

SUMMARY OF AGENDA ITEM

DATE: May 3, 2007
TO: Mayor and Council
FROM: Jerry Owen
Community Development Director
SUBJECT: Ordinance #715 900, 1100, 1101 N. Tyler Parkway
Rezone from R1-175 to R1-35 PAD (P-336-07)

PURPOSE:

A request from EJD West Development, applicant, MTS Development, LLC property owner, for a zone change from R1-175 to R1-35 PAD for the property located at 900, 1100, 1101 N. Tyler Parkway to allow 74 single-family residential lots and 40 attached housing units.

SUMMARY:

The applicant is requesting approval of a zone change from R1-175 to R1-35 PAD for the development of 74 single-family residential lots and 40 attached housing units, to facilitate the Mogollon Views subdivision, on 92 acres. The Planning and Zoning Commission and Town Council recently approved a similar request south of this site at 400 N. Tyler Parkway, Boulder Ridge. The proposed detached home site lot sizes range from 10,000 to 70,000 sq. ft. sq. ft. The 40 attached units front on the west side of Tyler Parkway and are separated from existing developments surrounding this site by one acre, custom home site lots within this development. Building envelopes have been platted on lots west of Tyler Parkway to preserve a minimum of two-thirds of the lot area as private natural open space in addition to the 20 percent common open space provided as part of the Planned Area Development.

Public sanitary facilities would be required for R1-35 PAD zoning. The property is currently within the Northern Gila County Sanitary District boundaries and public sewer is available adjacent to this site.

The Planning and Zoning Commission recommended approval to the Town Council of the rezoning (P-336-07) for 900, 1100, 1101 N. Tyler Parkway from R1-175 to R1-35 PAD on April 9, 2007, on a 4-3 vote subject to the sixteen conditions as attached.

The applicant has submitted a proposal outlining his contribution to affordable/workforce housing (see attached). Staff's response to this proposal is also attached.

MAY 03 2007 *GAH*

ORDINANCE NO. 715

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING THE OFFICIAL ZONING MAP FOR THE TOWN OF PAYSON, AMENDING ORDINANCE NO. 466 AND AMENDING THE ZONING CODE FOR THE TOWN OF PAYSON BY REZONING CERTAIN REAL PROPERTY GENERALLY LOCATED AT 900, 1100, AND 1101 NORTH TYLER PARKWAY, BEING GILA COUNTY ASSESSOR'S PARCEL NUMBERS 302-23-0038C AND 302-23-039A, AS MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM R1-175 to R1-35PAD (MOGOLLON VIEWS).

WHEREAS, the Town of Payson from time to time amends its Official Zoning Map and Official Zoning Code for the purpose of accommodating zoning changes; and

WHEREAS, Application No. P-336-07 to amend the Official Zoning Map and Official Zoning Code has been made by MTS Development, L.L.C., property owner (EJD West Development applicant, David West, representative) to the Planning and Zoning Commission and the Town Council; and

WHEREAS, the Planning and Zoning Commission held a public hearing on April 7, 2007, considered the issues, and made recommendations on Application No. P-336-07 to the Town Council; and

WHEREAS, the Town Council held a public hearing on May 3, 2007, in regard to said Application No. P-336-07 and has considered the issues relating thereto,

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AS FOLLOWS:

Section 1. Ordinance No. 466 of the Town of Payson, the Official Zoning Map for the Town of Payson and the Zoning Code for the Town of Payson be and each is hereby amended to establish a zoning district of R1-35PAD for that portion of the certain real property located at 900, 1100, and 1101 North Tyler Parkway, Gila County Assessor's Parcel Numbers 302-23-0038C and 302-23-039A, more particularly described on Exhibit "A" attached hereto and made a part hereof by this reference (the "Property").

Section 2. That the requested rezoning and the use and density of the Property as proposed by Application No. P-336-07 are hereby made contingent upon those conditions set forth in Section 3 below, and are found to be consistent with the General Plan of the Town of Payson, as required by A.R.S. § 9-462.01(F).

Section 3. The foregoing changes in zoning shall be and are hereby specifically made contingent upon and conditional upon each of the following:

- A. The development shall be in substantial conformance with the Rezoning Application and Narrative, dated April 9, 2007 and shall not exceed a total of 114 units.

1st Reading & Public Hearing MAY 03 2007 6:4

- B. The final plat and CC&R's shall detail the location of building envelopes.
- C. A note shall be added to the final plat stating: "Areas outside the designated building envelopes shall not be disturbed in any manner except for defensible space thinning/maintenance and pathways through the common open space areas. 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."
- D. The developer shall construct a fitness path/trail (in a location and according to specifications of the Town of Payson Trails Plan) along Tyler Parkway to eventually connect with the proposed Tyler Parkway pathway.
- E. Adequate sanitary facilities shall be designed in accordance with Northern Gila County Sanitary District standards prior to submittal of the final plat.
- F. A public access easement shall be created over the perimeter trail on the final plat. Further, trail construction shall be a required public improvement for the subdivision.
- G. A public access easement shall be created between lots 54 and 55 to allow for a future non-vehicular connection from the west side of the project to the east.
- H. Common open space areas shall be available for use by all residents within the development.
- I. The Final Plat and the CC&R's shall describe the maintenance responsibilities of the common open space and drainage areas.
- J. Development on the custom home lots on the west side of Tyler Parkway is limited to single story construction with the option of a walkout basement.
- K. Building envelopes will be kept off the ridge lines and peaks.
- L. The developer shall comply with the affordable/workforce housing contribution outlined in its letter dated _____, 2007 attached as exhibit B.
- M. Storm water detention/retention shall be provided in accordance with the then existing Town of Payson Requirements.
- N. Preliminary elevations of the condominium units shall be provided prior to preliminary plat approval.

- O. The Developer shall create a 50 foot wide common open space area along the east property line adjacent to Siena Creek subdivision.
- P. If any conditions 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 R1-35 PAD rezoning may revert to the original R1-175 zoning, pending Council action.

Section 4. This Ordinance 715 shall be treated as having been adopted and the 30-day referendum period established by Arizona Revised Statutes section ("A.R.S. §") 19-142(D) and §30.54 of the Code of the Town of Payson shall begin when the Town files with the Gila County Recorder an instrument (in a form acceptable to the Town Attorney), executed by the MTS Development, L.L.C. and any other party having any title interest in the Property, that waives any potential claims against the Town under the Arizona Property Rights Protection Act (A.R.S. § 12-1131 et seq., and specifically A.R.S. § 12-1134) resulting from changes in the land use laws that apply to the Property as a result of the Town's adoption of this Ordinance 715. If this waiver instrument is not recorded within 30 calendar days after the motion approving this Ordinance 715, this Ordinance 715 shall be void and of no force and effect.

Section 5. A protest (pursuant to A.R.S. §9-462.04(H)) has been filed. The provisions of this Ordinance 715 shall only become effective upon a favorable vote of three-fourths of all members of the Town Council.

Section 6. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON this ____ day of _____, 2007, by the following vote:

AYES ____ NOES ____ ABSTENTIONS ____ ABSENT ____

F. Robert Edwards, Mayor

ATTEST:

APPROVED AS TO FORM:

Silvia Smith, Town Clerk

Samuel I. Streichman, Town Attorney

EXHIBIT A TO ORDINANCE 715

LEGAL DESCRIPTION

900, 1100, 1101 North Tyler Parkway

Parcel I: The West Half of the Southwest Quarter of the Southeast Quarter; AND the East Half of the Southeast Quarter of the Southwest Quarter of Section 26, Township 11 North, Range 10 East of the Gila and Salt River Meridian, Gila County, Arizona (40 acres).

Parcel II: The North Half of the Northeast Quarter of the Northwest Quarter, AND the North Half of the South Half of the Northeast Quarter of the Northwest Quarter; AND the East Half of the Northwest Quarter of the Northwest Quarter of Section 35, Township 11 North, Range 10 East of the Gila and Salt River Meridian, Gila County, Arizona (50 acres).

Parcel III: A parcel of land lying in the Northwest Quarter of the Northeast Quarter of Section 35, Township 11 North, Range 10 East of the Gila and Salt River Meridian, Gila County, Arizona, being more particularly described as follows:

BEGINNING at the North Quarter corner of said Section 35;

Thence: S 00°01'06" East along the North-South mid-section line, 988.12 feet to the Southwest corner of the North Half of the Southwest Quarter of the Northwest Quarter of the Northeast Quarter of said Section 35;

Thence; N 89°59'16" East along the South line of the North Half of the Southwest Quarter of the Northwest Quarter of the Northeast Quarter of said Section 35, a distance of 35.95 feet to the center line of Loop Road;

Thence; N 05°01'24" East along said centerline, 991.91 feet to a point on the North line of said Section 35;

Thence; N 89°59'43" West along said North line, 123.11 feet to the POINT OF BEGINNING.

