



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: September 15, 2020

Title: P20CR00001 CUMMINGS ET AL - E. REX MOLLY ROAD CONCURRENT PLAN AMENDMENT/
REZONING

Introduction/Background:

The applicant requests a 2.5-acre concurrent plan amendment from Planned Development Community (PDC) to Medium Intensity Rural (MIR) and rezoning from SP (Specific Plan) to GR-1 (Rural Residential) zone to permit construction of a single-family residence with accessory structures for horses and goats.

Discussion:

The current plan designation and zoning is for a Specific Plan high-density residential master planned community that does not permit animals. The requested land use changes would revert the subject parcel to its prior land use designation and zoning. The parcel is at the furthest northwest corner of the specific plan area, and the proposed uses would match rural residential development to the north and west.

Conclusion:

The requested concurrent plan amendment and rezoning conform to the Pima County Zoning Code.

Recommendation:

Staff recommends APPROVAL of the concurrent plan amendment and rezoning subject to standard and special conditions. The Planning and Zoning Commission recommends APPROVAL subject to a revised sketch plan and modified standard and special conditions.

Fiscal Impact:

n/a

Board of Supervisor District:

☐ 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ All

Department: Development Services, Planning Division Telephone: 520-724-9000

Contact: Mark Holden, Principal Planner Telephone: 520-724-6619

Department Director Signature/Date:

Deputy County Administrator Signature/Date:

County Administrator Signature/Date:

8/24/2020

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C. Decker Busby 8/24/20

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DEVELOPMENT SERVICES

TO: Honorable Steve Christy, Supervisor, District 4

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

DATE: August 21, 2020

SUBJECT: P20CR00001 CUMMINGS ET AL – E. REX MOLLY ROAD PLAN
AMENDMENT AND REZONING

The above referenced Rezoning is within your district and is scheduled for the Board of Supervisors' **TUESDAY, SEPTEMBER 15, 2020** hearing.

REQUEST: For a **concurrent plan amendment and rezoning** to amend the Comprehensive Plan from Planned Development Community (PDC) to Medium Intensity Rural (MIR) and to rezone from SP (Specific Plan) to GR-1 (Rural Residential) zone on approximately 2.5 acres. The property is located at the southwest corner of E. Rex Molly Road and S. White Lightening Lane and addressed as **13650 E. Rex Molly Road**.

OWNERS: Susan E. Cummings (½) & Susan E. and George W. Cummings (½)
80226 Linden Hills Street
Covert, MI 49043

AGENT: Todd and Jessica Ogiba
6098 S. Calle de la Rosa
Hereford, AZ 85615

DISTRICT: 4

STAFF CONTACT: Mark Holden, Principal Planner

PUBLIC COMMENT TO DATE: As of August 21, 2020, staff received letters from fifty-two (52) neighbors in the specific plan area expressing concerns about introducing animals close to their neighborhood and potential commercial operations on the site. Staff also received letters and petition signatures of support from fifty-two (52) neighbors in both the specific plan area and surrounding rural neighborhood.

PLANNING & ZONING COMMISSION RECOMMENDATION: **APPROVAL SUBJECT TO A REVISED SKETCH PLAN AND MODIFIED STANDARD AND SPECIAL CONDITIONS** (7 – 0; Commissioners Bain, Cook and Maese were absent)

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

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM DESIGNATIONS: An approximately 25-foot-wide strip on the east side of the subject parcel is designated as Multiple Use Management Area under the Maeveen Marie Behan Conservation Land System (CLS).

TD/MH/tt
Attachments



BOARD OF SUPERVISORS MEMORANDUM

SUBJECT: P20CR00001

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FOR SEPTEMBER 15, 2020 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

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

DATE: August 21, 2020

ADVERTISED ITEM FOR PUBLIC HEARING

CONCURRENT PLAN AMENDMENT AND REZONING

P20CR00001 CUMMINGS ET AL - E. REX MOLLY ROAD PLAN AMENDMENT AND REZONING

Cummings et al., represented by Todd and Jessica Ogiba, for a **concurrent plan amendment and rezoning** to amend the Comprehensive Plan from Planned Development Community (PDC) to Medium Intensity Rural (MIR) and to rezone from SP (Specific Plan) to GR-1 (Rural Residential) zone on approximately 2.5 acres. The property is located at the southwest corner of E. Rex Molly Road and S. White Lightning Lane and addressed as **13650 E. Rex Molly Road**, in Section 3, Township 16 South, Range 16 East, in the Rincon Valley Planning Area. On motion, the Planning and Zoning Commission voted to recommend **APPROVAL SUBJECT TO A REVISED SKETCH PLAN AND MODIFIED STANDARD AND SPECIAL CONDITIONS** (7-0; Commissioners Bain, Cook and Maese were absent). Staff recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**.
(District 4)

Planning and Zoning Commission Public Hearing Summary (July 29, 2020)

Chairman Johns and staff were present in the hearing room; the remainder of the commissioners who participated did so via telephone as a public health precaution due to the coronavirus pandemic. Commissioner Matter joined the hearing mid-way through this case.

Staff presented information from the staff report to the commission with a recommendation of approval subject to conditions. The commission had no questions.

The applicant spoke about their concurrent request and explained the residential development they proposed.

A commissioner ask for clarification from staff if this was indeed a request to down-plan and down-zone the parcel. Staff responded in the affirmative, stating that the specific plan prohibited animals and the request would return the property back to its original rural status and permit livestock.

The commission opened the public hearing.

All speakers were residents of the Vail Valley Ranch Specific Plan area, in the Four Seasons residential subdivision east of the subject parcel.

Speaker #1 stated his opposition to the request and expressed concerns about the numbers of animals permitted under the GR-1 zone, and that additional horses could come on-site and use the proposed arena. He felt there were many more properties in the Vail region more appropriate than the subject parcel for this kind of rural residential development.

Speaker #2 was opposed to the request and stated concerns about dust and dirt potentially generated by the horse arena.

Speaker #3 was opposed to the request. He stated that his home is on the market, he must now add this information to the real estate sales disclosure, and a possible out-of-state buyer may now balk at purchasing the home.

Speaker #4 was also opposed to the request. He was relieved to hear about the limits being placed on numbers of livestock permitted but expressed concerns about small farm animals being permitted, especially roosters.

The applicant responded to neighbor concerns and stated that they were fine with the rezoning conditions proposed by staff. A commissioner asked if the applicant was amenable to relocating the barn and horse arena further to the west on the subject property to provide more space away from the existing specific plan homes. The applicant answered in the affirmative. Another commissioner asked if they had future plans for chickens and roosters on their property. The applicant responded no. A commissioner asked if there were plans to allow horses other than those on the property to use the arena. The applicant responded no, that due to property insurance issues, horses from the outside would not be using the arena.

The public hearing was closed.

Commissioner Gungle made a motion to recommend **APPROVAL** of the concurrent plan amendment and rezoning subject to modified standard and special conditions (additional prohibition on other types of livestock and small farm animals, and no horses from off-site permitted to use on-site facilities) and a revised sketch plan to show the horse barn and corral relocated further west on the subject property. Commissioner Matter gave second to the motion.

A commissioner noted that it seem strange to recommend approval of this case when most cases strive to increase residential density where there is available infrastructure. Another commissioner stated he was comfortable with horses and goats on the property, but roosters can be problematic; otherwise, he was OK with the proposed development.

A commissioner asked if they would need to approve comprehensive plan rezoning policies that would become rezoning conditions; another commissioner informed him that this is a concurrent amendment and rezoning case.

The commission voted to recommend **APPROVAL** of the concurrent plan amendment subject to a revised sketch plan and modified standard and special conditions (7 - 0, Commissioners Bain, Cook and Maese were absent).

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

1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
2. Regional Flood Control District condition: For disturbance of riparian habitat of one-third acre or greater, a Floodplain Use Permit and Riparian Habitat Mitigation Plan shall be required and approved by the Regional Flood Control District.
3. Regional Wastewater Reclamation Department conditions:
 - A. The owner(s) shall construe no action by Pima County as a commitment of capacity to serve any new development within the plan amendment/rezoning area until Pima County executes an agreement with the owner(s) to that effect.
 - B. The owner(s) shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the plan amendment/rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and / or conveyance capacity not be available at that time, the owner(s) shall enter into a written agreement addressing the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
 - C. The owner(s) shall time all new development within the plan amendment/rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
 - D. The owner(s) shall connect all development within the plan amendment/rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
 - E. The owner(s) shall fund, design and construct all off-site and on-site sewers necessary to serve the plan amendment/rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.
 - F. The owner(s) shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the plan amendment/rezoning area.
4. Environmental Planning condition: Upon the effective date of the Ordinance, the owner(s)/developer(s) shall have a continuing responsibility to remove invasive non-native species from the property, including those listed below. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the property owner.

Invasive Non-Native Plant Species Subject to Control

<i>Ailanthus altissima</i>	Tree of Heaven
<i>Alhagi pseudalhagi</i>	Camelthorn
<i>Arundo donax</i>	Giant reed
<i>Brassica tournefortii</i>	Sahara mustard
<i>Bromus rubens</i>	Red brome
<i>Bromus tectorum</i>	Cheatgrass
<i>Centaurea melitensis</i>	Malta starthistle
<i>Centaurea solstitialis</i>	Yellow starthistle
<i>Cortaderia</i> spp.	Pampas grass
<i>Cynodon dactylon</i>	Bermuda grass (excluding sod hybrid)
<i>Digitaria</i> spp.	Crabgrass
<i>Elaeagnus angustifolia</i>	Russian olive
<i>Eragrostis</i> spp.	Lovegrass (excluding <i>E. intermedia</i> , plains lovegrass)
<i>Melinis repens</i>	Natal grass
<i>Mesembryanthemum</i> spp.	Iceplant
<i>Oncosiphon piluliferum</i>	Stinknet
<i>Peganum harmala</i>	African rue
<i>Pennisetum ciliare</i>	Buffelgrass
<i>Pennisetum setaceum</i>	Fountain grass
<i>Rhus lancea</i>	African sumac
<i>Salsola</i> spp.	Russian thistle
<i>Schinus</i> spp.	Pepper tree
<i>Schismus arabicus</i>	Arabian grass
<i>Schismus barbatus</i>	Mediterranean grass
<i>Sorghum halepense</i>	Johnson grass
<i>Tamarix</i> spp.	Tamarisk

5. Cultural Resources condition: Prior to ground modifying activities, an on-the-ground archaeological and historic sites survey shall be conducted on the subject property. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property shall be submitted at the time of, or prior to, the submittal of any tentative plan or development plan. All work shall be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate. Following rezoning approval, any subsequent development requiring a Type II grading permit will be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.
6. Adherence to the sketch plan as approved at public hearing, and keeping of no more than four (4) horses and two (2) goats (female or neutered male goats only) on the site per application request letter. No other types of livestock or small farm animals shall be permitted. No horses from off-site shall be permitted to use the facilities on-site.
7. Less restrictive rezoning applications may not be submitted under the approved comprehensive plan designation. A separate comprehensive plan amendment and rezoning are required for less restrictive zoning.
8. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.
9. The property owner shall execute the following disclaimer regarding Proposition 207 rights: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act,

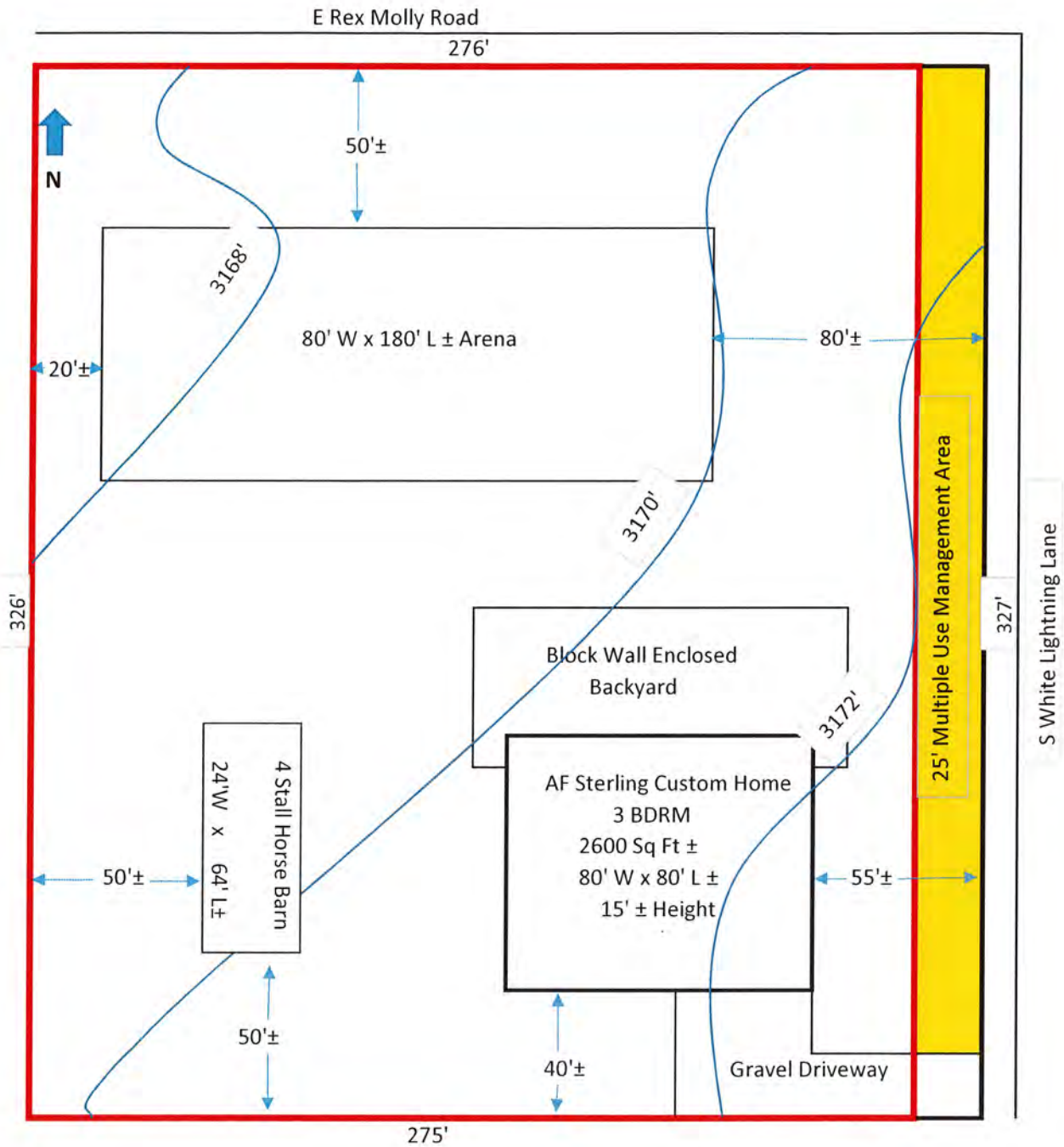
P20CR00001

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Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)."

TD/MH/tt
Attachments

cc: Susan E. and George W. Cummings, 80226 Linden Hills Street, Covert, MI 49043
Todd and Jessica Ogiba, 6098 S. Calle de la Rosa, Hereford, AZ 85615
Tom Drzazgowski, Chief Zoning Inspector
P20CR00001 File



13650 E Rex Molly Dr.
Parcel # 305-05-0690
Area = 2.5 Acres ±

*Perimeter fence indicated by red line.

Case #: P20CR00001
Case Name: CUMMINGS, ET AL - E. REX MOLLY ROAD
CONCURRENT PLAN AMENDMENT & REZONING
Tax Code(s): 305-05-0690

AERIAL EXHIBIT



0 220 440 880 Feet

**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION**



Notes:



Map Scale: 1:6,000

Map Date: 7/7/2020 - ds



CONCURRENT PLAN AMENDMENT AND REZONING

PLANNING AND ZONING COMMISSION STAFF REPORT

HEARING DATE	July 29, 2020
CASES	P20CR00001 Cummings, et al. - E. Rex Molly Road Concurrent Plan Amendment and Rezoning
PLANNING AREA	Rincon Valley
DISTRICT	4
LOCATION	The property is located at the southwest corner of E. Rex Molly Road and S. White Lightning Lane, and is addressed as 13650 E. Rex Molly Road
ACREAGE	2.5 acres (+/-)
REQUEST	To amend the Pima County Comprehensive Plan from Planned Development Community (PDC) to Medium Intensity Rural (MIR) and to rezone from SP (Specific Plan) to GR-1(Rural Residential) zone for a single rural residence and accessory uses
OWNER	Susan E. Cummings (½) and Susan E. and George W. Cummings (½)
AGENT	Todd and Jessica Ogiba

APPLICANT'S REQUEST

"We are in the process of purchasing this vacant land (2.5 acres) to build a detached site built single family home and horse barn. The house is approximately 2,600 square feet and the barn is approximately 1,500 square feet. At the current time the barn will be used to house 4 horses and 2 goats. A perimeter fence will be installed along with the house and barn in addition to a proposed turnout between the house and barn. Stalls will be cleaned twice daily and manure removed off-site twice a week. Water will be supplied by private water company through a connection on South White Lighting Lane. In addition, the house will be connected to the sewer through the main connection on S White Lighting Lane. The property has scrub brush along with [prickly-pear] cactus located throughout. Due to overgrowth and neglect a majority of the vegetation appears to be diseased and in need of maintenance. Once the house is built we are planning to create a buffer zone between the neighbors with native plants."

