

Meeting Notes:

Civano Neighbors general membership meeting

Thursday, July 17, 2003, 7 p.m. at new Civano Community School

Members in attendance: 76

Meeting called to order at 7:04 p.m. by Simmons Buntin, association spokesperson.

THANKS: Buntin thanked Pam Bateman, Susan Michal, Jana Dawson, and Deirdre Calhoun of Civano Community School for hosting the Civano Community School open house and this Civano Neighbors general meeting. He also thanked Sharlene and Lynne Gillette for their efforts on the book sale, and Civano Nursery for providing additional chairs and new plants to new Civano homeowners.

INTRODUCTIONS: Buntin introduced members of the Leadership Team, Working Group chairs, and Renee Sowards from Vice Mayor Shirley Scott's office (Ward 4).

GENERAL ANNOUNCEMENTS: Sowers invited neighbors to attend Ward 4 "Back To School Day," Aug. 9, and Clement Center by Pima College East. Patrick Whelan, who hosted July 4 breakfast said has some leftover plates and is missing two mugs. Buntin noted that the NA is working on the city's mailing lists and that those who did not receive *The Town Crier* should let us know. The next issue is in early September.

DIFFERENCES: Buntin explained the difference between the neighborhood association and the HOA, since he said there seemed to be continual confusion over roles. He pointed out that the NA is chartered by the City of Tucson, receives support services from the Department of Neighborhood Resources, and has political standing. The HOA deals with homeowner issues applicable strictly to Neighborhood I.

UPDATES:

Memorandum of Understanding: Buntin said he has spoken to Hector Martinez of the City of Tucson, who said the City is closely aligned with the NA position taken at our May meeting on the proposed changes to the M.O.U. by Fannie Mae.

Pulte Purchase: Buntin said he had spoken to Paula Meade, Pulte's Director of Forward Planning who said the planned purchase is on track, once the M.O.U. issues are cleared. The City has asked Pulte to prepare a P.A.D. (Planned Area Development) report for all neighborhoods beyond the first home groupings. Buntin said it appeared that both Civano Blvd. and Nightbloom would likely connect the new neighborhoods with Neighborhood 1.

D-M Land Use Study: Mike Eng reported he attended the community meeting on the base study (Civano is in the study area). He said the NA's primary concern is

over a possible land swap of property south of the "Boneyard" for acreage across from Civano. Eng said he was told by City personnel that there is no support for the concept from them, but that "politics" could still play a role. Eng said he was also told that the Regional Park across Houghton is still in the Master Plan.

CIVANO NORTH RIDGE PRESENTATION/CLARIFICATION/DISCUSSION:

Brock Qualls, TJ Bednar Chief Financial Officer, spoke to the association, noting that Ted Bednar was out of state and could not be at the meeting. This session was facilitated by Mike Eng.

Editor's Note: Mr. Qualls could only answer about 20% of the questions asked.

Qualls made the following points in his presentation and to answer clarifying questions:

- The project has been in the development stages for two years.
- Bednar has a goal of breaking ground in January, 2004.
- 94 homes were originally proposed, but the current plan calls for 84 homes to be built, along with a five acre park in the area originally set aside for an orchard.
- He could not "address the past" regarding the issue of 22 "mini-estates" on the plan.
- Bednar requested that CNR be a part of Neighborhood I and the HOA.
- There will be no garages facing Civano Blvd and there will be six crosses to the pedestrian/bikeway in the current plan. "Fronts of houses" in the Bednar plans could be looked at "either way," he conceded.
- A purchase will not be finalized until the tentative plat planning is complete and would not comment on whether a "purchase agreement" is in place, noting only that they are long past the "due diligence" phase.
- The plan "will not affect Pantano Wash" and Bednar "must comply to the Specific Plan."
- Natural arroyos will be used in the drainage plan.
- Gradation will be approximately a 40-foot drop.
- The average lot size will be similar to that in the Desert Country area of Neighborhood 1.
- The area will be kept as natural as possible.
- Sloping lots will be filled or cut on the pads.
- Engineers will determine whether rip-rap, cement, or other shoring materials will be used.
- The current plan complies with the 30 percent open space requirements.
- Engineers are working on parking plan, and parking on Civano Blvd. is a consideration
- "We want a win-win situation for everyone, but we must understand that, with growth, come more issues. Everyone needs to adjust to it."
- The benefit to current homeowners will come from HOA fees paid by new residents (totaling over \$40,000).