P-336-07 – Conditions of Rezoning – 900-1100-1101 North Tyler Parkway – Mogollon Views

1. The development shall be in substantial conformance with the Rezoning Application and Narrative, dated April 9, 2007 and shall not exceed a total of 114 units.
2. The final plat and CC & R's shall detail the location of building envelopes.
3. The developer will construct a fitness path/trail (In a location and according to specifications of the Town of Payson Trails Plan) along Tyler Parkway to eventually connect with the proposed Tyler Parkway pathway.
4. A note shall be added to the final plat stating: "Areas outside the designated building envelopes shall not be disturbed in any manner except for defensible space thinning/maintenance and pathways through the common open space areas. 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."
5. Adequate sanitary facilities shall be designed in accordance with Northern Gila County Sanitary District standards prior to submittal of the Final Plat.
6. A public access easement shall be created over the perimeter trail on the final plat. Further, trail construction shall be a required public improvement for the subdivision.
7. A public access easement shall be created between lots 54 and 55 to allow for a future non-vehicular connection from the west side of the project to the east.
8. Common open space areas shall be available for use by all residents within the development.
9. The Final Plat and the CC & R's shall describe the maintenance responsibilities of the common open space and drainage areas.
10. Development on the custom home lots on the west side of Tyler Parkway is limited to single story construction with the option of a walk out basement.
11. Building envelopes will be kept off the ridgelines and peaks.
12. The developer shall submit a proposal outlining their contribution to affordable/workforce housing prior to Council consideration of the rezoning.
13. Storm water detention/retention shall be provided in accordance with the Town of Payson Requirements.
14. Preliminary elevations of the condominium units shall be provided prior to preliminary plat approval.
15. Include a 50' wide common open space area along the east property line adjacent to Siena Creek subdivision.
16. If any conditions 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 R1-35 PAD rezoning may revert to the original R1-175 zoning, pending Council action.

E J D West Development
P O Box 2506
Payson, AZ 85547

April 10, 2007

Payson Town Council,

E J D West Development, as developer of Mogollon Views, is offering to make a cash contribution to the Town of Payson Affordable Housing Fund. The offer is to contribute a check for \$25,000.00 (twenty five thousand dollars) after the zoning for the project has been changed to R1-35 PAD with 114 lots as proposed. An additional check for \$25,000.00 (twenty five thousand dollars) will be contributed to the Fund after the final plat has been approved.

After development proceeds and the 58th (fifty eight) sale is closed another contribution of \$155,000.00 (one hundred fifty five thousand dollars) will be made to the same fund.

A total of \$205,000.00 (two hundred five thousand dollars) will be contributed to the fund from E J D West Development. Each contribution will be made within 30 days of the completed event. In the event the total project is sold the balance of the total will be due for payment by E J D West Development within 30 days after settlement of the sale.

Please contact me by mail at the above address or call at (928) 595-0332 with questions.

Respectfully,

A handwritten signature in black ink, appearing to read 'David West', followed by a long horizontal line extending to the right.

David West
President

Memorandum

To: Mayor and Council
Through: Jerry Owen
From: Bethany Beck
Date: April 23, 2007
Re: Mogollon Views Affordable Housing Proposal

I have reviewed the proposed affordable housing proposal for Mogollon Views. The amount of the contribution (\$205,000) is consistent with contributions from other developers, and I am pleased to see the assurance that the contribution will be paid in full if the entire project is sold to another party.

However, I suggest the following payment schedule, which differs substantially from the schedule proposed by Mr. West:

- A payment of \$50,000 within 30 days of Council approval of the rezoning request;
- A payment of \$50,000 within 30 days of Council approval of the final plat; and
- Payment of the \$105,000 balance within 24 months of final plat approval.

Payment of the \$105,000 balance could be guaranteed by one of the following methods:

1. The contribution could be included in the Agreement to Construct along with the subdivision improvements; or
2. E J D West Development could provide the Town with a Deed of Trust and Promissory Note on a lot (or lots) equal to the value of the contribution and the Town could issue a Deed of Release after payment is received.

I would fully support Mr. West's proposal with the addition of the conditions outlined above.



MEMO

TO: Planning and Zoning Commission
FROM:  Jerry Owen, Community Development Director
DATE: April 9, 2007
SUBJECT: 900, 1100, and 1101 N. Tyler Pkwy – Rezone R1-175 to R1-35 PAD **P-336-07**

Background

The applicant is requesting a zoning change from R1-175 to R1-35 PAD to allow for 74 single-family residential lots and 40 attached housing units. The 92 acre site is divided into two parts by N. Tyler Parkway and bordered by numerous different zoning districts. The portion of the site east of Tyler Parkway is bordered by Payson Three Unit One zoned R1-90 to the north, Sienna Creek zoned R1-18 PAD to the east and Wildflower Ridge zoned R1-44 PAD to the south. Within this portion of the development the applicant is proposing 36 single-family detached lots varying from 10,000 square feet to 18,000 square feet in size with common area open space, as well as a 30 foot walking trail along the perimeter of the property.

The portion of the site to the west of Tyler Parkway will be gated and is designed for 40 mountain condominiums and 38 single-family detached custom home lots. The western half of this site is bordered on the north by an un-subdivided residential area accessed from Heather Circle zoned R1-10 MH and Foothills East zoned R1-175 to the south. The westernmost border of this site abuts Alpine Heights zoned R1-10 and an un-subdivided area along N. Mud Springs Road zoned R1-90. The applicant has proposed common open space areas, private natural area open space on each of the custom home lots, and a 30 foot wide trail around the perimeter of the site that will connect to the future fitness pathway planned for Tyler Parkway.

The applicant has proposed twenty percent common open space as well as approximately thirty acres of private open space through the use of no-build areas outside building envelopes on private lots. Public sanitary facilities would be required for R1-35 PAD zoning. The property is currently within the Northern Gila County Sanitary District. Storm water detention/retention shall be provided during the platting process in accordance with the Town of Payson requirements. Attached for your review is the applicant's narrative with exhibits.

Analysis

The site plan proposes a total of 114 dwelling units on 92 acres along North Tyler Parkway, including 40 single family attached dwellings along the west side of the road. These units will be buffered from Tyler Parkway by a natural open space area and separated from adjoining properties by one and two acres lots within the project. Staff notes that the attached single family units can be constructed within a smaller footprint, thus helping to preserve the natural terrain and forest cover on the site. This style of dwelling is generally more energy efficient due to shared walls and also broadens the range of available housing types as part of the planned area development.

The Land Use Element (Chapter 3) of the Town of Payson General Plan designates this property for Low Density residential development up to 2.5 units per acre. As the gross density proposed is 1.24 dwelling units per acre, the proposed R1-35 PAD zoning district would be appropriate and meets the general criteria of the Land Use Element and the General Plan.

Staff Recommendation:

Approval with conditions listed below:

1. The development shall be in substantial conformance with the Rezoning Application and Narrative, dated April 9, 2007 and shall not exceed a total of 114 units.
2. The final plat and CC&R's shall detail the location of building envelopes.
3. An 8' wide compacted ABC path/trail will be constructed along one side of North Tyler Parkway in accordance with the Community Trails criteria.
4. A note shall be added to the final plat stating: "Areas outside the designated building envelopes shall not be disturbed in any manner except for defensible space thinning/maintenance and pathways through the common open space areas. 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."
5. Adequate sanitary facilities shall be designed in accordance with Northern Gila County Sanitary District standards prior to submittal of the Final Plat.
6. A public access easement shall be created over the perimeter trail on the final plat. Further, trail construction shall be a required public improvement for the subdivision.
7. A public access easement shall be created between lots 54 and 55 to allow for a future non-vehicular connection from the west side of the project to the east.
8. Common open space areas shall be available for use by all residents within the development.
9. The Final Plat and the CC&R's shall describe the maintenance responsibilities of the common open space and drainage areas.
10. Development on the custom home lots on the west side of Tyler Parkway is limited to single story construction (with the option of a walk out basement).
11. Building envelopes will be kept off the ridgelines and peaks.
12. The developer shall submit a proposal outlining their contribution to affordable/workforce housing prior to Council consideration of the rezoning.
13. Storm water detention/retention shall be provided in accordance with the Town of Payson Requirements.
14. Preliminary elevations of the condominium units shall be provided prior to preliminary plat approval.
15. If any conditions 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 R1-18 PAD rezoning may revert to the original R1-175 zoning, pending Council action.
16. Any other conditions the Commission deems necessary.

Suggested Motion to recommend Approval:

"I move the Planning & Zoning Commission recommend to the Town Council approval of P-336-07, a request to rezone a 92 acre property located at 900, 1100 & 1101 N. Tyler Parkway from R1-175 to R1-35 PAD for the purpose of a 114 unit subdivision – Mogollon Views subject to the conditions listed in the staff report."

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

The undersigned Applicant(s) hereby applies for:

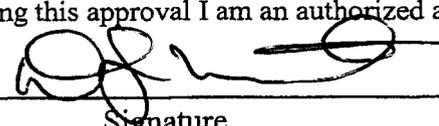
- | | |
|---|--|
| <input type="checkbox"/> Abandonment Request | <input type="checkbox"/> General Plan or Land Use Plan Amendment |
| <input type="checkbox"/> Administrative Appeal | <input type="checkbox"/> Minor Land Division |
| <input type="checkbox"/> Code Amendment | <input type="checkbox"/> P & Z Commission Appeals |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Preliminary Subdivision Plat |
| <input type="checkbox"/> Development Master Plan | <input type="checkbox"/> Temporary Use Permit |
| <input checked="" type="checkbox"/> Devel. Agreement, PAD & SPD | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Final Subdivision Plat | <input checked="" type="checkbox"/> Zone Change |

Project Address: 900, 1100, and 1101 N. Tyler Parkway **Tax Parcel Number:** 302-23-038C, 039A
Subdivision: Mogollon Views **Lot Number:** N/A
Name of Applicant(s): EJD West Development **Phone #:** (928) 595-0332
Mailing Address: PO Box 2506 **Town:** Payson **St:** AZ **Zip:** 85547
Name of Property Owner(s): MTS Development, LLC
Mailing Address: 5923 Calle del Sud **Town:** Phoenix **St:** AZ **Zip:** 85018
Contact Person: David West **Phone #:** (928) 595-0332 **Fax #:** (480) 946-1665
Payson Business License # _____ **Sales Tax #** _____

Detailed Description of Request: Rezone parcels from R1-175 to R1-35 PAD

(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.