STAFF REPORT SUMMARY

Staff recommends **APPROVAL** for a plan amendment to Medium Intensity Rural (MIR) and a rezoning to GR-1 (Rural Residential) zone subject to standard and special conditions. The subject parcel was added to the Vail Valley Ranch Specific Plan area through a later amendment to the plan, but has remained unsubdivided for residential development or use. The parcel lies on the edge of the specific plan area and surrounding rural residential development. This request would revert the parcel to its prior rural land use designation and zoning.

PUBLIC COMMENT

No public comment has been received as of July 20, 2020. The applicants held a neighborhood meeting on June 20, 2020 at Rancho del Lago – four neighbors attended.

COMPREHENSIVE PLAN

The current land use designation is Planned Development Community (PDC), for areas under existing specific plans, which comprise a unique zoning regimen within a master-planned community. The proposed Medium Intensity Rural (MIR) designation is for residential uses at densities consistent with rural settlements in reasonable proximity to Rural Crossroads (RX), arterials, or suburban areas.

Staff has reviewed the plan amendment criteria for this request. The subject parcel is not covered under rezoning or special area policies; has a small portion within the Maeveen Marie Behan Conservation Lands System that will remain undeveloped; and, is located on the edge of the specific plan area. The requested plan amendment designation will match that of the rural properties immediately to the north and west.

SURROUNDING LAND USE / ZONING DESIGNATIONS AND LAND USES

North	MIR/GR-1	Unsubdivided rural residential
South	PDC/SP	Subdivided, undeveloped
East	PDC/SP	Subdivided high-density residential
West	MIR/GR-1	Unsubdivided rural residential

The subject parcel is located at the northwestern-most portion of the Vail Valley Ranch (Rancho del Lago) Specific Plan area (Co23-97-01). The parcel is undeveloped, with a mix of Sonoran desert trees, low shrubs and cacti (mainly mesquite and prickly-pear cactus); there are a few saguaro cactus of various sizes scattered across the parcel.

The region is characterized by a mix of high-density residential, commercial/retail development, and open space and golf course in the specific plan area; subdivided residential development along S. Camino Loma Alta (zoned GR-1 and CR-2 Single Residence); and, low- to medium-density unsubdivided rural residential development (zoned RH Rural Homestead and GR-1). Pantano Wash is about three-fourths of a mile to the west.

PREVIOUS COMPREHENSIVE PLAN AMENDMENT AND REZONING CASES ON THE PROPERTY AND THE GENERAL AREA

Previous land use plan amendment and rezoning requests:

The original Vail Valley Ranch Specific Plan was approved in September 1989. The subject parcel was part of a larger 25-acre area that was added to the specific plan (rezoned from GR-1 to SP) by the second amendment to the specific plan, approved by the Board in August 2005, to provide a school and park site to meet the rezoning conditions of the specific plan. This vacant parcel is a remnant portion of the additional property that was added to the specific plan area (*Figure 1*).

The subject parcel has not had a previous land use plan amendment – the land use designation automatically changed to PDC when the SP zoning was approved for the site.

Recent activity:

With the exception of the specific plan and amendments, there has only been one rezoning in the vicinity of the subject parcel:

- Rezoning Co9-99-024 – S. Camino Loma Alta rezoning for approximately 375 acres from the GR-1 to CR-2 zone as approved by the Board of Supervisors in 2000 for a residential development located about 300 feet northeast of the subject parcel along Rex Molly Road.

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM (MMBCLS)

The eastern edge of the subject parcel (approximately twenty-five feet in width) is located within the Multiple Use Management Area of the Maeveen Marie Behan Conservation Lands System (see Environmental Planning report, below).

PLANNING REPORT

The subject parcel was added to the specific plan through a later amendment for a school and park. This amendment area, excluding the school, park and subject parcel, were subdivided for residential development by Del Webb in 2011; this includes four residential lots owned by the Vail School District immediately south of the parcel. The subject parcel remains unsubdivided and privately owned (*Figure 2*).

The applicants request to revert the land use designation and zoning to its previous MIR and GR-1, respectively, and propose a single rural residence on the subject parcel with accessory uses (i.e. keeping horses and goats). About fifty percent of the perimeter of the subject parcel is surrounded by the prior land use designation and zoning, and meets the zoning code criteria of permitting a concurrent request for a single residence when five percent of the perimeter abuts zoning or land use of equal or greater density.

The staff report for the 2005 specific plan second amendment stated the area was to be subject to the plan's Medium Density Residential (MDR) designation, which permits single family residential, recreational facilities and municipal uses, among others. MDR would permit a gross density of between 7 to 20 residences on the subject parcel. Under the specific plan requirements, residential development on the subject parcel under its current status would require a subdivision plat approved by the Board of Supervisors.

The specific plan is silent in regard to raising animals and states that for issues not sufficiently addressed within the plan, the MDR designation shall reference the CR-4 Mixed-Dwelling Type zone. CR-4 currently permits chickens only, and allowing livestock animals on the subject parcel would require a variance request before the Board of Adjustment. Rather than plat the subject parcel and request a variance for animals, the applicants have chosen to revert the parcel to its prior MIR land use designation and GR-1 zoning through the concurrent plan amendment and rezoning process.

The subject parcel meets the criteria for the concurrent amendment and rezoning process, and is located on the very edge of the Vail Valley Ranch Specific Plan area and the transition to surrounding GR-1 rural development. Staff recommends approval of the request, subject to standard and special conditions.

Concurrency of Infrastructure

Concurrency of infrastructure exists to serve the proposed development:

CONCURRENCY CONSIDERATIONS		
<i>Department/Agency</i>	<i>Concurrency Considerations Met: Yes / No / NA</i>	<i>Other Comments</i>
TRANSPORTATION	Yes	No conditions
FLOOD CONTROL	Yes	No objection subject to condition
WASTEWATER	Yes	No objection subject to conditions
PARKS AND RECREATION		No comment

CONCURRENCY CONSIDERATIONS		
WATER		No comment
SCHOOLS		No comment

TRANSPORTATION REPORT

The proposed site is immediately southwest of the intersection of Rex Molly Road and White Lightning Lane. Access to the site is proposed via Red Molly. Rex Molly west of White Lightning is an unimproved ingress and egress easement. White Lightning is a two-lane roadway maintained by the County with vertical curb on both sides and pedestrian sidewalk on the east side of the road.

The comprehensive plan amendment and rezoning is for a single family home on site with a horse barn. The trip generation of a single family home will not impact the capacity of the surrounding roadways.

There are no concurrency concerns and the Department of Transportation has no objection to the proposed comprehensive plan amendment/rezoning.

FLOOD CONTROL REPORT

The proposed home, driveway and barn are within Pima County Regulated Riparian Habitat. Given the amount of disturbance proposed, Board approval may be required. Further avoidance could also avoid the need for Board approval. Prior to permitting it is recommended that the applicant meet with Principal Hydrologist Patricia Gilbert in the Flood Control District for clarification.

The District has no objection subject to condition #2.

WASTEWATER RECLAMATION REPORT

The subject property is within the Pima County Regional Wastewater Reclamation Department (PCRWRD) service area and is tributary to the Aqua Nueva Water Reclamation Facility via the Southeast Interceptor. The existing public sewer system that could provide service to the property consists of an 8" sewer line located approx. 45 feet from the property within the public right-of-way. A capacity letter must be obtained to verify that capacity exists in the downstream system prior to submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for a building permit for review and approval.

PCRWRD has no objection to the proposed comprehensive plan amendment/rezoning request, subject to conditions #3A-F.

ENVIRONMENTAL PLANNING REPORT

SITE CONSERVATION VALUES

- Approximately .2 acres of the 2.5-acre subject property is within the Multi-Use Management Area designation of the Conservation Lands System (CLS). The bulk of the property lies outside the CLS.
- The property lies outside the Priority Conservation Areas for the Cactus ferruginous pygmy owl, Western burrowing owl, Pima pineapple cactus, and Needle-spined pineapple cactus.
- The property was not identified as a priority acquisition under the 2004 Open Space Bond Program.
- The property appears to contain mostly native vegetation and looks largely undisturbed. Because this concurrent plan amendment and rezoning request is less than 5 acres and not subject to the site analysis requirement no inventory of saguaros or ironwoods was provided.

The site appears to contain one or two mature saguaros but does not appear to contain ironwoods.

LANDSCAPE CONTEXT

The property is located at the southwest corner of E. Rex Molly Rd. and S. White Lightning Ln., in an area of southeast Pima County that includes both low density and high density residential uses. Adjacent properties to the north, west, and south are either vacant or subject to low intensity land uses; a medium- or high-density subdivision is located to the east across White Lightning.

The property does not occur within any CLS Critical Landscape Connection. Landscape connectivity in this area is facilitated by the Pantano Wash; Pima County Regional Flood Control District (RFCD) owns lands along the Pantano that stretch south to Cienega Creek Natural Preserve and provide a protected wildlife movement corridor. Pantano Wash and the RFCD-owned properties are located approx. 2/3 of a mile west of the subject property.

POTENTIAL IMPACT TO BIOLOGICAL RESOURCES AND CLS

According to the site map, the applicant plans to construct one single family home with a horse barn and an arena, all of which will be located outside the portion of the property that is within the CLS. Considering the applicant's intention to leave CLS resources undisturbed, the loss of vegetation onsite is unlikely to significantly alter the condition or integrity of biological resources in the area, and considering the property's distance from identified wildlife movement corridors, development of this site is not likely to significantly constrain existing landscape connectivity.

RECOMMENDATIONS

Should the Board of Supervisors approve this rezoning request, condition #4 should be included.

CULTURAL RESOURCES REPORT

Cultural Resources has no objection subject to condition #5.

NATURAL RESOURCES, PARKS AND RECREATION REPORT

Natural Resources, Parks and Recreation has no comment.

US FISH & WILDLIFE SERVICE REPORT

US Fish & Wildlife Service has no comment.

WATER PROVIDER REPORT

Vail Water Company has no comment.

SCHOOL DISTRICT REPORT

Vail Unified School District has no comment.

FIRE DISTRICT REPORT

Rincon Valley Fire District has no comment.

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

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

1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
2. Regional Flood Control District condition: For disturbance of riparian habitat of one-third acre or greater, a Floodplain Use Permit and Riparian Habitat Mitigation Plan shall be

- required and approved by the Regional Flood Control District.
3. Regional Wastewater Reclamation Department conditions:
 - A. The owner(s) shall construe no action by Pima County as a commitment of capacity to serve any new development within the plan amendment/rezoning area until Pima County executes an agreement with the owner(s) to that effect.
 - B. The owner(s) shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the plan amendment/rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and / or conveyance capacity not be available at that time, the owner(s) shall enter into a written agreement addressing the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
 - C. The owner(s) shall time all new development within the plan amendment/rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
 - D. The owner(s) shall connect all development within the plan amendment/rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
 - E. The owner(s) shall fund, design and construct all off-site and on-site sewers necessary to serve the plan amendment/rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.
 - F. The owner(s) shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the plan amendment/rezoning area.
 4. Environmental Planning condition: Upon the effective date of the Ordinance, the owner(s)/developer(s) shall have a continuing responsibility to remove invasive non-native species from the property, including those listed below. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the property owner.

Invasive Non-Native Plant Species Subject to Control

<i>Ailanthus altissima</i>	Tree of Heaven
<i>Alhagi pseudalhagi</i>	Camelthorn
<i>Arundo donax</i>	Giant reed
<i>Brassica tournefortii</i>	Sahara mustard
<i>Bromus rubens</i>	Red brome
<i>Bromus tectorum</i>	Cheatgrass
<i>Centaurea melitensis</i>	Malta starthistle
<i>Centaurea solstitialis</i>	Yellow starthistle
<i>Cortaderia</i> spp.	Pampas grass
<i>Cynodon dactylon</i>	Bermuda grass (excluding sod hybrid)
<i>Digitaria</i> spp.	Crabgrass
<i>Elaeagnus angustifolia</i>	Russian olive
<i>Eragrostis</i> spp.	Lovegrass (excluding <i>E. intermedia</i> , plains lovegrass)

<i>Melinis repens</i>	Natal grass
<i>Mesembryanthemum</i> spp.	Iceplant
<i>Oncosiphon piluliferum</i>	Stinknet
<i>Peganum harmala</i>	African rue
<i>Pennisetum ciliare</i>	Buffelgrass
<i>Pennisetum setaceum</i>	Fountain grass
<i>Rhus lancea</i>	African sumac
<i>Salsola</i> spp.	Russian thistle
<i>Schinus</i> spp.	Pepper tree
<i>Schismus arabicus</i>	Arabian grass
<i>Schismus barbatus</i>	Mediterranean grass
<i>Sorghum halepense</i>	Johnson grass
<i>Tamarix</i> spp.	Tamarisk

5. Cultural Resources condition: Prior to ground modifying activities, an on-the-ground archaeological and historic sites survey shall be conducted on the subject property. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property shall be submitted at the time of, or prior to, the submittal of any tentative plan or development plan. All work shall be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate. Following rezoning approval, any subsequent development requiring a Type II grading permit will be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.
6. Adherence to the sketch plan as approved at public hearing, and keeping of no more than four (4) horses and two (2) goats (female or neutered male goats only) on the site per application request letter.
7. Less restrictive rezoning applications may not be submitted under the approved comprehensive plan designation. A separate comprehensive plan amendment and rezoning are required for less restrictive zoning.
8. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.
9. The property owner shall execute the following disclaimer regarding Proposition 207 rights: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(l)."

Respectfully submitted,

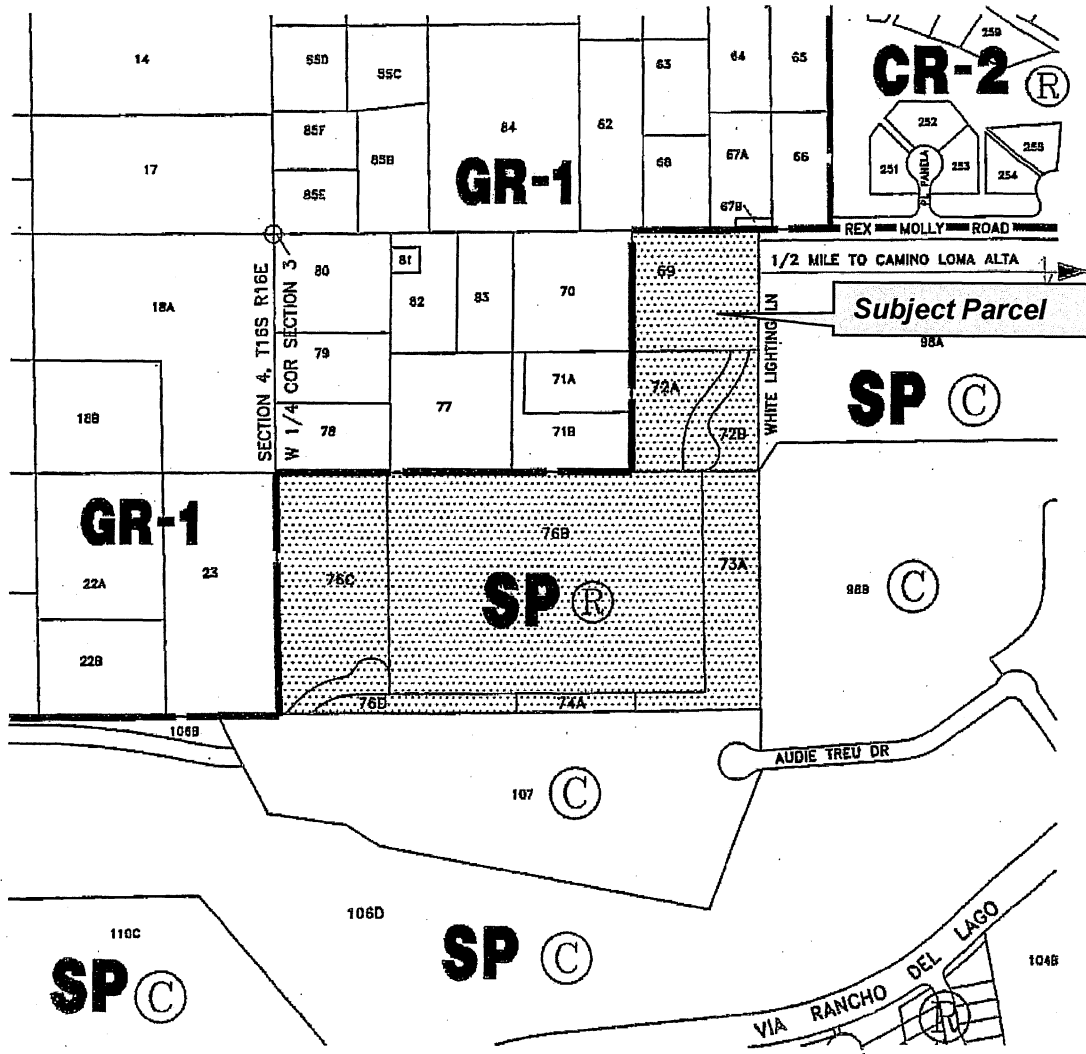
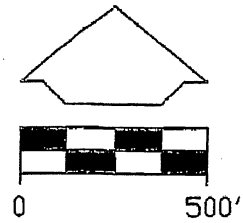


Mark Holden, AICP
Principal Planner

cc: Jessica & Todd Ogiba

Figure 1.

