COMMUNITY DEVELOPMENT DEPARTMENT
TOWN OF PAYSON
303 N. BEELINE HIGHWAY
PAYSON, ARIZONA 85541-4306
PHONE: (928) 474-5242 X. 263 • FAX: (928) 472-7490 • TDD: (928) 472-6449

# Memo

To: Town Council Amended 5-3-06

From: Jerry Owen
Community Development Director

Subject: Zone Change Request - P-317-05
1200-1700 Block E. Cedar Lane
(Proposed **Forest Edge** Development Plan)

Date: April 27, 2006 Council Meeting

* The Applicant is requesting approval of a zone change from R1-175 to R1-44-PAD for the proposed development of a 54 residential lot subdivision on 64.03 acres to be called Forest Edge.

* On April 10, 2006, the Planning and Zoning Commission reviewed this application at a public hearing and recommends the Town Council **Approve** P-317-05, a zone change from R1-175 to R1-44-PAD, with conditions. The Commission directed staff to meet with the applicant and clarify/amend some items in the PAD materials prior to submitting to Town Council.

* Listed below are the conditions as amended by staff to reflect conversations with the applicant subsequent to the P & Z Commission meeting.

  Staff recommends the Town Council approve P-317-05 with the amended conditions listed below:

  1. Development on the property shall be limited to fifteen (15) Equivalent Residential Units (ERU's) as calculated under Chapter 50 of the Code of Payson and Ordinances 480, 528, and 537 as amended, unless the owner/developer of the property provides the Town with a new, adequate water supply for additional development.

2. The development shall be in substantial conformance with the ~~site plan~~ ~~Rezoning and Planned Area Development and Overlay (PAD) District Application and Narrative~~ ***Development Plan***, dated April 10, 2006, ~~as submitted in the staff report~~ ***as amended for the April 27, 2006 Town Council Meeting***.

3. A note be added to the final plat stating: ~~"The area between the building envelope lines and the lot lines shall be a blanket open space easement. No adjustments to building envelopes shall be permitted."~~ ***"Hillside preservation areas shall not be disturbed in any manner except for defensible space thinning/maintenance. Any accessory structures, including fences, shall be located within the designated building envelope. Driveway widths outside the building envelope on all lots shall be limited to a maximum of 14 feet wide unless a greater width is needed to meet Fire Department requirements."***

4. The developer shall provide adequate sanitary facilities, depicted in the Improvement Plans, which are acceptable to the Northern Gila County Sanitary District, and be properly annexed into the Northern Gila County Sanitary District prior to Final Plat approval.

5. The 100-year flood plain depicted on the Forest Edge PAD and Master Development Plan shall be shown on the Final Subdivision Plat. The following note shall also be included on the Final Subdivision Plat: ~~"All construction within the 100-year flood plain shall meet the Federal Emergency Management Agency (FEMA) requirements for development within designated flood plains."~~ **"Construction within the 100-year flood plain shall be limited to driveway crossings on lots 2 and 16 in accordance with Federal Emergency Management Agency (FEMA) requirements."**

6. Storm water detention/retention shall be provided in accordance with the Town of Payson Requirements, or provide written confirmation that the down stream property owner has agreed to accept the increased peak runoff flows in accordance with the Town requirements.

7. ~~That the area of the non-motorized trail (between lots 5 & 6, and 35 & 36) as well as the pocket park and Mud Springs Tank be dedicated to the Town of Payson prior to home construction.~~

   ***That the area of the Metate Pocket Park and Mud Springs Tank be dedicated to the Town of Payson on the final plat as well as the trail (between lots 5 & 6, and 35 & 36) be dedicated as a non-motorized trail.***

***8. A sign easement shall be created on Lot 22 for the subdivision sign.***

**9. The preliminary and final plat shall designate a minimum of 20% of the project as perpetual common open space easement (deed restriction) for the benefit of the Forest Edge Home Owners Association.**

10. If any conditions, one through ~~seven (7)~~ **nine (9)** above, cannot be met or the applicant

does not have an approved Final Plat within two (2) years of the approval date of the zoning change, then the R1-44-PAD rezoning may revert to the original R1-175 zoning, pending Council Action.

* This request meets the requirements of the Land Use Element of the General Plan and represents a reasonable transition with surrounding zoning.

* This request meets the requirements of the Water Resources Element of the General Plan, if condition one (1) of the staff report is adopted.

* The open space provision of the PAD overlay district requires 20% of the PAD site to be designed for common open space. This plan preserves approximately 22% of the gross site as hillside preserve, natural wash and the Metate Pocket Park. In addition, a significant portion of each lot (outside the building envelope) will be left in it's natural state, except for tree and brush trimming. Common open space is not defined in the Unified Development Code. Although the Hillside Preservation Areas are not physically accessible to the general public, they are, by conditions of this zone change request, not to be disturbed and thus left as a visual open space not only for residents of this proposed subdivision, but for neighbors and anyone traveling through the area. The proposed Metate Pocket Park is relatively small , but significant in that it preserves a cultural site that will be open to the public. The proposed multi use trail is also relatively small, but significant in that it provides a critical public access to the Tonto National Forest for pedestrian and non-motorized traffic. When reviewing the entire proposal, staff believes that the intent of the UDC open space provision is being met.

* Staff had determined that due to adjacent property owner protests, a favorable vote of three-fourths of the members of the Council is required to approve this zone change request.

**TOWN OF PAYSON**
**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Planning and Zoning Commission will hold a Public Hearing on April 10, 2006, at 4:00 p.m., and the Town Council will hold a Public Hearing on April 27, 2006, at 6:00 p.m., concerning Application P-317-05, filed by Terra-Payson 65, LLC, property owner, Mark Perry, authorized agent; a request for a zone change from R1-175 to R1-44-PAD for a 64.03 acre property in the 1200 to 1700 block of E. Cedar Lane to allow a 54 single family residential unit subdivision. The Gila County tax parcel number for the property is 304-01-315G.

The Council Hearing date will be continued if the Planning and Zoning Commission has not given a recommendation. Interested persons may file a statement in writing for or against the proposed amendment to the Unified Development Code (UDC) or appear and be heard at the hearing dates set forth. The Planning and Zoning Commission hearing and the Council hearing will be held in the Council Chambers at Town Hall, located at 303 North Beeline Highway, Payson, Arizona, Phone Number 474-5242.

The Town of Payson endeavors to make all public meetings accessible to persons with disabilities. With 48 hours advance notice, special assistance can also be provided for sight and/or hearing impaired persons at public meetings. Please call 474-5242 (voice) or 472-6449 (TDD) to request an accommodation to participate in this meeting.

Jere Jarrell, Chairperson
Planning and Zoning Commission

PUB: March 24, 2006

**P-317-06**

Barbara Underwood moved, seconded by Mark Waldrop, to recommend to the Town Council approval of P-317-05, a zoning change request from R1-175 to R1-44-PAD, for the purpose of a 54 lot subdivision for single family dwellings on 64.05 acres of land, at 1200-1700 East Cedar Lane, with Tax Parcel Number 304-01-315G, with the following conditions that were read: Condition #8 that was added needs to become #7 and Condition #7 needs to become #8 with the change of "If any conditions, one through **seven (7)** above, cannot be met or the applicant does not have an approved Final Plat within two (2) years of the approval date of the zoning change, then the R1-44-PAD rezoning may revert to the original R1-175 zoning, pending Council Action."

*Conditions are as follows:*

1. *Development on the property shall be limited to fifteen (15) Equivalent Residential Units (ERU's) as calculated under Chapter 50 of the Code of Payson and Ordinances 480, 528, and 537 as amended, unless the owner/developer of the property provides the Town with a new, adequate water supply for additional development.*

2. *The development shall be in substantial conformance with the ~~site plan~~ Rezoning and Planned Area Development and Overlay (PAD) District Application and Narrative, dated April 10, 2006, as submitted in the staff report.*

3. *A note be added to the final plat stating: "The area between the building envelope lines and the lot lines shall be a blanket open space easement. No adjustments to building envelopes shall be permitted."*

4. *The developer shall provide adequate sanitary facilities, depicted in the Improvement Plans, which are acceptable to the Northern Gila County Sanitary District, and be properly annexed into the Northern Gila County Sanitary District prior to Final Plat approval.*

5. *The 100-year flood plain depicted on the Forest Edge PAD and Master Development Plan shall be shown on the Final Subdivision Plat. The following note shall also be included on the Final Subdivision Plat: "All construction within the 100-year flood plain shall meet the Federal Emergency Management Agency (FEMA) requirements for development within designated flood plains."*

6. *Storm water detention/retention shall be provided in accordance with the Town of Payson Requirements, or provide written confirmation that the down stream property owner has agreed to accept the increased peak runoff flows in accordance with the Town requirements.*

7. *That the area of the non-motorized trail (between lots 5 & 6, and 35 & 36) as well as the pocket park and Mud Springs Tank be dedicated to the Town of Payson prior to home construction.*

8. *If any conditions, one through seven (7) above, cannot be met or the applicant does not have an approved Final Plat within two (2) years of the approval date of the zoning change, then the R1-44-PAD rezoning may revert to the original R1-175 zoning, pending Council Action.*

**Motion carried 5-2 with Russell Goddard and Hal Baas casting the dissenting votes.**

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# REPORT TO THE PLANNING & ZONING COMMISSION

March 31, 2006

**FROM:** Jerry Owen,
Community Development Director

**SUBJECT:** Proposed **Zoning Change** from **R1-175 to R1-44-PAD**, for the purpose of a proposed fifty-four (54) lot residential subdivision,'Forest Edge,'on approximately 64.05± acres of land.

## I. INTRODUCTION

**MEETING DATE:** **APRIL 10, 2006**

**CASE NUMBER:** **P-317-05**

**LOCATION:** The property is located at approximately the 1200-1700 block of E.Cedar Lane.

**TAX PARCEL:** 304-01-315G

**APPLICANTS:** Terra Payson 65 LLC; property owner
Mark Perry, authorized agent

**REQUEST:** "To rezone from R1-175 to R1-44 with Planned Area Development Overlay on an approximately 64.05 acre parcel."