David J. West _____  _____ March 12, 2007
 Print Name Signature Date

STAFF USE ONLY - PERTINENT DATA			
APPLICATION	DATE	INITIALS	APPLICATION FEE: \$ <u>350.00</u> pd <u>sl</u> CHECK NUMBER: <u>#194</u> DATE: <u>3/12/07</u>
DATE FILED	<u>3/8/07</u>	<u>sl</u>	
COMPLETED APPLICATION	<u>3/8/07</u>	<u>sl</u>	
NEWSPAPER PUBLICATION	<u>3/23/07</u>	<u>sl</u>	
300' NOTIFICATION MAILOUT	<u>3/22/07</u>	<u>sl</u>	
POSTING DATE	<u>3/22/07</u>	<u>sl</u>	

RECOMMENDATION	DECISIONS
By: _____ Date: _____	By: _____ Date: _____

Mogollon Views Development

Development Plan And Application (revised)

Rezoning and Planned Area Development and Overlay (PAD) District Narrative

April 9, 2007

**Prepared By:
E J D West Development
P O Box 2506
Payson AZ 85547**

Rezoning and Planned Area Development and Overlay (PAD) District Narrative

Development Team

Owner:

E J D West Development
P O Box 2506
Payson AZ 85547

Ph: 928-595-0332
e-mail: azdavewest@juno.com
Contact: Dave West

Architects:

Hinshaw Architects
1100 N Beeline Hwy
Payson AZ 85541

Ph: 928-474-3630
Contact: Rex Hinshaw

Civil Engineers:

Tetra Tech
431 S Beeline Hwy
Payson AZ 845541

Ph: 928-474-4636
E-mail; Ralph.bossert@tetrattech.com
Contact: Ralph Bossert

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Description of Proposal

Mogollon Views is a proposed 114 home development that will include 74 single family home sites and 40 mountain condominiums. It is located at 900 North Tyler Parkway and consists of 92 acres (probably the last large privately held parcel today). The property is bordered by Alpine Heights to the west, Foothills to the south, Siena Creek to the east and various property to the north. The bulk of the land is west of Tyler Parkway with a smaller portion to the east. The purpose of the application is to request rezoning of the site from its existing R1-175 to R1-35 with a Planned Area Development overlay.

Site development was designed to incorporate defined building envelopes in an effort to maintain as much undisturbed forest as possible. The condominium element will similarly provide for more natural open space. Each area was designed with feedback from neighboring communities to be sensitive to the privacy and type of natural environment desired. The gross density is expected to be 1.2 dwelling units per gross acre. This result is lower than the Town of Payson General Plan classification that allows for up to 2.5 in this area.

Mogollon Views will protect the forest as well as blend into the area through careful design. The PAD overlay will provide for the creativity that is required to deliver quality residences while maximizing the natural space reserved to stay natural and create community within the forest.

- Custom lots west of Tyler will be no less than one acre and will have defined building envelopes of approximately 12,000 sq. ft. to maintain over two thirds of their area as natural reserves. They have been sited so as to create natural pathways to minimize the impact on the forest and wildlife. Areas affecting the Foothills East area will be no less than 70,000 sq. ft. as a transitional area.
- Mountain Condominiums are clustered to have common areas that maximize the forest that is left undisturbed.
- Amenities to these neighborhoods are consolidated to lessen the impact on the area. Covenants, Codes and Restrictions and a Homeowner's Association will be in place to protect natural areas and the quality of the neighborhood such as to prohibit equestrian use.
- The single family home sites east of Tyler Parkway have been designed with citizen's feedback to give more open space with smaller lots. Each lot adjoining Siena Creek will be more than 18,000 sq. ft. and no other lot less than 10,000 sq. ft.

A 30 foot greenbelt/walking path will surround the development (as well as the path along Tyler) to buffer the adjacent properties and create a recreational feature. The path could be used by citizens to walk or hike.

All streets will be built to the appropriate Town standard and will be dedicated to the Town of Payson when not held private. Roadways west of Tyler Parkway are gated and will be maintained by the Homeowner's Association.

Building envelopes as described above may be adjusted (not increased) to avoid damage to natural features and terrain or with respect to site conditions at the discretion of the Public Works Engineer or the Community Development Director.

All structures on the west of Tyler will be limited to single story with walkout basement. Preliminary lot locations and building limitations are to protect the tops of ridges and force building envelopes off of ridges and peaks. This is an effort to limit the height so as to keep the skyline clean and minimize the visual impact of the residences. Homes east of Tyler will be eligible for two story construction.

Grading and draining has been studied and will take advantage of the natural contour of the land and minimize the flow to downstream areas. Grading will be limited to building sites and as required for the final drainage design. Discussions have been initiated with the Town Engineer to create the best solution and be in compliance with Town standards.

Landscape is designed to maintain as much natural forest as possible. The common area is placed to hold as much area in reserve and preserve as much natural forest as possible. Efforts will be made to restore any areas disturbed to as natural of a state as possible.

The project is expected to require over eight years to complete. Following rezoning approval it will take up to two years to be able to offer property for sale. First phase development will start in the center of the project after approval and move outward from there.

MOGOLLON VIEWS

P.A.D. AND MASTER
DEVELOPMENT PLAN

SCALE 1"=300'

LEGEND

-  Project Boundary
-  Gates
-  8' Pathway
-  Fitness Trails
-  Parking and Drives
-  Easements
-  Wildflower Ridge
-  Vicinity
-  30' Green-Belt Buffer
-  Single-Family Attached
-  Existing Drainage
-  Contours-Major
-  Contours-Minor
-  Open Space
-  Single-Family Detached

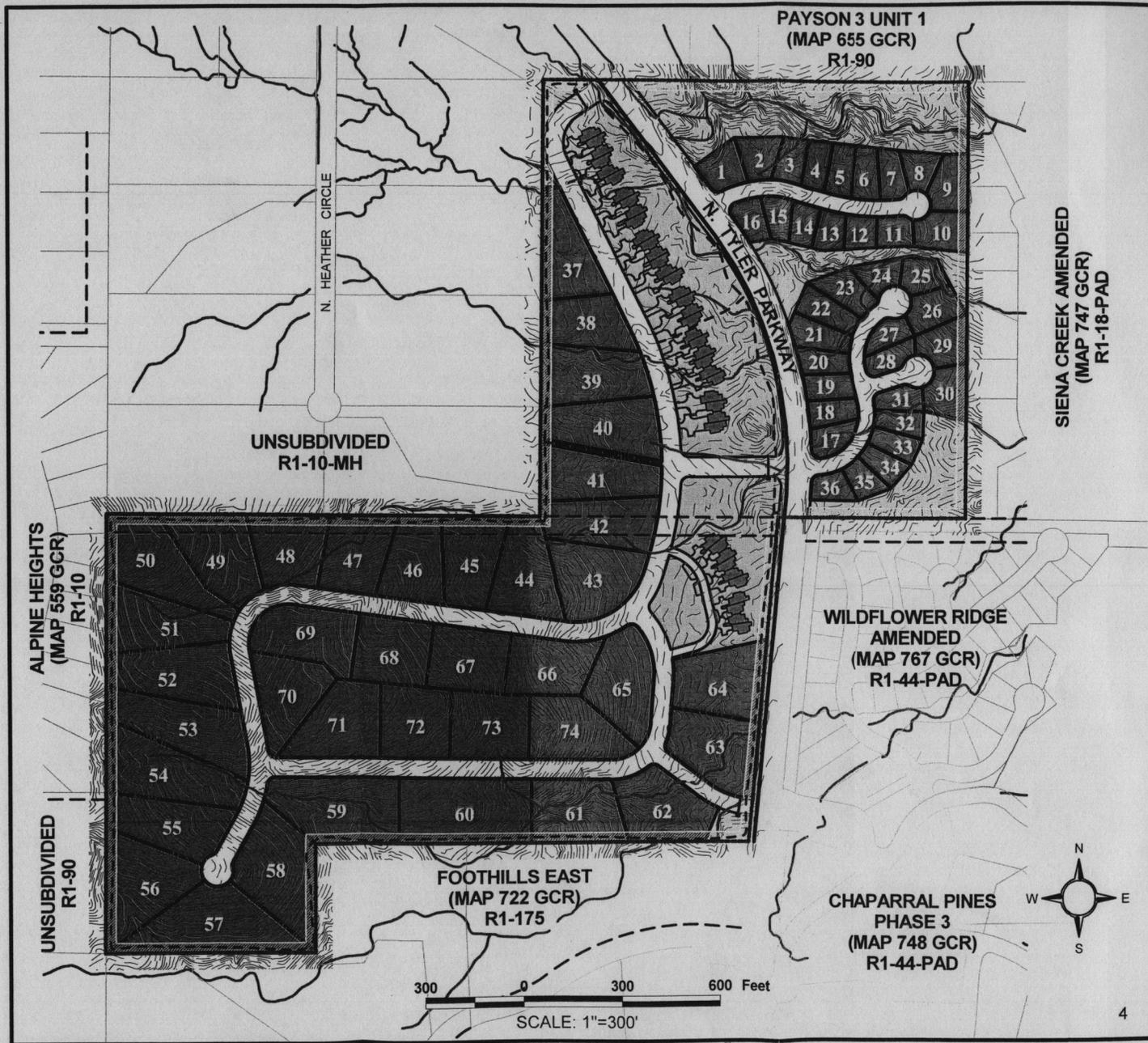
JASON L. HILLBRE 016907

PREPARED FOR:
EJD WEST DEVELOPMENT
P.O. BOX 2506
PAYSON, ARIZONA 85541
BY:



TETRA TECH, INC.