AMENDMENT NO. 4 BY ORDINANCE NO. 2007-103
 TO PIMA COUNTY ZONING MAP NO. 133 TUCSON, ARIZONA
 PARCELS 69, 72A, 72B, 73A, 74A, 76B, 76C & 76D BEING A
 PART OF THE NW 1/4 OF THE SW 1/4 OF SEC 3, T16S R16E.
 ADOPTED November 20, 2007 EFFECTIVE November 20, 2007



[Handwritten Signature]

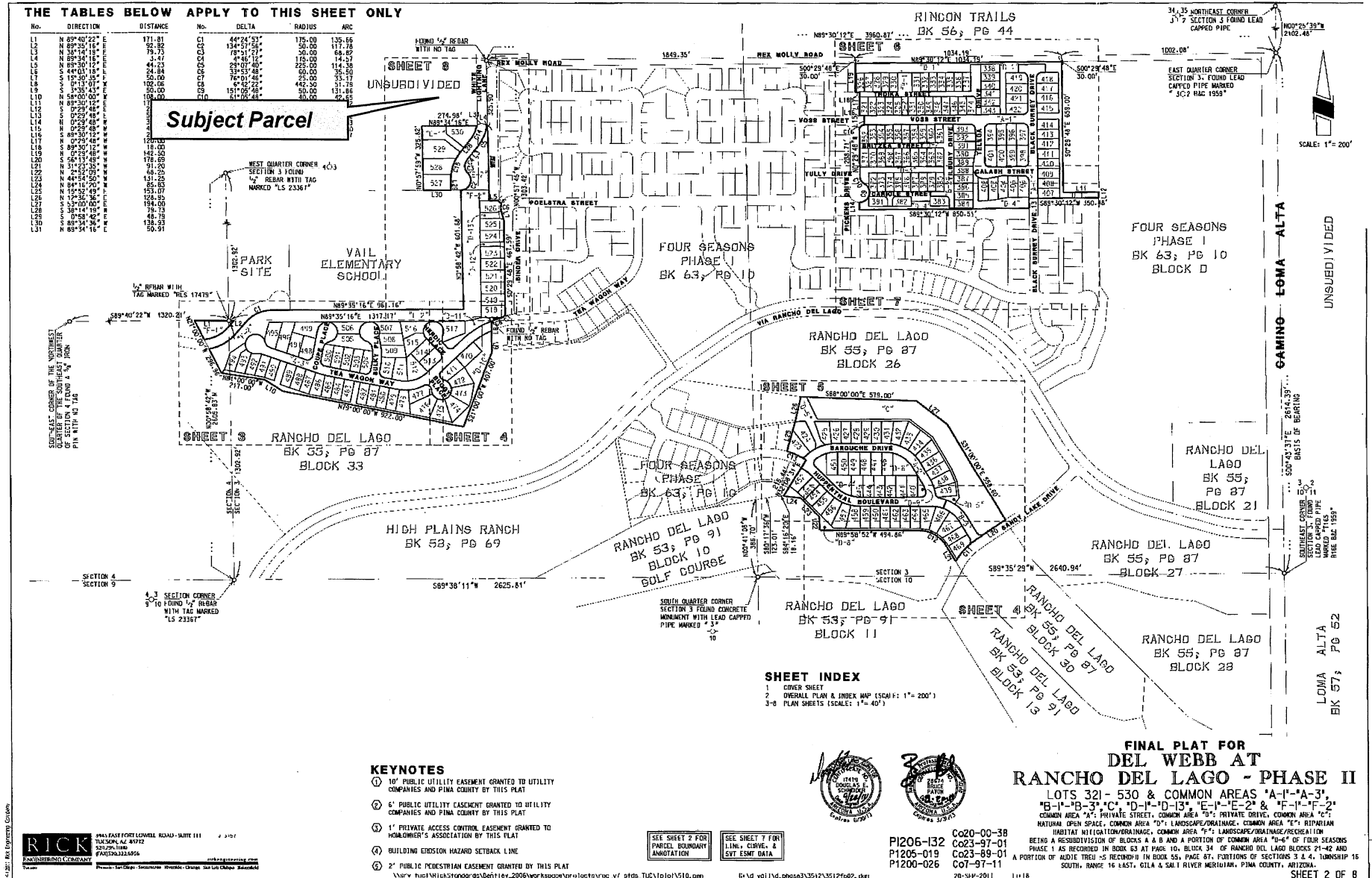
EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

FROM GR-1 25.0 ac±
 MA - JULY 21, 2007

Co23-97-1
 Co23-89-1
 305-05-0690
 305-05-072A-
 305-05-076D

PAGE 3 OF 4

Figure 2.



P20CR00001

P&Z Commission Hearing July 29, 2020

Mark Holden

From: Jerry Wood <woodj@vailschooldistrict.org>
Sent: Monday, July 20, 2020 8:21 AM
To: Mark Holden
Cc: roznovskyg@vailschooldistrict.org; roboldk@vailschooldistrict.org
Subject: Re: Pima County rezoning at Rex Molly & White Lightning

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

Good Morning!

Thank you for reaching out to us specifically. Really appreciate that.

Thank you and enjoy the day!

Jerry

On Jul 20, 2020, at 8:17 AM, Mark Holden <Mark.Holden@pima.gov> wrote:

Good morning –

Pima County Planning Division has received a request to change the land use and zoning on approx. 2.5 acres located at the southwest corner of Rex Molly and White Lightning. The applicants are requesting to have the property revert to its previous rural designations – it is currently part of the Vail Valley Ranch master planned community, but is undeveloped desert. The applicants want to construct a single site-built home and raise livestock (horses, goats) on the property.

You should have received notification of this action, as the Ocotillo Ridge Elementary School and property owned by the district are immediately south of the subject parcel. Please see attached aerial photo.

Your district has probably been otherwise occupied with other issues lately. I wanted to make an extra effort to reach out to you, as the district is one of the closest land owners and potentially the most affected by these land use changes.

The case goes before the Planning and Zoning Commission on July 29th – they will make a recommendation to the Board of Supervisors, who will make the final decision regarding approval or denial. Feel free to email or call if you have questions or wish to provide comments – thank you,




Mark Holden

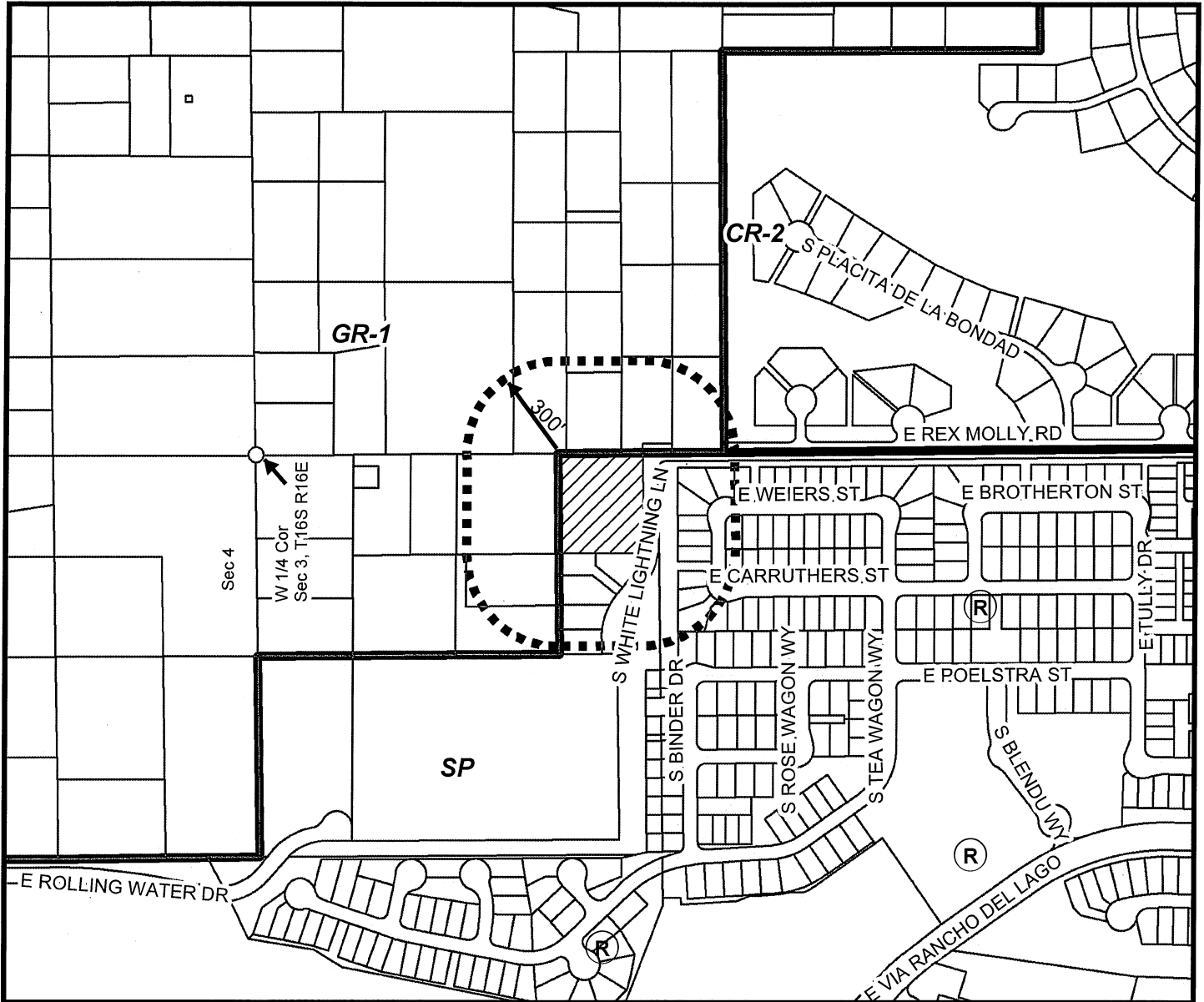
Mark S. Holden, AICP

Principal Planner,
Planning Division
Pima County Development Services Dept.
(520) 724-6619

<Rex Molly Overlay.png>

Case #: P20CR00001
Case Name: CUMMINGS, ET AL - E. REX MOLLY ROAD
CONCURRENT PLAN AMENDMENT & REZONING
Tax Code(s): 305-05-0690

-  Subject Property
-  300' Notification Area
-  Zoning Boundary





0 220 440 880 Feet

Area of proposed rezoning from SP to GR-1



PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

 PIMA COUNTY DEVELOPMENT SERVICES	Notes:			
	PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10			
	Planning & Zoning Hearing: 7/29/20 (scheduled)		Board of Supervisors Hearing: TBD	
	Base Map(s): 133	Map Scale: 1:6,000	Map Date: 7/7/2020 - ds	

Current: Planned Development Community (PDC)

Objective: To designate existing approved specific plans. Specific plans comprise a unique zoning regimen within a planned community. Specific plan documents include detailed information on the intent for the community as a whole, as well as the individual planning and zoning districts within the specific plan area. Applications for amendments to individual specific plans shall be done in accordance with Section 18.90 (Specific Plans) of the Pima County Zoning Code.

Exception: State Trust land in the proposed Sahuarita East Conceptual Plan is designated a PDC under Special Area Policy S-36 in Chapter 9.

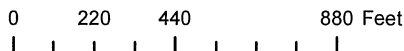
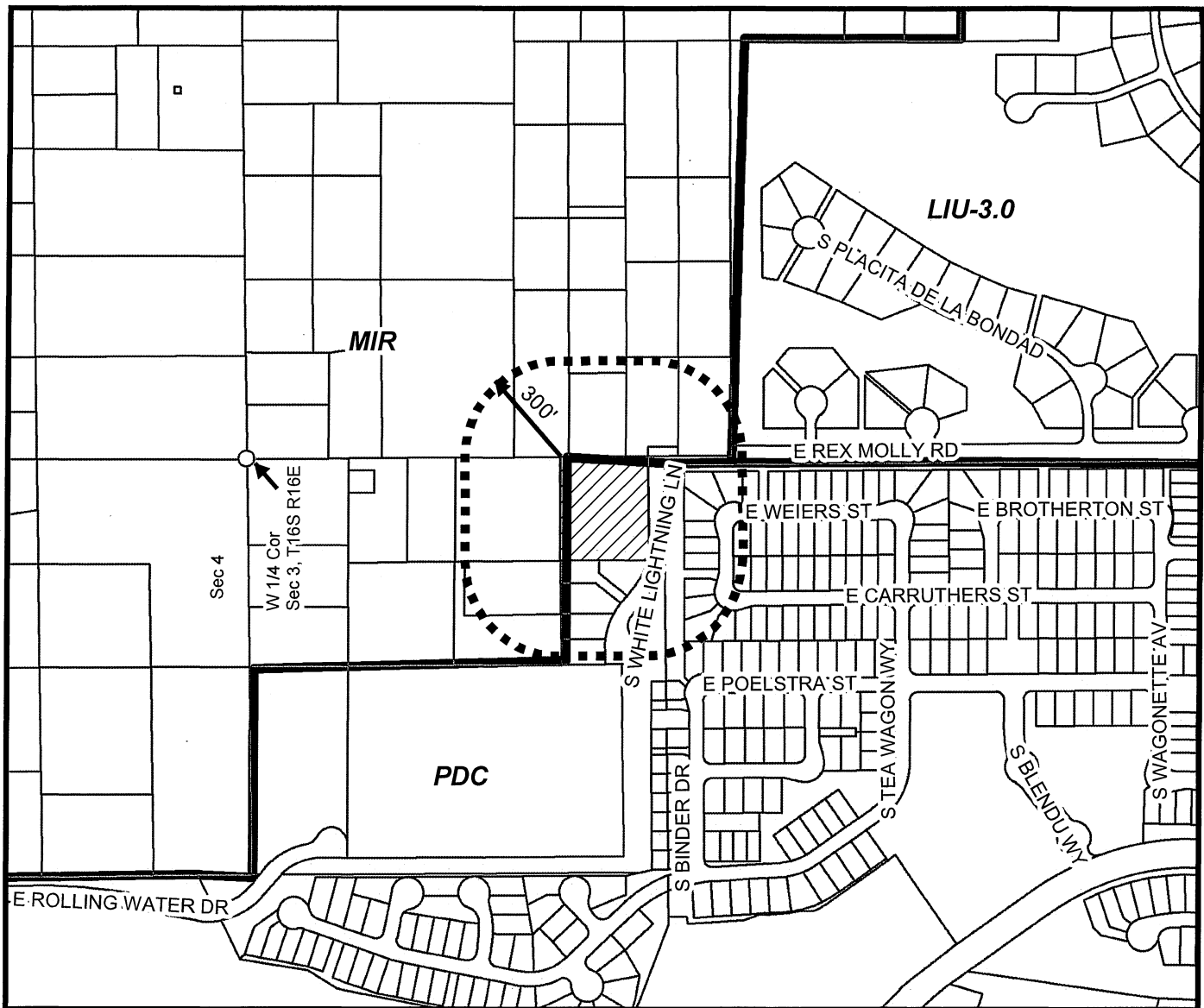
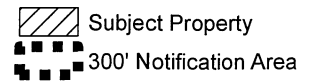
Requested: Medium Intensity Rural (MIR)


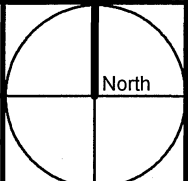
Objective: To designate areas for residential uses at densities consistent with rural settlements in reasonable proximity to Rural Crossroads, arterials or suburban areas.

- Residential Gross Density: Minimum- none; Maximum- 1.2 RAC
- Residential Gross Densities for TDR Receiving Areas: Minimum- none; Maximum- 1.2 RAC

COMPREHENSIVE PLAN AMENDMENT

Planned Land Use



Taxcode: 305-05-0690	P20CR00001 CUMMINGS, ET AL - E. REX MOLLY ROAD CONCURRENT PLAN AMENDMENT & REZONING		District 4 Location: Located on south-west corner of E. Rex Molly Road and S. White Lightning Lane
	Request Planned Development Community (PDC) to Medium Intensity Rural (MIR) 2.5 Acres +/-		
	Rincon Valley Planning Area under Pima Prospers Section 3, Township 16 South, Range 16 East		
	Planning and Zoning Commission Hearing: July 29, 2020	Map Scale: 1:6,000	
Board of Supervisors Hearing: TBD		Map Date: July 7, 2020 / dms	

Todd and Jessica Ogiba

Memorandum

To: Terrill Tillman, Principal Planner – Pima County Development Services

From: Todd and Jessica Ogiba

Project:: 13650 E Rex Molly Lane Concurrent Plan Amendment and Rezone –
Neighborhood Meeting Summary

This memorandum provides a summary of the neighborhood meeting held on June 20, 2020 at Hacienda Del Lago Restaurant (14155 E. Via Rancho Del Lago) for 13650 East Rex Molly Lane Concurrent Plan Amendment and Rezone application. The memorandum will describe the main points of discussion at the meeting as well as ways this request will address concerns raised. All homeowners within 300 feet of the subject site were notified. Envelopes for these notifications were addressed by Todd and Jessica Ogiba using data provided by Pima County officials. The meeting began at 2:00 pm.

Both Todd and Jessica Ogiba were in attendance. There were four (4) neighbors in attendance, all of whom live in the Del Webb at Rancho Del Lago subdivision and have homes backing South White Lighting Lane. In addition, two (2) neighbors residing on East Rex Molly Lane called Jessica Ogiba prior to the meeting. The meeting began with a brief description of the project and maps depicting the project. Accompanying this memorandum is a copy of the mailing (provided as a handout at the meeting), the sign-in sheet for your reference, and copy of the mailing information.

Several topics were discussed during the meeting, with most of the discussion centering around the following topics:

1. Horse Manure – All attendees were informed that horse manure is cleaned up twice daily, once in the morning and once in the evening.

After each cleaning, the horse manure is disposed of in an enclosed dumpster for removal by sanitation company either once or twice a week, depending on the sanitation company's operation. In addition, they were concerned about the amount of manure created. Jessica Ogiba explained that her current dumpster is 4 yards and does not even get filled halfway when being emptied once a week.

