

May 9, 2014

Town Council  
Town of Oro Valley  
11000 N. La Canada  
Oro Valley, AZ 85737

To the Members of the Oro Valley Town Council:

Please permit us to go on record that we are against the re-designation of a portion of land on Lots 20 through 32 from Private Natural Area to Buildable Area as recorded in the La Reserve Planned Area Development District, adopted by Ordinance (0)97-24 September 3, 1997 as amended, for the now named "Ponticello" subdivision located on Della Roccia Court in La Reserve. (OV1214-12)

We are the owners of lots 62 and 63 located in the Wilderness III Canyon section of the La Reserve Planned Area Development District. Our home is located on lot 62. Lot 63 is presently maintained as vacant land.

Lots 62 and 63 are directly South West of Lots 20 through 32. We purchased Lots 62 and 63 and subsequently built our home with the understanding that homes would eventually be constructed on Lots 20 through 32 of the Ponticello subdivision.

A substantial portion of Lots 62 and 63, consisting of approximately half the area, is designated as part of the La Reserve Wilderness Reserve as recorded in the La Reserve Planned Area Development. Although we could have challenged the Wilderness Reserve designation of our property and attempted to build a home that would have had a much better floor plan, we respected the intent of the Wilderness Reserve designation, and built our home within the designated footprint.

We ask the Members of the Oro Valley Town Council to also respect the intent of the La Reserve Planned Area Development District by not allowing re-designation of a portion of land on Lots 20 through 32 from Private Natural Area to Buildable Area for the following reasons:

1. Lots 20 through 32 are located on top of a small mesa type land formation. The land adjacent to the presently designated Private Natural area is a steeply sloped hillside. Re-designation of the land from Private Natural Area to Buildable Area will require additional walls to be constructed along the entire length of Lots 20 through 32 in order to convert the land to Buildable Area. The additional walls will be required to be extended a considerable distance down the steep hillside to provide the land area for the additional Buildable Area.

Extending the walls down the steep hillside will create an unsightly, non-natural condition along the hillside. The walls will not be seen or noticeable by residents or visitors to the Ponticello development, but they will be directly viewable from the Canyon section of Wilderness III. This unsightly, non-natural condition will not only pose itself to be an eyesore, it will have a significant negative impact on the value of our property.

2. We are also concerned that allowing re-designation of a portion of land on Lots 20 through 32 from Private Natural Area to Buildable Area will encourage the developer to request variances to reduce set-back requirements and build larger size homes than are presently designated by the La Reserve Planned Area Development.

**Attachment 5**

If set-back requirements are reduced and larger size homes are allowed to be developed on Lots 20 through 32, such homes will be intrusive to the lot area and will cause increased noise and eyesore issues resulting in a negative impact on property values of the present homeowners in the Canyon area of Wilderness III.

Thank you for considering our objection to this proposed land re-designation.

Respectfully submitted,

Jill and Frank Rosenbaum

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**From:** richard burris <rburris1026@comcast.net>  
**Sent:** Thursday, May 08, 2014 10:09 AM  
**To:** Hayes, Patty  
**Cc:** Jill Rosenbaum  
**Subject:** Re-designation of La Reserve land

Ms. Hayes,

On May 3, we received a post card advising us of the May 21 Oro Valley Town Council meeting. Thank you for giving us that notice. While not totally clear in the Notice, it appears that the Pontecello Gated Community developer, Jack Shoop, wishes to change his previously approved development plans so as to make his property more attractive to some other developer by re-designating natural area to buildable area. Such a change, if allowed by the Town Council, will DIRECTLY and ADVERSELY impact the immediate neighborhood. Any increase of buildable area will also negatively impact the surrounding wildlife habitat. We live on Buck Ridge Place, the street below, to the south, and adjacent to the subject property.

We live on a lot that has more than half of it within a "Private Natural Area", meaning that we own property which is in a natural area intended to "protect Big Horn Sheep". In fact, we pay a quarterly premium which supposedly goes to the Univ. of Arizona for sheep habitat enhancement. We have not complained about this situation NOR have we sought to change the existing development plan so that we could build on other parts of our 3 plus acres. And the point of my comments? More buildable area negatively impacts the existing wildlife habitat as well as the existing human habitat. The Az Game and Fish Department ought to be advised of Mr. Shoop's planned redesignations, have you done that as a matter of courtesy? This development is in the center of the recent sheep repopulation project area.

About 10 years ago, the Pontecello developer, Jack Shoop's employee Mark Donatelli, took several of us, who live on this street for a tour of that portion of his development which is the property referenced in your Notice. That man explained to us exactly where the development would be placed including lot size, heights of homes and house locations, i.e. distance back from ridge edge. We believed him and took him at his word. It was explained to us that the development plan pertaining to the ridge overlooking our homes (the subject property) was set in stone. As a result, we did not object to his plans. Subsequently, the lots on Della Roccia Court were developed as had been represented by the developer. Now, strictly for the owner's personal economic reasons, he seeks to "re-desgnate a portion of land on lots 20 through 32 from Private Natural Area to buildable area". Those of us who live on this street, Buck Ridge Place, in La Reserve look DIRECTLY at the lots where Mr. Shoop wants to add buildable area. While it certainly is the American way to want to maximize profits, it is also important to not allow a "rules change" in the middle of the game in order for the owner to make more money at the expense of the adjacent property owners. Make no bones about it, if this change is allowed, the ridge top will be developed to increase the size and number of structures OVER AND ABOVE what has for many years been the approved Plan for the area.

I spent a number of years on the Oro Valley Planning and Zoning Commission and witnessed all the baloney the developers' promised. To think there will be no negative impact on the wildlife or those of us who live here now, if this re-designation is allowed, is wishful thinking at best.

We would like to be present when Mr. Shoop's request is presented to the Town, however, my wife and I will not be in Arizona on May 21. Where can we see his actual request and the specific proposal? When would it be convenient for me to talk with you or meet with you? I am sure other neighbors would also like to know what the developer is trying to do. Are you available tomorrow or at the end of next week?

So that there is no mistake about the position that my wife and I take, we strongly oppose any re-designation of Private Natural Area to buildable area because any increase in the number of houses, house sizes, house locations or additional structures will negatively and unfairly impact the existing residents and wildlife on the adjacent property.

I look forward to your response relative to the specifics of the re-designation request and when it would be convenient to talk with you before the 21st of May. Again, we will not be available to attend the Town Council meeting.

Richard D. Burris  
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