents did not see the benefit in what he was presenting, he might just as well develop to the max. Several took this as an indirect threat from Mr Arnold and were very dismayed at his manner.

**The second meeting** I attended was arranged by the neighbors with closest proximate resident Brenda Young presiding, on Monday evening, Sept 11, 6:30 PM at the Nanini Library.

Attendees were proximate residents, two of whom readily admitted to being acquaintances of the builder. There was no subterfuge.

Discussion centered around the resident's anxieties and the meeting adjourned after the librarian advised the participants that they had 10 minutes until closing (8PM).

Consensus was reached on the following concerns:

- Brenda's need for Kachina to build a wall along McCarty substantially more than 3-4 ft in height
- Safety in the area from increased traffic, especially at the hazardous Dawn/McCarty intersection and increased traffic exiting McCarty onto La Cholla
- Development that is overly dense for the parcel, leaving no open space; blading the parcel flat and impacting the native foothill vegetation and atmosphere. CR-2 development seems more appropriate rather than crowding the area.
- Increase in crime and vandalism in the area as such that accompanied the dense development of Club Carmel (now Tierra Vida). CR-2 development seems more appropriate rather than crowding the area.
- Consideration of the 128 planned condo/apts on the rezoned parcel adjacent to the south of the subject parcel. CR-2 development seems more appropriate to break-up the CR-4 or CR-5 developments that border the subject parcel in this primarily CR-1 neighborhood.

We hope to see you or a representative from your office at this Thursday night's meeting with the developer.

Thank you for your kind attention.

Sincerely,

Donna Heidinger  
LCMNA Liaison

## Terri Tillman

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**From:** Butera Real Estate <buterarealty@aol.com>  
**Sent:** Monday, September 25, 2017 3:00 PM  
**To:** Terri Tillman  
**Subject:** Kachina rezoning Wednesday 9/27

Mr. Tillman,

I agree with Betsy Sandlin's letter that states a CR-2 use, with ingress and egress to La Cholla only, would be much more compatible with the existing neighborhood.

I developed, and have lived in Santa Fe Park since 1990. (1600 W. Magee) a CR-2 cluster development.

Thank you for your consideration,

Tom

**Thomas G. Unger**

*Butera Real Estate, Inc.*

President-Broker

[www.buterarealestate.com](http://www.buterarealestate.com)

3333 N. Campbell Ave. Suite 9 Tucson, AZ 85719

*West side of Campbell, Between Prince and Ft. Lowell*

Office 520.884.8940 FAX 520.884.8941

Cell 520.977.1218

## Terri Tillman

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**From:** JOHANN <demmelj@comcast.net>  
**Sent:** Monday, September 25, 2017 9:53 PM  
**To:** Terri Tillman  
**Cc:** Ally Miller; bunderwood@azplanningcenter.com  
**Subject:** P17RZ00004 MICHAEL E & LINDA A ARNOLD FAMILY TR - N. LA CHOLLA BOULEVARD REZONING

To Brad Johns, Chair:

Section 27 in District 1, a unique area of northwest Pima County, was initially zoned primarily SR and CR-1. The area north of Magee Road accommodates horse parcels (open space and horses, intentionally retaining the "Old West" atmosphere of Tucson's roots). This area is certainly growing in density as "infill" happens, but Section 27 is definitely not suburban or semi-urban; semi-rural is a more apt description. I am not opposed to infill; however, while it is better than leaving property at the whim of vagrants and miscreants, the appropriate type of infill is required to complement the area as it was intended to be.

As neighbors and concerned citizens, the residents of this — and adjoining sections — have made differences, both large and small, in how developers have proceeded. The end result, whatever the development plan, is that "vacant" land is bladed, habitat and open space is gone, traffic increases, and safety issues arise.

With well over 106 homes going in on 58 acres at Overton Reserve, there is already a huge change in the open space of Section 27. All is now level ground for infrastructure. And, as the remaining larger parcels in this section come up for sale, they will in all likelihood be bought by developers willing to plan and then resell the plan to the next developer in line. This occurred with the 42 homes in LaCholla Vista on Old Magee — originally Emil Martinez's plan, after years changing hands, Pulte finally took it over and built it out. The Jackson property went through the same transfer of ownership until Lennar took it on. Pelado Place on Magee and Romero went through similar changes. It is possible that the same will happen with this Kachina development.

The main concern of the majority of neighbors who have become involved in this process is the excess traffic that will inevitably go through McCarty, Dawn, and Sage. The roads within this section are patently unable to bear additional traffic due to the new development, let alone construction traffic. The LaCholla/McCarty intersection is designated (and used) as an equestrian crossing; the additional traffic, including traffic of construction vehicles, will become an even greater safety hazard for both horse and rider. The developer, Kachina, represented by The Planning Center, is considering using the LaCholla access for ingress and egress for the entire site and will forgo the use of McCarty. Lennar has done this at the Overton Reserve/Jackson property, using only Overton, in order to minimize traffic concerns within the section. While this would resolve gravest traffic concerns, the matter of density is also a problem.

Kachina has 'lowered' the rezoning request from CR-5 to CR-4 but this makes no difference whatsoever in their plan to put 25 houses on the higher elevation 3+ acres, and 24 apartment units on the lower-elevation 3+ acres. All the revisions of the Comprehensive Plan notwithstanding, in a still semi-rural area of Pima County, this attempt at infill speaks of little else than the bottom dollar, both for the developer and the County, considering all the impact fees and property tax revenues to be

gained. And, unlike proximate development plans that are already approved but not yet begun, this builder is ready to begin now.

In addition to the Kachina plan, there is immediately adjacent on its north boundary the approved Bowers plan for 23 single-family and town homes; and to the south, on the corner of Old Magee and LaCholla, there is an approved plan for 128 condos.