431 S. Beeline Highway
Payson, AZ 85541-4885
TEL:(928)474-4636 FAX:(928)474-4867



MOGOLLON VIEWS

SLOPE ANALYSIS EXHIBIT

SCALE 1"=300'

LEGEND

-  Boundary
-  Vicinity
-  Contours-Major
-  Contours-Minor
-  Areas of > 15% Slope
-  LOT TYPE

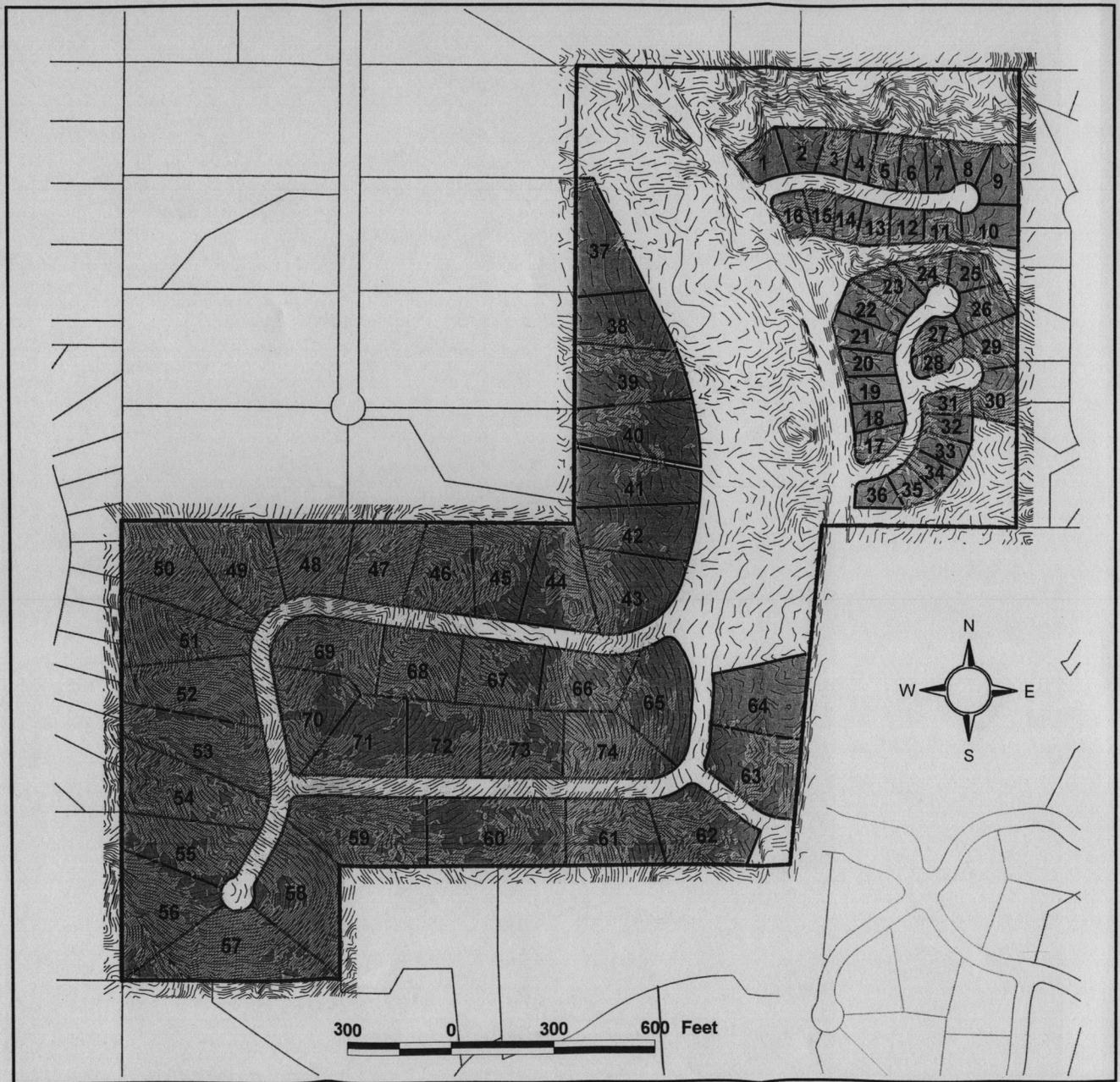
JASON L. PHILLMORE 03/09/07

PREPARED FOR:
EDJ WEST DEVELOPMENT
P.O. BOX 2506
PAYSON, ARIZONA 85541
BY:



TETRA TECH, INC.

431 S. Beeline Highway
Payson, AZ 85541-4885
TEL:(928)474-4636 FAX:(928)474-4867



Relationship to Surrounding Properties

Mogollon Views is bordered by Alpine Heights to the west as it looks over the site. Alpine Heights is zoned R1-10 and will look down on the site from the ridge. In each case there will be in excess of a 40 foot elevation drop between the foundation of the existing homes and the new foundation so as to minimize visual impact. With the single story restriction this will minimize the visual impact. There will also be a 30 foot greenbelt/walking path around the development that will increase the distance between adjoining developments.

Foothills East to the south of Mogollon Views is presently zoned as R1-175 and has 4 and 8 acre sites. Site poles were installed to assess visual impact for the neighbors. The site plan as proposed was modified to create larger lots as a transition to their neighbors in Foothills East.

Siena Creek to the east is zoned R1-18. The average density of Mogollon Views will be lower than Siena Creek. The open space in that area was designed as shown to create a more open feel to that area. The single family residential as shown on the east side is a result of the request from Citizens and the review meetings.

Various properties to the north are zoned R1-90. These properties are buffered by a large wash to the north east of Tyler or are buffered by recreational sites.

Additional properties to the west on Heather are zoned R-10MH. The border to this area was designed with one acre custom sites to decrease the impact on residences.

MOGOLLON VIEWS

VICINITY MAP

SCALE 1"=3000'

LEGEND

 Project Location
 Town Base Map

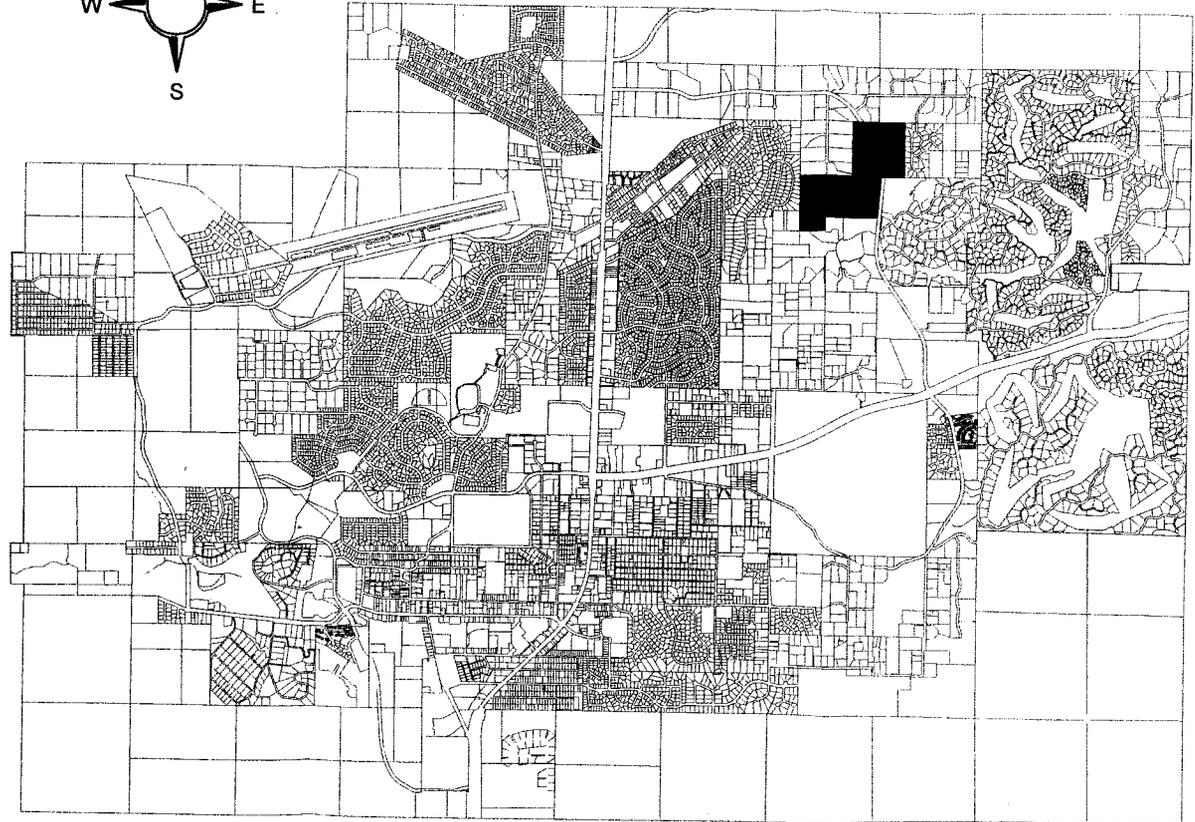
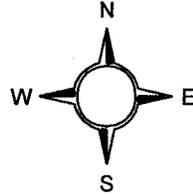
JASON L. PHILLIMORE 01/09/07

PREPARED FOR:
EDJ WEST DEVELOPMENT
P.O. BOX 2506
PAYSON, ARIZONA 85541
BY:



TETRA TECH, INC.