**PURPOSE:** To determine how a request for a change in zoning classification shall be recommended to the Town Council.

## II. EXISTING LAND USE/ZONING DESIGNATION:

**EXISTING SITE:** Undeveloped Single Family Residential Property / R1-175

**NORTH:** Developed Single Family Residential Property / R1-10-MH
(Unsubdivided)

**SOUTH:** Undeveloped National Forest Service Property / R1-175

**EAST:** Developing Single Family Residential Property / R1-90-PAD
(Boulder Creek Subdivision)

**WEST:** Developed Single Family Residential Property / R1-18
(Rim View Heights Subdivision)

## III. PROJECT DESCRIPTION:

**A.** The applicant has submitted a proposal for a zone change from R1-175 to R1-44-PAD for a proposed 54 lot subdivision of single family residential dwellings. The proposed **area** of development is **64.05± acres** (Gross acreage).

**B.** Proposed Density - The proposed gross density of the development is **0.84 units** per Acre (54 DU ÷ 64.05 acres) and net density is 1.19 dwelling units per acre.

## IV. PREVIOUS ZONING & BUILDING ACTIONS:

**A. Zoning Actions**

1. On January 3, 1972, the Gila County Board of Supervisors approved a Gila County P & Z Commission Request (Z-15-71) to "rezone to R1-170 all existing U.S. Forest Service land lying within the Payson zoned area; being portions of T 10 N, R 10 E & T 11 N, R 10 E."
   Note: No Ordinance was found that would initiate the Zoning Map change from R1-170 to R1-175, however the Zoning Map has depicted the change since 1977.

**B. Building Actions** - No building permits have been issued for this property. Permits were recently issued to extend road improvements and utility lines through the site to serve the Boulder Creek project to the east.

## V. APPLICABLE REQUIREMENTS:

Section 15-09-008 of the Town of Payson Unified Development Code explains the requirements and procedures for a change in zoning classification. In addition, Ordinance 552 and Resolution 1399 requires a Citizen Participation Plan.

## VI. BACKGROUND INFORMATION:

**A.** With this proposed subdivision an extension of E. Phoenix Street and two additional cul de sacs would provide frontage for the 54 lots proposed. The newly created roadway would become dedicated and improved ROW (Right of Way).

**B.** The current R1-175 zoning designation and the proposed R1-44-PAD would **not allow** a manufactured home to be utilized as a dwelling unit.

**C.** This property is <u>not</u> within a FEMA 100-year floodplain designated area, however there are areas where flooding may be a concern.

**D.** A comparison of the District Standards for the R1-175 and R1-44 classifications are as follows:

| District | Minimum Lot Size | | | | Max Lot Cover | Minimum Yard Setbacks | | | | Min Space Between Buildings | Public Water Sewer Required [5] |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | Area sq. ft. | Width[1] | Depth[2] | D/U Area | | Front | Rear | Side | Strt Side | | |
| R1-175 | 175,000 | 300' | 300' | 175,000 | 10% | 60' | 60' | 30' | 30' | 10' | NO |
| R1-44 | 44,000 | 150' | 190' | 44,000 | 20% | 40' | 40' | 20' | 20' | 10' | YES |

E. Planned Area Development and Overlay (PAD)

The purpose of the Planned Area Development and Overlay (PAD) District is to encourage innovative, quality design and to allow flexibility to that end for projects:

1. Which are planned for development as a cohesive unit;
2. Which provide substantial open space or recreational facilities, preservation of significant natural features of Payson, and building and site design that create unique urban design alternatives; and
3. Which may provide a variety of residential dwelling types designed for convenient, attractive and direct access by pedestrians, bicyclists and other alternative vehicle transportation, designed to de-emphasize use of the automobile by various methods.

The applicant requests flexibility with respect to minimum lot area, width and depth standards, and lot coverage as specified on page 17 of the development plan in order to preserve natural terrain and cultural features.

## VII. ANALYSIS:

### A. Compliance of the Proposed Zoning Request with the General Plan

1. **Land Use Element**

The Land Use Element (Chapter 3) of the Town of Payson General Plan, shows that this property is planned for Low Density residential development. The density range for Low Density is from 1 to 2.5 dwelling units per acre. As the density proposed is 1.19 dwelling units per acre, the proposed R1-44-PAD zoning district would be appropriate and meets the general criteria of the Land Use Element.

2. **Water Resources Element**

The Water Resources Element (Chapter 8) endorses the concept of "Safe Yield" - that the Town will not grow beyond the ability of water supplies to support water demand. Town Council policy in recent years, as described in Chapter 50 of the Code of Payson and Ordinances 480, 528 and 537 as amended, restricts development on property unless the owner/developer of the property provides the Town with a new, adequate water supply for the additional development. Recently, Town Council policy has been to condition or limit any development approval to the number of dwelling units allowed by existing zoning or the 20 E.R.U. rule, whichever is fewer until "new water" is made available to the Town of Payson Water Department. Based on this Town Council policy, rezoning requests, plats and building permits will be considered on this site provided that no more than 15 units (64 acre site ÷175,000 sq.ft. existing zoning) are developed.

### B. Compliance of the Site Plan with Proposed R1-44 District Standards

UDC Section 15-02-007 addresses Planned Area District Overlay Development Standards. The applicant is requesting modifications from the underlying R1-44 development standards. It is left to the discretion of the Planning Commission and Council to determine whether the modifications will produce a quality environment with open space, landscaping and other amenities superior to that produced by existing regulations.

## C. Compliance of the Site Plan with Subdivision Standards

1. Improvements, including street design, street naming, drainage, easements, hillside impacts, water requirements, sanitary requirements, fire safety requirements and other subdivision regulations are normally reviewed at the Preliminary Plat stage, when the zoning has been established and more specific information has been submitted for review.

2. Public sanitary facilities would be required for R1-44-PAD zoning. The property is not currently within the Northern Gila County Sanitary District, and would have to be annexed prior to approval of the Final Plat.

Comment from LaRon Garrett - Public Works Engineer

Storm water detention/retention shall be provided in accordance with the Town of Payson Requirements, or provide written confirmation that the down stream property owner has agreed to accept the increased peak runoff flows in accordance with the Town requirements.

## D. Compatibility with adjacent zoning districts

Staff finds the proposed R1-44-PAD zoning is compatible with the R1-18 zoning to the west and the R1-90 zoning to the east. Similarly it makes a gradual transition from the R1-10-MH zoning to the north to the existing Forest Service Property to the south. This district would continue Payson's zoning pattern of most intense to least intense form the highways (SR 87 & 260) and major roadways outward.

## E. Compatibility with the topography

Some of the proposed lots are very irregular in shape, but this is often necessary to accommodate topographic concerns and cul-de-sacs. Building envelopes are proposed on each lot preserve much of the existing hillside terrain.

Comment from LaRon Garrett - Public Works Engineer

The 100-year floodplain depicted on the Forest Edge PAD and Master Development Plan shall be shown on the Final Subdivision Plat. The following note shall also be included on the Final Subdivision Plat: *"All construction within the 100-year flood plain shall meet the Federal Emergency Management Agency (FEMA) requirements for development within designated flood plains."*

## F. Citizen's Participation Report

A Citizen's Participation Meeting was held on July 21, 2005. A Citizens Participation Report has been submitted and meets requirements. It is enclosed for your review. Staff has also received additional communication from citizens, also attached.

# VIII. FINDINGS OF FACT

1. The proposed 54 lot subdivision meets PAD overlay district requirements.
2. The proposed zoning would be compatible with the Land Use and Water Resources Elements of the Town of Payson General Plan if conditions are approved.
3. The proposed 54 lot subdivision could be compatible with existing zoning districts.

## IX. RECOMMENDATION FOR P-317-05:

As the proposed 54 lot subdivision can be designed to meet district and subdivision standards, and as the proposed zoning could be in compliance with the Land Use and Water Resources Elements of the General Plan as well as compatible with existing zoning districts, the Community Development staff recommends:

That the Planning & Zoning Commission recommend to the Town Council **Approval** of **P-317-05**, a **zoning change request from R1-175 to R1-44-PAD** for the purpose of a proposed fifty-four (54) lot, residential subdivision, 'Forest Edge,' with the following conditions:

If the Commission agrees, an acceptable motion could be:

**"I move to recommend to the Town Council approval of P-317-05, a zoning change request from R1-175 to R1-44-PAD, for the purpose of a 54 lot subdivision for single family dwellings on 64.05 acres of land, at 1200-1700 E. Cedar Lane, with Tax Parcel Number 304-01-315G, with the following conditions:"**

1. Development on the property shall be limited to fifteen (15) Equivalent Residential Units (ERU's) as calculated under Chapter 50 of the Code of Payson and Ordinances 480, 528 and 537 as amended, unless the owner/developer of the property provides the Town with a new, adequate water supply for additional development.

2. The development shall be in substantial conformance with the site plan as submitted in the staff report.

3. A note be added to the final plat stating: *"The area between the building envelope lines and the lot lines shall be a blanket open space easement. No adjustments to building envelopes shall be permitted."*

4. The developer shall provide adequate sanitary facilities, depicted in the Improvement Plans, which are acceptable to the Northern Gila County Sanitary District, and be properly annexed into the Northern Gila County Sanitary District prior to Final Plat approval.