While MIU might be the right density for some sections within Pima County, for Section 27, this Kachina rezoning request is not seen as the right thing by a large number of the people who live within the section. If the developer could consider two custom houses per acre on the higher-elevation part of the parcel, it would enhance, not further congest this neighborhood. However, if the developer will only proceed with the current plan, then I agree with the gentleman at the last Planning Center meeting on September 21st: County should use the revenue gained from this deal to procure a proximate designated Open Space area for the multitude of new residents, above and below the hills of LaCholla, who will be seeing little of their surroundings except walls.

I urge the Commission to reconsider Kachina's request and, in view of the opposition it has generated, to deny the CR-5 zoning to the higher-elevation single-home portion of the plan.

Respectfully submitted,

Johann Demmel, resident Section 27 District 1

## Terri Tillman

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**From:** Frank Lopilato <lopilato1@comcast.net>  
**Sent:** Monday, September 25, 2017 4:15 PM  
**To:** Terri Tillman  
**Subject:** Re Kachina development/Proposal

Hello Terri,

I am writing in response to the new proposed Kachina development proposal on the NW corridor of LaCholla/McCarty and Magee.

I reside at 1857 West dawn Drive at the intersection of Dawn and Boreal. I have resided here for over 22 years and the primary reason we purchased was due to the CR1 Zoning, and open spaces that surround us. I recognize development is inevitable, but we always anticipated when it came, it would arrive in the form of CR1.

From my perspective, the biggest negative impact, I would like you to consider is traffic. Without a way to mitigate, and direct all the new traffic generated by new homeowners and the construction process will negatively impact our property values and way of life Unless this traffic can be encouraged to exit and enter via LaCholla Blvd, which for all intents and purposes is indeed now a major thoroughfare.

McCarty ( Equestrian Crossing )road is already dangerous by design, anyone who happens to stop a vehicle after turning form LaCholla is at risk if being rear-ended, the road is to small, and the natural bend prohibits vision with only a very short time to identify, and stop for a pulled over vehicle

Our roads are crumbling, as it is, Mesa Verde Elementary is maxed out, my wife and I can barely get out of our driveway without risk of being rear-ended during peak times of the day. The traffic to and from the school races thru the neighborhood, anyone wishing to head west also wanders thru to access La Canada. The weight of the school buses alone constantly takes a toll on the roadway. We still have horses in our neighborhood, and it just isn't safe with people speeding around the curves.

The amount of potential residents are unknown, surely be far greater than the requested housing, they wish to add, it is way too many for our little neighborhood.

If the numbers could be decreased, or the traffic can be controlled, thru and ingress and egress on La Cholla. Lets keep the traffic where it belongs. La Cholla is already a major thoroughfare. With a stop light addition it may all be more tolerable.

I don't know when you have done your traffic studies, but suggest you to try one at 7 to 8am and 2:30 -3PM and 5-6PM it is nonstop here !

We are currently have two ongoing development underway. How about postponing this development until we see the impacts to those developments, on our roads, schools and neighborhood way of life and not to mention the constant squeezing out of our natural habitat, and let's road repairs catch up with demand.

Thank you for talking the time to read this, we would like to feel as we have voice in this.

Respectfully,

Frank LoPilato  
1857 West Dawn Drive  
Tucson, Az. 85704  
O: 520-575-1691  
Cell: 520-971-5692  
<https://linkedin.com/in/franklopilato>

## Terri Tillman

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**From:** LUIS P CHLUP <lhchl@msn.com>  
**Sent:** Tuesday, September 26, 2017 7:29 AM  
**To:** Terri Tillman  
**Subject:** Fwd: Kachina Development on McCarty Road

Begin forwarded message:

**From:** Luis Chlup <lhchl@msn.com>  
**Subject:** Kachina Development on McCarty Road  
**Date:** September 26, 2017 at 7:26:34 AM MST  
**To:** [TerriTillman@pima.gov](mailto:TerriTillman@pima.gov)  
**Cc:** [Ally.Miller@pima.gov](mailto:Ally.Miller@pima.gov), Brian Underwood <[bunderwood@azplanningcenter.com](mailto:bunderwood@azplanningcenter.com)>

Dear Mr. Johns,

My husband and I are writing this letter to you and the other commissioners in regards to the concern and opposition of a development that is being proposed in our neighborhood by Kachina Developers.

We purchased our home little over thirty years ago when my husband's company transferred us out here from California. Our three now grown sons enjoyed the openness of the desert to play and explore, and having come from California as parents it was a bonus to know that if they were outside with their friends riding there bikes they were safe. This is also something that we now as Grandparents want to be able to share with our grandkids.

We do understand that as a neighborhood we need to be part of our growing community and that can and usually does mean some type of development anywhere on the open areas of land around us. Our opposition is that Kachina is trying to cram as many houses and apartments as they can, which they tried to explain was to bring the county more in tax revenue, but we feel that all it would do is give us added traffic on both McCarty and Dawn, which needs a three way stop sign put in place, from people going to and from work and taking and picking up their children from Mesa Verde Elementary School and traffic congestion that will be present from those people trying to get out on to La Cholla, which without a traffic light will be very dangerous. It is especially dangerous during morning and evening rush hours. I ( Hollie Chlup) have seen this first hand having been, now recently retired, school bus driver for Amphitheater School District.

We feel as our neighbors do that if the developers from Kachina would consider putting only two custom homes per acre on the higher elevation part of the land parcel it would enhance the area and not add to the congestion neighborhood. However, if the developer see this idea as a benefit not only to his company, but as a gesture of goodwill for the residents who already live here in the neighborhood, then we do feel that Commission should reconsider Kachina's request and deny the CR-5 zoning.

Respectfully,  
Luis and Hollie Chlup

Planning and Zoning Commission  
201 N Stone Ave.  
Tucson, AZ 85726

September 25, 2017

Re: Proposed Zoning Change for Section 27 in District 1, (Kachina Development)

To Brad Johns, Committee Chair,

We write to urge you, the Commission, to deny the developer, Kachina, represented by the Planning Center, their request to rezone Section 27 in District 1 moving from the current SR and CR-1 zoning to the proposed CR-5 and CR-4 zoning, for the reasons stated below.