2. Potential commercial operations – One concern that was raised was regarding the housing of horses not belonging to the homeowner. Attendees were assured that a commercial horse operation would not be run, and only personally owned horses would be housed onsite.
3. Driveway and parcel access – Neighbors expressed interest in the location of the driveway and access to the house off of public roads. They suggested that the house access be off of S. White Lighting Lane. In addition, the property owner that abuts the parcel suggested (via Phone) that this change be made as it directly impacts his property.
4. Height of structures planned for parcel – Concerns were raised regarding the height of buildings planned for the parcel. Their main concern was a two-story house or structure being built. They were assured that the house being planned is one-story (pictures were shown), and the barn will have a similar height roofline.

At the end of the meeting two of the neighbors gave their full support, one of the neighbors stated that his granddaughter will be happy with the project as she loves horses and the fourth was pleased. In addition, the property owner who abuts the parcel stated over the phone that he welcomes us to the neighborhood, gave his full support and “does not want to see five houses being built on the lot”. The other caller was in full support of the project and is going to attempt to call in for the Planning and Zoning meeting.

205-87-756B
RINCON TRAILS HOA
ATTN: CADDEN COMMUNITY MGMT
1870 W PRINCE RD STE 47
TUCSON AZ 85705-2969

305-05-0620
LYFORD BERNARD & PAULA M CP/RS
PO BOX 445
VAIL AZ 85641-0445

305-05-0630
KARSK KENNETH L
10055 S BIG THUNDER DR
VAIL AZ 85641

305-05-0660
CUNNINGHAM ROBERT & DARILYN E CP/RS
10081 S WHITE LIGHTNING LN
VAIL AZ 85641-6166

305-05-067A
HARTIGAN HEATHER
10080 S WHITE LIGHTNING LN
VAIL AZ 85641

305-05-067B
PIMA COUNTY

.

305-05-0680
GRECO MICHAEL A
10075 S BIG THUNDER DR
VAIL AZ 85641-6170

305-05-0690
CUMMINGS SUSAN E 1/2 & CUMMINGS SUSAN E &
GEORGE W 1/2
80226 LINDEN HILLS ST
COVERT MI 49043-8504

305-05-0700
MASTERSON JOHN M
13590 E REX MOLLY RD
VAIL AZ 85641-6112

305-05-071A
LE DUC CHARLES E JR
PO BOX 183
VAIL AZ 85641-0183

305-05-071B
LOPEZ HECTOR ANGEL & MARIA A CP/RS
13625 E BUFFALO DANCE TRL
VAIL AZ 85641-6119

305-05-0840
FOSTER WILLIAM DOUGLAS & JOANN JT/RS
PO BOX 428
VAIL AZ 85641

305-73-1760
ELLING JERRY & LINDA L CP/RS
13713 E POELSTRA ST
VAIL AZ 85641-5922

305-73-219A
HATCH REVOC TR
ATTN: ANTHONY P & LENORE G HATCH TR
13728 E CARRUTHERS ST
VAIL AZ 85641-5901

305-73-220A
COCKLIN ARTHUR B & MARIAN KOZIELSKI CP/RS
13720 E CARRUTHERS ST
VAIL AZ 85641-5901

305-73-221A
KEEN RICHARD & VALETA FAMILY REVOC TR
ATTN: RICHARD A & VALETA R KEEN TR
10176 S GOLD WAGON WAY
VAIL AZ 85641-6836

305-73-2220
GORDON STEPHEN A & RENATE CP/RS
10164 S GOLD WAGON WAY
VAIL AZ 85641-6836

305-73-2230
LAFRATE LOUIS A II & DEBORAH A LIVING TR
13735 E CARRUTHERS ST
VAIL AZ 85641-5903

305-73-2420
VAIL SLATE LLS
2020 EMILY CT
CARSON CITY NV 89703-8391

305-73-2430
ESTEP RANDELL D & DEBRA S CP/RS
10148 S GOLD WAGON WAY
VAIL AZ 85641-6836

305-73-2440
HARTIGAN RICHARD C & JUDY M CP/RS
10136 S GOLD WAGON WAY
VAIL AZ 85641-6836

305-73-2450
HARTZELL STEVEN KERRY & CINDY ELAINE JT/RS
15263 OAK DR
RENTON WA 98058-8110

305-73-2460
PATTON DAVID L & CAROL A CP/RS
10112 S GOLD WAGON WAY
VAIL AZ 85641

305-73-2470
WEIERS STREET LLC
9800 CONNECTICUT DR # A1-100
CROWN POINT IN 46307-7840

305-73-2480
LINTON LOUIS LYLE & SUSAN ADELE CP/RS
13733 E WEIERS ST
VAIL AZ 85641-5905

305-73-2490
KLADNICK LINDA MARIE & JOHN EVERETT CP/RS
13741 E WEIERS ST
VAIL AZ 85641-5905

305-73-3210
DEL WEBB AT RANCHO DEL LAGO HOA
ATTN: AAM LLC
1600 W BROADWAY RD STE 200
TEMPE AZ 85282-1136

305-73-337A
DEL WEBB AT RANCHO DEL LAGO HOA
ATTN: AAM LLC
1600 W BROADWAY RD STE 200
TEMPE AZ 85282-1136

305-73-5640
VAIL UNIFIED SCHOOL DISTRICT
13801 E BENSON HWY UNIT B
VAIL AZ 85641-9074

305-73-5650
VAIL UNIFIED SCHOOL DISTRICT
13801 E BENSON HWY UNIT B
VAIL AZ 85641-9074

305-73-5660
VAIL UNIFIED SCHOOL DISTRICT
13801 E BENSON HWY UNIT B
VAIL AZ 85641-9074

305-73-5670
VAIL UNIFIED SCHOOL DISTRICT
13801 E BENSON HWY UNIT B
VAIL AZ 85641-9074

305-73-570B
VAIL UNIFIED SCHOOL DISTRICT
13801 E BENSON HWY UNIT B
VAIL AZ 85641-9074

305-73-570C

RANCHO DEL LAGO COMMUNITY ASSN

ATTN: HOA MANAGEMENT SOLUTIONS

8987 E TANQUE VERDE RD STE 309 PMB 128

TUCSON AZ 85749-9399

Notice of Neighborhood Meeting

June 9, 2020

Dear Neighbor,

You are cordially invited to a neighborhood meeting regarding a concurrent plan amendment and rezoning proposal in your area.

The property is approximately 2.5 acres and located at 13650 E. Rex Molly Road, the southwest corner of Rex Molly Road and White Lightning Lane (See attached site map). Our application is for Pima County to amend the General Plan from the current land use classification of Planned Development Community (PDC) to Medium Intensity Rural (MIR) and to rezone the property from the current zoning classification of Specific Plan (SP) to Rural Residential (GR-1). The Pima County case number is: P20CR00001.

This will allow us to construct a single-family home on the parcel along with a four-stall barn to house our show horses. A neighborhood meeting will be held at the time and place listed below to discuss the proposed changes and answer any questions you may have. Our application has been filed with Pima County. There will be a public hearing on July 29th, 2020 before the Pima County Planning and Zoning Commission and a future hearing before the Pima County Board of Supervisors. You will be notified of those hearings.

The neighborhood meeting will be held:

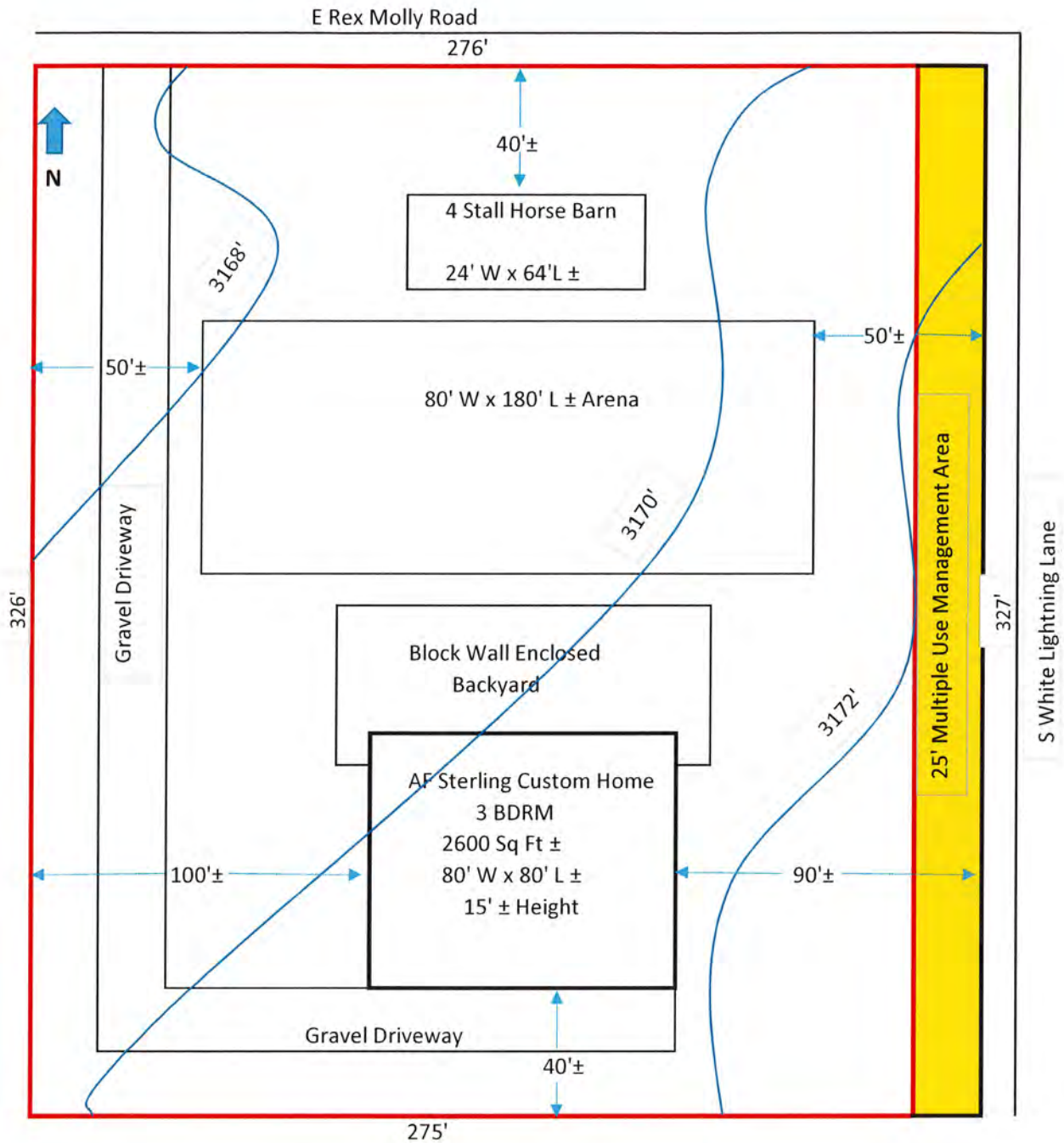
June 20, 2020
2:00 PM – 4:00 PM
Hacienda Del Lago Restaurant
14155 E. Via Rancho del Lago
Vail, AZ 85641

For your safety and per CDC guidelines, we recommend everyone practices social distancing, wears a face mask and washes their hands regularly. If you have any questions regarding this Neighborhood Meeting, please contact Jessica Ogiba at (480) 329-2074.

Sincerely,

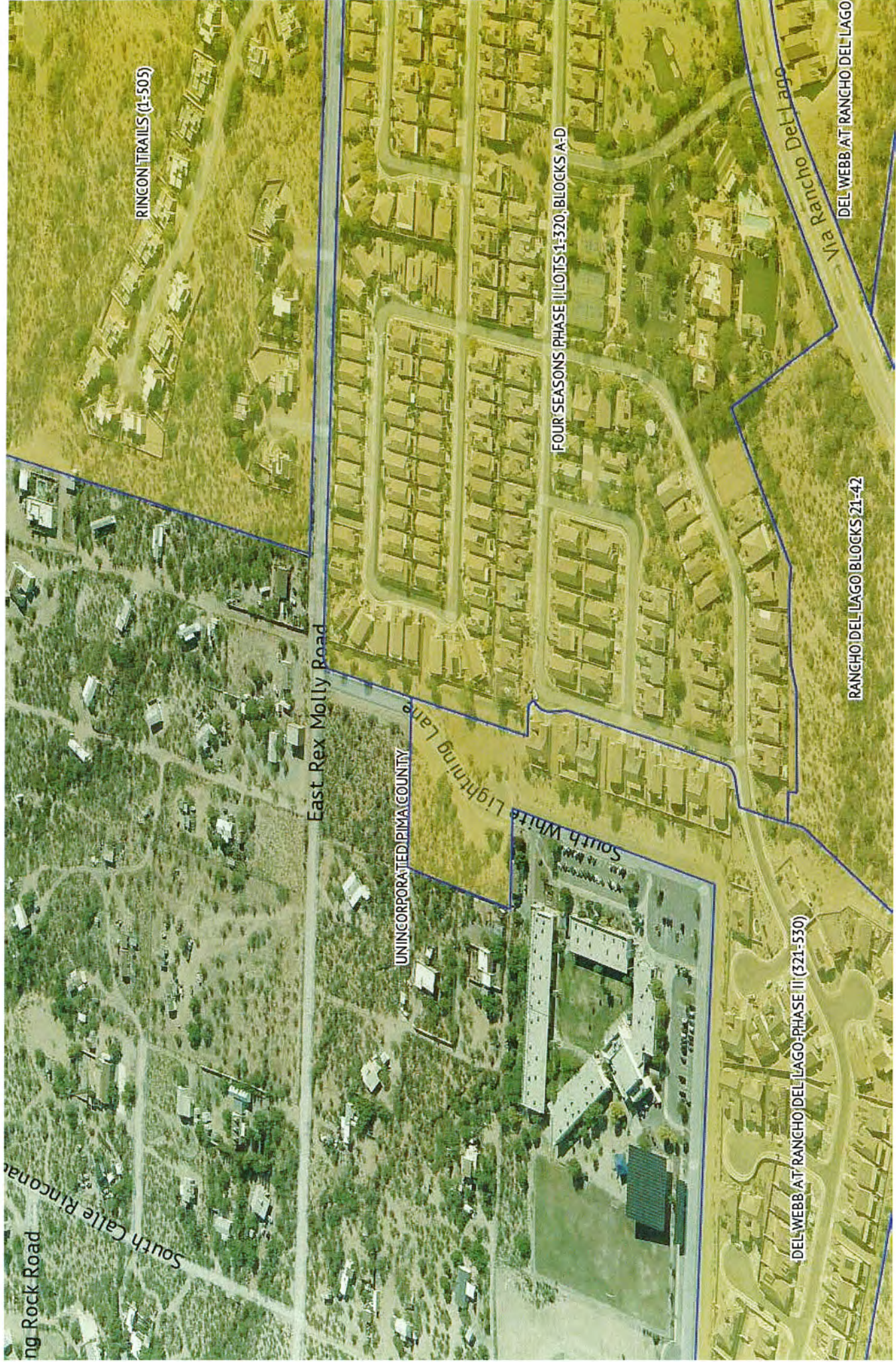
Todd and Jessica Ogiba

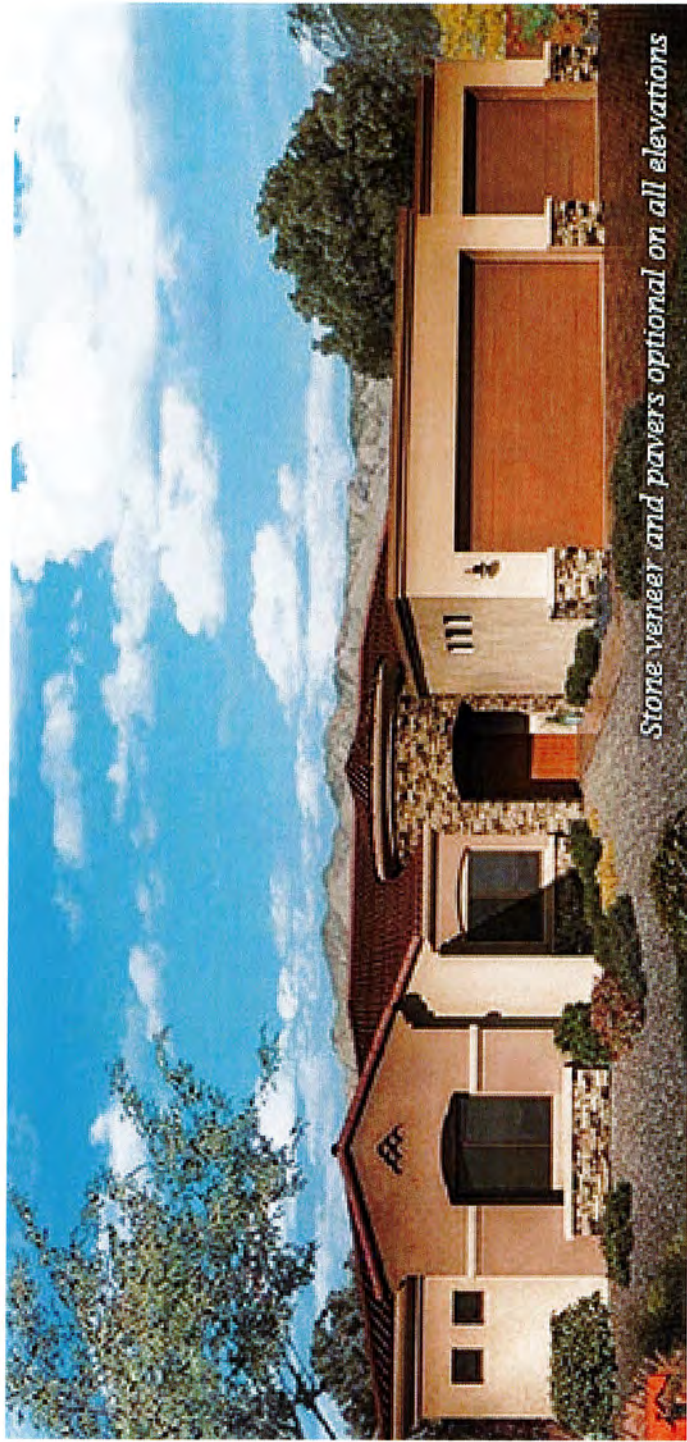
Attachments: Aerial Map of Parcel and Surrounding Area
13650 E. Rex Molly Site Map



13650 E Rex Molly Dr.
Parcel # 305-05-0690
Area = 2.5 Acres ±

*Perimeter fence indicated by red line.