- Buyers can choose their Bednar home plan, including both one and two story houses.

Feedback and Reactions to Brock Qualls' Presentation/Discussion

- Live in desert—orchard could be costly and health risk (wildlife)
 - Alternatives—native plants?
- Need town meeting that includes City, Fannie Mae, and T.J. Bednar because there are too many unanswered questions remaining
- Better than a town hall would be a design charette
 - Charette process will be summarized and e-mailed to Qualls
- Move pathway to middle and make Civano Boulevard wider
- Crossings are totally unacceptable
 - Use Haul Road (in wash)?
- Plan for parking and consider fire lanes (not done in Villas area)
- All roads in Civano North Ride should come off already existing roads
 - Recognized as crossing
 - Safer
 - Internalize vehicular traffic even more
- Ensure mountain views/viewsheds remain
 - Only one-story homes
 - Current residents (especially on Civano Blvd.) paid high lot premiums to ensure views
 - Promises are being broken
 - De-valued property is a big risk with this proposal
- Entrance off Houghton Road?
 - Arizona Dept. of Transportation issue
- Overall plan needs radical rethinking
- Put common area among houses
 - Pocket parks, etc.
- Further amenities should be added
 - Dog park?
- Don't fill arroyos
- Fannie Mae provided the site map with the 21 "mini estate" lots shown
- Fannie Mae should void its current contract with T.J. Bednar and go back to the 21-lot plan
- Bigger lots and more upscale homes
- 100' x 100' "mini estate" lots were envisioned along irregular edges of Neighborhood 1
 - MMLA developed a plan for 21 lots in 1999 and put that out to the public
 - It's now a commonly assumed reality
- Before construction can begin, need the full plan in place—and changes cannot be allowed
 - Don't back out of promises
- We need more info
- Plan is still dynamic

Proposed Next Steps

- Design charette
- Define key issues with a Civano Neighbors working group and “negotiate” with T.J. Bednar
- No closed-door meetings for working group
- T.J. Bednar must work with community as a whole
- Summarize all comments and submit right away to Fannie Mae and T.J. Bednar

Comments Provided on Yellow Cards Following Meeting

- The use of native plans is highly preferred for any development.
- Roads reorganized to link with already established roads.
- There should be an effort to create “affordable” housing.
- What do we win?
 - Why do we want the development at all?
- Concerns:
 - Safety on track
 - Parking
 - Natural wash appearance is changing
 - Park/common area in the wash area
 - Mountain views (higher premiums were paid for)
- All one-story homes in this new development would be ideal. However, if needed and as a potential compromise restrict two-story homes to a minimum and only at the “bottom” of the development. This will at least minimize the impact of blocking the views of the existing homeowners.
- “Civano Blvd.” – A boulevard is supposed to be a wide street, not a very narrow street that is now unsafe due to the entrance off Houghton. With more homes now planned it will be absolute chaos with accidents in the making, a set up for grief—especially with the bike path.
- Maybe at the next meeting Bednar can send someone who has the answers!

Comments Submitted through CivanoNeighbors.com (through 9:30 a.m., July 20) - www.civaneighbors.com/civano/neighborhood1/northridge

Suggestion 1: I would like to voice my support for the cause of homeowners along Civano Boulevard in this matter. Its not the first time that someone in this community chose a particular lot based specifically on its location only to find out that the surrounding area changed after they had built. I'm referring to the T.J. Bednar Villas lot chosen based on it being next to a proposed park, then that park became a water runoff retention pond and tree lot for the nursery.

People should not be penalized for purchasing early in the development. What was marketed to you at the time of signing should be held as a "contract" and should not be changeable without written consent of those affected by the change. This includes the surrounding roads, parks and other amenities as these are just as

important as what lot, model, options, and color scheme are chosen when purchasing a home.

