

From: [BECKY PAYETTE](#)
To: [DSD Planning](#)
Subject: Request for continuance, Aug 10/0900 Hearing
Date: Tuesday, August 9, 2022 7:18:51 PM

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Could you please forward to the Hearing Administrator.

On behalf of the Rincon Creek Ranch Road Neighborhood Coalition and in reference to the hearing considering a Type I Conditional Use Permit for a Marijuana Designated Caregiver Cultivation/Ms. Elizabeth Williams, we would like to request consideration for a continuance based on the following:

- Requesting further discussion and study that includes an on-site meeting with 2-3 Coalition Representatives and a member representative of transportation/roads/water.
- More time needed to investigate the impact that the proposed plan may have on limited water resources in the area.
- Needing additional time to understand, discuss proposed site plan and meet with legal counsel to gain insight.
- To allow the appropriate posting of signs previously removed/moved by petitioner, notifying concerned parties of hearing.
- To allow more time for information sharing with neighbors previously unaware of the proceedings.

Thank you for your consideration.

From: [Steve DuBay](#)
To: [Anita McNamara](#)
Subject: FW: Comment to P22CU00005
Date: Wednesday, August 10, 2022 7:46:26 AM

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From: [Steve DuBay](#)
Sent: Wednesday, August 10, 2022 7:44 AM
To: DSPSPPlanning@pima.gov
Subject: Comment to P22CU00005

RE: Hearing for Aug 10th, P22CU00005 – Williams – E. Rincon Creek Ranch Road

Good morning ,

My name is Steve DuBay. I am a single, retired educator living here in the Rincon Valley for about a year now, this after 38 years of living in the Seattle area. I absolutely love my lil piece of paradise here in the beautiful Rincon mountains. You will see that we are a tight knit, bonded community that will passionately present our case now and if need be in the future against the permitting of this proposed and very misplaced operation.

I please ask that you walk in our shoes as parents and homeowners as you do this. I know as us, you desire that same safe, predictable and quiet home and in your comfortable residential neighborhood!!

I'd like to bring to your attention the point of the negative and irreversible impact this operation will have on the entire Rincon Valley and the valley's increasing population as evident by the ever expanding nearby housing developments.

I lived and worked in the Seattle are for 38 years and as you may know the state of WA in 2012 was the first in the country to legalize MJ for recreational use, 1996 for medicinal grows, so needless to say I have seen the results of drugs in schools and communities. I worked in very large comprehensive high schools (1500-2000 kids) as an assistant principal during my career I can speak with data and experience as to how local grow operations impact, families, schools and communities. The existence and operation of a marijuana grow facility, regardless of classification or size, is not conducive to safe quiet environment near a residential area. As evident in the planning for security for the proposed site, which suggests weapons and firearms, and that any number of my friends in law enforcement and their data will attest, it will bring caustic and criminal activity to our neighborhood as well as increased traffic leading to road use and abuse.

Another significant point is the rough and primitive non maintained road we use as our only access and egress to our homes. Keep in mind that our delicate, non county maintained, rough and eroded road will also be hugely impacted by the increased traffic.

It is clearly evident by the proposed size of the building and overall facility (6000 sq ft – first building?) and that there is more expansion planned for the future. Clearly with the number of “waiting” rooms and security points this proposed operation IS commercial, will be expanded in the future and will be producing a government controlled substance that will draw unwanted attention. My knowledge and experiences coming from collaborative work with law enforcement and community officials like you, consistently reflects that MJ grow operations belong in secure, safe, easily accessible industrial / commercial settings.

I ask that as you also wear your parent and homeowner hat today in your decision and please consider this and all other points made against allowing such an operation to be developed in our own back yards!

I ask that you do NOT approve this request for permit.

Sincerely,

Steve

Steve DuBay
15207 – E. Rincon Cr Ranch Rd
Tucson, AZ 85747

From: [Landon Aveling](#)
To: [Anita McNamara](#)
Subject: Concerns on record for item 4 on 8/10 Conditional Use Hearing
Date: Tuesday, August 9, 2022 3:19:41 PM

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Hi Anita,

I wrote to you a few days ago with my concerns regarding item #4 on tomorrow's hearing regarding Elizabeth Williams's marijuana conditional use permit. I didn't see my email in your public comments post so I want to be sure I'm included in the record. I've included my again comments below.

Dear Ms McNamara,

I am writing to you with concerns about a proposed development on our rural road, East Rincon Creek Ranch Rd, which is just past the intersection of Camino Loma Alta and Old Spanish Trail. As you are aware, there is a conditional use permit hearing on August 10 for a marijuana growery. I live just past the proposed development.