Stone veneer and pavers optional on all elevations

Chair Bronson asked for the Board's cooperation as they move forward this fiscal year to provide advocacy and ask for proper reimbursement from the State and Federal Governments who have shifted their cost responsibilities to Counties.

A roll call vote was taken, and the motion carried unanimously by a five to zero vote.

18. FRANCHISE/LICENSE/PERMIT: LIQUOR LICENSE

05-25-8807, Young Ju Sterling, Plaza Supermarket, 5 Plaza, Ajo, Series 1, Beer and Wine Store License, New License.

The Chair inquired whether anyone wished to be heard. No one appeared. It was thereupon moved by Chair Bronson, seconded by Supervisor Valadez, and unanimously carried by a five to zero vote, to close the public hearing, approve the liquor license and forward the recommendation to the State Liquor Control Board.

19. DEVELOPMENT SERVICES: SPECIFIC PLAN AMENDMENT

The Board of Supervisors on August 2, 2005, continued the following to this date:

Co23-97-01, VAIL VALLEY RANCH SPECIFIC PLAN (SECOND AMENDMENT)

Request of Pima County for a rezoning of approximately 25 acres from GR-1 (Rural Residential), approximately 29.41 acres from IR (Institutional Reserve), and approximately 7.26 acres from CR-3 (Single Residence) to SP (Specific Plan) Vail Valley Ranch Specific Plan, adopted as Ordinance No. 1989-130 and amended by Ordinance No. 1998-14, and for substantial changes and other modifications of the adopted Vail Valley Ranch Specific Plan and Ordinance Nos. 1989-130 and 1998-14. The subject properties are located in two areas adjacent to the existing specific plan boundary. One area is west of Camino Loma Alta, north of Via Rancho del Lago and south of Rex Molly Road. The second area is west of Camino Loma Alta, south of Colossal Cave Road, and north of the Southern Pacific Railway. The proposed amendment conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 5-2 (Commissioners Smith and Membrilla voted Nay; Commissioner Spendarian abstained; Commissioner Cuyugan was absent) to recommend **APPROVAL**. Staff recommends **APPROVAL**. (District 4)

Arlan Colton, Planning Official, stated this is an amendment to the Vail Valley Ranch Specific Plan that was previously adopted. The Planning and Zoning Commission and Planning staff recommended approval. Staff received one letter of protest. The proposed amendment would provide an elementary school for the Vail School District, and the County would have a neighborhood park. Staff is in continuous discussion with all the parties and, if the Board approves the rezoning, staff requested the following be included in the motion for approval: Delete the 29.41 acres proposed for rezoning from IR to SP, since this is land within the Cienega Creek Preserve. In addition, he requested to add language on the Specific Plan second amendment as follows: "Primary responsibility for infrastructure improvements for the park and school lie with builder K. Hovanian."

The following speakers addressed the Board:

1. Pat Griffin, Attorney for Vail Valley Joint Venture;
2. Calvin Baker, Superintendent of the Vail School District; and,
3. Ron Teaney, representative for K. Hovanian Homes.

The speakers provided the following comments:

- A. An objection was filed by the developer, but the issues were resolved and the objection withdrawn;
- B. The school district was comfortable with the proposed resolution; and,
- C. K. Hovanian Homes accepted and fully supported the additional conditions of approval.

Supervisor Carroll stated approval of the request does not stop the review or oversight process, and the County will be watching this development as it progresses.

On consideration, it was moved by Supervisor Carroll, seconded by Chair Bronson, to close the public hearing and approve Co23-97-01, including additional conditions as follows: "Delete the 29.41 acres proposed for rezoning from IR to SP"; and, "Primary responsibility for infrastructure improvements for the park and school lie with builder K. Hovanian."

No vote was taken at this time.

Supervisor Day asked for comments regarding water rights and the dam site.

Chuck Huckelberry, County Administrator, responded staff believed they were negotiating with the master developer, not the sub-developer for these properties. An agreement was reached regarding the conveyance of those water rights and the dam site only to learn the proposed remedy agreed to was not valid. Staff intends to employ additional scrutiny as it relates to the master developer of the entire Specific Plan, not the individual developer who was caught up in this particular problem.

Upon the vote being taken, the motion carried unanimously by a five to zero vote.

20. RECESS

Without objection, the Chair declared a closed captionist recess at 10:23 a.m.

21. RECONVENE

The Board of Supervisors meeting reconvened at 10:37 a.m. All members were present.

22. BOARD OF SUPERVISORS

Status of Rillito Racetrack/Park. Discussion/Direction/Action. (District 3)

Chuck Huckelberry, County Administrator, stated this discussion was precipitated by a Structural Engineering Report regarding the grandstands and modifications that may be necessary for long-term safety and stability at Rillito Racetrack/Park. This inspection was not for ADA compliance or other issues dealing with electrical or mechanical issues associated with grandstands or accessory facilities. There is a need for major repairs and structural modifications, but the repairs are not deferred maintenance and the estimated cost for repairs and structural modifications was in the amount of \$963,000.00. The facility must meet current Codes and be able to withstand any type of force including earthquake and wind loading. Wind loading occurred at the track in July that resulted in some stable



PIMA COUNTY

DEVELOPMENT SERVICES

201 N. Stone Avenue, 2nd Floor
Tucson, AZ 85701-1207
(520) 724-9000

Biological Impact Report

(Not Applicable for Rezoning that Require a Site Analysis)

The Biological Impact Report assists staff in assessing a proposed project's potential to impact sensitive biological resources and is required by the Pima County Zoning Code Chapter 18.91. A project's design should conserve these important resources.

This report will include information provided by both Pima County Planning staff (Part I) as well as the applicant (Part II).

Part I. Information Provided by Pima County staff:

Pima County Planning staff will provide the following information for the proposed project site, as applicable:

1. Is the project located in the Maeveen Marie Behan Conservation Lands System?
Any Special Species Management Areas?
2. Is the project in the vicinity of any of the six Critical Landscape Linkages?
3. Is the project Designated for acquisition as a Habitat Protection or Community Open Space property?
4. Is the project located within the Priority Conservation Area for any of the following species?
 - a. Cactus ferruginous pygmy-owl
 - b. Western burrowing owl
 - c. Pima pineapple cactus
 - d. Needle-spined pineapple cactus

Part II. Information Provided by the Applicant:

1. Has the owner of the project site had any communications with Pima County about the County potentially acquiring the property?

If yes, provide a summary of those communications: _____



2. Several species are of particular interest. Please fill out the following table to the best of your ability.

Species	Ever found on project site?	Date of last observation if found on project site?	Future surveys planned?
Cactus ferruginous pygmy owl	No	<input type="text"/>	<input type="text" value="No"/>
Western burrowing owl	No	<input type="text"/>	<input type="text" value="No"/>
Pima pineapple cactus	No	<input type="text"/>	<input type="text" value="No"/>
Needle-spined pineapple cactus	No	<input type="text"/>	<input type="text" value="No"/>

Contact the Office of Sustainability and Conservation at 520-724-6940 if you have any questions about this report.

From: noreply@server.mailjol.net on behalf of allForms <noreply@server.mailjol.net>
Sent: Wednesday, June 3, 2020 11:11 AM
To: DSD Planning
Subject: Comprehensive Plan Amendment Application OR Concurrent Comprehensive Plan Amendment and Rezoning or Specific Plan Application
Attachments: 11426535.zip

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

Some files had been uploaded along with this submission. To download the files visit the link provided below. You will need to supply your AllForms login e-mail and password to download the files. We store all the uploaded files in zipped format, so you will need a unzipping program like WinZip to view or extract the files. Make sure you do a virus scan before trying to access these files on your system.

Download (<http://allforms.mailjol.net/file.php?id=712a2c2e-11426535-4272577d>)

Form Results	
Disregard	***>>> DISREGARD The message above the Form Results ROW <<<***
Note about attachments	***>>> Pima County virus software CYLANCE automatically scans files. There IS NOT a right mouse scan this file option. Attachments are scanned by our email appliance when received, then again by Cylance when saved or opened. <<<***
Owner Name	Susan & George Cummings
Owner Address	80226 Linden Hills St
Owner City	Covert
Owner State	MI
Owner Zipcode	49043
Owner Phone	269-764-1217
Owner_Email	austen@propertypartnersaz.com
Applicant Name	Jessica and Todd Ogiba
Applicant Address	6098 S Calle De La Rosa
Applicant City	Hereford
Applicant State	AZ
Applicant Zipcode	85615-9190
Applicant Phone	480-329-2074
Applicant_Email	jessica.ogiba@gmail.com
Property Address	13650 E Rex Molly Road, Vail
Property Parcel Number	305-05-0690

Property Acreage	2.5
Current Land Use Designation	PDC 2.5 acres
Proposed Land Use Designation	MIR
Policies	Rincon/Southeast Subregional Plan
Concurrent Property Acreage	2.5
Property Present Zone	SP
Property Proposed Zone	GR-1
FTP-Link	
Signature	I confirm the information provided is true and accurate 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. (By checking the box, I am electronically signing this application.)
Application Date	2020-06-03
More Information about this submission and submitter	
Submission ID	11426535
Date & Time	3rd Jun 2020 11:11 AM
Form Location	--
IP Address	208.47.41.194
Browser info	Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/70.0.3538.102 Safari/537.36 Edge/18.18363
Predicted Country	--

Todd and Jessica Ogiba

6098 S Calle De La Rosa

Hereford, Az 85615

(480) 329-2074

June 3, 2020

Attn: Terri Tillman

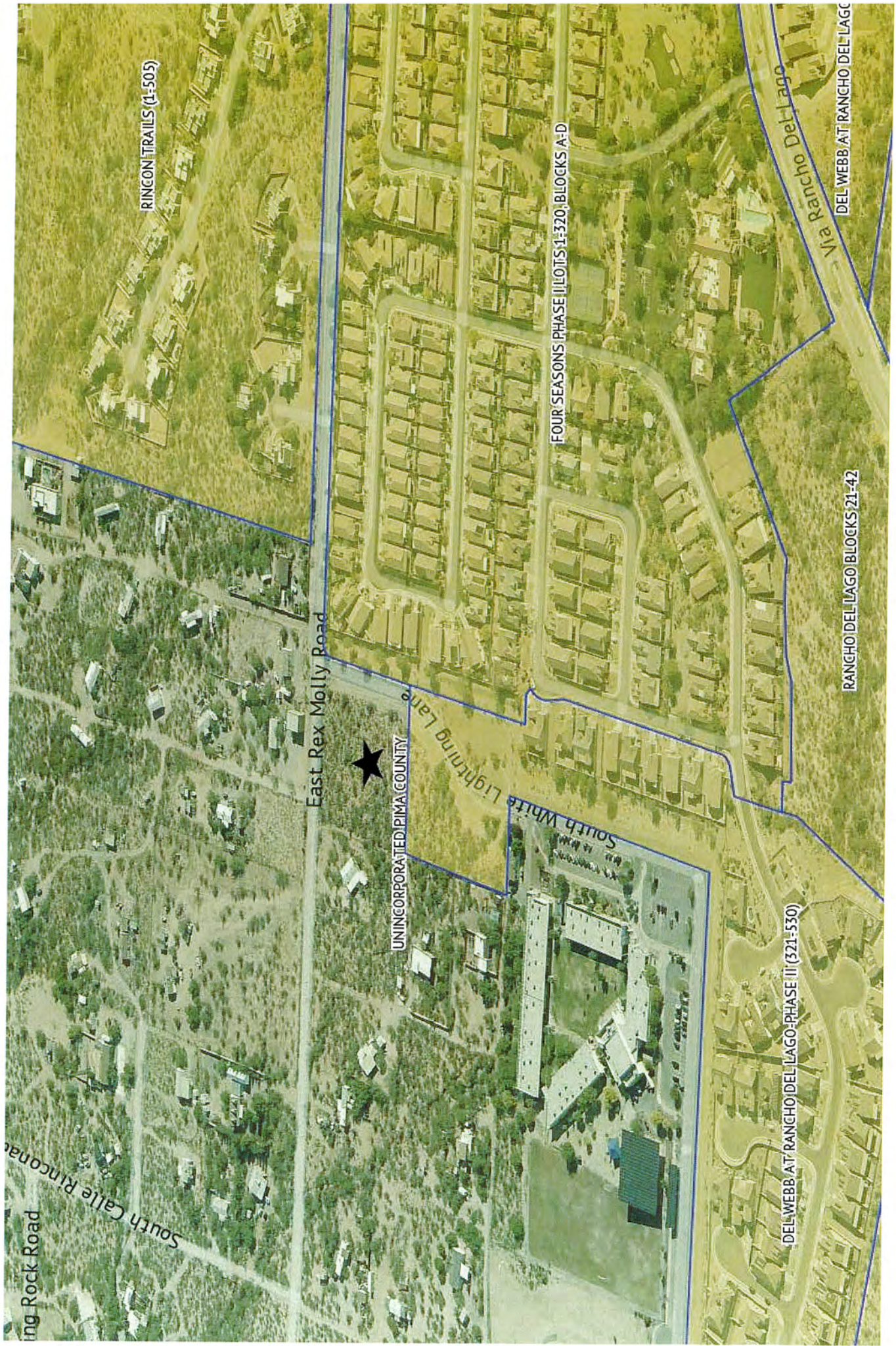
Re: 13650 E Rex Molly, APN: 305-05-0690

Letter for Non-Site Analysis Rezoning

We are in the process of purchasing this vacant land (2.5 acres) to build a detached site built single family home and horse barn. The house is approximately 2,600 square feet and the barn is approximately 1,500 square feet. At the current time the barn will be used to house 4 horses and 2 goats. A perimeter fence will be installed along with the house and barn in addition to a proposed turnout between the house and barn. Stalls will be cleaned twice daily and manure removed off-site twice a week. Water will be supplied by private water company through a connection on South White Lighting Lane. In addition, the house will be connected to the sewer through the main connection on S White Lighting Lane. The property has scrub brush along with paddle cactus located throughout. Due to overgrowth and neglect a majority of the vegetation appears to be diseased and in need of maintenance. Once the house is built we are planning to create a buffer zone between the neighbors with native plants.

Regards,

Jessica & Todd Ogiba



RINCON TRAILS (41-505)

FOUR SEASONS PHASE II LOTS 1-320, BLOCKS A-D

RANCHO DEL LAGO BLOCKS 21-42

DEL WEBB AT RANCHO DEL LAGO

DEL WEBB AT RANCHO DEL LAGO PHASE II (321-530)

UNINCORPORATED PIMA COUNTY

South White Lightning Lane

East Rex Molly Road

ing Rock Road
South Calle Rinconado

Via Rancho Del Lago



LETTER OF AUTHORIZATION

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

13650 E Rex Molly Rd. Vail, AZ 85641

Property Address

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

George Cummings

Susan Cummings

04/20/2020

Signature of Applicant

Date

AUTHORIZED BY:

Authentisign

Susan Cummings

Signature of Property Owner

Authentisign

George Cummings

4/20/2020 1:35:31 PM MDT

04/20/2020

Date

P20CR00001

**CUMMINGS ET AL – E. REX MOLLY ROAD
CONCURRENT PLAN AMENDMENT AND REZONING**

Neighbor Letters Received in July 2020

Opposed = 8 Neighbors

Support = 15 Neighbors

Mark Holden

From: Lou LaFrate [REDACTED]
Sent: Saturday, July 25, 2020 9:37 AM
To: Mark Holden
Cc: Richard Keen; Art Cocklin; Marian Cocklin; Judy Hartigan; Lyle linton; [REDACTED] lenore hatch; Randy Estep; Deb Estep; DAVE PATTON
Subject: Rezoning of property located at 13650 E. Rex Molly Rd, Tucson AZ, 85701
Attachments: 2020-07-25 Memos from Homeowners opposed to the zoning change.pdf

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

Dear Mr. Holden

We are writing to you in regards to the planned zoning change for address 13650 E. Rex Molly Rd, Tucson, AZ 85701 and have several concerns / questions.

We live in an active adult (55 and over) retirement, planned development community that was established in 2007. We are very concerned with a zoning change that will affect our quality of life. The application requests that the prospective landowners be allowed to have a barn for boarding horses. With the proximity to our PDC neighborhood there will be issues with odors, flies and noise. We are also concerned that with it being rezoned rural other farm animals might be present with the same odor, noise and bug issues.

We have investigated the differences between a PDC and GR-1 MIR zone. This is a significant change to the area close to the homes within 300 feet of the property and other adjacent homes in the Del Webb community east of the proposed change.