Another point I'd like to emphasize is the status-quo-edness of Bednar's North Ridge design. The design process should take into consideration "lessons learned" from previous designs (that's how designs improve over time). I'm specifically referring to a couple of points:

- 1) One of the prime complaints from homeowners in the existing Bednar Village area along Renewal Lane is the severe lack of parking, I don't see the new design for North Ridge incorporating this lessons learned from his first project here in Civano. This point can further be defended by pointing out the similar problem in the Doucette casita area.
- 2) The extremely small lot size to maximize the number of lots to build out concerns me. I think 84 lots on ~10 acres, 8.4 houses/acre seems quite high to me. A couple of the proposed lots may not fit any of Bednar's models because the lot is so small.
- 3) The proposed park amenity concerns me as well, especially considering that the proposed park for said lots is down in the wash (I'd like to see how the proposed handicap access to said park with it being 30 feet down in the wash.) Based on Bednar's existing area, there is one small triangle park which we who live in Bednarland call the "Chia" park. I seriously doubt whether the 30% open space is adequately being accounted for in the new proposed design for North Ridge.
- 4) The number of cuts in the Civano trail is a major concern as well, for design, aesthetics, and safety reasons.
- 5) I'm also very concerned about the aesthetics of the proposed North Ridge design where the homes directly along Civano Blvd. will have the backs of the homes along Civano Blvd. The area in question is one of two main entrances off of Houghton Rd. Having the backs of homes being the first thing that people see when coming into the community won't have a welcoming feel to it. Having the fronts of those homes along Civano Blvd. would be ideal, not only for aesthetics but also for function. Those residents would come out their front doors onto the Civano walking path. This promotes social interaction (another design aspect of New Urbanism and Civano). This concept is why homes in Civano have front patios and don't have front-loaded garages. It's already bad enough that both of Civano's main entrances are water runoff retention ponds, we don't need a bunch of garage doors facing the street, or if those houses are front-loaded garages, then that entrance would have a solid block wall with a few gates, again not a good aesthetic design. What ever happened to the streetscape design review standards that the rest of Civano has been designed to? Civano Blvd. is the primary road for those lots, not the alley.

Since Bednar is planning on using the existing model designs for the North Ridge area, he won't be incurring new engineering and review costs for the NR area. Couple this with maximizing the number of lots and the picture is very clear, he's maximizing profit margin, plain and simple, at the expense of Civano design guidelines. Since there isn't a Civano design review person/entity that is savvy in New Urbanism he's trying to squeak by this proposal for North Ridge based on

energy efficient homes alone. Civano is more than just a bunch of energy efficient homes, the design and layout of houses, streets, paths, parks, commercial, and lifestyle all play a part for the Civano ideology.

2. Suggestion: With this all platted out, are we still with the 30% open space that was told to us? Who verifies this calculation?

With the substantial addition of houses more than the original plan, what additional amenities are being brought to the community?

3. Suggestion: 1. My purchase decision was based on the Civano map provided by the developer which showed 20 lots. There would be no homes built across from my home (Lot 170).

2. I paid additional monies to have my home modified to foundational principles that strictly prohibit a road pointing to the front of my home. Now there is a road directly across. My master bedroom is in the front of my home.

3. The new plan violates Exhibit 7 (Pg 25), Exhibit 11 (pg 33) and Paragraph 3.8.3 of the Specific Plan.

4. This plan violates the premise of Civano by filling in Arroyos.

5. I plan to seek legal action if this plan is approved.

4. Suggestion: When we bought our home, we paid one of the largest premiums to obtain a lot with a view. Although we were not promised that two story homes would not be built across from us obliterating our beautiful mountain view, we were told that there were no plans to build along Civano Blvd. that would obstruct our mountain view in that direction. The original plans, shown to us at the time of purchase confirmed this statement. How, in heaven's name, did we end up with the proposed Bednar building plans? How can the developer get away with this lie? And, if they legally can, is there any way we can be assured there will be no two story buildings? I would not be opposed to a class action suit were one proposed by my other neighbors to limit any building on the north ridge to the original plans as "sold" to all of us whose homes may be affected.

Also, I really feel it is inappropriate to use the Civano school opening as the date/time to display this information. The two events should be separate events. Do we not have another building to present these plans in?!

5. Suggestion: I see a few places where creating a loop or extending a road, though it may result in a lost lot or two, would reduce the number of times vehicles cross the pedestrian path. This should be explored.