431 S. Beeline Highway
Payson, AZ 85541-4885
TEL:(928)474-4636 FAX:(928)474-4867



3000 0 3000 6000 Feet



Open Space Preservation

One of the key considerations in the design of Mogollon Views was to maintain the feel of a natural forest. The development plan includes 20 percent open space, per Town standards, with the addition of many areas being left natural through deed restrictions and CC&Rs. The custom lots are sized to be one acre or greater with a defined building envelope. This will result in roughly 30 acres of land left as natural forest in addition to the 20 percent listed above. The limitation of not allowing two story homes on the west side will also significantly reduce the visual impact of residences. CC&Rs will be recorded to the land and limit the type and color of materials that can be used, further minimizing the visual impact locally and from afar. Condominiums are included in this project to further consolidate natural areas and retain as much undisturbed space as possible. Existing wash areas will be held in their natural state to further preserve the forest. Maintenance in Mogollon Views will be the responsibility of the homeowners association or the respective resident depending on ownership.

MOGOLLON VIEWS

OPEN SPACE EXHIBIT

SCALE 1"=300'

LEGEND

-  Boundary
-  Roads
-  Single-Family Attached
30' Buffer
-  Open Space Tracts
-  Single-Family Detached
Vicinity

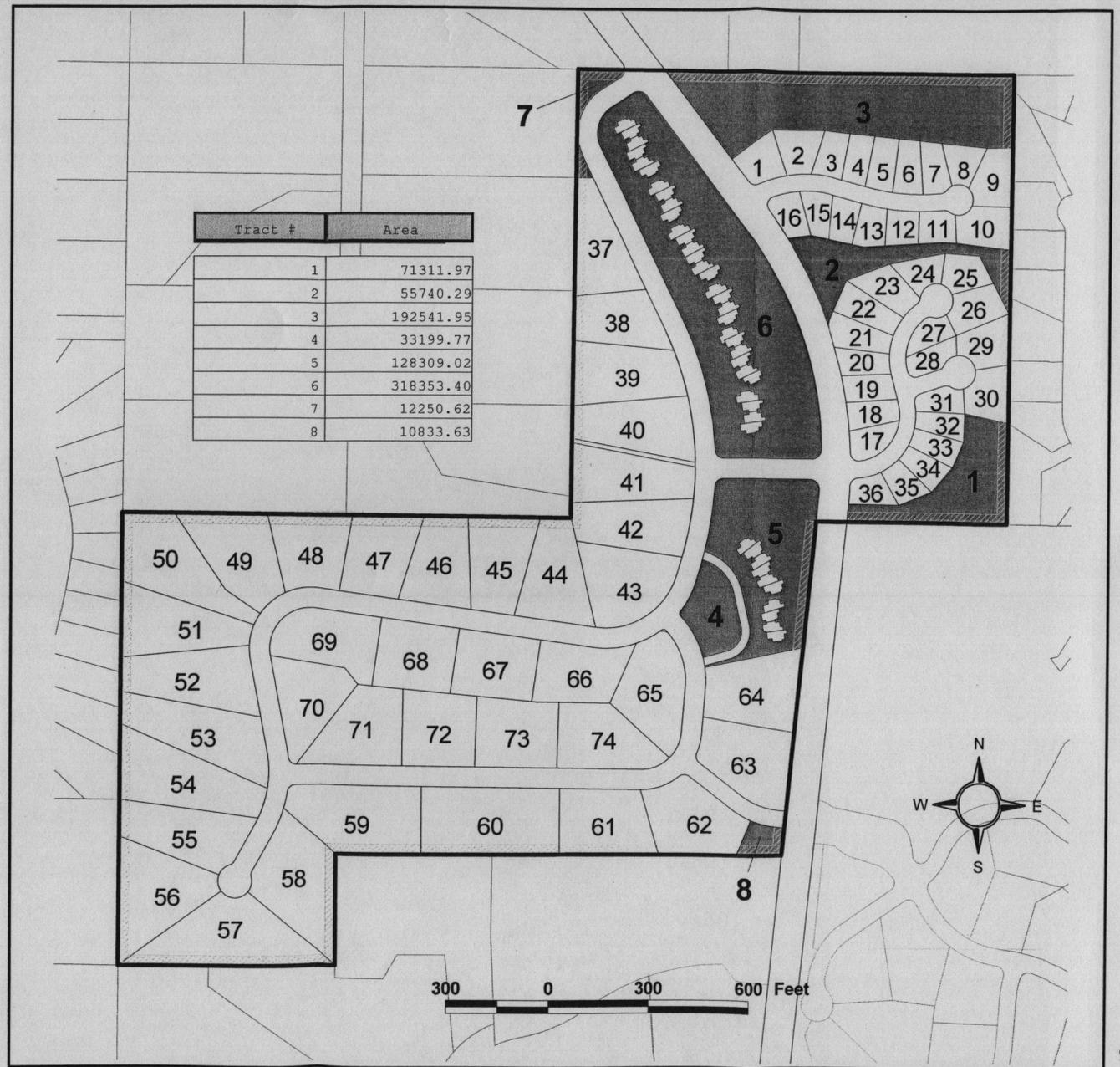
JASON L. PHILLIMORE 03/09/07

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Environmental Sensitivity

A 30 foot easement will surround the development to allow for a hiking trail and more natural buffer space. The hiking trail will connect with the trail along Tyler Parkway. Parts of Mogollon Views will be gated to control vehicle traffic, but there will be restrictions on fencing to allow the public to hike the trails as some do today. The restriction on fencing through CC&Rs will also maintain clear pathways for game to continue to cross the property.

The National Forest Service and Arizona Game and Fish have been contacted in an effort to maintain wildlife corridors. The design with large amounts of open space and limited building envelopes will preserve some of the game trails as they cross the land. Efforts will be made to assess the historical Native American presence and preserve that as appropriate.

Land Usage

	Acres	Residences	Gross Sq. Ft./Residence
West of Tyler Pkwy	68	78	37,975 (.87 acres)
East of Tyler Pkwy	24	36	29,040 (.67 acres)

Minimum Setbacks

	Min Lot Area Sq. ft.	Min Lot Width	Min Lot Depth	Min D/U Area	Max Lot Cover	Front	Rear	Side	Min Space Btwn Bldg
Existing R1-175	175,000	300'	300'	175,000	10%	60'	60'	30'	10'
Proposed R1-35 PAD	10,000	80'	110'	10,000	40%	20'	20'	7'	10'
R1-35	35,000	140'	180'	35,000	20%	35'	35'	20'	20'

PROPERTY IDENTIFICATION

The subject property is located on Tyler Parkway, approximately three-quarters of a mile north of Highway 260, in the northeast portion of the Town of Payson, Arizona. The property is legally described as follows:

Parcel I: The West Half of the Southwest Quarter of the Southeast Quarter; AND the East Half of the Southeast Quarter of the Southwest Quarter of Section 26, Township 11 North, Range 10 East of the Gila and Salt River Meridian, Gila County, Arizona (40 acres).

Parcel II: The North Half of the Northeast Quarter of the Northwest Quarter, AND the North Half of the South Half of the Northeast Quarter of the Northwest Quarter; AND the East Half of the Northwest Quarter of the Northwest Quarter of Section 35, Township 11 North, Range 10 East of the Gila and Salt River Meridian, Gila County, Arizona (50 acres).

