

9 October 2018

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



and;

The Clerk of the Board of Supervisors

ATTENTION: The Board of Supervisors, and
 Planning and Zoning Commission

RE: P18CA00003 Harbour Trust, ET AL - N. La Cholla Boulevard Plan Amendment and
 P18CA00004 Quest Land Group LLC - La Cholla Boulevard Plan Amendment

Dear Supervisors,

We own the property (parcel #225-04-003E) to the west and immediately adjacent to the subject 22.5 acre Harbour parcel (P18CA00003) for which a change in land use designation has been requested as well as a subsequent change in zoning, please find that **we PROTEST and STRONGLY OBJECT** to the proposed changes from;

Low Intensity Urban (LIU 0.3) and 0.3 Residences/Acre (R/AC) with SR (Suburban Ranch) Zoning, to;

Medium Intensity Urban (MIU) and 5 to 13 R/AC density and CR-2 or 3 Zoning or possibly for garden apartments, or non-residential use such as offices, medical offices and hotels;

as well as the proposed changes requested in P18CA00004 for the Quest Land Group parcel.

Amongst other reasons, we are opposed to the proposed changes as follows;

1.0 The Pima County Comprehensive Plan (Pima Prospers) including the subject area was very recently completed and **DID NOT INCLUDE** the proposed land use designations for a variety of reasons, nor were these actively pursued by the proponents during completion of the Plan. To approve these changes at this juncture would **invalidate the planning process, the community involvement and input which occurred, the development process itself and the finalized plan which resulted.**

We believe that this Application should have been rejected by the Planning Commission, and that Staff should have withdrawn their recommendation and completed re-evaluation.

5.0 In the Staff Report dated 29 Aug 2018, the Applicant states;

While two separate, stand-alone amendment applications have been submitted for the respective properties in question, this narrative addresses them collectively. This approach is appropriate because, from a best-practices land-use planning perspective, we envision the combined properties as a single, integrated residential development. The separate applications have been filed only because the respective properties are under different ownership, and it is those owners' preference that they each proceed through the public process as distinct entities.

A single narrative for two applications by two separate land owners is confusing, and many inconsistencies exist between Projects International's documents and in the applications, with a number of conflicting, inconsistent and/or non-applicable statements made from one portion of "the project" to the next. We contend that **"this approach" is not appropriate, and should be considered to be speculative from a permitting, rezoning and development standpoint**, particularly with respect to any subsequent conditions which might be imposed, particularly as no guarantee of "a single, integrated residential development" exists.

Amongst other elements, considering location within a Special Species Management Area and the **large, combined area of 52 acres in size and the increased densities which are proposed, an EA or environment assessment approach on the entire project should be adopted to consider the cumulative effect of the proposed changes in designation.**

6.0 The Staff Report for P18CA00003 dated 29 Aug 2018 states "The project will fully satisfy CLS requirements through a combination of significant on-site set-asides and off-site mitigation.". **This statement is NOT TRUE and inconsistent within Projects International's documents in the Staff Report.** The total set-aside in the application is ~1.75 acre, or 7.7% of 22.5 acres which should not be termed "significant". **Virtually no on-site N.O.S. is demonstrated.**

Located in a Special Species Management Area, the Comprehensive Plan for this area calls for either 80% N.O.S. set-aside on-site, or alternatively, 4 acres off-site preservation for every acre of disturbance on-site, or a combination of both. It is evident the Applicant plans off-site preservation for virtually all the N.O.S. requirement. Our property has approx. 41% N.O.S. as permitted and purchased in 2005, specifically in conjunction with the area planning and zoning that was in place at the time, which has been further confirmed and supplemented via the Comprehensive Plan.

While we generally support the Sonoran Desert Conservation Plan, greater than 92% off-site preservation is unacceptable to us and as adjacent property owners, **we strongly object to off-site N.O.S. on the basis that it would be inequitable from a property value and property tax standpoint in relation to what we have paid for, will continue to pay for, enjoy on our property and owing to all the other existing properties in the immediate area which have**

significant percentages of N.O.S.. A minimum of at least 41% on-site N.O.S. should be required to be equitable.

7.0 Particularly for the case of P18CA00003 Harbour Trust, we have many concerns related to a density increase of 17x to 43x higher owing to a proposed MIU designation, including that such a change would **effectively eliminate the habitat of the many raptors in the immediate area, including various hawks, large owls, burrowing owls, screech owls and Gila monsters which inhabit and/or frequent our property on a regular basis additional to quail, roadrunner, doves, woodpecker, hummingbirds and songbirds, as well as a number of larger animals such as bobcat, deer, javelina and coyote, and also affect their travel corridors.**

8.0 The proposed changes in density would **substantially eliminate the abundant flora which exist including the many cacti and some large Saguaro, Ironwood, Palo Verde and Mesquite, particularly for the case of P18CA00003 Harbour Trust.**

9.0 For the case of P18CA00003 Harbour Trust, development at a MIU density would significantly affect the drainage in the area itself due to a substantially higher run-off coefficient from the high housing and road density in the proposed development area, inclusive of run-in drainage waters from upstream and outlying catchment areas. Our concern is **the nearly certain result of the inundation of a significant portion of the 417 ft length of our property on the east which borders the Harbour Trust property.** Impact to the fencing on the east side of our property is already occurring owing to changes in local drainage which appear to be the result of sub-surface investigation and pre-development work by various contractors.