6. Suggestion: Under the new plan the bike and jogging path will be degraded. My child uses that path as a safe area to ride his bike. In the old plan he need only to worry about 3 entry ways and now he has to worry about 6 which is doubled I brought a home here not only for community but as a place to allow my child the freedom to play. Plus the lot that my home is on is a premium lot due to the view that I paid extra for. Will I be compensated for the price that I paid and the loss of value in my home. Also the 84 versus 24 homes will increase traffic on S Civano

Blvd the noise and possibility of accidents will significantly increase, remember this is a community, a place to raise my family.

7. Suggestion: It saddens me to see developers and city planners take advantage of any community. Several plans have changed in the short year and a half that we have lived in Civano. What we were told regarding property surrounding our lot, did not hold up to the promise.

The bike/walk path, planned community development and consideration of the environment are key marketing ideas for this community. Please, do not let greed be the motivator in this and other cases and change the image of Civano.

I urge the developer, Home Owners Group, and Fannie Mae to concur with the community and stick to the original plan as Joan described in her email. Let's keep some integrity in our community. Thank you.

8. Suggestion: I am against the proposal by TJ Bednar to build 84 homes instead of the 20 initially promised. This new plan totally violates the Specific Plan. Many homes will be adversely affected, which is unfair to all of Civano, not just those who paid a premium for their lot on Civano Blvd. The production of these new homes will also remove what few natural amenities we have here in Civano. We do not need that many homes in such a small area. I implore you to stick to your original plan of 20-21 custom homes. Your unwillingness to abide by your word and Plan will directly affect any future buildings in Civano by your group.

9. Suggestion: When I purchased my home I paid a hefty premium for my lot because it had mountain views & I was told those views would be preserved. Building 84 homes on the Northridge lots would be disaster for neighborhood 1. The general packing in of so many homes will cause problems on the available roads in & out of Civano. There will be tremendous traffic on Civano Blvd. as the streets from this proposed area all lead to Civano Blvd. Think of how this will affect those who love to walk & bike.

The recreational facilities we now have cannot hold that many more families using them.

The whole community concept of Civano, the small town feel of the area will be disrupted with that many homes crowded into that size area. Last but not least, who will refund my lot premium if I lose my mountain views.

10. Suggestion: I am opposed to this plan because once again, it violates the promises I was given before I decided to have my home built in Civano. I signed my contract before The Grand Opening and I have seen many promises broken since then. I am particularly unhappy about the loss of open space. This was one of the important things to me and my family in choosing to live in Civano. Even though the lots are smaller and the homes are closer together than we would have

liked, we decided that the abundance of open space would make up for it.

It is disappointing and embarrassing to see continuous compromise to the original plan of Civano. I have shrugged my shoulders many times and said "oh well, that's the way it goes I guess." This time I am not willing to do that. I will support any effort that is undertaken to make sure the original plan for 20-21 custom 100x100 lots is put in place -- rather than the 84 TJ Bednar homes.

11. Suggestion: Bednar's North Ridge plan is preposterous. When we decided to purchase in Civano, our decision was based, in part, upon the Specific Plan as it was advertised. That Plan indicated only 20-21 homes on the North Ridge. Now that the proposed plan includes four times as many homes, I feel like I have been duped. If litigation is necessary to prevent this unilateral and greedy "proposal," then so be it. Bednar has thumbed its nose at the people of Civano long enough.

12. Suggestion: We feel the Civano homeowners' association should oppose this huge increase in the number of planned homes for this area. The value of every home in Civano will be diminished by compromising the standards on which the community is based. Owners should realize that their homes need not be adjacent to "North Ridge" to be negatively impacted by the proliferation of a number of small lots there.

13. Suggestion: I'm concerned with three major items of the proposed plan:

- 1 - The increased demands on our already limited common areas.
- 2 - The amount of roads crossing over the "reserved for pedestrians" trail.
- 3 - The reduction of untouched open space by scaring the land, damaging existing wildlife linkages, and changing view corridors.

14. Suggestion: This proposal is a complete disaster to the neighborhood and in complete violation of the promises made by the developer when we purchased our home. The exercise path (which I use every day that I am at Civano) will be rendered useless with the 6 curb cuts. Furthermore, the amenities (pool, common area, community gardens, parks, etc) which are already sparse will be completely overtaxed by the additional homes.