Our neighborhood directly abuts Saguaro National Park East, and runs parallel to Rincon Creek, a Pima County regulated riparian habitat and busy wildlife corridor. This is a sensitive ecosystem and needs to be protected. It is not the place for a business that will harm the local environment. This development will be visible from nearby hiking trails, such as the Hope Camp Trail and the Arizona Trail in Saguaro National Park, and will create quite an eyesore.

We have no access to city water in our neighborhood, and all the houses are on private wells. Four wells on our road have run dry in just the past year. The proposed construction will use an estimated 56,000 gallons of water daily, and there is no place to get this except from groundwater. Per research by the University of Arizona Water Resources Research Center published this year, the proposed growery location is over an aquifer that is considered to be low productivity, suggesting that the facility would run our groundwater dry. Research shows that marijuana is a highly water intensive plant, requiring up to 6 gallons of water per plant per day. This is unsustainable in a fragile desert environment with already limited groundwater reserves. Nitrogen and pesticides from the facility will run directly into Rincon Creek, leading to significant harm to the local ecosystem.

Our water table cannot support this, and homes and families will be left without water.

While I have no opposition to the use of recreational cannabis, these groweries do not belong in residential areas. I have lived near other groweries out of state, and they make the whole neighborhood smell like pot. More specifically, the cannabis plant is very high in volatile organic compounds. It has been established that cannabis cultivation, between the use of fertilizer, pesticides, and terpenes from the plants themselves drastically worsens local air quality. The runoff causes soil acidification and deterioration of the local ecosystem - directly adjacent to our national park and the sensitive Rincon Creek waterway.

This proposed development will have a dramatically negative effect on local property values, harm the environment, and provide no benefit to the community. We, the residents of Rincon Creek Ranch Rd, implore you to deny the permit for this construction.

Kind regards,

Landon Aveling

From: [BECKY PAYETTE](#)
To: [DSD Planning](#)
Subject: Aug 10 request to speak at hearing Type 1 Conditional Use Permit/Marijuana
Date: Tuesday, August 9, 2022 6:56:53 PM

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I wish to speak at the Aug 10, 0900 Hearing for Type 1 Conditional Use Permit for Marijuana /designated Caregiver Cultivation.

Rebecca Payette

From: [Terra](#)
To: [DSD Planning](#)
Subject: Vote NO to marijuana cultivation facility!
Date: Tuesday, August 9, 2022 4:26:29 PM

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Please do not put tax revenue above our safety and community health!!!

Please postpone the zoning hearing to gather more information on the impact a facility like this will have on our community around Rincon Creek Ranch Road in Vail.

The plans call for security. This type of facility will bring a criminal element into our neighborhoods. There is an issue with the water this type of facility will draw out of the local area especially when it grows. The water they use will drain the surrounding wells, which is already a concern. How will this type of facility impact the local plant and wild life? This area is also a historic ranching area.

How is the commission address all of these issues?!?

PLEASE do NOT put profit above our safety and community health!!!

Respectively, Terra Radliff

From: [Thomas Smelker](#)
To: [Anita McNamara](#); [District4](#); [Beth Borozan](#); [DSD Planning](#)
Date: Wednesday, August 10, 2022 5:47:38 AM

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I am very concerned for the application regarding the Type I Conditional Use variance being requested by Elizabeth Williams. I cannot attend the telephonic meeting on Wednesday, 8/10, but I would very much like my objections included in the public comments during the meeting. I appreciate your reading the full email below, but I've also summarized my points here:

1. The application is not valid and should never have been put on the agenda. It is NOT signed!
2. As stated by Anita McNamara, public comments received are 92.1% against the variance.
3. The property is in a Priority Conservation Area and the non-native and toxic plants could have a tremendously negative impact on the Cactus Ferruginous Pygmy-owl, among other species. This impact has not been addressed.
4. The impact to our natural resource, water, is significant and untenable to the community.
5. The road accessing this property is a PRIVATE ROAD and does NOT have the infrastructure to support the business needs. It is a narrow, dirt road with several washes that cause flooding and significant erosion.

Thank you for helping to bring these facts to the hearing and supporting the rejection of this variance request. Our community is where people live and relax in their homes. It should NOT become a commercial hub with businesses that disrupt the environment and tranquility of our community!

Thank you for your consideration and support rejecting this requested variance.
Daryn Herrington
Coyote Creek resident

From: [Michele Smelker](#)
To: [Anita McNamara](#); [District4](#); [Beth Borozan](#); [DSD Planning](#)
Subject: RE: P22CU00005 WILLIAMS - E.
Date: Tuesday, August 9, 2022 4:17:24 PM

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To Whom It May Concern,

I am a resident of Coyote Creek and will be unable to attend the virtual/telephonic hearing regarding the variance request to be made tomorrow. I would like to be heard as being **STRONGLY OPPOSED** to the granting of the variance requested by Elizabeth Williams.