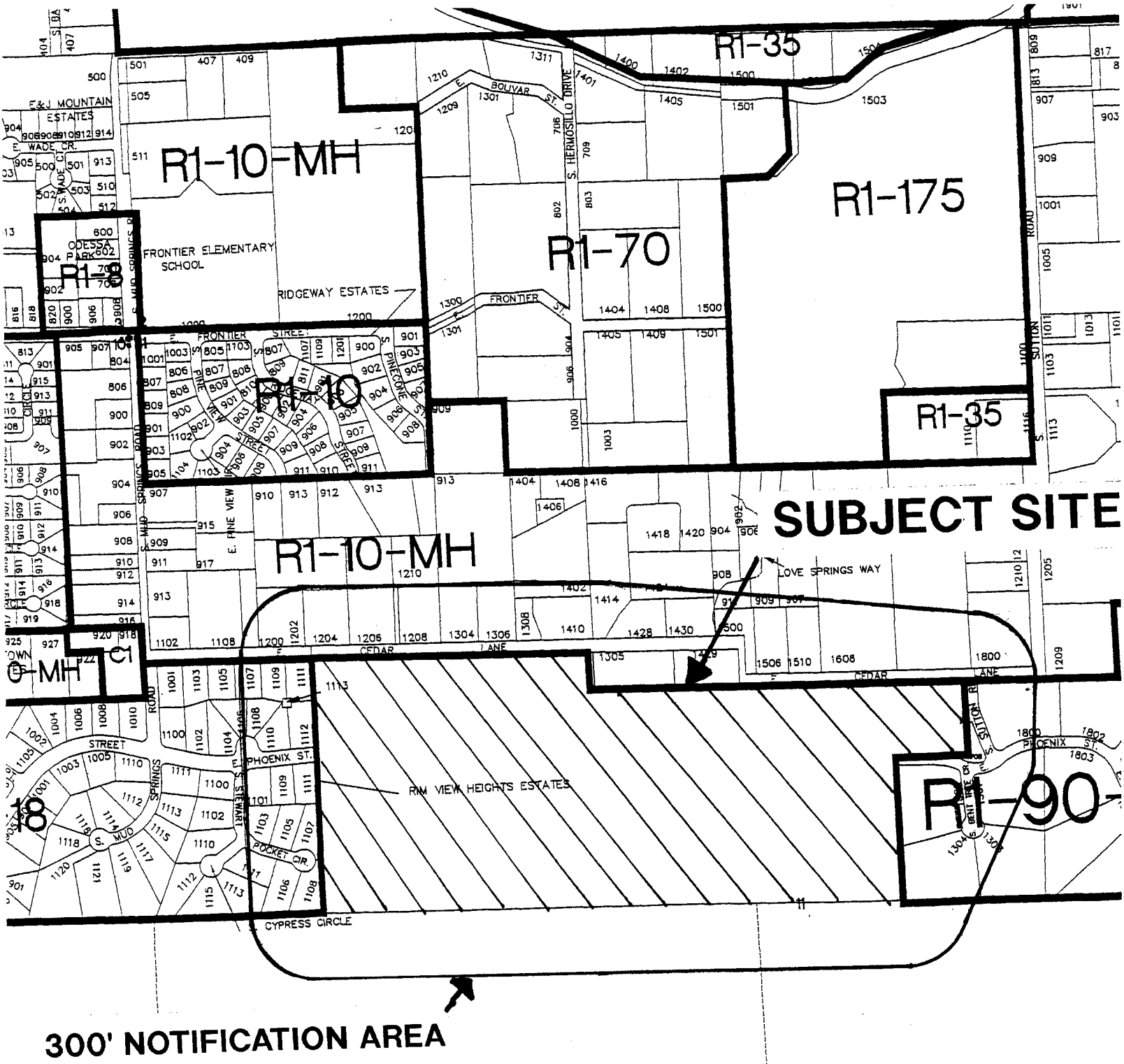
5. The 100-year floodplain depicted on the Forest Edge PAD and Master Development Plan shall be shown on the Final Subdivision Plat. The following note shall also be included on the Final Subdivision Plat: *"All construction within the 100-year flood plain shall meet the Federal Emergency Management Agency (FEMA) requirements for development within designated flood plains."*

6. Storm water detention/retention shall be provided in accordance with the Town of Payson Requirements, or provide written confirmation that the down stream property owner has agreed to accept the increased peak runoff flows in accordance with the Town requirements.

7. If any conditions, one through six above, cannot be met or the applicant does not have an approved Final Plat within two (2) years of the approval date of the zoning change, then the R1-44-PAD rezoning may revert to the original R1-175 zoning, pending Council Action.

P-317-05

# Map Depicting the Subject Site, 300' Radius & Notification Area for 1200-1700 block E. Cedar Ln.



CASE NUMBER P-317-05

# TOWN OF PAYSON
# PLANNING AND ZONING COMMISSION or
# BOARD OF ADJUSTMENTS APPLICATION

The undersigned Applicant(s) hereby applies for:

- ☐ Abandonment Request
- ☐ Administrative Appeal
- ☐ Code Amendment
- ☐ Conditional Use Permit
- ☐ Development Master Plan
- ☒ Devel. Agreement, PAD & SPD
- ☐ Final Subdivision Plat
- ☐ General Plan or Land Use Plan Amendment
- ☐ Minor Land Division
- ☐ P & Z Commission Appeals
- ☐ Preliminary Subdivision Plat
- ☐ Temporary Use Permit
- ☐ Variance
- ☐ Zone Change

**Project Address:** 64.05 Acres south of Cedar Tax Parcel Number: 304-01-315G
Subdivision: Forest Edge Lot Number:
Name of Applicant(s): Terra Capital Group Phone #: 928-474-2554
Mailing Address: P.O. Box 279 Town: Payson St: AZ Zip: 85547
Name of Property Owner(s): Terra Payson 65 LLC
Mailing Address: P.O. Box 279 Town: Payson St: AZ Zip: 85547
Contact Person: Mark Perry Phone #: 928-474-2554 Fax #: 928-474-2562
Payson Business License # NA Sales Tax # NA

Detailed Description of Request: To rezone from R1-175 to R1-44 and obtain Planned Area Development and Overlay District approval on an approximately 64.05 acre parcel.

(Note: Additional Description area can be included in an attachment)

Certification: I hereby certify that the data submitted on or with this application is true and correct, that I am the Owner of the property at this address, or that for the purpose of obtaining this approval I am an authorized agent on the owners behalf.

| Mark S. Perry | Mark S. Perry / Oz | 3-21-06 |
|---|---|---|
| Print Name | Signature | Date |

**STAFF USE ONLY - PERTINENT DATA**

| APPLICATION | DATE | INITIALS | APPLICATION FEE: $ |
|---|---|---|---|
| DATE FILED | | | ZONE CHANGE = $350.00 |
| COMPLETED APPLICATION | | | |
| NEWSPAPER PUBLICATION | 3-24-06 | RE | |
| 300' NOTIFICATION MAILOUT | 3-17-06 | RE | |
| POSTING DATE | 3-17-06 | RE | CHECK NUMBER: DATE: |

| RECOMMENDATION | DECISIONS |
|---|---|
| By: Date: | By: Date: |

MB GROUP

August 9, 2005

Mr. Ray Erlandsen
Zoning Administrator
Community Development Department
Town of Payson
303 N. Beeline Highway
Payson, AZ 85541-4306

Re: Forest Edge; Citizens Participation Report

Dear Ray:

This report serves to inform you of the results of our citizen's participation efforts related to the proposed Forest Edge community. Forest Edge is a proposed 54 custom homesite community situated on an approximately 65 acre parcel located south of Cedar Lane and east of Mud Springs Road. This report has been prepared in accordance with Section 15-09-014 of the Payson Unified Development Code, and pursuant to the Forest Edge Citizens Participation Plan previously sent to you on July 21, 2005.

Notification of a neighborhood open house to review and discuss the Forest Edge project was sent by US mail to 53 property owners. These property owners were either located within a 300' radius of the site or had expressed a prior interest in any development activities related to the site. The names and addresses of these property owners were provided by the Town of Payson staff. Of the 53 open house invitations mailed on June 30, 2005, four (4) were returned as undeliverable.

The neighborhood open house was held from 3:00 pm to 5:00 pm on Thursday, July 21, 2005, in the large conference room at Pioneer Title Agency located at 421 S. Beeline Highway. Forty-two people evidenced their attendance by listing their name, address and telephone number on a sign-in sheet provided at the open house. Several others attended the meeting but did not sign the attendance sheet, although all were

MB Group, L.L.C.
4300 N. Miller Road • Suite 240 • Scottsdale, Arizona 85251 • Tel. 480-941-1444 • Fax 480-946-0266

repeatedly encouraged to do so. In addition, several members of the development team were present at the meeting to answer questions and discuss any concerns or issues related to the project. These team members included Mike Horton, Steve Carder and John Back of Terra Capital Group (the property owner), Ralph Bossert of Tetra Tech, and Mark Borushko of MB Group.

The initial format of the open house was to have those in attendance break into small groups and visit with the members of the development team to discuss details related to the project. Several display boards featuring project design concepts including monumentation, trails, building envelopes and roadway sections, along with illustrated versions of the project development plan, were located throughout the conference room. In addition, a fact sheet containing information about the development plan, project roadway design and proposed amenities was distributed to all attendees. However, after an initial brief presentation of the project by the development team, the open house evolved into a question and answer session where all in attendance were allowed to express concerns or ask questions relative to the project. Among those questions or issues raised during the open house were the following:

1. **Source of Water-** Many of those in attendance were concerned about the source of water for the project. The development team members explained the town's ordinances that require new developments of this size to provide a new water source to satisfy the project demand, and that the intention for the Forest Edge project was to acquire the water needed for the project from sources currently being developed in Star Valley.

2. **Traffic Congestion-** Several questions arose regarding traffic that would be generated by the project and the impact the traffic would have not only on the existing portion of Phoenix Street, but also on Cedar Lane and Sutton Road. The team members explained that the proposed right-of-way and improved roadway sections for both Phoenix Street and the local streets within the project were actually narrower than those typically required by the town due to the desire to minimize cuts and fills on the challenging terrain, and also to help minimize vehicle speed through the community. Furthermore, it was discussed that Phoenix Street west of Forest Edge was designed as a collector street and built to accommodate any additional traffic flow generated by the project. Finally, it was discussed that the street system for the project was designed to eliminate direct access from Forest Edge to either Cedar Lane or Sutton Road, and that the development plan only proposed internal circulation and the extension of Phoenix Street from Rim View Heights to the west to Boulder Creek to the east.

3. **Construction Traffic-** Concern was raised over construction traffic routes and potential impacts on Cedar Lane and other surrounding streets. The development team responded that although a construction access plan had not yet been formulated, the likely access point would be from Phoenix Street to the west, and that no access to the site would be gained across any land where appropriate access easements or rights-of-way were not legally established. The team committed to restoring any offsite roadway improvements that are damaged by the project construction traffic or construction activities if such damage occurs.

4. **Architectural Guidelines-** A question was raised regarding whether Covenants, Conditions and Restrictions and Design Guidelines would be established for the project. The development team responded by stating that such a governance and architectural control system is a critical part of the success of this type of low density development, and that these documents would be created to guide the home design and construction with Forest Edge.

5. **Parks and Open Space-** A concern was raised regarding whether an active park site would be established and developed with the project for the benefit of the neighborhood children. The development team responded by stating that preliminary demographic research suggested that there would be few children in Forest Edge and that the large lots proposed within the project would provide adequate area to create active play areas within the boundaries of each lot. Also, it was explained that the densely vegetated site was not conducive to the creation of an active open park area, and that one of the goals of the project was to maintain as much natural open space as possible. Finally, the team discussed the proposed multi-use trail extending through the project from Cedar Lane to the Tonto National Forest, and how the trail is to be constructed and dedicated for public use.