Section 27 in District 1, a unique area of northwest Pima County, was initially zoned primarily SR and CR-1. The area north of Magee Road accommodates horse parcels (open space and horses, intentionally retaining the "Old West" atmosphere of Tucson's roots). This "Old West" atmosphere was the exact reason why we moved into this area of Tucson. This area is certainly growing in density as "infill" happens, but Section 27 is definitely not suburban or semi-urban; semi-rural is a more appropriate description. While we are not opposed to infill, we need the right kind of infill to complement the area as it was intended.

As neighbors and concerned citizens, we fear that under the current development plans our neighborhood will be stripped of its open space-leaving the natural wildlife to migrate elsewhere, the traffic will increase- creating further deterioration of our neighborhood roads, and safety concerns will multiply.

With well over 106 homes going in on 58 acres at Overton Reserve, we have already seen a huge reduction in the open space of Section 27. The natural wildlife is being run off and the overall composition of the neighborhood is becoming overcrowded.

Another concern we have is the excess traffic that will inevitably go through McCarty and Dawn roads. The roads within this section are patently unable to bear any additional traffic let alone the construction traffic. We are concerned that the LaCholla/McCarty intersection, which is designed and used as an equestrian crossing, if used for the Kachina construction traffic, will create a safety hazard for both the riders and the horses. The roads in our neighborhood are currently not sufficiently maintained and cannot sustain this type of use and impact. Kachina is considering using LaCholla access for ingress and egress during the construction phase. However, we would like to propose that if a LaCholla access can be gained during the construction of this development, certainly it can be the permanent access to the proposed development. This access would allow relief to the deterioration of our neighborhood roads.

Although Kachina has agreed to modify their rezoning request from CR-5 to CR-4, we have not seen any change, in the number of homes proposed on the upper or lower elevations of the property development plans. While MIU might be the right density for some Sections within Pima County, the Kachina development proposal is not suited for Section 27.

If Kachina would consider two (2) custom homes per acre on the upper elevation of the parcel it would not only enhance the neighborhood but it would keep the "Old West" atmosphere within the neighborhood which the county originally intended by its SR and CR-1 zoning. It would also allow for more open space and preserve the current wildlife that harmoniously live within our neighborhood.

Once again, we request that the Commission consider the opposition that the Kachina development has generated, and deny their request to rezone this portion of Section 27 from its current SR and CR-1 zoning.

Respectfully submitted,

Kai and Lorie Gerkey  
1780 W Liddell Dr.  
Tucson, AZ 85122

## Terri Tillman

---

**From:** Lynne St. Angelo  
**Sent:** Tuesday, September 26, 2017 9:49 AM  
**To:** Terri Tillman  
**Subject:** Re: Rezoning P17RZ00004 Larry Catell

Good Morning Terri,

Constituent Larry Catell called our office to voice his opposition to the proposed high density rezoning being considered in P17RZ00004. He and his wife are opposed to the high density that is being requested in their neighborhood. They feel that it will require a light be installed on La Cholla because of the increase in traffic in going from one to three acre lots to apartment zoning on one part of three property. He is going to attend the BOS meeting but won't speak.

His contact information is Larry Catell, [lkit297700@msn.com](mailto:lkit297700@msn.com), 520-742-1495, 8352 N Sage Pl 85704. Please let constituent and our office know that his complaint has been added to the list of people who are objecting to this rezoning as it is proposed.

Thank you so much.  
Lynne St. Angelo

*Lynne St. Angelo*  
Special Staff Assistant

Supervisor Ally Miller, District 1  
Pima County Board of Supervisors  
130 W Congress St. 11<sup>th</sup> floor  
Tucson, AZ 85701

Phone: (520) 724-2738  
[www.allymillerdistrict1.com](http://www.allymillerdistrict1.com)

**Sign Up for the District 1 Newsletter!**

\*\*All messages created in this system should be considered a public record subject to disclosure under the Arizona Public Records Law (A.R.S. 39-121) with no expectation of privacy related to this technology.

## Terri Tillman

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**From:** Kim Rainey <kim.rainey@gmail.com>  
**Sent:** Tuesday, September 26, 2017 7:48 AM  
**To:** Terri Tillman  
**Subject:** Planning and Zoning -La Cholla/McCarty property

On Sep 25, 2017 4:17 PM, "Kim Rainey" <[kim.rainey@gmail.com](mailto:kim.rainey@gmail.com)> wrote:  
Hi!

I am a neighbor who lives in the La Canada Neighborhood Association. I feel the Arnold property on La Cholla near old Magee Trail should not be rezoned for the following reasons:

- The majority of our properties in the La Canada Neighborhood Association were originally zoned as SR or CR-1. Many of our neighbors moved into this area because of the less dense population of the area. We like our large properties. Recently there have been several housing projects in the area that have increased the density. This has impacted our home resale value and our preferred way of life.
- The 2nd point I would like to make is the lack of green space this rezoning would create. I believe green space is needed to help wildlife migrate among us and along the wash areas. Commercialization of the area will inhibit wildlife. If the Arnold property owners would buy up the lone house to the South of their property and leave it as green space, this might make the entire rezoning more appealing to neighbors.
- The 3rd point is the desire of the Arnold property owners to build multi story structures on this property. The residential area has single story houses and keeping the project to single story will in effect lessen the density of the development. This property is on a hill and the 2 story homes will be an eyesore to the neighbors west of the new development. The homes built years ago in the Tucson National Subdivision to the west want their view of the Catalina Mountains uninhibited, not blocked by more multi story apartments and 2 story homes.
- The 4th point is the increase in traffic to La Cholla Blvd. Adding 25 homes to McCarty road will significantly impact the road. A greater impact will come from the 24 apartments set to be built with the only entrance/exit on La Cholla. This will impede the north bound traffic from the traffic light on La Cholla/ Magee and the north bound traffic from Old Magee Trail. The public is still at a learning stage with the no left turn on La Cholla at the Magee intersection. Throwing in more traffic so close to the "turn right to go left" loop on Magee will cause greater confusion at this time.
- My final point is apartment complexes in the area are not needed. Tierra Vida and Sonoran Terraces have numerous vacancies. These 2 complexes have many amenities to draw apartment dwellers such as pool, fitness center, theater area, community clubhouse, meeting rooms and they are still not able to fill all of the apartment vacancies. The proposed apartment complex has none of these amenities.

