

April 10, 2024

Nancy and Marvin Meister
11946 E. Saguaro Crest Place
Tucson, AZ 85747

Pima County Board of Supervisors,

We are writing to oppose Christopher and Lori Vickery's request for a comprehensive plan amendment on approximate 6.13 acres, parcel code 205-65-009A, addressed as 5400 South Old Spanish Trail, from the Resource Sensitive (RS) to the Rural Crossroads (RX) land use designation.

The amendment site is surrounded on the north, south and west by residential uses and is located across from Saguaro National Park East. Currently, the subject property, along with the entire surrounding residential area, is designated "Resource Sensitive"; "designate *key larger parcels and land holdings with environmentally sensitive characteristics in close proximity to public preserves or other environmentally sensitive areas. Development of such land shall emphasize design that blends with the surrounding natural desert and provides connectivity to environmentally sensitive linkages in developing areas.*" The said property is located in the Pima County Buffer Overlay Zone, which preserves and protects the open space characteristics within one mile of public preserves. The Buffer Zone is a mile wide and extends 45 miles around the entire western edge of Saguaro National Park-East. The specific ordinance was enacted to protect the Park from commercial encroachment. The National Park Service is mandated to ensure the protection of park resources, meaning there are concerns regarding the amount of development with the surrounding areas' rural residential character, impacts to wildlife corridors to and from the park, and protection of dark night skies. Allowing the proposed comprehensive plan amendment, located within the buffer zone would set a precedent for further high-density commercial expansion all along the park's corridor. Tucson enjoys the beauty and allure of national parks and they must be protected.

With the increased urbanization (Rockin' K development on Old Spanish Trail), our area is experiencing ecological changes. Structures such as fences, roads, and urban and agricultural developments can inhibit habitat connectivity and create major barriers to all kinds of wildlife. These landscape modifications decrease habitat area and reduce diversity simply by shrinking areas in which animals using the habitat can live (MacAuthur and Wilson 1967). Without proper planning, these barriers can constrain wildlife movement and lead to fragmented habitats. The loss of species is not only bad for the animals themselves and the people who enjoy seeing them, but it can have huge detrimental effects on the entire desert ecosystem. By removing wildlife barriers, we can improve habitat connectivity, which is a key aspect for sustaining biodiversity inside the park because many species require resources that extend beyond park boundaries. (Saguaro National Park, National Parks Service)

It is vital that Saguaro National Park and its current residential surroundings be protected from further commercial encroachment. The recent development of private lands adjacent to the park system areas has already increased the potential for harm. Preservation is to provide for the enjoyment of the citizens by protecting these areas from the onslaught of development and its callous effects on people and the environment, the importance of preserving the residential solitude, and for the vanishing species in our desert ecosystem. The concept of preserving the environmental, natural integrity of an area, cannot tolerate the existence of other uses that may have a disruptive effect on the totality of "lands" we

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should not need to challenge to be preserved. Yet, here we are. We moved to Tucson in 2015, following our dream of a serene, calm, peaceful lifestyle away from dense population and protected from commercial growth. We found it in property adjacent to 5400 S. Old Spanish Trail and just across from Saguaro National Park East, in the “buffer zone.” We cherish the animal wild life, migratory paths, dark skies, unobstructed views, stillness, privacy, peace, and quiet that will be compromised by a commercial restaurant.

The applicant’s declaration, as stated on the applicant’s reasons to amend the comprehensive plan, are ambiguous and uncertain to say the least; *“Our proposed amendment seeks to bring the land use designation in line with the most recent and historical use of the property, which has operated as a restaurant since as early as the 1950’s. It is intended to remain restricted to restaurant use only after the Comprehensive Plan Amendment approval. This change in zoning will help to meet the evolving needs of the community while fostering the principles of Arizona Growing Smarter (1998) and Growing Smarter Plus (2000) legislation.”* In the applicant’s letter to Steve Christy (dated 4-1-24) he states, *“How very much several Tucsonians want this place back. It makes me wonder what I missed out on.”* The fact is, 5400 S Old Spanish Trail is the sight of three failed restaurants. The most recent failed restaurant closed in 2015. The restaurant use that had been on the property since circa the mid-1950s, was grandfathered as it existed prior to the current county zoning code. After its closure, this grandfathering or nonconforming status elapsed. Pima County deemed the restaurant use was no longer allowed under the zoning. Mr. Vickery purchased the said property zoned RS. As a member of a group of concerned residents, we know Mr. Vickery does not have investors and/or a clear business plan in place. He stated, *“I don’t have resources to complete without co-investors so this will be a group effort.”* With vague and uncertain future plans for this property, we have no assurances from the property owner that he or any future owners will work together in a *“group effort”*. As the facts dictate, the numerous failed restaurants, the change in zoning to *attempt* another restaurant does not seem fitting to “meet the needs of the community.”

Pima County has made great strides in environmental initiatives, demonstrating a commitment to conservation and preservation. With its stunning natural landscapes and a growing awareness of the importance of preserving the environment, how can a possible rezoning for a restaurant in a Resource Sensitive designation, surrounded by residential homes, be consistent with preservation of the pristine and protected areas of Pima County, specifically Saguaro National Park? What image is Pima County trying to maintain?

It is vital that our current Resource Sensitive designation be protected from further commercial encroachment. The requested Rural Crossroads land use designation is not appropriate for restaurant use on the property. We are pleading the Pima County Board of Supervisors’ consideration to preserve a quality of life for today and the future.