A list of general questions regarding the project design was provided by an unidentified gentleman at the beginning of the open house. These questions were read to all and answered or discussed during the meeting. In addition, a citizens participation meeting comment form was provided to all attendees, and all were encouraged to provide any thoughts or comments on the form and submit the form either at the conclusion of the open house or at their convenience after the meeting. Only two such comment forms were received. Finally, contact information for several of the development team members was provided to all attendees, and all attendees were encouraged to contact any of the team members at any time to discuss any particular aspect of the project.

Please feel free to contact me directly if you have any questions regarding this report or any of our citizen's participation efforts.

Sincerely,

Mark Borushko
MB Group, LLC

CC: Mike Horton
Steve Carder
Ralph Bossert

Attachments:

- Citizens Participation Plan
- Open house mailing list
- Open house invitation letter and land plan
- Meeting sign-in sheet
- Forest Edge fact sheet
- Meeting Comment Form
- Received written comments

Resident Question list submitted at meeting.

how wide will extension of Phoenix St. be?
will street have curb and gutter
will street be blacktop or concrete
will there be sidewalks in sub division
will there be street lights in sub division
will there be a lift station for sanitary sewer
what is the source of water for this sub division
will you have an architectural control committee
will you have a h.o. association
. what is minimum size of a home
. what will be minimum size of any lot
. has the plat been presented to Plan & Zoning Commission
. is the only access for heavy equipment from Phoenix St
. are there any other outlets available for heavy equipment
. are all utilities underground
. what are width of feeder streets
. what is building set-back...front...side ... rear

# FOREST EDGE
## CITIZEN PARTICIPATION MEETING
### July 21, 2005

## SIGN-IN SHEET

| NAME | ADDRESS | PHONE # |
|---|---|---|
| MIKE HORTON | PO BOX 279 Payson AZ 85547 | 474-2554 |
| Tom + Pat Benson | 1002 E. Phoenix St. Payson 85541 | 474-2023 |
| Bob + Dee Gailey | 1103 S. Stewart Pocket Payson 85541 | 472-9479 |
| Duane Beeuda | 1104 S Promontory | 472-9796 |
| C.H. Hook Dorrin | 1110 Sierra Enchant | 474 3331 |
| Chuck Yph | 1006 E Phx St | 468 6113 |
| ROBERT NORMAN | 1102 E. CEDAR LN | 474-8777 |
| | | |
| LEE NORMAN | 1102 E. CEDAR LN | 474-8777 |
| Donna Hickman | 1208 E Cedar | 468 0727 |
| Patricia Allebrand | 1308 E Cedar Lane | 472-7175 |
| Jeannette Ransom | 1001 S Mud Springs Rd. | |
| Dave Swanson | 1106 Stewart Pocket Cir | 472-9815 |
| IRYLA SHAW | 913 S. MUDSPRINGS | 474-0168 |
| Robert Henley | 1300 W Aviator Cir | 472-2386 |
| TOM BEHR | 1005 S. SUTTON | 474-2647 |
| Carolyn Baltz | 1111 S. Mud Springs Rd. | 472-9844 |
| Dan Baltz | ↓ ↓ | ↓ |
| Lindsay Richmond | 911 S. mud springs Rd | 474-0101 |
| Al Hurd | 1206 E. Cedar Ln | |
| BILL GILHAM | 803 E. Phoenix St | 474-4992 |
| Joel Mona / Susan Mack | 1402 E Cedar Lane | 928 978-3236 |
| Patti Frye | 1010 E. Phoenix St. 472-2527 | 978-1387 |
| Barbara Wenthick | 1110 E. Phoenix St. | 474-6933 |
| Roy Urch | 1430 E. Cedar Ln | 472-4513 |
| Robin Morse | 1305 E Cedar Ln | 474-6429 |
| BOB DOORNIK | 1111 S. Cypress Circle | 472-3379 |
| Celeste + Bob Parsons | 1112 S. Mud Springs Rd | 474-4564 |
| Deborah Burzynski | 1004 E Phoenix | 474 9174 |
| [illegible] | 1800 E Cedar Ln | 468-1900 |
| Joe Schmidt | 908 S. Lovesprings Way | 474-2391 |

# FOREST EDGE
## CITIZEN PARTICIPATION MEETING
## July 21, 2005

## SIGN-IN SHEET

| NAME | ADDRESS | PHONE # |
|---|---|---|
| Pat Forke | 1406 E. Cedar (Windmill Hill) | 480-620-2771 |
| Patti Calkins | 1103 Milk Ranch Pt. | 474-0856 |
| Hal Boax | 1117 S. MUD SPRINGS RD. | 468-6016 |
| Jerry + Nancy Green | 1118 S " " - | 472-8178 |
| BOB HIBBERT | HC4, Box 4R - 931 HIGHLINE DR. Payson | 468-2234 |
| INET VAN HORN | 809 MUDSPRINGS RD | 474-3307 |
| Kathy Baas | 1117 S. Mud Springs Road | 468-6016 |
| Jim Keyworth | Payson Roundup | 474-5251 |
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TO: Planning and Zoning Commission
303 N. Beeline Hwy.
Payson, Az. 85541-4306

Re: In reply to your publication of March 24, 2006.

I here-by state that I am Opposed to the proposed application P-317-05 (which is a request for a zoning change from R1-175 to R1-44 PAD for tax parcel number for the property 304-01-315 G).

(1) The property there-on is not suited to that high a density of development. The original zoning of R1-175 would be much appropriate.

(2) The area is a drainage outlet for the south and west area of Payson of that immediate area. The water runs in the spring and after heavy rains. If houses are built there-on, the future home owners will constantly be plagued with water damage and the cost of repairs or modifications to prevent future costs.

(3) Does the city of Payson want to attract a possible law suit due to an inappropriate zone change which only appeases some wealthy developer?

(4) Also; it seems that no thought has been given to the increase of traffic which will inundate the streets of this immediate area. These streets are Phoenix St., Cedar Ln., Sutton Rd., E. Bonita St., S. Bentley, S.Mud Springs Rd., E. Frontier St., St. Phillips St., and Granite Dells Rd.. I would suggest that ( before any development is approved) this issue be resolved. Resolved by a planned and built by-pass of Payson from Rt. 87 to Rt. 260 (from south of Payson to somewhere between Payson and Star Valley).

C. Wayne Smith

Mr. Wayne Smith
902 S. Mud Springs Rd.
Payson, AZ 85541-5901

RECEIVED
MAR 28 2006
COMMUNITY DEVELOPMENT DEPARTMENT

## Erlandsen, Ray

**From:** Carpenter, Fred
**Sent:** Wednesday, August 17, 2005 2:19 PM
**To:** Barbara Brewer External
**Cc:** 'Jandemlear4@att.net'; Erlandsen, Ray
**Subject:** RE: Phoenix Street Extension

Mayor Brewer:

As you may know, the Planning & Zoning Commission has yet to conduct a public hearing on the proposed subdivision referred to in the e-mail you sent me. I am copying this response to the staff so they can advise the interested party regarding the date and time for the hearing.

Fred

-----Original Message-----
**From:** Barbara Brewer External
**Sent:** Wednesday, August 17, 2005 7:59 PM
**To:** Carpenter, Fred
**Subject:** Fw: Phoenix Street Extension

---- Original Message ----
**From:** Jandmlear4@att.net
**To:** bbrewer@ci.payson.az.us
**Cc:** dreese@ci.payson.az.us
**Sent:** Monday, August 01, 2005 11:49 AM
**Subject:** Phoenix Street Extension

I'm concerned about the zoning change at the end of Phoenix street. Payson building department told us that RI-175 was a solid zoning which would not be changed and now we understand the town is considering a change to this area. The developer said they intend to get water from Star Valley for this project and yet Star Valley is saying No!! Traffic and road damage are also a concern as we continue to see very poor maintenace of our existing streets and developers build and then seem to walk away from the infrastructure problems of too many units to a relative small area!! This is a very nice area of Payson and yet the Town staff appears ready to devalue by overpopulating and not sticking to previous zoning promises. Developers must be held accountable to Payson town planners and if change is truly required, numbers should not triple from original plans..We are against any zoning change at the end of Phoenix street.. Thank you for your attention in this matter.

Sincerely, John & Martha Lear
928-472-7826

## Erlandsen, Ray

**From:** Robert Henley External
**Sent:** Wednesday, August 03, 2005 8:29 PM
**To:** Erlandsen, Ray
**Cc:** Carpenter, Fred; Smith, Silvia; Walker, Buzz
**Subject:** FW: Zoning Change to the Phoenix Street Extension

FYI

Robert

-----Original Message-----
**From:** Jon Thomsic [mailto:eeman@surfside.net]
**Sent:** August 03, 2005 8:01 PM
**To:** rhenley@ci.payson.az.us
**Subject:** Zoning Change to the Phoenix Street Extension

**Dear Councilman Henley:**

**Our home is at 806 E. Phoenix Street. It recently came to our attention that the Council is considering a change to our zoning that will favor a builder's wallet to the detriment of our neighborhood. I am referring to the change from R1-175 to R1-44 for the Phoenix Street extension. I understand the lots will be around four times denser than our zoning! We bought our home after reviewing the zoning to be sure the homes in the vicinity are spread out enough to assure privacy and mitigate traffic volume. We checked to be sure the half-acre lot was embedded in the law and in the planning department so no developers could run rough-shod over city officials and force tiny lots into our neighborhood. It is not right for the city to change a zoning plan that people rely on when making life decisions such as the purchase of a home.**

**Please, Mayor Brewster, consider the fairness of this change and the impact on the people of the city. Don't allow your sense of fairness to be compromised by a commercial entity. Please vote against this rezoning proposal.**

**I believe you represent us so I am thanking you in advance for your vote against an unjust zoning change.**

**Sincerely yours, Mary and Jon Thomsic**

Derrick Hoosava,

Re: Forest Edge development

I am very concerned about the proposed change in zoning on the above development.

We were advised when we purchased our property that the R1-175 was a solid zoning. How can you change this just to satisfy a builder.

Another concern is the water source. There seems to be a conflict on who the source will be.

There are many problems with changing this to a much higher density, and I am sure you are aware of this.