Parcel III: A parcel of land lying in the Northwest Quarter of the Northeast Quarter of Section 35, Township 11 North, Range 10 East of the Gila and Salt River Meridian, Gila County, Arizona, being more particularly described as follows:

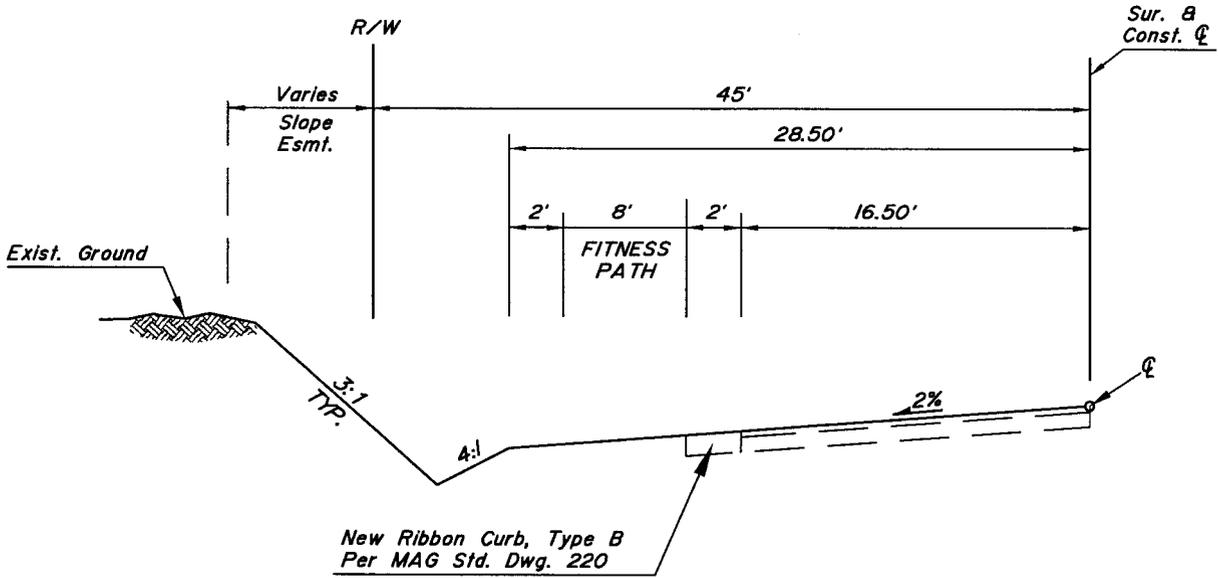
BEGINNING at the North Quarter corner of said Section 35;

Thence: S 00°01'06" E along the North-South mid-section line, 988.12 feet to the Southwest corner of the North Half of the Southwest Quarter of the Northwest Quarter of the Northeast Quarter of said Section 35;

Thence: N 89°59'16" East along the South line of the North Half of the Southwest Quarter of the Northwest Quarter of the Northeast Quarter of said Section 35, a distance of 35.95 feet to the center line of the Loop Road;

Thence: N 05°01'24" East along said centerline, 991.91 feet to a point on the North line of said Section 35;

Thence: N 89°59'43" W along said North line, 123.11 feet to the POINT OF BEGINNING.



TYPICAL ROADWAY SECTION
NORTH TYLER PARKWAY N.T.S.

SCALE: N.T.S.



TETRA TECH, INC.

431 S. Beeline Highway
 Payson, AZ 85541-4885
 TEL:(928)474-4636 FAX:(928)474-4867

F:\66640001\dwg\TYLER-X-SEC.dwg, 3/23/2007 11:52:48 AM, jasonhillmore, l:l

CITIZENS
PARTICIPATION
MATERIAL

March 20, 2007

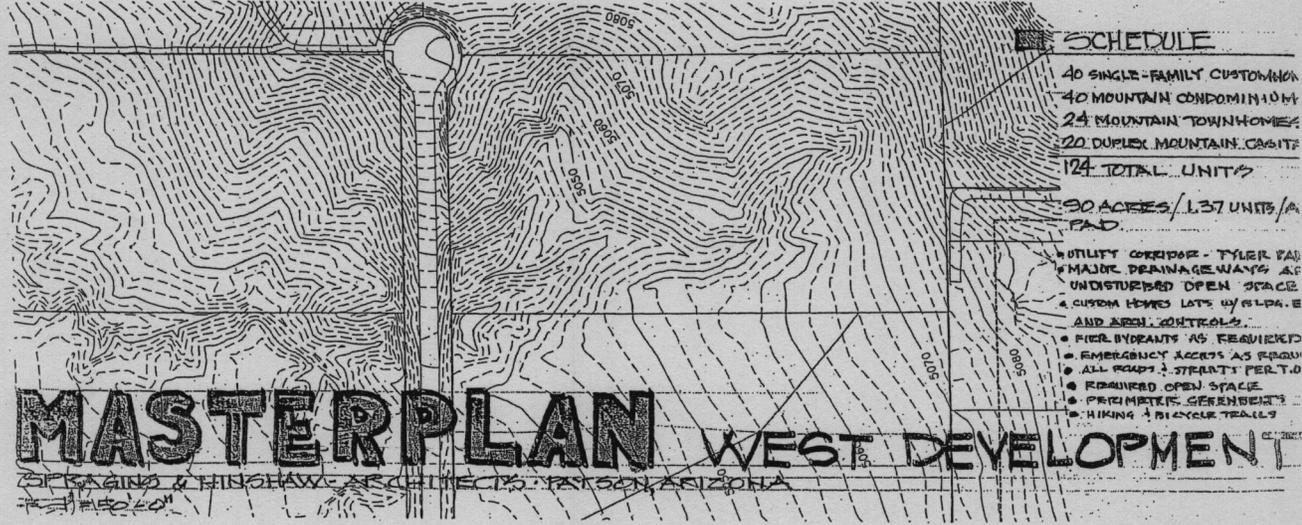
Results of Citizen Participation Plan for Mogollon Views

The Citizen Participation Plan was implemented to gather feedback from citizens from the surrounding area. The plan included two separate mailings to each of the neighbors within 300 feet of the proposed rezoning (the second mailing included exhibit 1). One on one and group meetings were held. Individual phone conversations were held with each respondent to answer questions that arose from the maps (first mailing was the zoning map of the area) and site plans sent with the mailings.

A morning meeting was held with residents of Foothills East Subdivision on August 29, 2006. The residents present were concerned with the resulting visual impact the rezoning would create. Site poles 20 feet tall with flags 2' by 4' were erected to demonstrate the impact. After review with a resident some of the new lots will have building pads moved further from the property line, thereby allowing little or no visual impact to existing residents.

Following the Foothills meeting an afternoon meeting was held with 18 residents of the Alpine Heights area. After explaining the project concept and the rezoning request the following concerns were aired. Concerns were as follows: Impact on views of new homes, maintenance of game trails, desire for walking paths, desire for strict CC&Rs to limit visual impact, limitation of night lighting, consolidation of open space, noise during construction. Site poles were erected to demonstrate visual impact. USFS & AZ Game and Fish were contacted for design standards. Walking paths were already shown on the larger scale plan (30 walking path). CC&Rs are to be recorded on all property of this project. Night lighting will be limited to the minimum required for safety or liability concerns. The use of restricted building pads will help to create the consolidation of open space. Noise during construction is unavoidable.

An individual homeowner meeting and a group meeting were held for Siena Creek residents on September 7, 2006. The individual owner was concerned about potential odor from a lift station that will likely be located near their home. He was put in contact with the consulting civil engineer. The group meeting with 11 homeowners yielded the following concern after the presentation of the proposed project. Concerns were the prudence of workforce housing in this neighborhood, setbacks too close to their homes and a "non compatible use" of multi family near single family. A redesign was undertaken to place single family lots on the boarder of the concerned resident. The redesign also moved some of the proposed workforce units and recreation facilities further from the property line. A letter and a copy of the redesign (exhibit 2) was hand delivered to all that attended the September meeting.



SCHEDULE

- 40 SINGLE-FAMILY CUSTOMER
- 40 MOUNTAIN CONDOMINIUM
- 24 MOUNTAIN TOWNHOMES
- 20 DUPLEX MOUNTAIN CASITS
- 124 TOTAL UNITS