The area where the proposed commercial property is to be built is a **RESIDENTIAL AREA**. Not only that, but this particular residential area is well known for being one where the natural flora and fauna are to be preserved and left in as much of their natural condition as is possible. Our properties are required to maintain a minimal area of human interference on each, a development pocket, if you will. Each homeowner in the area is deeply committed to preserving the natural habitat within the area we reside in. This variance request would destroy that. It would bring destructive forces into the natural spaces we have committed to preserving.

Higher traffic volumes would not be sustainable on the **PRIVATE** residential roads we have in the area. Private roads the homeowners of the area pay to maintain. I am opposed to paying for the roadway maintenance and repair required by the use of commercial vehicles and customers for a commercial property that should not exist in my residential area.

This construction would also require the use of precious water. We live in a desert, under ongoing drought conditions where rainfall is not enough to sustain the current habitat already. We do not need to exacerbate the situation by adding a commercial business to a very purposefully rural, residential area. The loss of precious water resources in the area for the commercial business are not tenable. The possible negative impact to the surrounding ground water from such a construction is also a strong reason to oppose this variance.

The area in question is already an established habitat to many native creatures, including the Cactus Ferruginous Pygmy-owl and is within the boundaries of a Priority Conservation Area. Construction of a commercial use building would negatively impact the environment and natural habitat that brings homeowners to our area.

I am **STRONGLY OPPOSED** to the variance requested by Ms. Williams and would appreciate my opposition to be duly noted in the hearing taking place tomorrow, August 11, 2022. Please, do not allow such a violation to our beautiful and quiet residential area and reject this variance request.

Sincerely,

Michele Smelker
Coyote Creek Resident

From: [Rob Larson](#)
To: [DSD Planning](#)
Cc: [Selina Valenzuela](#); lucretia@seregionalcouncil.org; [Anita McNamara](#); [Erica Jones](#)
Subject: p22cu00005 Williams protest marijuana grow
Date: Tuesday, August 9, 2022 9:26:38 PM

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To: Anita McNamara
Re: Protest Marijuana grow facility in our residential neighborhood

I am writing for approval to speak at the meeting on Wed. 8/10/22

To: Anita McNamara
Cc: DSD Planning
From: Rob Larson 7535 s Coyote Creek Trail
Re: Written Protest P22CU00005 Williams
Date: 8/9/22

Anita,

I am writing in protest to the approval of a Type 1 Conditional Use Permit for Marijuana Designated Caregiver Cultivation Facility at 15090 E. Rincon Creek Ranch Road.

We own a single-family home on 8 acres in the Rincon Creek Ranch valley.

The road is not built to handle any commercial traffic, it is a dirt/sand and rock one lane road with few turn outs. The road is maintained by residents of Rincon Creek Ranch Road.

I am one of the residents who help with these repairs, I typically have to spend 32 hrs. a month to keep the first mile of this road passable for pickup/suv traffic. The increased traffic caused by this Commercial development will destroy what is left of our fragile road.

Water usage from our already stressed aquifer will cause more damage to our riparian areas and cause more of our great Saguaro Cacti to die and disappear.

Question: Has this water usage issue been addressed with Saguaro National Park Officials?

Pima County approval of this permit will result in litigation.

Pima County will be held liable for the increased road repair costs, reduction of property values, New wells or water service.

I know in the past Pima County has had to spend millions to cover these costs or outright buy the property that was affected. Please do not allow this permit to be approved.

A huge majority of the residents in our valley do not want any kind of commercial marijuana grow business in our residential neighborhood, This is our home, it is not a place for a marijuana grow

Please do not approve this permit

Note: My son is a PM for a International Cannabis company specializing in Design Build of grow and distribution facilities. I'm not against the industry but knowing what problems can be created by these facilities, I am against having it in our residential neighborhood.

Thank you for time

Sincerely
Rob Larson
Jill Larson

From: [William Brooks](#)
To: [DSD Planning](#)
Subject: Conditional use permit, meeting Aug 10th
Date: Tuesday, August 9, 2022 4:50:18 PM

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William Brooks:

I would like to discuss security at the site.

Sent from [Mail](#) for Windows

From: [Randy Agron](#)
To: [DSD Planning](#)
Subject: Conditional Use Hearing wish to speak on Agenda item 5 request
Date: Tuesday, August 9, 2022 5:18:12 PM

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Please find this email as my request to speak at the 8/10/22 Conditional use Hearing agenda item 5 (PC22CUoooo6 TK Family, LLC – E Tanque Verde Road).

My name is Randy Agron and I am the managing member of the property (tax codes 205-37-5700 and 205-37-5710) just east of the subject property.

Thank You,
Randy

*Randy Agron
Vice President
A.F. Sterling HomeBuilders, Ltd.
6340 N. Campbell Ave., Suite 240
Tucson, AZ 85718
520 577-3600
afsterling.com*