I will be watching how you rule on this

RECEIVED
AUG 03 2005
COMMUNITY DEVELOPMENT DEPARTMENT

Sincerely
Dave Swanson
1106 Stewart Pocket Cir.

cc

Aug. 2, 2005

to: Derrick Woosava

It has come to my attention that some of you planning commission members of Payson are contemplating an over-ride of the established zoning plan to enable a fast talking developer to build many more houses on his property than the present zoning allows.

It is my opinion that the city should not make any changes unless we voters are permited a vote on such an act. My view is (1) stick to the zoning law that we have.

(2) do not allow someone who plans to steal water from another community influence you to do what is not right.

(3) do not plan to use Phoenix Street or Mud Springs Road as a by-pass around Payson to route 260. Put these streets thru only after a real by-pass is built and operating.

Wayne Smith

Mr. Wayne Smith
902 S. Mud Springs Rd.
Payson, AZ 85541-5901

RECEIVED
AUG 03 2005
COMMUNITY DEVELOPMENT DEPARTMENT

August 2, 2005

Town of Payson
303 North Beeline Highway
Payson, AZ 85541

Robert A. Gould
Community Development Director

Dear Mr. Gould,

I am writing to you about the development that is being planned to the south of my home on cedar lane. My late husband and I built our lifelong dream home that we designed ourselves in 1993. The decision on our home site was partly due to the R1-175 zoning of the property across the street. After living in my home and looking out over the Forest Edge property for over a decade, I have grown to love the view and it continues to give me peace and comfort when I look to the south. As a professional artist I draw inspiration from the forested hillside and rock formations.

Please help keep this area zoned as is. Please don't let the developer increase the amount of homes to 4 times than what was expected.

Please understand this is not about my failure to embrace change, this is about preserving what attracted people here in the first place. This has to be something we decide together has value and is worth preserving.

Thank you for considering my request.

Yours truly,

Carol Kane Simerly

Carol Kane-Simerly
1414 E. Cedar Lane
Payson, AZ 85541

**_Rim View Heights Property Owners, Inc_**
**_Hal Baas, Architectural Committee Chairman_**
_1117 South Mud Springs Road_
_Payson, Arizona 85541_
_***928-468-6016***_

August 1, 2005

R. Erlandsen
Planning and Zoning Commission
Town of Payson
303 N. Beeline Hwy
Payson, AZ 85541

RECEIVED
AUG 0 2 2005
COMMUNITY DEVELOPMENT
DEPARTMENT

Dear Mr. Erlandsen,

As the formally designated representative for the Rim View Heights Property Owners Association, I attended the public information meeting on July 21 conducted by the MB Group at the Pioneer Title offices. This meeting was called to present the plans for the Forest Edge subdivision and provide for discussion with the public. I want to provide you with this report of my observations and continuing concerns.

Concern #1 – Zoning Density

- At the time of their purchase, many of the property owners in Rim View Heights (RVH) were assured that the zoning of the adjacent property (now Forest Edge) was for very large lots, R1-175. These property buyers relied on this information in making the decision to buy in Rim View Heights. Many of them researched it even further with the Town of Payson, where it was confirmed on zoning maps.

- Town Councilor Robert Henley contends that R1-175 is only a "place holder" zoning designation and that the Town of Payson Land Use Plan "allows" for more dense housing. I cannot find any reference in the Land Use Plan that supports Mr. Henley's contention. There has been no public notification that there might be a Town of Payson Land Use Plan that could conflict with the zoning maps. In fact to this day, if a person walks into the Town Planning and Zoning office and asks about the zoning for any particular area within the town boundaries, they will not be informed that there is a potentially conflicting Land Use Plan.

- The MB Group made off-the-cuff assertions **but offered no substantiation** that "higher development costs" now require four times the density of the current zoning in order to be financially viable. (The developer only recently purchased this land and must certainly have been aware of the existing zoning and current development costs). The new Boulder Creek subdivision, immediately adjacent to Forest Edge on the east, is currently going ahead with R1-90 zoning.

- The Rim View Heights Property Owners Association is firmly opposed to any rezoning that would increase the housing density on the adjoining property for the simple reason that it will negatively impact the value of current homes within our subdivision.

- The developers have offered no reasonable explanation as to why a higher density zoning change would be advantageous to the Town of Payson and its current residents. They have also failed to provide any substantiated hardship rationale to justify why the Town of Payson should make this change to accommodate them.

Concern #2 – Traffic Planning and Control

- The Forest Edge subdivision plan extends Phoenix St. eastward into the Boulder Creek subdivision. The Boulder Creek subdivision will extend it and open it up to Cedar Lane at Sutton Road. Cedar Lane and Sutton Road are not maintained by the Town of Payson and are in a serious and worsening state of disrepair. The current residents near this junction have publicly made it known that they will use the Boulder Creek/Forest Edge route for access as soon as it becomes available.

- The Forest Edge developer is proposing a reduced street width for Phoenix St that is narrower than the Town of Payson recommended standard. Further they propose to have no sidewalks. With what will inevitably be a high volume of traffic there will be safety concerns for drivers, walkers and bicyclists. Since the new streets in both developments will be "deeded over" to the Town of Payson, we strongly feel they should at least meet standards.

- The residents of Rim View Heights want to see a complete and detailed plan, with commitments from all responsible parties that address our concerns for traffic safety and control.

Other Concerns--These are other issues that we feel will be exacerbated by an increase in density and add to our opposition of the proposed zoning change.

- Water drainage and seepage -- there are at least four major drainages that run down (northward) from the Tonto Forest land adjacent to Forest Edge. Additionally, the historical Mud Springs produces underground water nearly all year at the approximate location of the planned roadway.

- Archeological significant site – there are bedrock metates from Native American habitation within the proposed development area.

- Residential water supply – Adding a large number of water users at the lower elevation of Forest Edge will impact the available water pressure and capacity to the homes in the higher Rim View Heights. The developer has not proposed any water storage tanks or boost pumps; if eventually required these will become a financial burden on the Town of Payson.

Hal Gaus

RECEIVED
AUG 02 2005
COMMUNITY DEVELOPMENT
DEPARTMENT

July 30, 2005

Town of Payson
303 N. Beeline Hwy.
Payson, AZ 85541

Community Development

Ray Erlandsen
Zoning Administrator

Dear Mr. Erlandsen,

I am writing to you in order to request your assistance in defeating the Forest Edge Development rezoning request. I have owned property on E. Cedar Lane for more than 20 years and it breaks my heart to think that the land across the street could be developed with 4 times as many homes as I have expected for all these years. The land which Forest Edge is proposing to develop is an absolute treasure and keeping it zoned as currently listed will best preserve its beauty and leave the character of the existing neighborhood unchanged. I realize what's being proposed would probably be a nice neighborhood but I ask you to please put the concerns of the residents in the area ahead of the developers desire to make money.

Sincerely,

Patricia A. Heidal

Patricia A. Heidal (Baltz)
1400 E. Cedar Lane
Payson, AZ 85541

RECEIVED

AUG 0 1 2005

COMMUNITY DEVELOPMENT
DEPARTMENT

## Erlandsen, Ray

**From:** Robert Henley External
**Sent:** Saturday, July 30, 2005 2:23 PM
**To:** Erlandsen, Ray
**Cc:** Carpenter, Fred; Smith, Silvia; Walker, Buzz
**Subject:** FW: Forest Edge Development Concerns

FYI

-----Original Message-----
**From:** Susan Mack [mailto:skmack@cbiwireless.com]
**Sent:** July 30, 2005 12:57 PM
**To:** bbrewer@ci.payson.az.us
**Cc:** dreese@ci.payson.az.us; gbarriger@ci.payson.az.us; jwilson@ci.payson.az.us; jbuettner@ci.payson.az.us; rhenley@ci.payson.az.us; tfruth@ci.payson.az.us
**Subject:** Forest Edge Development Concerns

Dear Mayor Brewer,

A developer has recently proposed to construct a subdivision called Forest Edge to the south of my home on E. Cedar Lane. The developer, Terra Capital Group either has or will be applying to rezone the land from R1-175 to R1-44. Quadrupling the zoning density in this area will drastically change the character if the neighborhood. I moved to my home on Cedar about 2 years ago and I absolutely love the neighborhood and love living and working in Payson. Several of my neighbors and I look out over the proposed development area (Stewart Ridge and Stewart Pocket). It is an area of incredible natural beauty filled with interesting geological formations, a forested hillside, springs and archaeological sites. I realize it is private land and the land owner has a right to build on it. I do not think that the rezoning is a right of the land owner.

Mayor Brewer, I know that you make decisions in Payson's best interests and that you are serving this community well. Please help preserve the valuable natural beauty in the proposed development area by not approving the rezoning request. In my opinion leaving the zoning as is would be best, but a possible compromise could be R1-90 instead of the proposed R1-44.

Thank you for taking the time to read this email. Please contact me at 928-978-3236 with any questions. If seeing the area first hand would help you in your decision I would enjoy the opportunity to show you (and any council members that are interested) the general boundaries first hand and why I am so concerned.

Sincerely,

Susan K. Mack

## Erlandsen, Ray

**From:** Robert Henley External
**Sent:** Saturday, July 30, 2005 11:31 AM
**To:** Erlandsen, Ray
**Cc:** Carpenter, Fred; Smith, Silvia; Walker, Buzz
**Subject:** FW: Forest Edge Developement

FYI

-----Original Message-----
**From:** theschmidts [mailto:theschmidts@npgcable.com]
**Sent:** July 30, 2005 2:19 PM
**To:** bbrewer@ci.payson.az.us; dreese@ci; gbarriger@ci.payson.az.us; jwilson@ci.payson.az.us; jbuettner@ci.payson.az.us; rhenley@ci.payson.az.us; tfruth@ci.payson.az.us
**Cc:** Bob Edwards
**Subject:** Forest Edge Developement

To the Honorable Mayor and Illustrious Council . As a resident of Rim View Heights I am concerned with the new developements to the East. Boulder Creek and Forest Edge are planning to develope in the immediate future. RVH residents have formed a group to protest the following two concerns. The first concern is Michael Hortons developement of Forest Edge has requested a denser zoning three times the originally planned and approved R-175. We find no fault with Boulder Creek but the increase in homes of Forest Edge would greatly inscrease our local traffic on Phoenix and Mud Springs Streets. The last traffic count on Phoenix was 275 cars a day which is a considerable amount for a non primary road. Also the Frontier school kids do not need any more traffic to jeopardize their walk home. The second concern is the construction equipment using Phoenix street or Mud Springs, which also would be hazardous to Frontier school children. There is an agreement already in place for using Granite Dells, Sutton and Cedar for construction equipment used on Boulder Creek developement. Could this agreement be extended to Forest Edge? I understand Forest Edge has no agreement or bond to repair Payson streets for damage from the construction equipment.
As a summation...we would like Forest Edge to maintain it's original R-175 density and construction equipment to use other routes rather than Phoenix street. As far as considering property taxes a less denser development will produce higher price homes which would be an equivalent to more inexpensive homes in a denser zoning.
I thank you in advance for your consideration in this matter.