10.0 For the case of P18CA00003 Harbour Trust, development at a MIU density would significantly affect the drainage in the area itself and greatly increase water flow over Overton Road (between La Cresta and La Cholla), certainly **resulting in the closure of Overton Road for extended periods** (it is very near closure now during the monsoon season, given the water flow during rainstorms and the periods following given the high sand and debris loads). Given the large catchment area for this drainage point, precipitation volumes/intensities and high run-off coefficients, it is doubtful that a retention basin could be sized such that this is prevented, with the result that **Overton Road would be closed on both the east and west sides of La Cholla Boulevard unless bridges are installed.**

11.0 For the case of P18CA00003 Harbour Trust, an increase in density and subsequent development would likely **require the establishment and use of La Cresta Road in front of our property, which currently dead ends as was created by Pima County's abandonment of the portion of La Cresta Road on the Applicant's property, thereby substantially increasing traffic, noise and would create an irregular and somewhat hazardous 3-way intersection.**

12.0 For the case of P18CA00003 Harbour Trust, **development at a density increase of 17x to 43x higher owing to a proposed MIU designation would significantly and negatively affect our view shed, greatly increase noise, emissions, vehicle traffic and congestion in the area long term**, and more particularly during construction. It is difficult to imagine the impact of the increased traffic load to traffic safety on Overton Road, but it is clear it would be severe compared to the current Plan density of LIU 0.3.

13.0 We contend that the proposed **change in density to MIU for P18CA00003 Harbour Trust and subsequent development will reduce our property value and marketability based on the impacts listed above, as well as reduce that of other adjacent property owners**. While the amount of this impact is somewhat subjective as it is difficult to quantify, there is no doubt it will occur.

14.0 The **application and informational documents prepared by Projects International are fraught with numerous errors, inconsistencies, misleading and false statements** including:

- valid reason(s) not given for the proposed changes;
- requested land use density not defined – speculative zoning;
- La Cholla Boulevard north of Overton Road will soon be reconstructed by the Town of Oro Valley;
- the closest commercial development is at West Magee Road and La Cholla Boulevard, which is four miles to the south;
- envisaged single project and two applications by unrelated parties – speculative permitting, zoning and development;
- significant on-site NOS set-asides at only 7.7%; and

a Neighborhood Outreach program with few respondents and which for example, claimed and/or inferred that property owner Traci Maddox was in favor of the proposed changes, when in fact she was not, disputed this and stated so much at the Public Hearing of 29 Aug 2018. Additionally, discrepancies in the reported disposition of the La Cholla Bluffs and Alta Mira Village HOA members also appear to exist given our personal discussions with a number of residents.

15.0 We contend that in the case of Harbour Trust and from our personal conversations with John Harbour, **land use change is primarily being proposed by an out of state (Nevada) resident who has little to no interest in the property, adjoining property owners, the community or environment other than from the standpoint of a real estate transaction**.

16.0 As a point of clarification it should be noted that on Page 6 of the Staff Report dated 29 Aug 2018, it states that “Public Comments: None received at time of preparation of this report’.

With respect to the date of the Staff Report, this does not appear to be correct as we hand delivered comments at both the Planning Division offices on Stone and to the Clerk of the Board of Supervisors on 22 Aug 2018.

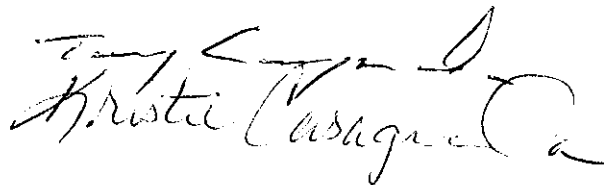
We purchased our home near the height of the market boom in 2005, and did so because of the general planning and area zoning which existed at the time, in couple with the lot size, views, N.O.S., fauna and flora which are found on our property and in the area. We have been faithful tax payers, and the requested changes would create substantial impact to us and the environment.

The Comprehensive Plan was recently completed and is very well done. Many factors including land use and urban density were considered during its completion, and there is no compelling reason given for the proposed changes. Going forward we plan to continue to speak with **affected property owners in the area, who from our conversations universally object or are opposed, and agree that we need to "STICK WITH THE PLAN"**.

Again, please find that we **PROTEST and STRONGLY OBJECT** to the proposed changes in land use and density along with the subsequent rezoning applications which might occur, and respectfully request that you deny these applications. Thanking you in advance for your consideration.

Best regards,

Tony and Kristie Casagrande
2222 W La Cresta Road
Tucson, AZ 85742

A handwritten signature in black ink, appearing to read "Kristie Casagrande". The signature is written in a cursive, flowing style.