Here are a few specific questions:

1. The information provided thus far states that the owners plan to board four (4) horses. What prevents the owners from expanding their livestock herd to the maximum allowable quantity of 10 for their 2.5-acre plot of land.
2. What prevents them from renting their stalls to other equestrians and expanding their operation?
3. What prevents them from having additional horses on their property using the 14,400 square foot arena they plan to build?
4. What prevents them from providing riding, grooming and training lessons to the general public?
5. What are their hours of operation? We are concerned with night time lighting that will affect our view of the dark sky.
6. We are concerned with the odors associated with livestock, farm animals, bugs/ flies and increased traffic in the area.

A majority of the homeowners within the 300 foot area have banded together to oppose this change. We are planning to participate in the telephone conference on July 29th but felt it was important to notify you in advance of our concerns.

Please consider this letter and the attachments from the concerned residents of the Del Webb Del Lago community as our desire to have the commission disallow the proposed change. There are 7 memos from affected homeowners in the attachment. In addition to these memos it is our understanding that 2 additional, affected residents have contacted the zoning commission directly.

Sincerely,

Louis and Deborah LaFrate
13735 E Carruthers St
Vail, AZ, 85641
Phone [REDACTED]

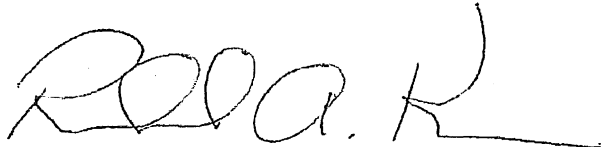
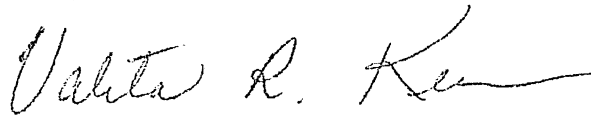
July 22, 2020

Dear Lou and Deb,

Please add Valeta and I to your list of concerned Del Webb Rancho Del Lago residents who live within the 300 foot area of the planned zoning change for address 13650 E. Rex Molly road, Tucson, AZ.

With so much open land available in the Tucson/Vail area, we feel it is unreasonable to subject residents in Planned Development Communities to the potential issues with odors, noise and bug issues. For that reason, we are opposed to the change in zoning.

Respectfully,

A handwritten signature in cursive script, appearing to read "Richard A. Keen".A handwritten signature in cursive script, appearing to read "Valeta R. Keen".

Richard and Valeta Keen
10176 S. Gold Wagon Way
Vail, AZ. 85641
Phone. [REDACTED]

We are opposed to the rezoning of the property west of our block on the corner of White Lightning Drive and Rex Molly Rd.

Arthur B and Marian Cocklin
13720 E Carruthers St
Vail, AZ 85641

Arthur B Cocklin 07/22/22 Marian Cocklin 07/22/22
Arthur B. Cocklin Marian Cocklin

7/22/2020

Gmail - from Judy and Rick Hartigan...

Gmail

Lou LaFrato [REDACTED]

from Judy and Rick Hartigan...

1 message

Judy Hartigan [REDACTED]

Wed, Jul 22, 2020 at 7:38 PM

Reply-To: Judy Hartigan <[REDACTED]>

To: [REDACTED]

Re: Rezoning 2.5 acre parcel at SW corner of Rex Molly and White Lightning

We are opposed to the rezoning of the property which lies just west of our home in Del Webb Rancho del Lago. It will negatively impact our lives to have horses/goats (and possibly other allowed animals) across from our PCD home. It will lower the resale value of our home which is of great concern to us. We respectfully request that this rezoning petition be denied.

Judy and Rick Hartigan

10136 S. Gold Wagon Way, Vail, AZ. 85641

[REDACTED]

July 23, 2020

Pima County Zoning Office

We the undersigned are opposing the rezoning of the property 13650 Rex Molly, APN: 305-05-0690.

We live very close to the property and with the rezoning of this property we would have

"increased noise, traffic, foul odors, flies and rats! Being retired and on a fixed income we would be unable to move from our current home. Please protect our neighborhood by not allowing the rezoning of this property.

Sincerely,

Louis Linton

Susan Linton

13733 E. Weiers Street

Vail, AZ 85641

Louis Linton
Susan A Linton

July 23,2020

Pima County Planning and Zoning Commission,

We currently live at 13741 E Weiers St. The Proposed property of approximately 2.5 acres located at 13650 E Rex Molly Rd and White Lightening Lane worries us for the following reasons;

We are not wanting the smell that comes with Horses, Cows and other farm animals.

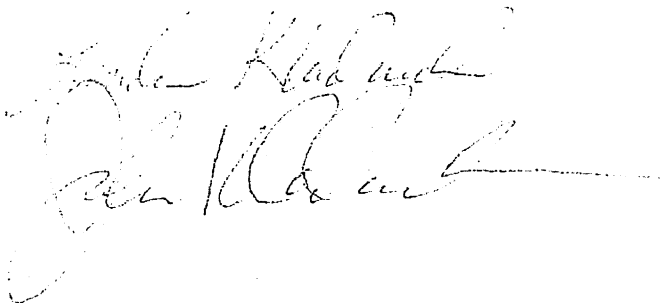
We feel that it will increase pests, insects, etc.

We feel that it will not affect our property value in a positive way.

For the above reasons, we are in opposition to the development.

Thank you for considering what detrimental costs the homeowners in the area may suffer.

Linda and John Kladnick

Handwritten signatures of Linda and John Kladnick. The signature for Linda is on top, and the signature for John is below it. Both are written in cursive.



Lou LaFrate <[REDACTED]>

Possible changes to zoning

1 message

lenore hatch <[REDACTED]>

Fri, Jul 24, 2020 at 11:00 AM

To: [REDACTED]

I wanted to let you know that my husband Anthony and I are very much opposed to Possible new changes in zoning laws to GR-1.

We moved to this Del Webb Planned Development Community after checking the zoning carefully. I do not think you should suddenly change the ground rules.

There are too many questions that arise with adding horses, cattle or any other animals. We object to the odor that would come with that. Who will oversee whether these facilities might be sublet for commercial activities?

There are other concerns, but bottom line, we do not support this proposed change, and hope you will keep this in mind when you consider this issue.

Sincerely,

Lenore and Anthony Hatch
13728 East Carruthers St.
Vail, AZ 85641
[REDACTED]

Sent from my iPad

July 25, 2020

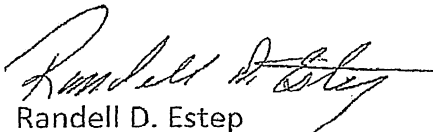
Pima County Development Services
Tucson, AZ 85701

Dear Pima County Planning and Zoning Commission,

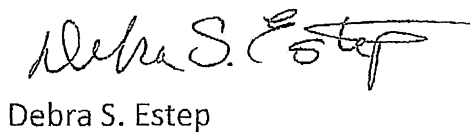
This letter is to inform you that we live in the area within 200 feet of the planned zoning change for address 13650 E. Rex Molly Rd, Tucson, AZ 85701 and object to the rezoning of this property.

We are very concerned with the changes that rezoning will bring to our home at 10148 S Gold Wagon Way, Vail, AZ 85641.

Sincerely,



Randell D. Estep



Debra S. Estep

Phone: [REDACTED]

Address: 10148 S Gold Wagon Way
Vail, AZ 85641

Mark Holden

From: Paula M Lyford [REDACTED]
Sent: Friday, July 24, 2020 9:00 AM
To: Mark Holden
Subject: Rezoning 13650 E. Rex Molly Rd, Vail, AZ 85641

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

Dear Mr. Holden.

My family lives at 10060 S Big Thunder Dr, Vail, AZ 85641 across from the lot at 13650 E. Rex Molly. We are writing in support of you rezoning this lot.

This end of Rex Molly is rural and many of us have farm animals. We have goats and chickens here . It would be highly advantageous to include this family in our area to support those of us trying to self sustain our families .

It is good for the community, for the neighborhood, and for this family . It supports 4-H for those who choose to join. It teaches children where their food comes from and connects them to nature in a way "development housing kids " never get to see.

We can not think of any downside to this rezoning.

We fully support Jessica and Todd Ogiba in their new journey and welcome them and their livestock to our community.

Thank you ,

Bernard G and Paula Lyford

Mark Holden

From: John Masterson [REDACTED]
Sent: Tuesday, July 28, 2020 8:08 PM
To: Mark Holden; jessica.ogiba@gmail.com
Subject: 13650 E. Rex Molly Rd.

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

Dear Mark, Jessica, and Community Members,

I'm writing today to give our blessing on the construction of the proposed Ogiba home on the lot located at 13650 E Rex Molly Rd. Vail AZ, 85641

My name is John Masterson. I reside at 13590 E Rex Molly Rd. The lot directly to the east of the Ogiba residence. I purchased the property in late 2017, as part of the final wishes of the estate after my grandparents, Jackie and Richard Tegtmeyer who have since passed away. My grandparents had bought the land in the mid to late 80s, when there were just a few dozen families living out in old Vail and were happy to live away from the hustle and bustle of the growing city of Tucson. Little did they know that Vail would quickly become a suburb and a city of its own.

I was born in 1989, I spent the first year of my life living at this house along with my parents and sister, My grandparents helped nurture our young family before we moved away to Colorado. I have spent my whole life, attached to Vail. Before the Walgreens, paved roads, gated communities, golf courses and even paved roads. I remember driving the entire length of Rex Molly on a dirt road to visit my grandparents after the long 13 hour drive from our home in Colorado. I walked those roads and deserts when there was only desert. I recall my uncle punishing me and my cousins for getting into the cactus on what is now the proposed lot at 13650. I spent my life at this house, just like my son will. Naturally, the universe comes full circle in things like that. My memories are deep in that desert, but things definitely aren't like they were when I was growing up.

That brings me to the point of accepting change and progress. When I first heard of the corner lot being up for sale I was actually really disappointed. Obviously I'd be disappointed, I have a beautiful view of the Rincon Peak from my living room window. The view that I have been looking at for the last 30 years and things are about to change. Brevity aside, All I could imagine is that a developer was coming to build more suburban, cookie cutter homes, and put as many as they could cram onto the 3 acres lot that I had once roamed . I received a call from the realtor that a potential buyer had been found and it was just that. A buyer from Chicago, looking to put 3 or 4 single family homes on the lot. After a couple months, I received a letter from Jessica along with a proposal of the plans that her and her husband had for the land. I was honestly super relieved to find out that the original buyer had fallen through and that Jessica and her family are moving in next door.

My wife and I had our first son in December 2018, We just love him so much and family means everything to us. I work as a Project Quality Manager for Nordex USA, a wind turbine manufacturer based out of Germany. This position requires me to travel for work. I am not home often and sometimes my wife and baby are there alone. I have spoken to Jessica at length twice now. Her husband is a member of law enforcement, working in

the community my wife grew up in. The Ogiba's has two lovely kids who are almost just the same age as my son. When my wife and I heard of the family moving in next door, we were just thrilled. Friends for our children and trustworthy neighbors. What more can the community ask for.

I understand there has been some concern or backlash from other community members. To be frank. If your house is on a paved road or has a wall around it and cannot be assessed through Rex Molly, you shouldn't have a say on whether or not this project can move forward. My land is directly connected to the Ogiba lot, so I hope my opinion holds the most weight in the county's decision of approval. I can't stress enough how much my family wants this to happen. More importantly, Jessica's family wants it to happen. It's their dream, and no one should be dictating their aspirations or crushing their dreams over their whims or minor qualms.

I hope that the decision makers can recognize that if this is not approved the potential alternative one day could be a multiple home situation on that lot and that would be really bad.

To reiterate, my family gives their whole hearted blessing to the proposed construction of home, barn and horse stalls located at 13650 E. Rex Molly Rd. It would mean alot to my family to have the potential to gain friends and neighbors like the Ogiba family. Our community would be better for it as well.

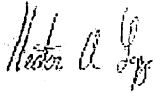
-Best Wishes, From Your Neighbors

John and Lindy Masterson

Planning and Commission,

I fully support the Ogiba's and their concurrent plan amendment and rezoning of 13650 E Rex Molly Drive.

Regards,

A handwritten signature in dark ink, appearing to read "Hector Lopez". The signature is stylized with a large "H" and a cursive "L".

Hector Lopez

13625 E Buffalo Dance Trail

Mark Holden

From: Jessica Ogiba [REDACTED]
Sent: Tuesday, July 28, 2020 8:14 PM
To: Mark Holden
Subject: FW: 13650 E Rex Molly Dr

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

Here you go!

Thanks Mark!

Sent from Mail for Windows 10

From: Steve Gordon
Sent: Tuesday, July 28, 2020 8:11 PM
To: Jessica Ogiba
Cc: Steve Gordon
Subject: RE: 13650 E Rex Molly Dr

Hello Jessica

I wanted to confirm to you, my wife (Renate) and my full support of your efforts. We think that the opportunity and direction that you and your husband (Todd) are headed is a great path to follow and have our full support. You have done a great job in explaining the process and your direction of having horses on your property during your initial presentation. I look forward in seeing the progress and your growth as a young family! I believe having these horses as a love of an effort is critical in our ability to be human! I fully support your desires and direction to pursue this very important aspect of your family.

Please feel free to use my name and contact information to anyone that is needed—this is such a fantastic opportunity that I fully support and look forward in visiting once completed and running.

If you need any support at the BOS (Board of Supervisors) meeting, I am happy to speak on your behalf. I attend many of these meetings currently in my current role.

Steve Gordon
10164 S Gold Wagon Way
Vail, AZ 85641
Cell – [REDACTED]

From: Jessica Ogiba [REDACTED] >
Sent: Tuesday, July 28, 2020 7:18 PM

To: [REDACTED]
Subject: 13650 E Rex Molly Dr

Hi Steve and Renate!

Todd and I just wanted to check in and say hi. We were in the neighborhood today but, Lou LaFrate kicked us out before we made it to your house. He has managed to stir up some of your neighbors by spreading misinformation. Anyways, if you have any questions let me know!

Thanks!
Jessica Ogiba

Mark Holden

From: Rachael Lamb [REDACTED]
Sent: Wednesday, July 29, 2020 6:52 AM
To: Mark Holden
Subject: 13650E Rex Molly ReZone Support

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

Hello,

The school children at Ocotillo Ridge would much rather see a beautiful, well kept horse farm rather than a stack of tightly packed jammed in, unlanscaped swath of houses on their walk to school.

More cars, more pollution, more trash, more pavement.

People didn't move to Vail to get what they could get in Tucson.

We just purchased the property at 13540 E Rex Molly Road.

We FULLY support the rezone for a small, rural horse farm at 13650 E Rex Molly. With the intended maintenance and attention to native vegetation, this property would only benefit surrounding neighbors and would have no negative effect on anyone nearby.

This small piece of land cannot support a 5 home development- nothing could be more destructive and a waste of land when thousands upon thousands of other developments are going in around it.

Sincerely,

Rachael Forbes
13540 E Rex Molly Road
Vail, AZ 85641

Sent from my iPhone

Mark Holden

From: Chris [REDACTED]
Sent: Wednesday, July 29, 2020 7:13 AM
To: jessica.ogiba@gmail.com
Cc: Mark Holden
Subject: 13650 E. Rex Molly

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

My name is Christopher Kroto. My wife and I are in support of Todd and Jessica Ogiba. We support the return of a rezoning back to GR-1. This is the true lifestyle of the Vail community.

We are NOT in favor of any more cookie-cutter housing in our area. These high density track homes are a detriment to the Vail area.

Todd and Jessica propose a fantastic idea that can lead by example in keeping the Vail area grounded in solid values.

Chris Kroto
[REDACTED]
[REDACTED]

Mark Holden

From: Karen Coffman [REDACTED]
Sent: Wednesday, July 29, 2020 8:00 AM
To: Mark Holden
Cc: [REDACTED]
Subject: Zoning correction of 13650 E. Rex Molly

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

Dear Mr. Holden:

I am writing to show our support for correction the property at 13650 E. Rex Molly to Medium Intensity Rural. We built a home on E. White Lightning Lane two years ago. I was so happy to be living in beautiful Vail. It was rural at that time. Now there are houses all over the place. Not nice homes but little cracker boxes. Zoning and adding all of these houses, should have brought the infrastructure needed however, Pima County made absolutely no effort to add the required infrastructure that could support all of these homes. Our roads are already over crowded and the impact is not in any way good. Currently with all of these homes the resulting traffic on Camino Loma Alta backs up for miles. Please do not continue this process by allowing any further overcrowding of our once beautiful area. Please do not add 5 houses on the property at 13650 E Rex Molly. Allow the Ogibas to build a single family dwelling with barn and horses. This is what the Vail area was meant to be.

I was so very displeased to see that the County Supervisors ponied up a loan to overcrowd the Spanish Trail area. I know that you all collect money for these developments but some common sense must prevail.

If you need to further reach me please give me a call on my cell phone [REDACTED]

Cordially,

Paul and Karen Coffman
10528 S White Lightning Lane
Vail, AZ 85641

Sent from [Mail](#) for Windows 10

Mark Holden

From: Charlie LeDuc [REDACTED]
Sent: Tuesday, July 28, 2020 8:08 AM
To: Mark Holden
Subject: 13650 APN305-05-o690

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

Good morning Mr. Holden , My name is Charles Le Duc and my home is to the south west of the land that they are trying to rezone . Our neighborhood has always been rural living where family could raise there families , animals and have space grow. I was surprise when I heard that the land had been rezone for high density houses . That happened quickly and quietly . I believe allowing the Ogiba's to build a gentle man ranch on the property is a better fit for our community . Thank you for hearing me and feel free to call me at xxx-xxxx

Charles LeDuc
Tuhavi corp.
[REDACTED]

I support Todd and Jessica Ogiba in their rezoning/plan amendment at
13650 E. Rex Molly Lane.