Your constituent,

Ernie Schmidt

## Erlandsen, Ray

**From:** Robert Henley External
**Sent:** Saturday, July 30, 2005 11:30 AM
**To:** Erlandsen, Ray
**Cc:** Carpenter, Fred; Smith, Silvia; Walker, Buzz
**Subject:** FW: Phoenix Street Extension

FYI

-----Original Message-----
**From:** larrythomas6@att.net [mailto:larrythomas6@att.net]
**Sent:** July 29, 2005 10:19 AM
**To:** Barbara Brewer
**Cc:** John Wilson; Dick Reese; Robert Henley; Tim Furth; Judy Buettner; George Barriger
**Subject:** Phoenix Street Extension

I strongly urge you not to change the zoning in regard to the subject project.
RI-175 is a solid zoning. Changing the zoning to satisfy the desires of a specific builder is not only wrong, but gives the appearance of impropiety of those who the voters of Payson have placed in office. It appears that sleight of hand, or perhaps dishonesty, is involved when the city shows one plan while at the same time the staff is working toward implementing another. What is going on here?
Other issues remain unclear such as:

water source
drainage
road damage
by pass

This plan seems poorly thought-out and frankly just doesn't pass the smell test.

## Erlandsen, Ray

**From:** Robert Henley External
**Sent:** Saturday, July 30, 2005 11:29 AM
**To:** Erlandsen, Ray
**Cc:** Carpenter, Fred; Smith, Silvia; Walker, Buzz
**Subject:** FW: Phoenix St. Re-zoning, Bypass etc.

FYI

-----Original Message-----
From: Jo & Roger Freeman [mailto:santanjo@npgcable.com]
Sent: July 28, 2005 7:14 PM
To: dreese@ci.payson.az.us; gbarriger@ci.payson.az.us; jbuettner@ci.payson.az.us; rhenley@ci.payson.az.us; tfruth@ci.payson.az.us
Subject: Phoenix St. Re-zoning, Bypass etc.

How many homes are going to be constructed at the end of Phoenix? Is it 16-20 or will it be changed to 54? Is the zoning going to be R1-175 or will it be changed to suit the builder's request?

What plans are going to be approved to limit excessive traffic, current speeding from Beeline up Phoenix St. now as well as at the completion of the new construction - stop signs, etc.?

A concerned Payson taxpayer.

Jo Freeman

## Erlandsen, Ray

**From:** Robert Henley External
**Sent:** Saturday, July 30, 2005 11:28 AM
**To:** Erlandsen, Ray
**Cc:** Carpenter, Fred; Smith, Silvia; Walker, Buzz
**Subject:** FW: Forest Ridge Development

FYI

-----Original Message-----
From: Deborah Burzynski [mailto:deborahb@windermere.com]
Sent: July 27, 2005 10:17 AM
To: tfruth@ci.payson.az.us; rhenley@ci.payson.az.us; jbuettner@ci.payson.az.us; jwilson@ci.payson.az.us; gbarriger@ci.payson.az.us; dreese@ci.payson.az.us; bbrewer@ci.payson.az.us
Subject: Forest Ridge Development

Good morning to each of you,
I am a resident of Rim View Heights living on Phoenix St. and also a real estate agent in Payson. I am not only concerned about the Forest Ridge development from a personal perspective but also as an agent. I strive to uphold all real estate ethics and take the responsibility to disclose area information to my clients very seriously. If I had known Phoenix St. was to become burdened with traffic due to the additional developments, I certainly would have reconsidered my purchase. My goal is to offer my clients accurate information in order for them to make a wise decision with their home purchase and NOT to be blindsided after the fact. As an independent contractor, my business thrives on referrals and a pleasant experience on the clients part. If I'm not providing quality service, my livelihood is affected. I appreciate your efforts and information to help me do my job accurately.

Below are some of the concerns our area residents have. Once again, I would appreciate any information you can offer to aid in clearing up the issues.

1. Zoning Change
How can you change the zoning when we were told it was a solid plan?
We were told the RI-175 was a solid zoning, how can you change it just to satisfy a builder?
A building department member told a number of us that between 16-20 homes would be built at the end of Phoenix now he wants to build 54. Are you allowing him to do that?
It seems dishonest for the city to show us one plan while the city staff is working with another?

2. Water Source
How can Star Valley count as a water source?
Developers (builders) said they intend to get the water from Star Valley but Star Valley says no.
A person was at the meeting from Star Valley and said they are fighting it.
How can Payson (the town) morally justify the taking of Star Valley's water?

3. Water Testing
The builder says tests have been made and they have copies yet Star Valley residents say they can't get the results.
Why is the town stalling on providing the water test information to Star Valley?

4. Deal already cut

Is the rezoning a done deal? The developer appears to think so.

It appeared from the builders comments that the city staff has been working with them and an agreement is already made.

The city staff seems to be keeping the developer informed of changes in city plan but not the citizens.

5. Road Damage

There is a lot of concern about road damage but the developer (builder) said a definite no to a bond.

The builder said the city would make sure all road damage is repaired but Cedar Lane is already torn up because of the Boulders development and the city is refusing to make the developer repair it. Is this true?

6. City bypass

We were told that Phoenix would go through to Sutton, which the city map shows tying into Tyler Parkway. It appears this will become the bypass for the city. Is this true?

We prefer a cul-de-sac at the end of Phoenix so it does not become the city bypass.

If Phoenix goes to Sutton and Mud Springs goes to 260, Fridays and Sundays will be very heavy traffic in our opinion.

7. Other issues

Water drainage, Matates and other Indian relics, Mud Springs (which shows on national satellite maps), crime, contractor traffic.

Respectfully yours,

Deborah Burzynski

## Erlandsen, Ray

**From:** Robert Henley External
**Sent:** Saturday, July 30, 2005 11:27 AM
**To:** Erlandsen, Ray
**Cc:** Carpenter, Fred; Smith, Silvia; Walker, Buzz
**Subject:** FW: Phoenix Street Housing Development
**Follow Up Flag:** Follow up
**Flag Status:** Flagged

FYI

-----Original Message-----
**From:** Dan Baltz [mailto:hyw49@cybertrails.com]
**Sent:** July 26, 2005 12:04 AM
**To:** rhenley@ci.payson.az.us
**Subject:** Phoenix Street Housing Development

Dear Councilman,

We attended the Thursday meeting conducted by the developers of the property at the end of Phoenix Street. As you know, the developers are seeking to change the existing zoning so they can build 54 homes on the 64 acre site. It is now zoned for less than 20 housing units on that property which was our understanding when we purchased our lot and built a custom home in neighboring Rim View Heights. After you exclude areas for streets, curbs and green areas, which are not buildable sites, this makes lots an average size of 20,000 square feet, if 54 homes are permitted. Therefore, changing the lot density and increasing traffic will negatively impact Rim View home values.

We frequently walk our dog in this area, and can attest to the fact that there are many seasonal streams and steep hills that exclude building sites. The plat plan shown at the meeting did not give topographical data which we believe is important to visualize home density. Topography data will show this area will not support 54 homes. Given the current water restrictions and conservation efforts due to real water shortages, we find it hard to believe the Council would consider a motion to change the existing zoning and allow more housing units per acre. We went to this meeting hoping to hear the Builder's proposals and naturally had questions.

The first had to do with the impact of nearly 400 more cars a day on that part of Phoenix Street. This proposed addition not only adds the 54 homes for this development, but also the 20 homes in the Boulder Creek subdivision for additional Phoenix and Mud Springs traffic. Sutton is not a viable traffic artery because of its roller coaster terrain.

Secondly, there was concern about the stress on the water supply that 54 new housing units would cause. Another concern is that Phoenix and Mud Springs will

bear most of the traffic from this development, including wear and tear that construction will do to the existing city streets, without assurance that the developer will pay for repairs.

We went to the meeting hoping some compromise would be possible that would allow some well placed houses while preserving the wooded area. We hoped also somehow to control the numbers of new vehicles impacting the neighborhood and also to minimize the drain on our water supply. We came away from this meeting feeling sure that the Developers had closed on this property with assurances from mentioned but not specifically named City sources that the zoning would be changed and that they could take water from Star Valley for this project. Enough was said about what the City thought about proposed plans to let all of us know, these people were pretty sure they would get the votes they needed to change the zoning and take needed water from Star Valley. It appears that someone in zoning and planning gave assurances that their plans would be accepted. Is this the way that this process is supposed to work?

It is our hope that you and the other council members will vote to retain the current zoning which would allow a reasonably sized development that would blend into its forest setting and lessen the drain on the water supply and keep new traffic minimized. We are not trying to stop the development or the building of a reasonable number of well placed homes but feel housing units 4 times the present zoning allowances will stress the existing neighborhood. Thanks for listening,

Carolyn and Dan Baltz
1111 S. Mud Springs Rd.
Payson, Az. 85541

**FOREST EDGE**
**CITIZEN'S PARTICIPATION MEETING**

**July 21, 2005**

**NAME** Bob Hibbert

**ADDRESS** HC4, Box 4R - 931 Highline Drive, Payson

**PHONE NUMBER** 468-2234

**COMMENTS:**

I live in The Knolls - Our Developer established our Community well within our development. Why? If there is an existing well - within the development - which is dry? Why, did someone drill a deeper well?

Why all the test wells in Star Valley? Why no effort to obtain water within your development?