90 ACRES / 1.37 UNITS/A
PAD

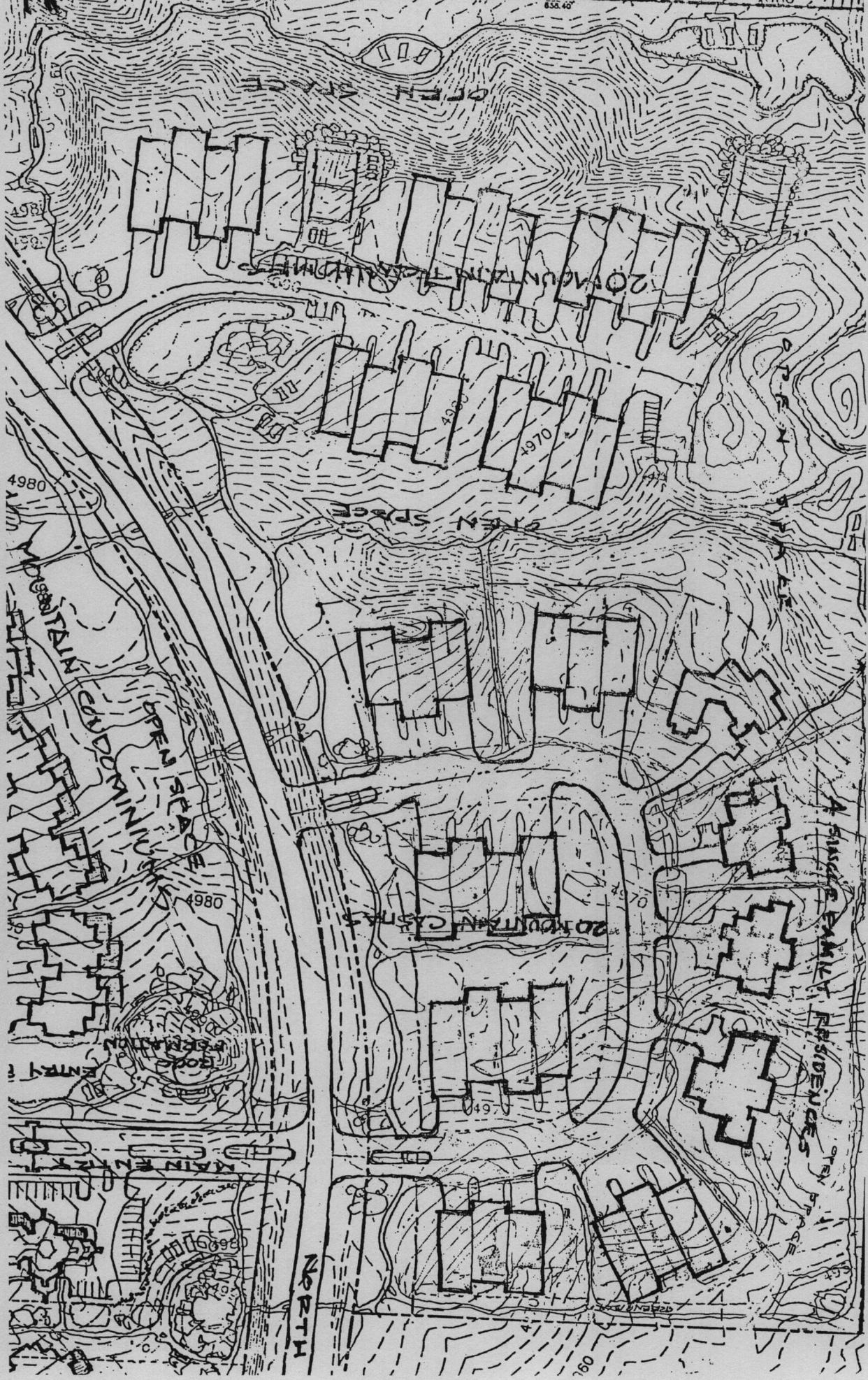
- UTILITY CORRIDOR - TYLER PAD
- MAJOR DRAINAGEWAYS AS UNDISTURBED OPEN SPACE
- CUSTOM HOME LOTS W/ 50% E AND OPEN CONTROLS
- FIRE DEBRIS AS REQUIRED
- EMERGENCY ACCESS AS REQD
- ALL ROADS 3' STRAITS PER T.O
- REQUIRED OPEN SPACE
- PERIMETER SCREENING
- HIKING + BICYCLE TRAILS

MASTERPLAN WEST DEVELOPMENT

SPRING & HINSHAW ARCHITECTS, PAVSON, ARIZONA



MASTERPLAN WEST DE



OPEN SPACE

MOUNTAIN VIEW

OPEN SPACE

MOUNTAIN VIEW
OPEN SPACE

MOUNTAIN VIEW

SINGLE FAMILY RESIDENCES

NORTH

4980

4980

499

508

5060

508.40

Results for Mogollon Views

December Update

The rezoning request submitted (exhibit 3) to the Town of Payson incorporates the changes requested by the residents of Siena Creek. The changes create a larger buffer between the new construction area and existing homes. Workforce housing was replaced by a single family row next to Siena Creek and relocation of units further away from property lines.

Additional meetings were held with residents of Foothills East to find compromise. A lower density redesign was delivered to the residents for consideration. A letter was received that rejected the redesign offered and required the existing zoning and setbacks that exceed Town Code standards

A resident to the west of the property was met with at his home on Saturday November 4, 2006. He expressed density concerns. The same plan submitted to the Foothills owners seemed to satisfy this owner.

Subsequent phone conversations and correspondence with property owners have found one wanting to be included in a pre-purchase list for Mogollon Views and another from Siena Creek supporting the design that incorporates workforce housing. The following table was created to characterize citizen's feedback.

Mogollon Views -Contact Analysis

Total - 53 residents within 150' limit

Contacts	Alpine Heights	Foothills East	Siena Creek	North Tyler	Heather Cir	Wild Flwr
Residents #	8 73%	4 100%	7 70%	1 25%	2 33%	0 0%
Meeting #	5	4	3	1	0	0
Phone #	0	4	1	0	2	0
Objection						
Density	5	4	0	1	1	0
Wildlife	6	2	2	1	0	0
Native Remains	3	0	0	0	0	0
Construction Noise	3	0	0	0	1	0
Workforce Housing	0	0	5	0	0	0

MOGOLLON VIEWS

PAD AND MASTER DEVELOPMENT PLAN

SCALE 1"=300'

LEGEND

-  Contours-Minor
-  Contours-Major
-  Project Boundary
-  10" Sidewalk
-  Fitness Trails
-  Parking and Drives
-  Roadway Centerlines
-  Right-of-Way
-  Existing Drainage
-  Easements
-  Vicinity
-  Tennis/Recreation
- Multi-Family Housing**
-  Casitas= 20 Units
-  Condos= 40 Units
-  Town Homes= 20 Units
-  30' Green-belt Buffer
- Single Family Housing**
-  Custom= 40 Units
-  SFR= 4 Units
-  Tracts

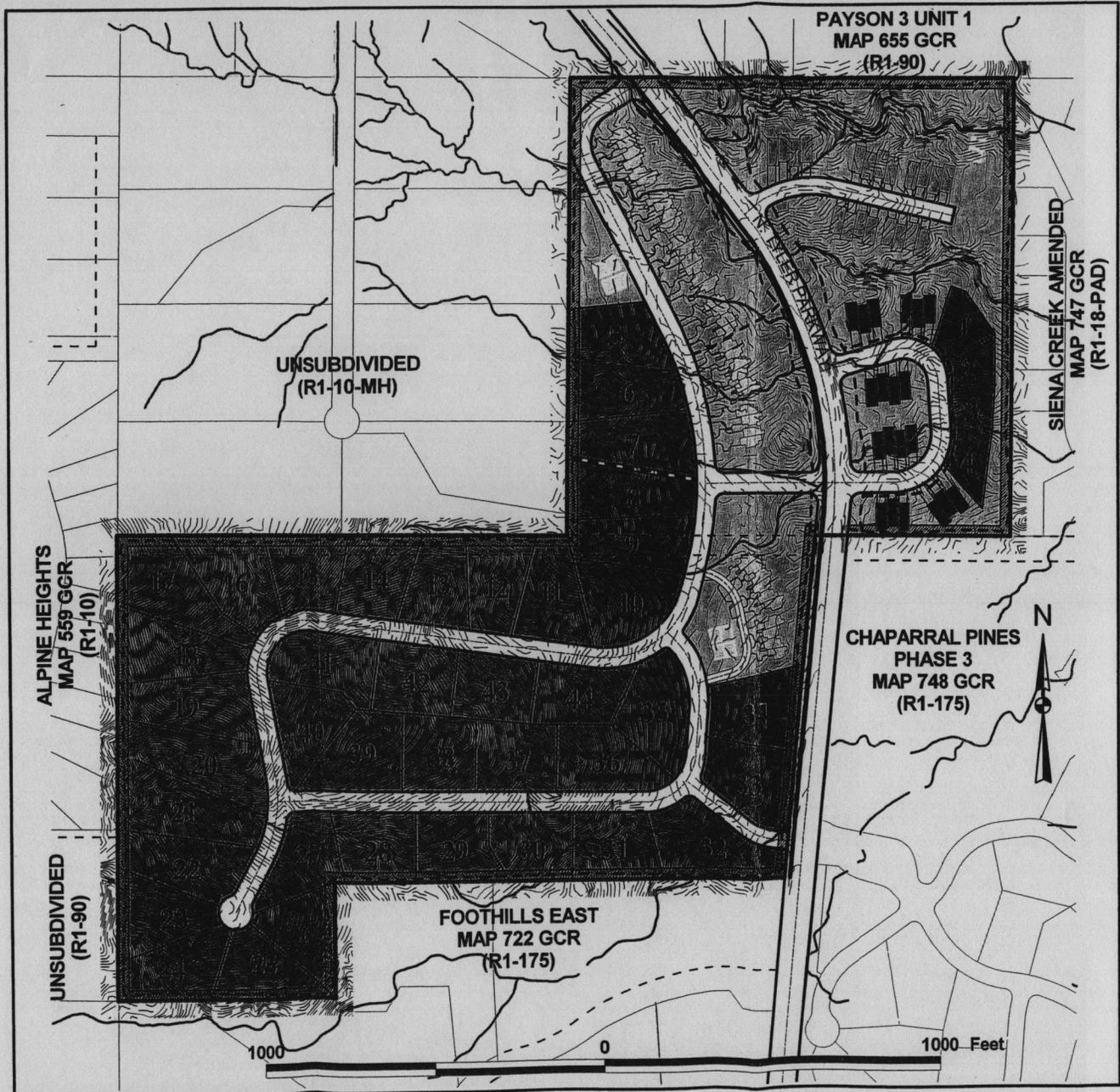
JASON L. PHILLIPPE 100506

PREPARED FOR:
EDJ WEST DEVELOPMENT
P.O. BOX 2506
PAYSON, ARIZONA 85541
BY:



TETRA TECH, INC.