In summary, I would like you to consider not granting the request to rezone the Arnold property. The current zoning will be impactful enough for our area with the added development. I am not against developing this parcel but developing it with a lesser density is my preference. The current zoning will be lesser density housing.

Thank you for hearing my concerns,  
Kim Rainey  
1550 W. Liddell Drive

## Terri Tillman

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**From:** MsFlighty@aol.com  
**Sent:** Tuesday, September 26, 2017 10:26 AM  
**To:** Terri Tillman; Ally Miller; bundewood@azplanningcenter.com  
**Cc:** kleper43@gmail.com; Rick Ellis; rmiller1944@q.com; MsFlighty@aol.com; RomeroNeighbors@gmail.com; DJSoldat@aol.com; LCMNA2@aol.com  
**Subject:** Re: P17RZ00004 - Kachina Project

Please distribute this letter to the P&Z commissioners before Wednesday's meeting. Thank you.

To: Terri Tillman, Brad Johns (Chair), Ally Miller, Lexy Wellott, Brian (?) of the Planning Center

I echo the sentiments expressed by Betsy Sandlin (see below) regarding the Kachina Plan for construction of yet another 50 homes which will surround our neighborhoods.

I am a resident of the La Cholla Hills Retirement Community, to the north of this proposed building site, and in the 13+ years I have lived here I have seen us increasingly squeezed and hemmed in on three sides. It is most disheartening.

While La Cholla Hills will not suffer some of the acute onslaughts to their properties and lifestyles as those immediately adjacent to Kachina's new development, we will certainly fall victim to the increased traffic, noise and safety issues resulting from yet another surge in population.

I was among those involved in fighting Pulte's proposed rezone of the Jackson Property (to the east and the south of our retirement community), some 12 years ago. When they finally pulled out of the project, we were able to enjoy another decade of wonderful natural space, and the wildlife was given a reprieve from loss of their habitat and/or lives.

However, that all changed when Jim Campbell was successful in changing the zoning of that property, last year. To his credit, he worked with the surrounding neighborhoods and was sensitive to our needs and desires. In many instances, he bent over backwards to accommodate us. As Betsy noted, that property was sold to Lennar, and is now bare dirt with construction of infrastructure in progress.

To the west of La Cholla Hills, construction is well underway of new homes on land we thought was owned by the Omni Tucson Golf Course. The daily ingress and egress of workers, the huge earth moving trucks that initially cleared the land, and now the construction vehicles, have greatly impacted the safety of our residents when trying to exit from our two entrances onto La Cholla Boulevard, especially when headed south.

Our residents, as well as those of the Country Club next to us (an independent and assisted care facility), are all senior citizens ... most of whom are in their 60's, 70's, 80's and even 90's. With diminished sight, hearing, judgment and physical responses, many of us are at great risk when trying to cross the lanes of the recently expanded La Cholla Boulevard, in order to head south.

Representatives of our community and our Board of Directors have met with the Pima County Transportation Department people more than once, to express our concerns and desire for a traffic light, to no avail ... even though we are told the needed infrastructure is already in place for a traffic light. Perhaps after there are accidents with injury and/or death, the County's "criteria" can be successfully met.

I am thankful that the land to the north of our community is in a flood zone, or so I'm told. Otherwise, the developers would probably be scooping up that land, as well. God help us if they figure out a way to go around that problem.

I need add nothing more, Betsy has said it all ... and, far more eloquently. I would just add that I am not anti-development. After all, I live in a development.

I'm just trying to preserve a wee bit of what I had when I moved to this beautiful place almost 14 years ago ... as well, as protect some of the space for the remaining wildlife who still call this land their home. My heart breaks for them, as they continue to be pushed to the point of extinction.

I know some would (and, will) say these are petty concerns, given the state of the world around us ... from wild and destructive weather patterns, to wild and destructive politicians seemingly intent on bringing our planet to the brink of catastrophic annihilation.

But, for now, we are here ... these are our homes and our lives which are being affected by Kachina's project, and we have to do what is before us.

I respectfully request that you consider all sides when making your decisions ... not simply the financial implications.

Thank you,

Karen Farnham  
1816 W. Dalehaven Circle  
Tucson, AZ 85704

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*Please distribute this letter to the P&Z commissioners before Wednesday's meeting. Thank you.*

To Brad Johns, Chair:

Section 26 in District 1, a unique area of northwest Pima County, was initially zoned primarily SR and CR-1. The area north of Magee Road accommodates horse parcels (open space and horses, intentionally retaining the "Old West" atmosphere of Tucson's roots). This area is certainly growing in density as "infill" happens, but Section 26 is definitely not suburban or semi-urban; semi-rural is a more apt description. I am not opposed to infill: however, while it is better than leaving property at the whim of vagrants and miscreants, we need the right kind of infill to complement the area as it was intended to be.

As neighbors and concerned citizens, the residents of this — and adjoining sections — have made differences, both large and small, in how developers have proceeded. The end result, whatever the development plan, is that "vacant" land is bladed, habitat and open space is gone, traffic increases, and safety issues arise.