**FOREST EDGE**
**CITIZEN'S PARTICIPATION MEETING**

**July 21, 2005**

**NAME:** **Joel Mona**

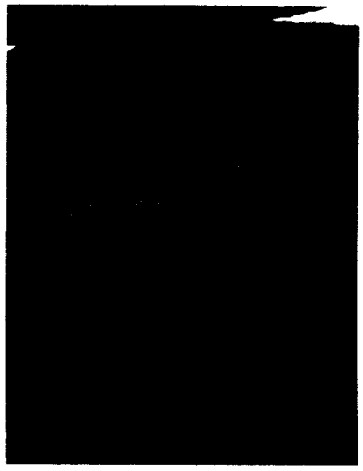
**ADDRESS:** **1402 East Cedar Lane (P.O. Box 1507, Payson AZ 85547)**

**PHONE NUMBER:** **928-978-1387**

**COMMENT #1:** **Not using street lights is a positive aspect of the proposed development. Additional restrictions for exterior lighting could be included in CC&R's and would help preserve nighttime natural beauty.**

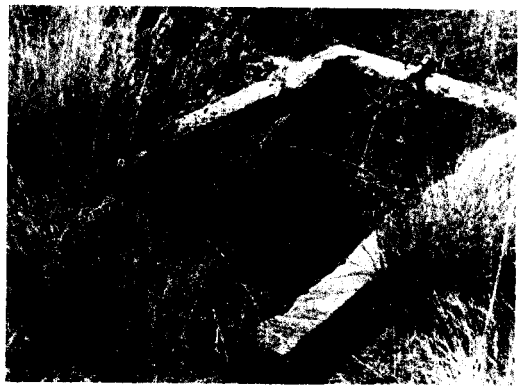
**COMMENT #2:** **There is a boulder pile somewhere in the vicinity of the lot 29, 31 preserve area that contains items of archeological value (6 or more matates). Please confirm that these items will be preserved.**

**General Matate Location**

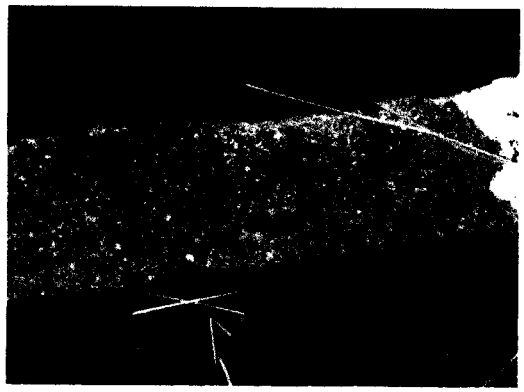


**Example of Matates**

**COMMENT #3:** **An existing spring and small stone and mortar tank appears to have been constructed in 1931. This small structure is in the vicinity lot 25 I think. In my opinion this spring and 76 year old structure has cultural value and is worth preserving.**



**Mud Spring**



**Date on Structure**

**COMMENT #4:** **The forest access between lots 35 & 36 is good. Pedestrian access from Cedar Lane to Phoenix Street between lots 6 & 7 or elsewhere in this area would be desirable.**

**COMMENT #5:** **Forest access between lots 50 & 51 would provide access to an excellent hiking location and other archeological sites.**

**COMMENT #6:** **In my opinion the proposed reduced width of Phoenix Street would potentially create a less safe situation for pedestrians and the long term negative aspects of this reduced width outweigh the positive reasons for doing it.**

**COMMENT #7:** **Preserving existing zoning is desirable to most existing residents. If existing zoning is not preserved R1-90-PAD would be much better than the proposed R1-44-PAD.**

**COMMENT #8:** **Areas selected for hillside preserves seem appropriate.**

Ms. Jeanie Langham
XXXX Main Street
Payson, Arizona 85541

SAMPLE

Re: Forest Edge

Dear Ms. Langham:

The purpose of this letter is to invite you to an informal open house on Thursday, July 21, 2005 to review the development plan for Forest Edge, a proposed custom homesite community located on 64 acres south of Cedar Lane and east of Mud Springs Road. The open house will be held from 3:00 pm to 5:00 pm in the large conference room at Pioneer Title Agency. Pioneer Title is located at 421 South Beeline Highway.

A copy of the proposed development plan for Forest Edge has been enclosed for your review. If you have any questions prior to the open house, please feel free to call me directly at 480-941-1444. Otherwise, we look forward to meeting with you at the open house.

Sincerely

Mark Borushko
MB Group, LLC

P-317-05

# Property Owners Within the 300' Radius & Notification Area for 1200-1700 block E. Cedar Ln.

Walter & Susan Grimes
1210 E Cedar Ln
Payson, AZ 85541

Donna Hickman
1208 E Cedar Ln
Payson, AZ 85541

Debra Wright
1055 E Rancho Rd
Camp Verde, AZ 86322

Gerald & Debra Wright
913 S Pinecone St
Payson, AZ 85541

Occupant
1402 E Cedar Ln
Payson, AZ 85541

Joel Mona
PO Box 1507
Payson, AZ 85547

Lewis Levenson &
Patricia Allebrand
1308 E Cedar Ln
Payson, AZ 85541

Patricia Heidal
8524 E Mackenzie
Scottsdale, AZ 85251

Occupant
1845 E Cedar Ln
Payson, AZ 85541

Spirit Rock Investments LLC
3437 E Mariposa
Phoenix, AZ 85018

Wallace & Carol Simerly
1414 E Cedar Ln
Payson, AZ 85541

Dan Eckstein
911 S Love Springs Way
Payson, AZ 85541

Gregory & Cathy Lemoine
1500 E Cedar Ln
Payson, AZ 85541

Joseph & Penny Schmidt
908 S Love Springs Way
Payson, AZ 85541

Joel Mayer
1506 E Cedar Ln
Payson, AZ 85541

Byron & Sandra Russell
4431 N Wolverine Pass
Apache Junction, AZ 85219

Occupant
1510 E Cedar Ln
Payson, AZ 85541

Gary Harper &
Brandi Joyce
4105 N 21st St
Phoenix, AZ 85016

Gila County Board of Supervisors
1400 E Ash St
Globe, AZ 85501

Walter & Ellen Cooper
1608 E Cedar St
Payson, AZ 85541

Mary Schorsch
9607 N 40th St
Phoenix, AZ 85028

Transwestern Investments Inc
8876 E Sunnyside Dr
Scottsdale, AZ 85260

Ross & Deborah Skinner
1800 E Cedar Ln
Payson, AZ 85541

Joseph & Penny Schmidt
908 S Love Springs Way
Payson, AZ 85541

Occupant
1424 E Cedar Ln
Payson, AZ 85541

Michael & Pamela Bartelle
CMR 480 Box 918
APO, AE 09128

Roy & Clara Urch
1430 E Cedar Ln
Payson, AZ 85541

Robin Morse
1305 E Cedar Ln
Payson, AZ 85541

Keith & Connie Zahnter
1429 E Cedar Ln
Payson, AZ 85541

Mr. Hal Baas
1117 S. Mud Springs Road
Payson, AZ 85541

P-317-05

# Property Owners Within the 300' Radius & Notification Area for 1200-1700 block E. Cedar Ln.

Jeanie Langham
602 E Continental Dr
Payson, AZ 85541

Rim View Heights Estates HOA
Attn. Hal Baas, Chairman
1117 S Mud Springs Rd
Payson, AZ 85541

Occupant
1113 S Cypress Cir
Payson, AZ 85541

Charles & Dee Gailey
1103 S Stewart Pocket Cir
Payson, AZ 85541

Occupant
1111 E Phoenix St
Payson, AZ 85541

James Burr
2655 Daisy Lane
Fallbrook, CA 92028

Arlene Kowaliski
1106 E Phoenix St
Payson, AZ 85541

Occupant
1109 E Cedar Ln
Payson, AZ 85541

David & Claudette Hudson
1108 E Cedar Ln
Payson, AZ 85541

Mary Cobo
PO Box 998
Columbus, MT 59019

Robert W. Henley
1300 W Aviator Cir
Payson, AZ 85541

David & Sonia Swanson
1106 Stewart Pocket Cir
Payson, AZ 85541

Charles & Robin Clark
4150 E Quartz Cir
Mesa, AZ 85215

William & Marilyn Castleman
1101 S Stewart Pocket
Payson, AZ 85541

Douglas & Barbara Overfield
10050 E Mountainview Lake Dr
Estate 69
Scottsdale, AZ 85258