By signing below, I ask the Planning and Zoning Commission along with the Board of Supervisors to
approve the rezoning/plan amendment of 13650 E. Rex Molly Lane (APN: 305-05-0690).

Printed Name:

Signature:

Street Address:

Dolores Knott	Dolores Knott	9991 Big Thunder Dr 10001 Big Thunder Dr.
Olivia Lopez	Olivia Lopez	10000 S. Big Thunder Dr.
KC Rogers		9901 S. White Lightning Ln.
Jeff Cain		10040 S. White Lightning

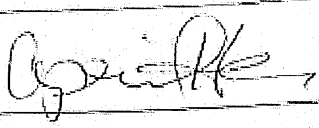
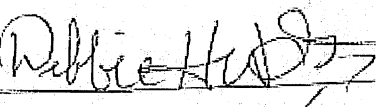
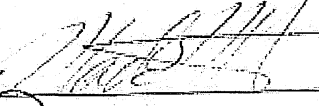
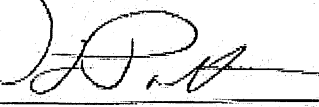
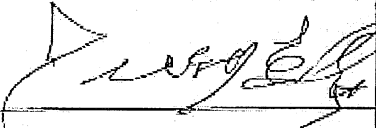
I support Todd and Jessica Ogiba in their rezoning/plan amendment at
13650 E. Rex Molly Lane.

By signing below, I ask the Planning and Zoning Commission along with the Board of Supervisors to
approve the rezoning/plan amendment of 13650 E. Rex Molly Lane (APN: 305-05-0690).

Printed Name:

Signature:

Street Address:

April Hvidsten		43725 E. Weiers
Debbie Hvidsten		13725 E. Weiers
MARK HVIDSTEN		13725 E WEIERST
David Patton		10112 S GUD Wagon
Terrell Elling		131513 E Podet Rd

P20CR00001

**CUMMINGS ET AL – E. REX MOLLY ROAD
CONCURRENT PLAN AMENDMENT AND REZONING**

Neighbor Letters Received in August 2020

General comments / withdrawal of opposition = 8 Neighbors

Opposed = 48 Neighbors

Support = 45 Neighbors

Mark Holden

From: AA gmail <[REDACTED]>
Sent: Tuesday, August 18, 2020 2:38 PM
To: Mark Holden
Subject: Re: P20CR00001 CUMMINGS ET AL- E. REX MOLLEY ROAD PLAN AMENDMENT AND REZONING.

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

Mr Holden:

After further review of this case I decided to withdraw my previously stated objections.

Thank you.

Best regards,

Arnold Adriaanse

On Aug 6, 2020, at 11:23 AM, Arnold Adriaanse <[REDACTED]> wrote:

Thank you - much appreciated.

Best regards,

Arnold

.. Arnold Adriaanse

.. [REDACTED]

.. [REDACTED]

From: Mark Holden [mailto:Mark.Holden@pima.gov]
Sent: Thursday, August 06, 2020 8:36 AM
To: Arnold Adriaanse
Subject: RE: P20CR00001 CUMMINGS ET AL- E. REX MOLLEY ROAD PLAN AMENDMENT AND REZONING.

Mr. Adriaanse –

Thank you for your comments – they will be made part of the public record for the case.

Mark Holden, AICP

Principal Planner

From: Arnold Adriaanse <[REDACTED]>

Sent: Wednesday, August 5, 2020 11:29 PM

To: Mark Holden <Mark.Holden@pima.gov>

Subject: P20CR00001 CUMMINGS ET AL- E. REX MOLLEY ROAD PLAN AMENDMENT AND REZONING.

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

Dear Mr. Holden,

I am writing you to express my opposition to zoning plan P20CR00001 CUMMINGS ET AL- E. REX MOLLEY ROAD PLAN AMENDMENT AND REZONING.

The concern with the rezoning is the potential odor, flies, dust and noise associated with rural / farm properties.

I believe the rezoning of this property will negatively impact our enjoyment of our homes, community, and possibly our property values.

I ask that your office not approve the rezoning of this property.

Thank you.

Best regards,

Arnold Adriaanse

10320 S Herdic Pl
Vail, AZ 85641-5994

[REDACTED]
[REDACTED]

Mark Holden

From: John and Judi Barbee [REDACTED]
Sent: Monday, August 10, 2020 9:17 AM
To: Mark Holden
Subject: Rezoning of 13650 E Rex Molly Road

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

Dear Mr. Holden,

If changing zoning, after well-intending people who have done their pre-purchase due diligence, didn't have lasting consequences, the falderal regarding the rezoning of 13650 E. Rex Molly Road in Vail would be laughable.

Because this decision does have lasting consequences, the reasons to change the use of an area should be compelling—more so than because someone wants to build their dream home.

A friend and I drove by the property in question today, and the proposed change will be close enough to a few existing homesites within the Del Webb community to cause them concern.

My friend and I have something in common. Like most of the letter writers and note posters, we don't live close enough to the contested lot to be affected in any way—and we shouldn't have a vote.

It seems to me the only logical approach to this problem would be to put a pin in a map to mark E. 13650 Rex Molly, draw a tight arc to see how many existing homesites would be affected, then poll those homeowners and tally the results.

If the number of homeowners who support the change exceeds the number who do not by two, go with the change. If not, don't.

I use the number two as the acceptable margin of difference because it seems to me you should be in the business of making more people happy than sad.

I won't vote because I won't be able to see or smell the problem from my home.

John C. Barbee
13912 E. Brotherton St.
Vail, AZ 85641

Sent from my iPad

Mark Holden

From: Ruth Wentling [REDACTED]
Sent: Friday, August 7, 2020 7:49 AM
To: Mark Holden
Subject: Re: Opposition to zoning plan

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

Please disregard my previous email. Because we were initially misled by our HOA, I am choosing not to be involved (one way or the other) at this time. I apologize for the inconvenience.

Thank you,
Ruth Wentling

On Thu, Aug 6, 2020 at 10:11 AM Ruth Wentling <[REDACTED]> wrote:
Dear Mr. Holden,

I am writing you to express my opposition to zoning plan P20CR00001 CUMMINGS ET AL- E. REX MOLLEY ROAD PLAN AMENDMENT AND REZONING. The rezoning of this property will negatively impact our enjoyment of our homes, community, and possibly our property values.

I live in the Del Webb Rancho del Lago community and I am very concerned about how this would impact not just our 55+ community but the entire area. This is not a farming/ranching area and if you were to allow this, we may as well put our homes on the market so other farmers/ranchers can have their livestock as well. People moved to this area because it was a small, quiet community. If I wanted to be in an agricultural area, I would have selected that type of property.

I ask that your office not approve the rezoning of this property.

Thank you,

Ruth Wentling

13912 E Poelstra St. Vail, AZ 85641

[REDACTED]

[REDACTED]

Mark Holden

From: Ronald Allen <[REDACTED]>
Sent: Thursday, August 6, 2020 9:03 AM
To: Mark Holden
Subject: Fwd: RDL REZONING INITIATIVE -- PLEASE READ

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

Begin forwarded message:

From: Del Webb at Rancho Del Lago <[REDACTED]>
Subject: RDL REZONING INITIATIVE -- PLEASE READ
Date: August 5, 2020 at 4:29:44 PM MST
To: "[REDACTED]" <[REDACTED]>
Reply-To: "Brad Lundmark" <[REDACTED]>

Dear DWRDL community residents,

There is an initiative underway to have a parcel of land that is part of the Rancho Del Lago community adjacent to the Del Webb boundaries rezoned to allow the property to have up to 10 head of cattle, a 14,400 square foot horse arena, small farm animals, goats, chickens, etc. and a private home.

This property is located on the corner of White Lightning Drive and Rex Molly Road just north of the Ocotillo elementary school. The concern with the rezoning is the potential odor, flies, dust and noise associated with rural / farm properties. We are also concerned about a negative impact to our home values should this proposal move forward.

If you are willing to voice your concerns regarding this change please send an e-mail to Mr. Mark Holden at the Pima County Planning and Zoning Commission. Mark.Holden@pima.gov . Please include your names, address and contact information and reference the zoning plan P20CR00001 CUMMINGS ET AL- E. REX MOLLEY ROAD PLAN AMENDMENT AND REZONING.

For your convenience, we have included below a draft letter to Mr. Holden expressing your opposition to this proposed zoning change.

The next Pima County Planning and Zoning meeting is scheduled for mid September so please send your feedback to Mr. Holden this month if you would like to oppose this proposal for re-zoning.

Thank you,

DRAFT LETTER TO MR. HOLDEN

Dear Mr. Holden, we are writing you to express our opposition to zoning plan P20CR00001 CUMMINGS ET AL- E. REX MOLLEY ROAD PLAN AMENDMENT AND REZONING. The rezoning of this property will negatively impact our enjoyment of our homes, community, and possibly our property values.

We ask that your office not approve the rezoning of this property.

YOUR NAME:

ADDRESS:

PHONE:

E-MAIL:

This message has been sent to [REDACTED]

As a subscriber of General Correspondence at Del Webb at Rancho Del Lago, we'll periodically send you an email to help keep you informed. If you wish to discontinue receiving these types of emails, you may opt out by clicking [Safe Unsubscribe](#).

To view our privacy policy, click [Privacy Policy](#).

This message has been sent as a service of [AssociationVoice](#), provider of smart Websites for Associations and Management, 1290 Broadway Suite 1400, Denver, CO 80203. AssociationVoice © 2020. All rights reserved.

Mark Holden

From: Sandi Bartell <[REDACTED]>
Sent: Friday, August 7, 2020 9:48 AM
To: Mark Holden
Subject: Re: Zoning plan P20CR00001 CUMMINGS ET AL- E. REX MOLLEY ROAD PLAN AMENDMENT AND REZONING

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

Mark,

Since I was given the wrong information regarding the above rezoning I would like to change my initial letter. I am concerned that 4 horses will be on the property but I am NOT opposing the rezoning. I would also like to have some guarantee that the rezoning would NOT change from the current animal plans. This area of Vail is not ranch land as the current development shows.

This letter should not be forward to Mr. La Combe.

Sincerely,

Sandra Bartell

On Aug 6, 2020, at 12:32 PM, Mark Holden <Mark.Holden@pima.gov> wrote:

Ms. Bartell –

Thank you for your comments – they will be made part of the public record for the case.

Mark Holden, AICP
Principal Planner

From: Sandi Bartell <[REDACTED]>
Sent: Thursday, August 6, 2020 12:18 PM
To: Mark Holden <Mark.Holden@pima.gov>
Subject: Zoning plan P20CR00001 CUMMINGS ET AL- E. REX MOLLEY ROAD PLAN AMENDMENT AND REZONING

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

on a link or opening an attachment.

Dear Mr. Holden,

I am writing you to express my opposition to zoning plan P20CR00001 CUMMINGS ET AL- E. REX MOLLEY ROAD PLAN AMENDMENT AND REZONING. The rezoning of this property will negatively impact the enjoyment of our homes, community, and the possible effect our property values.

We ask that your office not approve the rezoning of this property.

Sandra Z Bartell
10290 S Binder Dr.
Vail, AZ 85641

[REDACTED]

[REDACTED]

Mark Holden

From: Grant Denten [REDACTED]
Sent: Tuesday, August 11, 2020 1:12 PM
To: Mark Holden
Subject: Re: Zoning plan: P20CR00001 CUMMINGS ET AL- E. REX MOLLEY ROAD PLAN AMENDMENT AND REZONING

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

Dear Mr. Holden

We were initially given misinformation on the zoning plan P20CR00001 CUMMINGS ET AL- E. REX MOLLEY ROAD PLAN AMENDMENT AND REZONING by our HOA. After reviewing the correct information, we would like to withdraw our opposition to this zoning change.

Thank you

Grant & Becky Denten
13836 E Carruthers St
Vail AZ 85641

On Thursday, August 6, 2020, 01:06:02 PM MST, Mark Holden <mark.holden@pima.gov> wrote:

Mr. and Ms. Denten -

Thank you for your comments – they will be made part of the public record for the case.

Mark Holden, AICP

Principal Planner

From: Grant Denten [REDACTED]
Sent: Thursday, August 6, 2020 12:47 PM
To: Mark Holden <Mark.Holden@pima.gov>
Subject: Zoning plan: P20CR00001 CUMMINGS ET AL- E. REX MOLLEY ROAD PLAN AMENDMENT AND REZONING

Mark Holden

From: Grant Denten <[REDACTED]>
Sent: Thursday, August 6, 2020 12:47 PM
To: Mark Holden
Subject: Zoning plan: P20CR00001 CUMMINGS ET AL- E. REX MOLLEY ROAD PLAN AMENDMENT AND REZONING

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

Dear Mr. Holden,

We are writing you to express our opposition to zoning plan P20CR00001 CUMMINGS ET AL- E. REX MOLLEY ROAD PLAN AMENDMENT AND REZONING. My wife and I live in the Del Webb Rancho Del Lago community our understanding is that this property is adjacent to our community. We are very concerned that rezoning of this property will have the potential of odor, flies, dust and noise associated with rural./ farm properties.

The rezoning of this property will negatively impact the enjoyment of our homes, community, and possibly our property values.

We ask that your office not approve the rezoning of this property.

Thanks for your consideration in regards to this rezoning.

Grant & Becky Denten

13836 E Carruthers St
[REDACTED]
[REDACTED]

Mark Holden

From: Thomas Pollack <[REDACTED]>
Sent: Friday, August 7, 2020 1:21 PM
To: Mark Holden
Subject: RE: Opposition to zoning plan P20CR00001 CUMMINGS ET AL- E. REX MOLLEY ROAD PLAN AMENDMENT AND REZONING

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

Dear Mr. Holden,

Apparently many of our community were not provided enough information to make an accurate assessment on the subject mentioned rezoning issue. I, and I believe others as well, were premature in sending our letter of opposition. All the facts have not been provided. If at all possible, please remove my previous letter as shown below as part of the public record, if at all possible. Fairness needs to be upheld in this, and further information is apparently forthcoming. I apologize if I have made extra work for you or anyone else.

Sincerely,

Thomas Pollack

From: Mark Holden [mailto:Mark.Holden@pima.gov]
Sent: Thursday, August 6, 2020 09:43 AM
To: Thomas Pollack
Subject: RE: Opposition to zoning plan P20CR00001 CUMMINGS ET AL- E. REX MOLLEY ROAD PLAN AMENDMENT AND REZONING

Mr. Pollack –

Thank you for your comments – they will be made part of the public record for the case.

Mark Holden, AICP
Principal Planner

From: Thomas Pollack <[REDACTED]>
Sent: Thursday, August 6, 2020 8:39 AM
To: Mark Holden <Mark.Holden@pima.gov>
Subject: Opposition to zoning plan P20CR00001 CUMMINGS ET AL- E. REX MOLLEY ROAD PLAN AMENDMENT AND REZONING

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

attachment.

Dear Mr. Holden,

I am writing you to express my opposition to zoning plan P20CR00001 CUMMINGS ET AL-
E. REX MOLLEY ROAD PLAN AMENDMENT AND REZONING. The rezoning of this property
will negatively impact our enjoyment of our homes, community, and possibly our property
values.

I ask that your office not approve the rezoning of this property.

Sincerely,

Thomas Pollack

13760 E. Carruthers St.

Vail, AZ 85641

[REDACTED]

[REDACTED]

Mark Holden

From: Mary Bowman <[REDACTED]>
Sent: Wednesday, August 19, 2020 10:47 PM
To: Mark Holden
Subject: RE: P20CR00001 CUMMINGS ET AL-E. REX MOLLEY ROAD PLAN AMENDMENT AND REZONING

Importance: High

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

Mr. Holden,

We withdraw our opposition to the rezoning of the area on Rex Molly as stated above on the Subject line.

Sincerely,
Cloyce Elton Bowman
Mary Catherine Moore-Bowman
10060 S Black Surrey Dr.
Vail, AZ 85641

From: Mark Holden [mailto:Mark.Holden@pima.gov]
Sent: Monday, August 10, 2020 7:25 AM
To: Mary Bowman <[REDACTED]>
Subject: RE: P20CR00001 CUMMINGS ET AL-E. REX MOLLEY ROAD PLAN AMENDMENT AND REZONING

Mr. and Ms. Bowman -

Thank you for your comments – they will be made part of the public record for the case.

Mark Holden, AICP
Principal Planner

From: Mary Bowman <[REDACTED]>
Sent: Saturday, August 8, 2020 4:55 PM
To: Mark Holden <Mark.Holden@pima.gov>
Subject: Re: P20CR00001 CUMMINGS ET AL-E. REX MOLLEY ROAD PLAN AMENDMENT AND REZONING
Importance: High

This message and sender come from outside Pima County. If you did not expect this message, proceed with

Mark Holden

From: Mary Bowman <[REDACTED]>
Sent: Saturday, August 8, 2020 4:55 PM
To: Mark Holden
Subject: Re: P20CR00001 CUMMINGS ET AL-E. REX MOLLEY ROAD PLAN AMENDMENT AND REZONING

Importance: High

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

Dear Mr. Holden,

We are writing you to express our opposition to zoning plan P20CR00001 CUMMINGS ET AL-E. REX MOLLY ROADPLAN AMENDMENT AND REZONING. We picked our property in the Del Webb Rancho Del Lago community based on the zoning for the property along Rex Molley Road. The rezoning of this property will negatively impact our enjoyment of our home, community and possibly our property value.

We ask that your office not approve the rezoning of this property.