With well over 106 homes going in on 58 acres at Overton Reserve, there is already a huge change in the open space of Section 26. All is now level ground for infrastructure. And, as the remaining larger parcels in this section come up for sale, they will in all likelihood be bought by developers willing to plan and then resell the plan to the next developer in line. This occurred with the 42 homes in LaCholla Vista on Old Magee — originally Emil Martinez's plan, after years changing hands, Pulte finally took it over and built it out. The Jackson property went through the same transfer of ownership until Lennar took it on. Pelado Place on Magee and Romero went through similar changes. It is possible that the same will happen with this Kachina development.

The main concern of the majority of neighbors who have become involved in this process is the excess traffic that will inevitably go through McCarty and Dawn. The roads within this section are patently unable to bear construction traffic. The LaCholla/McCarty intersection is designated (and used!) as an equestrian crossing; the traffic of construction vehicles will become an even greater safety hazard for both horse and rider. The developer, Kachina, represented by The Planning Center, is considering using the LaCholla access for ingress and egress for the entire site and will forgo the use of McCarty. Lennar has done this at the Overton Reserve/Jackson property, using only Overton, in order to minimize

traffic concerns within the section. While this would resolve gravest traffic concerns, the matter of density is also a problem.

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In addition to the Kachina plan, there is immediately adjacent on its north boundary the approved Bowers plan for 23 single-family and town homes; and to the south, on the corner of Old Magee and LaCholla, there is an approved plan for 128 condos.

While MIU might be the right density for some sections within Pima County, for Section 26, this Kachina rezoning request is not seen as the right thing by a large number of the people who live within the section. If the developer could consider two custom houses per acre on the higher-elevation part of the parcel, it would enhance, not further congest this neighborhood. However, if the developer will only proceed with the current plan, then I agree with the gentleman at the last Planning Center meeting on September 21st: County should use the revenue gained from this deal to procure a proximate designated Open Space area for the multitude of new residents, above and below the hills of LaCholla, who will be seeing little of their surroundings except walls.

I urge the Commission to reconsider Kachina's request and, in view of the opposition it has generated, to deny the CR-5 zoning to the higher-elevation single-home portion of the plan.

Respectfully submitted, Betsy Sandlin

## Terri Tillman

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**From:** Barbara Dunn <bcjldunn@msn.com>  
**Sent:** Tuesday, September 26, 2017 10:49 AM  
**To:** Terri Tillman; bunderwood@azplanningcenter.com; alley.miller@pima.gov  
**Cc:** RomeroNeighbors@gmail.com  
**Subject:** Kachina Rezoning Matter Scheduled for 9/27/2017

I live in the La Cholla Hills townhome community north of the proposed Kachina development and attended one of the recent neighborhood meetings concerning the rezoning. People expressed concern about the high density of development along with neighborhood & La Cholla Blvd. traffic increase.

The map shows a very tight distribution of homes with a perimeter of trees inside a wall, which would appear to cut off any wildlife corridors. The most objectionable part to me is the two-story apartment buildings squeezed onto the parcel with a substantial increase in traffic on La Cholla. I think the project would be more palatable if it were only single-family homes.

In any case, I urge the Commission to reconsider Kachina's request and, in view of the opposition it has generated, to at least deny the CR-5 zoning to the higher-elevation single-home portion of the plan.

Thank you for your consideration.

Barbara Dunn  
8650 N. Little Oak Lane  
Tucson, AZ 85704  
bcjldunn@msn.com

## Terri Tillman

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**From:** Allen Desmond <allen@desmondmay.com>  
**Sent:** Tuesday, September 26, 2017 8:58 PM  
**To:** Terri Tillman; Ally Miller; bunderwood@azplanningcenter.com  
**Cc:** MsFlighty@aol.com; RomeroNeighbors@gmail.com  
**Subject:** Subj: Re: P17RZ00004 - Kachina Project

To the Pima County Planning and Zoning Commissioners:

I am an owner of property in the La Cholla Hills retirement community just north of the proposed development. I have read the submissions of Betsy Sandlin and Karen Farnham (see below) and I agree with them. Developments have recently been approved for two parcels immediately adjacent to La Cholla Hills on both the west and east, and many, many new homes are going in. Enough is enough. I urge you to deny the request for the rezoning. Thank you.

Allen Desmond  
1736 West Dalehaven Circle  
Tucson, AZ 85704  
(612) 750-6753 (cell)

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To: Terri Tillman, Brad Johns (Chair), Ally Miller, Lexy Wellott, Brian (?) of the Planning Center

I echo the sentiments expressed by Betsy Sandlin (see below) regarding the Kachina Plan for construction of yet another 50 homes which will surround our neighborhoods.

I am a resident of the La Cholla Hills Retirement Community, to the north of this proposed building site, and in the 13+ years I have lived here I have seen us increasingly squeezed and hemmed in on three sides. It is most disheartening.

While La Cholla Hills will not suffer some of the acute onslaughts to their properties and lifestyles as those immediately adjacent to Kachina's new development, we will certainly fall victim to the increased traffic, noise and safety issues resulting from yet another surge in population.

I was among those involved in fighting Pulte's proposed rezone of the Jackson Property (to the east and the south of our retirement community), some 12 years ago. When they finally pulled out of the project, we were able to enjoy another decade of wonderful natural space, and the wildlife was given a reprieve from loss of their habitat and/or lives.

However, that all changed when Jim Campbell was successful in changing the zoning of that property, last year. To his credit, he worked with the surrounding neighborhoods and was sensitive to our needs and desires. In many instances, he bent over backwards to accommodate us. As Betsy noted, that property was sold to Lennar, and is now bare dirt with construction of infrastructure in progress.

To the west of La Cholla Hills, construction is well underway of new homes on land we thought was owned by the Omni Tucson Golf Course. The daily ingress and egress of workers, the huge earth moving trucks that initially cleared the land, and now the construction vehicles, have greatly impacted the safety of our residents when trying to exit from our two entrances onto La Cholla Boulevard, especially when headed south.