John & Barbara Trevithick
1110 E Phoenix St
Payson, AZ 85541

Northern Gila County Sanitary District
PO Box 619
Payson, AZ 85547

Jean Prohoroff
77235 Irowuois Dr
Indian Wells, CA 92210

Claud & Cheri Dory
1200 E Cedar Ln
Payson, AZ 85541

John & Patricia Helmick
1202 E Cedar Ln
Payson, AZ 85541

U.S. Forest Service
Attn. Rod Byers
1009 E Hwy 260
Payson, AZ 85541

Robert Edwards &
Ginger Schoettinger
1111 S Cypress Cir
Payson, AZ 85541

James & Emily Earlywine
1107 S Stewart Pocket
Payson, AZ 85541

James & Carol Croft
1109 E Phoenix St
Payson, AZ 85541

Occupant
1112 E Phoenix St
Payson, AZ 85541

James & Sandra Dorsey
1108 E Phoenix St
Payson, AZ 85541

Darlene Reiland
1107 E Cedar Ln
Payson, AZ 85541

Victor & Susan Henderson
1111 E Cedar Ln
Payson, AZ 85541

Occupant
1204 E Cedar Ln
Payson, AZ 85541

Albert & Lois Hurd
1206 E Cedar Ln
Payson, AZ 85541

P-317-05

## Property Owners Within the 300' Radius & Notification Area for 1200-1700 block E. Cedar Ln.

PAT FORRE
1406 E CEDAR
PAYSON AZ 85541

PATTI CALKINS
1103 S MILK RANCH PT
PAYSON AZ 85541

JERRY & NANCY GREEN
1118 S MUD SPRINGS RD
PAYSON AZ 85541

BOB HIBBERT
HC4 BOX 4R
PAYSON AZ 85541

KURT VAN HORN
809 S MUD SPRINGS RD
PAYSON AZ 85541

MIKE HORTON
PO BOX 279
PAYSON AZ 85547

TOM & PAT BENSON
1002 E PHOENIX ST
PAYSON AZ 85541

DUANE BEE CUDA
1104 S PROMONTORY
PAYSON AZ 85541

CHUCH DOHRN
1110 SIERRA ANCHA
PAYSON AZ 85541

CHUCK YAH
1006 E PHOENIX ST
PAYSON AZ 85541

ROBERT & LEE NORMAN
1102 E CEDAR LN
PAYSON AZ 85541

JEANNETTE RANSOM
1001 S MUD SPRINGS RD
PAYSON AZ 85541

TRYLA SHAW
913 S MUD SPRINGS RD
PAYSON AZ 85541

TOM BEHL
1005 S SUTTON
PAYSON AZ 85541

CAROLYN & DAN BALTZ
1111 S MUD SPRINGS RD
PAYSON AZ 85541

LINSAY RICHMOND
911 S MUD SPRINGS RD
PAYSON AZ 85541

BILL GILHAM
803 E PHOENIX ST
PAYSON AZ 85541

PATTI FRYE
1010 E PHOENIX ST
PAYSON AZ 85541

CELESTE & BOB PARSONS
1112 S MUD SPRINGS RD
PAYSON AZ 85541

DEBORAH BURZYNSKI
1004 E PHOENIX ST
PAYSON AZ 85541

BOB DALBY
4522 S MILK RANCH PT
PAYSON AZ 85541

WAYNE SMITH
902 S MUD SPRINGS RD
PAYSON AZ 85541

MARY & JON THOMSIC
806 E PHOENIX ST
PAYSON AZ 85541

SUSAN MACK
PO BOX 1507
PAYSON AZ 85547

ERNIE SCHMIDT
1112 S CYPRESS CR
PAYSON AZ 85541

JO & ROGER FREEMAN
600 E ELK RIDGE DR
PAYSON AZ 85541

**APPLICATION NO. P-317-05**

# TOWN OF PAYSON
# ZONING ADMINISTRATOR - PLANNING & ZONING COMMISSION

The applicant(s) hereby applies for a **ZONING CHANGE** as indicated below pursuant to and in accordance with the Unified Development Code, Ordinance 466, of the Town of Payson.

Application for: a Zoning Change request from R1-175 to R1-44-PAD for a 64.05 acre parcel in the 1200-1700 block of E. Cedar Lane for a proposed 54 lot residential subdivision.

Subject Property Site: **1200 - 1700 Block of E. Cedar Lane**

Tax Parcel #'s: **304-01-315G**

Subdivision Name: **N/A** Lot(s): **N/A**

Applicant's Name(s): **Terra Payson 65 LLC; property owner**
**Mark Perry, authorized agent**

Mailing Address: **P.O. Box 279, Payson, AZ 85547**

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**PLACE - PAYSON TOWN HALL COUNCIL CHAMBERS**
**DATE & TIME - April 10, 2006 -- P & Z Commission Hearing @ 4:00 P.M.**
**DATE & TIME - April 27, 2006 -- Council Hearing @ 6:00 P.M.**

# NOTICE
# PUBLIC
# HEARING

# ZONING

RECEIVED
Town Clerk
APR 0 5 2006
Town of Payson

# Petition Against Zone Change

I am strongly opposed to the zone change request P-317-06, changing the zoning from R1-1[illegible] to [illegible] the property located at 1200-1700 Block of E. Cedar Lane. I currently own real estate within 150 of the property being considered for this change.

ARS 9-462.04 #7 Paragraph H: If the owners of twenty per cent or more either of the area of the lots included in a proposed change, or of those immediately adjacent in the rear or any side thereof extending one hundred fifty feet therefrom, or of those directly opposite thereto extending one hundred fifty feet from the street frontage of the opposite lots, file a protest in writing against a proposed amendment, it shall not become effective except by the favorable vote of three-fourths of all members of the governing body of the municipality. If any members of the governing body are unable to vote on such a question because of a conflict of interest, then the required number of votes for passage of the question shall be three-fourths of the remaining membership of the governing body, provided that such required number of votes shall in no event be less than a majority of the full membership of the legally established governing body.

| Date | Printed Name | Address | Signature |
|---|---|---|---|
| 3-31-06 | DAVID T. SWANSON | 1106 S STEWART Pocket Cir. | David T. Swanson |
| 3-31-06 | JOHN A. TREVITHICK | 1110 E. PHOENIX ST. | John A. Trevithick |
| 3-31-06 | ALBERT L. HURD | 1206 E. CEDAR LN | Albert Hurd |
| 03-31-06 | Donna Hickman | 1208 E Cedar Lane | Donna Ritt Hickman |
| 3/31/06 | LEWIS M. LEVENSON | 1308 E. CEDAR LANE | Lewis M. Levenson |
| 4-2-06 | SUSAN G GRIMES | 1210 E. CEDAR LN | Susan G Grimes |
| 4-2-06 | CAROL SIMERLY | 1414 E CEDAR LN | Carol Simerly |
| 4-2-06 | KEITH G. ZAHNTER | 1429 E. CEDAR LN. | [illegible] |
| 4-3-06 | CLAUD W. DORY | 1200 E. CEDAR LN | Claud W. Dory. |
| 4-4-06 | Robin M. Morse | 1305 E. Cedar Ln | Robin Morse |

Addendum to: APR 2 7 2006 F.3

03/24/06 10:13P P.001

RECEIVED
Town Clerk
APR 0 5 2006
Town of Payson

# Petition Against Zone Change

I am strongly opposed to the zone change request P-317-06, changing the zoning from R1-175 to R1-44-PAD for the property located at 1200-1700 Block of E. Cedar Lane. I currently own real estate within 150 of the property being considered for this change.

ARS 9-462.04 #7 Paragraph H: If the owners of twenty per cent or more either of the area of the lots included in a proposed change, or of those immediately adjacent in the rear or any side thereof extending one hundred fifty feet therefrom, or of those directly opposite thereto extending one hundred fifty feet from the street frontage of the opposite lots, file a protest in writing against a proposed amendment, it shall not become effective except by the favorable vote of three-fourths of all members of the governing body of the municipality. If any members of the governing body are unable to vote on such a question because of a conflict of interest, then the required number of votes for passage of the question shall be three-fourths of the remaining membership of the governing body, provided that such required number of votes shall in no event be less than a majority of the full membership of the legally established governing body.

| Date | Printed Name | Address | Signature |
|---|---|---|---|
| 4-1-06 | Greg LeMoine | 1500 E. Cedar Lane Payson | [illegible] |
| 4-1-06 | Cathy Le Moine | 1500 E. Cedar Lane Payson, Az | Cathy LeMoine |
| 4-1-06 | Thomas Cooper | 1608 E. CEDAR LA Payson AZ. | Thomas Cooper |
| 4-2-06 | CAROL CROFT | 1109 E. PHOENIX ST. Payson Az | Carol Croft |
| 4-2-06 | JAMES D. CROFT | 1109 E PHOENIX ST PAYSON, AZ | James D. Croft |
| 4-2-06 | Emily EARLYWINE | 1107 S. STEWART Pocket, Payson, Az | Emily Earlywine |
| 4-2-06 | Emily EARLYWINE | LOT 18 | Emily Earlywine |
| 4-2-06 | Mike Earlywine | 1107 S. Stewart Pocket Cir. Payson | [illegible] |
| 4-2-06 | Mike Earlywine | LOT 18 (undeveloped) | [illegible] |
| | | | |

03/24/06 10:13P P.001

RECEIVED
Town Clerk
APR 0 5 2006
Town of Payson

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| Date | Printed Name | Address | Signature |
|---|---|---|---|
| 4.2.06 | James Burr | 1112 E. Phoenix St | |
| 4-2-06 | Susan Burr | 1112 E. Phoenix St. | |
| 4-4-06 | JOEL H. MAYER | 1506 E. CEDAR LANE | Joel H Mayer |
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RECEIVED
Town Clerk
APR 0 5 2006
Town of Payson

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| Date | Printed Name | Address | Signature |
|---|---|---|---|
| 4-3-06 | BARBARA J. OVERFIELD | 1111 E. PHOENIX ST. PAYSON | Barbara J. Overfield |
| 4-3-06 | DOUGLAS E. OVERFIELD | 1111 E. PHOENIX ST PAYSON | [illegible] |
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March 23, 2006

Town of Payson
303 N. Beeline Hwy.
Payson, AZ 85541

Community Development Department
Jerry Owen, Director

Re: The proposed Forest Edge development and associated change in zoning classification request. Application P-317-05.

Mr. Owen,

I am requesting that the Community Development Dept./Planning and Zoning Division recommend denial of the request for a change of zoning classification from R1-175 to R1-44 PAD for the following reasons. There are several aspects of the proposed development that do not appear to be consistent with elements of the general plan. The proposed development is on land shown designated as low density residential in the general plan (1.0 to 2.5 DU/AC). In my opinion, based on the land use designation descriptions in the general plan this particular parcel should be designated as Rural Residential (.25 to 1.0 DU/AC) because "Rural Residential is typically located in areas with limited access, topography restraints, hillsides, and forest areas." This parcel clearly falls in this category.

In the Planning Framework Section 2.5.B, Community Visions and Principles it states on page 11 under community values that "As a community we value: Our forested environment and hillsides that provide magnificent views of the beauty and is recognized as the Rim Country." In my opinion, quadrupling the existing zoning is inconsistent with this value.

Land Use Element Section 3.1 states "Orderly growth that focuses on densities that are compatible with the natural surroundings is especially important to the community. Development that is sensitive to and compatible with the forested environment is of the utmost importance to Payson residents." In my opinion, zoning of R1-175 or R1-90 PAD is more compatible with the very special environment within the Forest Edge parcel.

Land Use Element Section 3.3 Land Use Issues. Under the <u>Environmental Preservation</u> paragraph it states "The protection of the natural environment is a critical element to the communities vision and has been the cornerstone of the Payson Land Use Plan. The dilemma is how to allow property owners to develop their land while ensuring the protection of the environment." In the case of the proposed Forest Edge development this dilemma is solved by approving zoning with the lowest possible density that makes

development feasible. A zoning density of R1-90 PAD rather than the proposed R1-44 PAD accomplishes this end.

Land Use Element 3.3 Land Use Issues. Under the Maintaining Rural Character paragraph it states "Payson residents value the rural character of the planning area which is defined by the abundance of trees, open space and access to forest. This character should be aggressively maintained." In my opinion, denying the rezoning request for R1-44 PAD should occur as validation that the general plan is being adhered to.

Thank you for consideration of this request. Please contact me with any questions.

Joel G. Mona
928 978-1387
joelmona@cbiwireless.com

Cc: Ray Erlandsen, Zoning Administrator