
EEEHA**El Encanto Estates
Homeowners Association***to promote the social welfare of El Encanto Estates and its environs*

Newsletter

April 4, 2005

I. PARTY**Sunday, April 17, 4-6 pm, at Lu Chesser's home, 414 N. Country Club Road**

Lu Chesser again will open her elegant patio for our Annual El Encanto Spring Party. Please join your neighbors to enjoy a relaxed afternoon of conversation with old friends and to offer a warm welcome to new neighbors. Bring your children. Food and beverages will be provided.

Lu Chesser's patio may be entered from Country Club Road, or by walking West along the driveway at the North edge of 95 Camino Español (Guy Borders and Marisa Mueller kindly have given permission).

II. NEWS

El Encanto Palms. [*This section and the next are especially for new residents.*]

The communal and historic palms, one of the signature features of El Encanto, largely have survived last summer and yet another year of drought. The next hot season starts soon. Palms are an oasis plant and need abundant water. If you are uncertain whether your palm needs a drink, please give it. You cannot overwater a palm in summer. The loss of a palm through lack of water hurts us all.

Trees and TEP.

Tucson Electric Power trims trees near its power lines. It has charged property owners the cost of trimming if more than one cutting is required every three years. If you ask the TEP contractor, Asplundh, to be moderate in their cutting, they are more likely to revisit to trim again, for which you may be charged. Please let the EEEHA Board know if TEP bills you for trimming.

Traffic. [*The following is from a long-time resident who walks early.*]

a. Speeding. Cars driven over the 25 mph limit are a danger to children and to walkers, particularly in the early morning. A resident has been hit. Speeders seem disproportionately to be nonresidents. Neighbors can help by alerting their employees and contractors to the need to drive slowly and carefully. There are benefits attached to doing this: a warm and fuzzy feeling from doing good; and a decreased probability of "deep pockets" attack from a litigious neighbor injured by a speeding employee.

b. Stop Signs. There are no 4-way stop signs in El Encanto. No stop signs constrain drivers on the circle streets. Drivers on streets intersecting a circle are a danger when unaware that they alone are controlled by stop signs and do not have right of way. Circle drivers are a danger when, in order to exit onto a side street, they cut in front of a vehicle driving in the opposite direction. The moral: yield at intersections, even if on a circle street, even if you have right of way.

El Con.

The Target store opened last year; Claim Jumper restaurant, this year. Conflict between El Con and the adjacent neighborhoods has been muted.

Recent Home Sales.

Thirteen homes changed ownership last year. The average sale price was \$190/sq.ft. for homes in the interior of El Encanto, \$120/sq.ft. for those on peripheral streets. Six homes are on the market at this time, at an average asking price of \$237/sq.ft.

Neighborhood Gatherings.

The April Party and the October Association Meeting are the only regularly-scheduled all-neighborhood events. They foster community and continuity, important during this period of change.

III. COMMUNITY AFFAIRS

City and County.

1. *Infill Development and Tucson's Future.* This question was addressed in a series of three public forums sponsored by Councilman Steve Leal and organized by the Neighborhood Infill Coalition (NIC) and the Drachman Institute, of the College of Architecture and Landscape Architecture, Univ. of Arizona. Summaries of the forums and the text of the final report are on the Drachman Institute website, <http://www.drachmaninstitute.org/>.

The findings and recommendations bear on questions that have been raised by El Encanto residents and others with regard to preservation of historic neighborhoods and more generally, with regard to maintenance of the integrity, beauty, and character of central-city neighborhoods. Among the findings are the following: ineffective design and development guidelines; lax enforcement of zoning ordinances; insufficient distinction in zoning ordinances between development in mature neighborhoods and in new areas; incautious rewriting of the land use code. Two particularly interesting suggestions are extending the scope of Neighborhood Plans to cover all development, not just rezoning, and integrating protection of National Register historic neighborhoods into the land use code, so as not to require the nuclear option of an Historic Zone overlay.

2. *Davis Monthan.* Last October the Mayor and Council modified the land use code to increase the area that can be impacted by significant noise from aircraft based at Davis-Monthan. About 6500 homes, mostly in Arroyo Chico and Broadmoor-Broadway neighborhoods, were moved into a zoning category that is not compatible with residential use. Adjacent neighborhoods, including Colonia Solana and El Encanto, will experience higher noise levels.

This action of Mayor and Council was response to a planning process initiated by the Governor and intended to prevent closure of military bases in Arizona. The planning group (JLUS) did not include stakeholders from central Tucson. Neighborhood groups expect to engage in a public mediation process with federal, state, and local governmental officials.

Shifting the flight path to the Southwest, over largely undeveloped land, would remedy the situation.

3. *Contact:* Chris Tanz (email: chris.tanz@post.harvard.edu) for more information.

Legislature.

1. *Property Tax.* HB2508 & SB1508 reduce the assessment ratio for business property from 25% to 20% of full cash value over five years. Unlike previous similar bills, these keep homeowners unharmed through a rebate program and do not change the assessment ratio for historic property. Nevertheless, a tax benefit of ca. \$100 million granted one group necessarily means others pay for it through higher taxes. Each bill has passed its chamber of origin and had its second read in the other chamber. Clever wording does it.

HB2143 establishes a maximum tax rate that school districts can impose on taxpayers. HB2498 limits a school district in its spending on desegregation. Tucson Unified is among the districts that would be affected. Both bills have passed the House and had their second read in the Senate.

2. *Exempt Wells.* SB1190 prohibits the drilling after December 31, 2005, of new exempt wells on property within 100 feet of the distribution system of a municipal provider. The bill has passed the Senate and one House committee. Neighbors in the top tier of water rates should consider that their right to drill a well might be terminated soon.

3. *SLAPP.* HB2700 is intended to protect petitioners from "strategic lawsuits against public participation", for example, from lawsuits against a citizen exercising the right to make a statement in a governmental proceeding. This bill has yet to pass any House Committee.

4. *Contact* [<http://www.azleg.state.az.us/>]: Our District 28 Senator, Gabrielle Giffords; our Representatives, Ted Downing and David T. Bradley. All Democrat.

Please note that the status of the bills likely will have changed by the time this newsletter reaches you.

IV. EXHORTATION

Suggestions? Board Meetings?

Have you identified some problem the Board might address? All Association members are welcome at EEEHA Board meetings and are urged to participate. Meetings are monthly, excepting summer. They are at 7:00pm, with date and location set to optimize attendance. For information on the next meeting, please ask one of the Board members, whose names are listed below. Tom Bever, Association President, can be reached at:

email: tgb@u.arizona.edu tel: 319-1212 (wait many rings)

Dues Due?

Those who have not paid dues for 2004-2005, please send \$45 to the Association Treasurer:

Jose Rincon, 3356 E. Fifth St., Tucson, AZ 85716

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El Encanto Estates Homeowners Association
c/o Rupley
30 Calle Belleza
Tucson, AZ 85716

Address or Directory Correction?

Is the mailing label of this newsletter incorrect? Is your telephone number in the Neighborhood Directory incorrect? Please give changes to Virginia Abeyta, Association Secretary:

email: twoon5th@aol.com

tel: 325-8407

Your Board,

Jeff Burgman
Gerry Hallowell
Barbara Jamieson
Manson Reedal
Carolyn Reed

Tom Bever, President
Alan Levenson, Vice-President
Virginia Abeyta, Secretary
Jose Rincon, Treasurer

Brad Rollings
John Rupley
Rick Secrist
Marcia Spark
Chris Tanz