Our residents, as well as those of the Country Club next to us (an independent and assisted care facility), are all senior citizens ... most of whom are in their 60's, 70's, 80's and even 90's. With diminished sight, hearing, judgment and physical responses, many of us are at great risk when trying to cross the lanes of the recently expanded La Cholla Boulevard, in order to head south.

Representatives of our community and our Board of Directors have met with the Pima County Transportation Department people more than once, to express our concerns and desire for a traffic light, to no avail ... even though we are told the

needed infracture is already in place for a traffic light. Perhaps after there are accidents with injury and/or death, the County's "criteria" can be successfully met.

I am thankful that the land to the north of our community is in a flood zone, or so I'm told. Otherwise, the developers would probably be scooping up that land, as well. God help us if they figure out a way to go around that problem.

I need add nothing more, Betsy has said it all ... and, far more eloquently. I would just add that I am not anti-development. After all, I live in a development.

I'm just trying to preserve a wee bit of what I had when I moved to this beautiful place almost 14 years ago ... as well, as protect some of the space for the remaining wildlife who still call this land their home. My heart breaks for them, as they continue to be pushed to the point of extinction.

I know some would (and, will) say these are petty concerns, given the state of the world around us ... from wild and destructive weather patterns, to wild and destructive politicians seemingly intent on bringing our planet to the brink of catastrophic annihilation.

But, for now, we are here ... these are our homes and our lives which are being affected by Kachina's project, and we have to do what is before us.

I respectfully request that you consider all sides when making your decisions ... not simply the financial implications.

Thank you,

Karen Farnham  
1816 W. Dalehaven Circle  
Tucson, AZ 85704

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*Please distribute this letter to the P&Z commissioners before Wednesday's meeting. Thank you.*

To Brad Johns, Chair:

Section 26 in District 1, a unique area of northwest Pima County, was initially zoned primarily SR and CR-1. The area north of Magee Road accommodates horse parcels (open space and horses, intentionally retaining the "Old West" atmosphere of Tucson's roots). This area is certainly growing in density as "infill" happens, but Section 26 is definitely not suburban or semi-urban; semi-rural is a more apt description. I am not opposed to infill: however, while it is better than leaving property at the whim of vagrants and miscreants, we need the right kind of infill to complement the area as it was intended to be.

As neighbors and concerned citizens, the residents of this — and adjoining sections — have made differences, both large and small, in how developers have proceeded. The end result, whatever the development plan, is that "vacant" land is bladed, habitat and open space is gone, traffic increases, and safety issues arise.

With well over 106 homes going in on 58 acres at Overton Reserve, there is already a huge change in the open space of Section 26. All is now level ground for infrastructure. And, as the remaining larger parcels in this section come up for sale, they will in all likelihood be bought by developers willing to plan and then resell the plan to the next developer in line. This occurred with the 42 homes in LaCholla Vista on Old Magee — originally Emil Martinez's plan, after years changing hands, Pulte finally took it over and built it out. The Jackson property went through the same transfer of ownership until Lennar took it on. Pelado Place on Magee and Romero went through similar changes. It is possible that the same will happen with this Kachina development.

The main concern of the majority of neighbors who have become involved in this process is the excess traffic that will inevitably go through McCarty and Dawn. The roads within this section are patently unable to bear construction traffic. The LaCholla/McCarty intersection is designated (and used!) as an equestrian crossing; the traffic of construction vehicles will become an even greater safety hazard for both horse and rider. The developer, Kachina, represented by The Planning Center, is considering using the LaCholla access for ingress and egress for the entire site and will forgo the use of McCarty. Lennar has done this at the Overton Reserve/Jackson property, using only Overton, in order to minimize traffic concerns within the section. While this would resolve gravest traffic concerns, the matter of density is also a problem.

Kachina has 'lowered' the rezoning request from CR-5 to CR-4 but this makes no difference whatsoever in their plan to put 25 houses on the higher elevation 3+ acres, and 24 apartment units on the lower-elevation 3+ acres. All the revisions of the Comprehensive Plan notwithstanding, in a still semi-rural area of Pima County, this attempt at infill speaks of little else than the bottom dollar, both for the developer and the County, considering all the impact fees and property tax

revenues to be gained. And, unlike proximate development plans that are already approved but not yet begun, this builder is ready to begin now.

In addition to the Kachina plan, there is immediately adjacent on its north boundary the approved Bowers plan for 23 single-family and town homes; and to the south, on the corner of Old Magee and LaCholla, there is an approved plan for 128 condos.

While MIU might be the right density for some sections within Pima County, for Section 26, this Kachina rezoning request is not seen as the right thing by a large number of the people who live within the section. If the developer could consider two custom houses per acre on the higher-elevation part of the parcel, it would enhance, not further congest this neighborhood. However, if the developer will only proceed with the current plan, then I agree with the gentleman at the last Planning Center meeting on September 21st: County should use the revenue gained from this deal to procure a proximate designated Open Space area for the multitude of new residents, above and below the hills of LaCholla, who will be seeing little of their surroundings except walls.

I urge the Commission to reconsider Kachina's request and, in view of the opposition it has generated, to deny the CR-5 zoning to the higher-elevation single-home portion of the plan.

Respectfully submitted, Betsy Sandlin

## Terri Tillman

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**From:** Brenda Young <Brenda@yespcb.biz>  
**Sent:** Tuesday, September 26, 2017 5:59 PM  
**To:** Terri Tillman  
**Subject:** The Kachina Plan Section 27 District 1

Hi Terri,

My name is Brenda Young, I live at 1961 W. Dawn Drive. My property is a few feet away from Section 27 and across the street. I have lived in my house for around 34 years. My concerns for the Kachina plan is the over density of the buildings on this property and the traffic. The neighborhood has already been exposed to increased traffic due to the homes already built down on La Cholla, with more building going on. The streets within the neighborhood were not built to sustain the increased load. Other concerns I have is the intersection at Dawn and McCarty. My house is on that corner and my fence and mail box have been hit several times (lots) with the traffic we have now. With the increase of traffic and the density of this project my request is CR-2 or CR-3 and no higher. Also, it would help if all the traffic from this project would enter and exit on La Cholla.