This proposal is a poignant example of Fannie Mae's complete disregard for the planning and development restrictions that the City of Tucson attached to Civano. These restrictions were necessary to ensure that the development goals of the property were met (i.e. less water use, less energy use, small town feeling, etc.). To allow 84 homes in an area where there should be none is an injustice to the current homeowners - an injustice that further erodes property values in neighborhood 1.

The Mayor, City Planning Authority, and Fannie Mae need to be put on notice regarding this proposal. It would ruin Civano as we know it.

15. Suggestion: TJ Bednar's proposed build out of 84 homes on the north ridge of

civano would be detrimental to the existing and future community of Civano. The 6 proposed roads cutting across the pedestrian/bike way would violate the restriction of vehicles, and create an extremely dangerous situation for joggers, bikers and children at play. The addition of 84 homes would put a harmful strain on community resources. Civano's parks and amenities were designed and built for ~500 homes. In order for this proposal to be *considered* it should include amenities to support the additional residents and it should include access that does not violate the pedestrian/bike way.

16. Suggestion: The plan as presented does not meet with the guidelines from the specific plan, fills too many ravines and disconnects the wash from the neighborhood. The number of roads proposed across the bike/walking path are unacceptable. There are no amenities planned for where the homes are situated and there are just too many homes proposed for the location.

Bednar and the developer can come up with something significantly better than this.

17. Suggestion: What I find most alarming is the amplification of development in Civano's North Ridge area. The new plans are nothing like the initial drawings and residents along Civano Blvd feel totally deceived. With so many empty lots in Civano, the development of North Ridge represents unharnessed greed at considerable cost I imagine; after all the wash area has to be built-up before homes can be constructed. We purchased our lot (482) for the wonderful view of Rincon Mts. Please don't take that away from us.

18. Suggestion: My thoughts on new proposed Bednar North Ridge goes this way. I have had piles of dirt blocking my view since I moved in. All other mounds have been removed at one time or other. This leaves me to believe that I paid a premium for something other than view and yet i picked lot 483 specifically for view, since if you have noticed any other lot would have left me with a more negotiable driveway into my garage. In noticing traffic flow it would appear that the multiple proposed exits would at certain busy times make Civano Blvd even more congested. Also i would need to know if hill would disappear or if houses would be built on top, since this would eliminate our views of natural surroundings. Also this pathway is very heavily used from 5:30 AM thru 7:00 AM and would probably be the times that traffic from new Ridge would be going to work thus eliminating a safe path for both adults, children, and pets. I would hope a more community plan or compromise can be reached. I thank you for your time.

19. Suggestion: Bednar shouldn't even be allowed to build on the North Ridge. Many of those that bought on Civano Boulevard were told by Bednar Reps and other R.E. sales people that the North ridge would not be developed into home sites.

20. Suggestion: I am deeply concerned about changes in plans for Neighborhood

I development as you have outlined in your proposal for the North Ridge of Civano. The plan shows a shockingly significant departure from the original plans for the development of Neighborhood I as outlined in the Specific Plan, which I read before agreeing to purchase my home in October of 1999. Even just a superficial overview of your proposal reveals that it does not conform to the original plans in several ways. The maps in the Specific Plan indicate that the NorthRidge area is not even included as part of Neighborhood I. The Specific Plan indicates (and I was told in meetings with sales people and CDC management) that the bike/pedestrian trails would run along the outside perimeter of Neighborhood I, as part of a green belt connecting Civano with other future developments. In fact, the plan of a regional park along the Pantano and trails down to the Pantano was also discussed as part of the original concept.!

The construction of 84 homes with unsightly GARAGES facing Civano boulevard and the bike path cannot be permitted if the original plans and design concepts are followed, as they must be! So much for new urbanist design, bike paths, green space, and pedestrian friendly community!

The proposed construction of these homes on the North Ridge appears to be an afterthought, an attempt to put up more homes--without any regard for the original philosophy and plans for Civano. If you pursue your proposed plan you can count on me to be part of a vocal opposition, opposition that will not result in favorable press to TJ Bednar Homes. I think the proposal needs to be totally re-thought so that it conforms to Civano standards or withdrawn altogether.