Cloyce Elton Bowman
Mary Catherine Moore-Bowman
10060 S Black Surrey Drive
Vail, AZ 85641
Home: [REDACTED]
Cell: [REDACTED]
[REDACTED]

caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

Dear Mr. Holden,

We are writing you to express our opposition to zoning plan P20CR00001 CUMMINGS ET AL-E. REX MOLLY ROADPLAN AMENDMENT AND REZONING. We picked our property in the Del Webb Rancho Del Lago community based on the zoning for the property along Rex Molley Road. The rezoning of this property will negatively impact our enjoyment of our home, community and possibly our property value.

We ask that your office not approve the rezoning of this property.

Cloyce Elton Bowman
Mary Catherine Moore-Bowman
10060 S Black Surrey Drive
Vail, AZ 85641

Home: [REDACTED]

Cell: [REDACTED]

[REDACTED]

Mark Holden

From: Rick Alden [REDACTED]
Sent: Thursday, August 6, 2020 6:25 AM
To: Mark Holden
Subject: Property annexation

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

Dear Mr. Holden,

We are writing you to express our opposition to zoning plan P20CR00001 CUMMINGS ET AL- E. REX MOLLEY ROAD PLAN AMENDMENT AND REZONING. The rezoning of this property will negatively impact our enjoyment of our homes, community, and possibly our property values.

We ask that your office not approve the rezoning of this property. Thank you.

Richard and Ann Alden
14066 E. Stanhope Blvd.
Vail, AZ 85641

[REDACTED]
[REDACTED]

Mark Holden

From: Sandra Allen <[REDACTED]>
Sent: Thursday, August 6, 2020 3:38 PM
To: Mark Holden
Subject: P10CR00001 Zoning Plan

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

Dear Mr. Holden,

We are writing you to express our opposition to zoning plan P10CR00001, Cummings ET AL - E. Rex Molly Road Plan Amendment and rezoning. The rezoning of this property will negatively impact our enjoyment of our homes, community, and possibly our property values.

We respectfully ask that your office not approve the rezoning of this property.

Sandra L. Allen
10275 S. Tea Wagon Way, in Del Webb community Vail, AZ 85641
[REDACTED]
[REDACTED]

Mark Holden

From: John Apgar [REDACTED]
Sent: Wednesday, August 5, 2020 4:44 PM
To: Mark Holden
Subject: REZONING

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

Dear Mr. Holden, I am writing you to express my opposition to zoning plan P20CR00001 CUMMINGS ET AL- E. REX MOLLEY ROAD PLAN AMENDMENT AND REZONING. The rezoning of this property will negatively impact my enjoyment of my home, community, and possibly our property values.

We ask that your office not approve the rezoning of this property.

NAME: John Apgar

ADDRESS: 13805 E. Carruthers St.

[REDACTED]

E-MAIL: [REDACTED]

Thanks to all our men and women in uniform and God bless the United States of America

Mark Holden

From: JAN BACHMAN <[REDACTED]>
Sent: Wednesday, August 5, 2020 5:47 PM
To: Mark Holden
Subject: Rezoning plan

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

Dear Mr Holden, we are writing you to express our opposition to zoning plan P20CR00001 CUMMINGS ET AL-E. REX MOLLEY ROAD PLAN AMENDMENT AND REZONING. The rezoning of this property will negatively impact our enjoyment of our homes, community and possibly our property values.

Please do not approve the rezoning if this property.

Janice Bachman

Bert Lindberg

14065 E Troika St

Vail Arizona. 85641

Phone - [REDACTED]

Email - [REDACTED]

Sent from AOL Mobile Mail
Get the new AOL app: mail.mobile.aol.com

Mark Holden

From: Kathy Bannon [REDACTED]
Sent: Monday, August 10, 2020 11:31 PM
To: Mark Holden
Subject: Cummings et al-E Rex Molly Road Plan Amendment and Rezoning

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

Mr Holden,

After much thought and study of the plans for this rezoning to build a horse ranch on Rex Molly Road in Vail, I have decided to let you know that I **do not approve of the plan.**

This is in an area of retired people who have put down a lot of money to live out a quiet life in the peaceful beauty out here. There are also many homes in a series of cul de sacs nearby who will find this a nuisance and an unwelcome addition to our peaceful area. A horse ranch with an uncovered arena and a barn with 4 horses will create a lot of dust, flies, stinky piles of manure, and all the assorted ranch sounds: tractors plowing and turning manure into the arena for disposal, which eventually dries out and causes a lot of dust in the air. We boarded two horses at a well kept ranch out on Cloud Road, and those ranchers had to really work to keep things quiet, keep the dust down, and keep the neighbors happy and to show that they were doing their best.

Any barn and arena you visit will have lots of rodents, black widow spiders, and many other critters that will likely explore other houses nearby. This is just normal ranch life, but not normal or wanted by neighbors who aren't interested in hosting these critters.

I don't know these people who want to build the ranch, but I know what a beautiful area that is, and a horse ranch will change the area's style and feeling forever. There are many places out here in Vail, away from a planned community and away from a school, where they can have the ranch they dream of without ruining the dreams of those who live here already and who adhered to the master plan of Vail in making it the lovely place that we see today.

Like many of the houses now being built out in Vail that are cookie cutter and charmless, a horse ranch will detract from the beauty and the livability of the area. I hope the family will find a new stretch of land, better suited to farm and barn life, rather than disrupt an entire community of citizens, happy to live somewhere nice without stock and animals kicking up a ruckus and a dust storm.

So sorry that I could not join in to the celebration of the horse property. My best wishes for a happy resolution for everyone involved.

Kathy Bannon
13977 E Sage Hills Dr
Vail, AZ 85641
[REDACTED]

Mark Holden

From: [REDACTED]
Sent: Wednesday, August 5, 2020 9:43 PM
To: Mark Holden
Subject: Important message regarding your zoning policies

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

Dear Mr. Holden,

I am writing you to express my opposition to zoning plan P20CR00001 CUMMINGS ET AL- E. REX MOLLEY ROAD PLAN AMENDMENT AND REZONING. The rezoning of this property will negatively impact our enjoyment of our homes, community, and possibly our property values.

**We ask that your office not approve the rezoning of this property.
Thank you.**

Khevin Barnes

***10304 Black Surrey Dr.
Vail, Arizona 85641***

[REDACTED]

Mark Holden

From: Gaga Barnes <[REDACTED]>
Sent: Thursday, August 6, 2020 7:22 PM
To: Mark Holden
Subject: REX MOLLEY ROAD PLAN AMENDMENT AND REZONING

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

Dear Mr. Holden,

I am writing you to express my opposition to zoning plan P20CR00001 CUMMINGS ET AL- E. REX MOLLY ROAD PLAN AMENDMENT AND REZONING. The rezoning of this property will negatively impact our enjoyment of our homes, community, and possibly our property values.

I ask that your office **not** approve the rezoning of this property.

YOUR NAME: Gaga Barnes

ADDRESS: 10304 S Black Surrey Drive, Vail, AZ 8541

PHONE: [REDACTED]

E-MAIL: [REDACTED]

"You should sit in meditation for 20 minutes every day- unless you are too busy; then you should sit for an hour."
Follow Your Bliss! Live Life Laughing! Be the Change!
GAGA BARNES
[REDACTED]

Mark Holden

From: Bill Bélanger [REDACTED]
Sent: Wednesday, August 5, 2020 4:34 PM
To: Mark Holden
Subject: Rezoning

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

Dear Mr. Holden, we are writing you to express our opposition to zoning plan P20CR00001 CUMMINGS ET AL- E. REX MOLLEY ROAD PLAN AMENDMENT AND REZONING. The rezoning of this property will negatively impact our enjoyment of our homes, community, and possibly our property values.

We ask that your office not approve the rezoning of this property.

William and Mary Belanger

13729 E Poelstra st

Vail, AZ 85641

[REDACTED]

Mark Holden

From: Bill Bélanger <[REDACTED]>
Sent: Sunday, August 9, 2020 5:41 PM
To: Mark Holden
Subject: Change

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

Mr Holden,
Re;

P20CR0001 Cummings, ET AL - E. REX MOLLY ROAD CONCURRENT PLAN AMENDMENT
&Rezoning

My wife and I still object to the rezoning even with the changes.

Thanks

Bill & Chris

William and Mary Belanger

13729 E Poelstra St
[REDACTED]

Mark Holden

From: Jane Belotte [REDACTED]
Sent: Wednesday, August 12, 2020 8:27 PM
To: Mark Holden
Subject: : OBJECTION to P20CR00001 CUMMINGS ET AL- E. REX MOLLY ROAD PLAN AMENDMENT AND REZONING

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

We resent the pressure put on the community by two members of our community for the approval of this zoning change and letters from the Ogiba's to our homes requesting that we rescind our objection. There are NO other GR-1 properties adjacent to our community. This property was zoned as PDC so that the developers could sell their homes and it is unfair that Pima county would even consider changing the designation that this property has held for 15 years as the adjacent properties were developed. Del Webb residents trusted Pima county to stand by their original decision and not cave in to the wants and dreams of one person.

I have been given no reason why Jessica Ogiba continues to think her "dream" is more important than the dream retirement of all 606 of our homes. I also have been given no reason why Jessica and her family feel that none of the other approximately 100 GR-1 properties in Vail would be acceptable to her.

Please DENY this request to change the designation from PDC to MIR GR-1.

Thank You for your attention to this matter.

Pete and Jane Belotte

Del Webb Rancho del Lago

13850 E Cardemore Dr

Vail, AZ 85641

[REDACTED]

Our OBJECTION to P20CR00001 CUMMINGS ET AL- E. REX MOLLY ROAD PLAN AMENDMENT AND REZONING stands as originally stated.

To: mark.holden@pima.gov;

Subject: OBJECTION to P20CR00001 CUMMINGS ET AL- E. REX MOLLY ROAD PLAN
AMENDMENT AND REZONING

We OBJECT to this rezoning request. The property is adjacent to our High Density Senior community. The property was zoned as PDC (Planned Development Community) by Pima County due to its proximity to Rancho Del Lago. We as a community were aware of the property and its usage when we bought our homes.

The homes on several streets will be affected by the odor and flies generated by this property if the rezoning to MIR GR-1 is not denied. The wind is always blowing in Vail and these odors will permeate our community. MIR GR-1 would permit future use of this land for Chickens and Livestock in addition to the 4 horses and 2 goats that are proposed.

Many of our residents walk and bike on these streets on a daily basis. The odor and flies will have a negative effect on our entire community.

Please DENY this request to change the designation from PDC to MIR GR-1.

Thank You for your attention to this matter.

Pete and Jane Belotte

Del Webb Rancho del Lago

13850 E Cardemore Dr

Vail, AZ 85641

[REDACTED]

Mark Holden

From: Jane Belotte <[REDACTED]>
Sent: Friday, August 7, 2020 11:43 AM
To: Mark Holden; Lucretia Free; District4
Cc: [REDACTED]
Subject: OBJECTION to P20CR00001 CUMMINGS ET AL- E. REX MOLLY ROAD PLAN AMENDMENT AND REZONING

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

We OBJECT to this rezoning request. The property is adjacent to our High Density Senior community. The property was zoned as PDC (Planned Development Community) by Pima County due to its proximity to Rancho Del Lago. We as a community were aware of the property and its usage when we bought our homes.

The homes on several streets will be affected by the odor and flies generated by this property if the rezoning to MIR GR-1 is not denied. The wind is always blowing in Vail and these odors will permeate our community. MIR GR-1 would permit future use of this land for Chickens and Livestock in addition to the 4 horses and 2 goats that are proposed.

Many of our residents walk and bike on these streets on a daily basis. The odor and flies will have a negative effect on our entire community.

Please DENY this request to change the designation from PDC to MIR GR-1.

Thank You for your attention to this matter.

Pete and Jane Belotte
Del Webb Rancho del Lago
13850 E Cardemore Dr
Vail, AZ 85641
[REDACTED]

Sent from Mail for Windows 10

Mark Holden

From: Garry Bond <[REDACTED]>
Sent: Thursday, August 6, 2020 6:34 AM
To: Mark Holden
Subject: Rezoning Initiative P20CR00001

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

Dear Mr. Holden,

We are writing you to express our opposition to zoning plan P20CR00001 CUMMINGS ET AL- E. REX MOLLEY ROAD PLAN AMENDMENT AND REZONING. The rezoning of this property will negatively impact our enjoyment of our homes, community, and possibly our property values.

We ask that your office not approve the rezoning of this property.

Garry and Martha Bond

13877 E Carruthers St, Vail, AZ

Del Webb at Rancho del Lago Community

[REDACTED]
[REDACTED]

Mark Holden

From: Ralph Byrns <[REDACTED]>
Sent: Thursday, August 6, 2020 12:14 PM
To: Mark Holden
Subject: RE: P20CR00001 Cummings et al- E. Rex Molley Road PLAN AMENDMENT AND REZONING

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

Dear Mr. Holden,

We oppose rezoning per: P20CR00001 CUMMINGS ET AL- E. REX MOLLEY ROAD PLAN AMENDMENT AND REZONING.

Rezoning this property is quite likely to negatively impact our enjoyment of our homes, community, and possibly our property values. In particular, we are concerned about the prospect of permitting cattle and horses in this plot.

Goats, chickens, ducks, rabbits, Guinea fowl, and similarly sized critters? OKAY! Perhaps a couple of donkeys? Okay! But we fear that cattle and horses would pose an attractive nuisance, potentially endangering students at the nearby Ocotillo Ridge Elementary School.

We ask that your office NOT approve the rezoning of this property.

Thank you for considering our preferences.

Mrs. Leslie C Byrns
Professor Ralph T Byrns
(PhD, emeritus, UNC-Chapel Hill NC)
13751 East Carruthers Street
Vail AZ 85641

email: [REDACTED]
[REDACTED]
email: [REDACTED]
[REDACTED]

Mark Holden

From: [REDACTED]
Sent: Sunday, August 16, 2020 12:19 PM
To: Mark Holden
Subject: P20CR00001 Cummings et. Al. - E. Rex Molly Road Concurrent Plan Amendment and Rezoning

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

I am writing to object to the proposal to rezone 13650 E Rex Molly Road.

I have reviewed the proposal by the land owner and believe that my community (Del Webb Rancho Del Lago) will be negatively impacted by this change. Having a horse arena only 50' from Rex Molly Road will greatly increase the dust in the area. When we purchased our homes we all expected residential development on that road, not rural development. While I will not be directly affected, anything that negatively impacts the community by reducing home values will be detrimental to me.

I ask that you consider the effect on the larger number of homeowners and refuse to change the zoning for this one person.

Thank you.

Patricia A Carlson
13878 E Huppenthal Blvd
Vail, AZ 85641

Mark Holden

From: Linda Pace [REDACTED]
Sent: Monday, August 10, 2020 3:55 PM
To: Mark Holden
Subject: Opposition to Zoning Plan P20CR00001

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

Dear Mr. Holden:

I am writing to notify you that my husband and I are opposed to zoning plan P20CR00001 CUMMINGS ET AL - E. REX MOLLEY ROAD PLAN AMENDMENT AND REZONING.

When we chose to have a home built in the Del Webb development here in Vail, we were assured that the surrounding areas were zoned R-1 for residential homes. We do not want to live near horse property. We enjoy the fresh, clean smelling air in our neighborhood. Horses stabled nearby are going to change that. The open areas of the corrals and arena will create dust. Horses draw flies and the smell of horse manure is just a given with horses. If we wanted to live next to horse property, we would have bought property in an area zoned for horses.

I understand that many of the people in Del Webb who have expressed support for the rezoning live in the section of Del Webb that is South of Via Rancho Del Lago which is far removed from the area in question. Our home is in the Del Web section located North of Via Rancho Del Lago and much closer to the land being considered for rezoning. The people South of Via Rancho Del Lago really have "no skin in the game"! I really don't understand why they are even involved.

Please consider the negative impact such a rezoning change will have on our neighborhood. We who live nearby are strongly opposed to this proposal and ask that the rezoning of this property not be approved.

Sincerely,

Linda Pace
13743 E. Carruthers St.
[REDACTED]
[REDACTED]

Robert Castell
13743 E. Carruthers St.
[REDACTED]
[REDACTED]

Mark Holden

From: Tom Clark <[REDACTED]>
Sent: Friday, August 14, 2020 3:51 PM
To: Mark Holden
Subject: Fwd: Zoning Plan P20CR00001

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

We apologize- we forgot our personal information for you.

Tom and Marla Clark
13890 E Brotherton St
Vail, AZ. 85641
[REDACTED]
[REDACTED]

Sent from my iPad

Begin forwarded message:

From: Tom Clark <[REDACTED]>
Date: August 14, 2020 at 3:40:07 PM MST
To: Mark.Holden@pima.gov
Subject: Zoning Plan P20CR00001

Dear Mr. Holden, we are writing you to express our opposition to zoning plan P20CR00001 CUMMINGS ET AL-E. REX MOLLY ROAD PLAN AMENDMENT AND REZONING. The people requesting the rezoning claim they have the support of 75% of the home owners in Del Webb who will be closest to the property and the remaining house is neutral. That means they have only talked to 4 houses close to their proposed site. We are not one of those 4 and we live within 500ft - 1,000ft of the property. They claim they clean stalls twice daily and remove the manure once or twice a week. That leaves 5 or 6 days of fecal and urine accumulation of stall material. What about the non stall manure and urine that will leach into the ground as well as just sit for insects, birds, and other animals to frequent. There is no provision for the material from 4 horses and 2 goats which will be absorbed into the ground. What is the position of the school that is adjacent to this property, the health problems for the children and employees of the school from rain water runoff and ground pollution? What is the EPA study for this proposal? There is an abundance of horse property in Vail that is already for them to use.

Sent from my iPad