Regards,

*Brenda Young*

Office Manager / Accounting



3450 S. Broadmont #120

Tucson, AZ 85713

Ph: 520.795.1603

Fx: 520.325.9607

e-mail: [brenda@yespcb.biz](mailto:brenda@yespcb.biz)

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AMOUNT PAID \$ 3.00

TUCSON AZ 85701

**ORDINANCE 1993-158**

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; REZONING PROPERTY IN CASE CO9-93-22 MATTER - LA CHOLLA BOULEVARD REZONING; AMENDING PIMA COUNTY ZONING MAP NO. 115 LOCATED ON THE EAST SIDE OF LA CHOLLA BOULEVARD, APPROXIMATELY 700 FEET NORTH OF MAGEE ROAD.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA:

**Section 1.** The property described on the attached rezoning ordinance map, amends Pima County Zoning Map No. 115 and is hereby rezoned from SR to CR-1.

**Section 2. Rezoning Conditions.**

1. Submittal of a development plan if determined necessary by the appropriate County agencies.
2. Recording of a covenant holding Pima County harmless in the event of flooding.
3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
4. Provision of development related assurances as required by the appropriate agencies.
5. Recording a covenant to the effect that there will be no further subdividing or lot splitting without the written approval of the Board of Supervisors.
6. Prior to the preparation of the development related covenants and any required dedication, a title report evidencing ownership of the property shall be submitted to the Department of Transportation, Property Management Division.
7. Wastewater Management Conditions:
  - A. The property owner or his agent must secure approval from the Pima County Department of Environmental Quality to use individual sewage disposal systems within the proposed rezoning.

- B. The property owner or his agent must covenant that, if a public sewer becomes available for service within 200 feet of this parcel, he will connect to the public sewer within 90 days of receipt of notification from Pima County that a public sewer is available for service within 200 feet of the property boundary.
- C. If it is determined that on-lot sewage disposal systems are not feasible for this development, the property owner or his agent must connect to the public sewer system at the location and in the manner specified by Wastewater Management at the time of review of the tentative plat or development plan.

8. Transportation Conditions:

- A. All driveways serving more than one (1) dwelling unit shall be paved (chipsealed) to the applicable Pima County standards within six (6) months of issuance of building permits.
- B. Access to La Cholla Boulevard for the entire rezoned property shall be limited to one location. The location and design of said access point shall be subject to approval by the Department of Transportation prior to the issuance of any building permits.
- C. The owner shall accept responsibility for the maintenance, control, safety and liability of privately owned roads, parking areas, drives, physical barriers, drainageways and drainage easements.

9. Flood Control Conditions:

- A. The property owner must submit to the Flood Control District a plot plan showing all required information. Upon review of the plot plan, the Floodplain Management Section will determine if building permits may be issued or if a more detailed hydrologic and hydraulic study will be required.
- B. Drainage shall not be altered, disturbed or obstructed without the written approval of the Flood Control District.

**Section 3. Time limits, extensions and amendments of conditions.**

1. Conditions 1 through 9 shall be satisfied within eight years following the date of the signing of this Ordinance by the Chairman of the Board of Supervisors.
2. The time limit may be extended by the Board of Supervisors by adoption of a resolution in accordance with Chapter 18.91 of the Pima County Zoning Code.
3. No building permits shall be issued based on the rezoning approved by this Ordinance until all conditions 1 through 9 are satisfied and the Planning Director issues a Certificate of Compliance.
4. The rezoning conditions of Section 2 may be amended or waived by resolution of the Board of Supervisors in accordance with Chapter 18.91 of the Pima County Zoning Code.

**Section 4.** All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 5.** The effective date of this Ordinance shall be on the date of signing of this Ordinance by the Chairman of the Board of Supervisors.

Ordinance 1993-158

Passed and adopted by the Board of Supervisors of Pima County,

Arizona, this 16th day of November, 1993.

M. L. B. D.  
Chairman, Board of Supervisors

NOV 16 1993  
Date

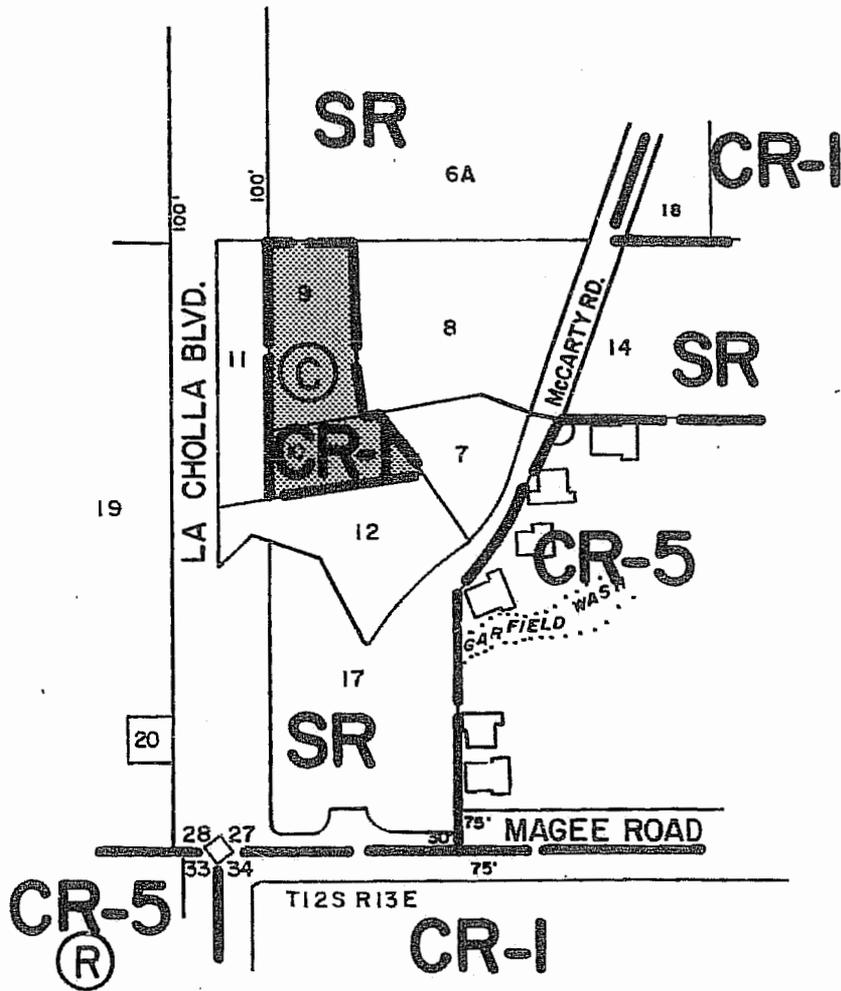
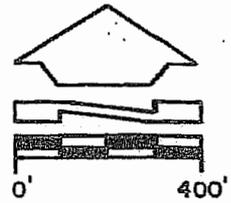
ATTEST:

Ron [Signature]  
Clerk, Board of Supervisors

[Signature]  
Executive Secretary  
Planning and Zoning Commission

AMENDMENT NO. 59 BY ORDINANCE NO. 1993-158  
 TO PIMA COUNTY ZONING MAP NO. 115 TUCSON, AZ.  
 PARCELS 9 and 10 BEING A PART OF THE SW 1/4 OF THE  
 SW 1/4 OF SEC 27, T12S R13E.

ADOPTED 11-16-93 EFFECTIVE 11-16-93



*[Handwritten Signature]*  
 EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

(C) NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE.

from SR 2.92 ac±

ma - OCTOBER 17, 1993

C09-93-22

C07-89-2

225-21-0090,

0100

**PIMA COUNTY PLANNING DIVISION  
APPLICATION FOR REZONING**

Arnold Family Tr Attn: Michael & Linda A Arnold Tr      8161 N. McCarty Rd.      (520)797-2137  
 Owner      Address      Phone daytime/ (Fax)

The Planning Center      2 E Congress St, Suite 600      (520)623-6146 / (520)622-1950  
 Applicant (if other than owner)      Address      Phone daytime/ (Fax)

See attached title commitment      225-21-0080, 225-21-0090, & 225-21-0010  
 Legal description / property address      Tax Code

Single- and Multi-Family Residential      Outside  
 What is the proposed use of the property if the rezoning is obtained?      Conservation Land System category

6.68      SR/CR-1      CR-5      Tortolita/MIU/None  
 Acreage of proposed zone(s)    Present zone    Proposed zone    Comprehensive plan subregion / category / policies

The following are attached if applicable:

1. Assessor's map showing boundaries of subject parcel and Assessor's property inquiry (APIQ) printout showing **current ownership** of subject parcel. DEEDS AND/OR TITLE REPORTS WILL NOT BE ACCEPTED. If the applicant is not shown as the owner of the subject parcel a letter of authorization with an original signature matching the APIQ must accompany the application at the time of submittal. For example, if the APIQ indicates ownership in a numbered trust such as Chicago Title and Trust #700, an original of the Trust Officer is required along with a disclosure of the beneficiaries of the trust. If the APIQ indicates ownership to be an LLC, LP, corporation or company, an **original signature** from an officer with his/her title is required along with a disclosure of the officers of the entity.
2. For rezonings that require a site analysis, submit the site analysis fee and seven copies of the site analysis document.
3. For rezonings that do not require a site analysis, submit a sketch plan in accordance with Cahpeter 18.91.030.E.1.a & b. Submit a detailed description of the proposed project, including existing lands 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 (add documentation should be legible and no larger than 8.5" X 11").
4. For all rezonings, submit three copies of the **Biological Impact Report**.
5. For all rezonings, submit the entire rezoning fee.

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

July 12, 2017  
 Date

*Brian Underwood*  
 Signature of applicant

**FOR OFFICIAL USE ONLY**

Co9-  
 • Case name

Rezoning from      Rezoning to      Map no.      Fee      Supervisorial district

Conservation Land System category

Cross reference: Co9-, Co7-, other      Comprehensive Plan subregion / category / policies

Received by \_\_\_\_\_ Date \_\_\_\_\_ Checked by \_\_\_\_\_ Date \_\_\_\_\_

June 19, 2017

Pima County  
Development Services Department  
201 N. Stone Avenue, 2nd Floor  
Tucson, AZ 85701

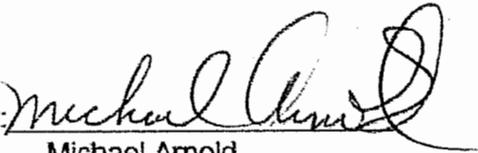
Subject: **Rezoning for Kachina Homes**  
**On Tax Parcels: 225-21-0080, 225-21-0090, and 225-21-0100**  
TPC Job no.: CCD-11

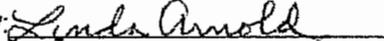
Pima County Development Services Department:

As owner (s) of the above referenced tax parcels, we hereby authorize The Planning Center to act as our agents throughout the rezoning application process.

Very Truly Yours,

Michael and Linda Arnold Family Trust

By:   
Michael Arnold

By:   
Linda Arnold

ARNOLD FAMILY TR  
ATTN: MICHAEL E & LINDA A ARNOLD TR  
180 W LINDA VISTA  
TUCSON AZ 85704-6804