21. Suggestion: Points of concern:

1. Natural wildlife corridors seem non-existent.
2. Natural arroyos for water runoff have been eliminated. Where will the water go?
3. Bike/pedestrian path is supposed to be uninterrupted. It will not be safe with 6 roads having ingress/egress over the path.
4. What is the land height that the homes will be built on? Will it be at the same level of existing homes? Will two story homes be lowered as in the original plan?
5. Traffic congestion concerns for north entrance to Civano along Civano Blvd.
6. Will existing saguaro cactus be preserved and/or relocated?
7. What about desert tortoises that reside in this area? We have seen several so far that seem to live there.
8. Where are the desert walking corridors that were promised by Bednar? We don't see them on the map.
9. It is obvious that large portions of this area will have to be filled in. How stable will the ground be for construction?
10. We also have concerns about site construction trash polluting the surrounding desert and residential areas. Having 6 homes built around us by Bednar, we have had first hand experience with the filth that his construction crews leave.

22. Suggestion: As I Civano homeowner I am aghast that Bednar is planning to build 84 homes on the site which they originally planned to have 20 to 21 homes. To have that many homes built would be in flagrant disregard of Civano's Plan.

When my husband and I decided to buy a home in Civano a major part of our decision was due to the planned walkways, green spaces, and the preservation of the existing views, arroyos, and washes. I respect Bednar as a developer, but my view and current support will change dramatically, and publicly, if they persist in their new plan.

23. Suggestion: I am absolutely opposed to the present T.J.Bednar land usage plan of 84 homes on the "North Ridge" property. The complete disregard of the original promise of 20/21 custom homes seems like a ploy to propose the "unacceptable" and then graciously back-off to a compromise of, say 50 homes, which is still a gross violation of their original agreement. To in-fill the banks of the Pantano Wash eliminates considerable Wildlife habitat and is "ugly". Also, the new proposal would increase traffic flow at the already difficult Civano Blvd entry to Civano.

24. Suggestion: After attending the neighborhood association meeting and seeing the lay-out for the 84 homes on the North Ridge, I feel strongly opposed to the current plan. I use the walking/bike path and do not want to worry about the cars traveling over this path. It is no longer pedestrian friendly when you must avoid traffic. The kids in the neighborhood frequently use this path as well. It will not be safe for them any longer. I worry on behalf of fellow home owners who live along Civano Blvd. and Nightbloom Way and will deal daily with the quality of life issues/property value issues of having 84 more homes across the street. I do not believe that the current park structure and pool facilities can handle 84 more families. I am not sure that Civano Blvd. can handle that much traffic trying to get in and out of the community via Houghton. And on a final note, it just feels as if the things that we bought in to are constantly changing. If you look at the map (currently still on view on the site courtesy of Community of Civano, LLC dated Dec.2002) it shows 21 homes on that location. When we first came to Civano and bought (Spring 1999 with RGC, another fiasco) we looked over everything very carefully and many of the things that we were told and promised have either not come to pass, or changed a long the way so dramatically that we are feeling cheated. We too noticed the 'mini estates' when we bought and again, that map which I am now holding a copy of still shows 21 home sites, a dramatically smaller number than 84. At this stage I guess the issue is not necessarily whether that number was incorrect, but it was the number of homes that we were told would be placed in that spot.

25. Suggestion: NO PRIVATE ROADS.

It is important to reiterate that the Bednar proposal must only include city streets and no private roads.

The C1N1 HOA Homeowners should not have to assume the financial burden of maintaining private roads in Block 1 for any reason.

NO PRIVATE ROADS.

NEIGHBORS OPEN FORUM:

- Landscaping on Zenith/Civano Blvd.
 - Needs to meet tentative plat—needs to be communicated to Fannie Mae
- Parking Improvement/Development Plan
 - According to Phil Swaim, plan should be submitted to City by the end of next week (July 25)
- Water schedule (4 p.m. grass waterings) is wasteful and should be adjusted
 - Referred to HOA/Advisory Council

Meeting adjourned at 9 p.m.

–Respectfully submitted by Craig Altschul and Simmons Buntin