431 S. Beeline Highway
Payson, AZ 85541-4885
TEL:(928)474-4636 FAX:(928)474-4867



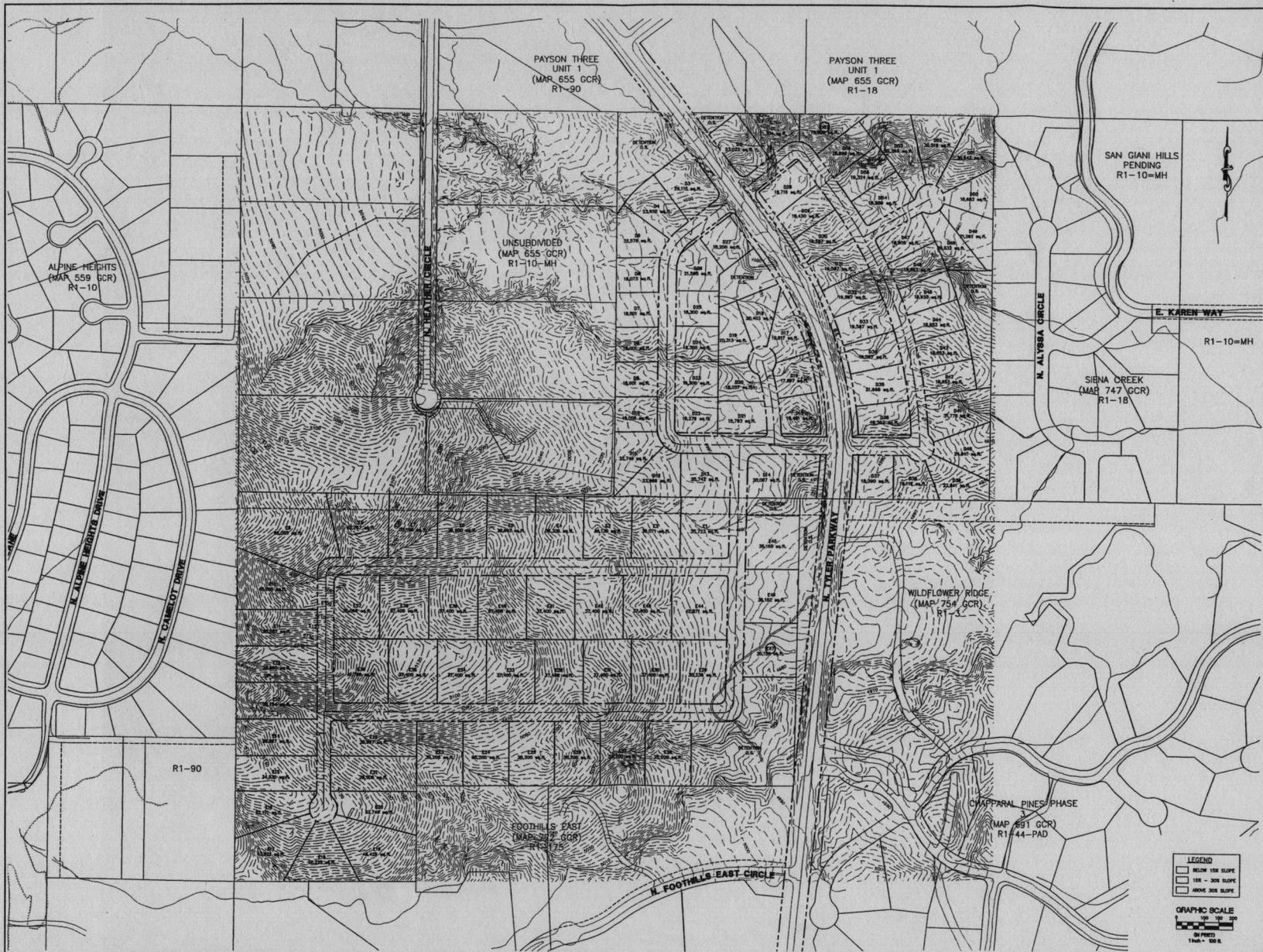
March Update

Following suggestions from the Town's Planning and Zoning Commission another round of meetings were held. Each group was invited to view three design options (A, B & C) and asked to fill out a survey (completed surveys available upon request). The meetings were held all day Saturday, February 10, 2007 in an effort to increase attendance. A total of 17 people attended, representing 10 property owners, out of 75 invitations sent. Results are shown in the following table.

After compiling the survey results and blending the different needs of the different neighbors a mailing (exhibit 4) was sent to the 75 with the resulting composite plan. The mailing asked for more feedback on the new plan. To date two calls have been received following the mailing. The application as submitted (see site plan in application) reflects the compromise that best blends the wants and needs expressed through this process. The number of homes west of Tyler Parkway was decreased to match Siena Creek gross density. This allowed the removal of a roadway and creating larger lots in that area as a direct result of citizen feedback.

To date over 300 letters have been sent, 8 group and multiple individual meetings have been held with neighbors in an effort to understand their concerns. Results of this process have shown a desire for single family detached homes near Heather Circle and Siena Creek with larger lots adjoining Foothills East. Density concerns of all neighbors have brought about the revision of the earlier design to R1-35 PAD from R1-18 PAD.

A



NO.	REVISION	DATE	BY	CHK.

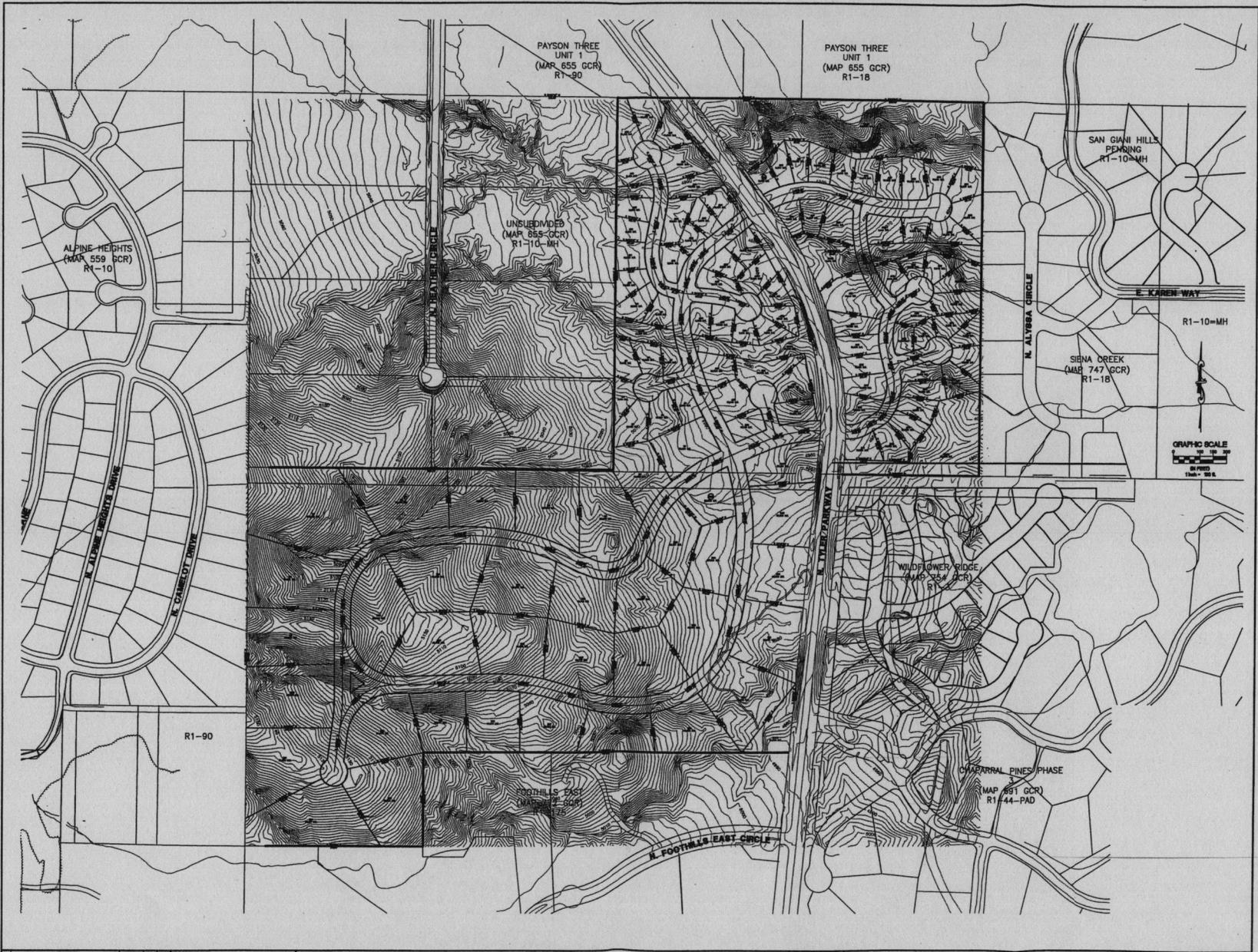
TETRA TECH, INC.
 INFRASTRUCTURE SOLUTIONS GROUP
 400 N. 1st Avenue, Suite 100
 Phoenix, AZ 85004
 602.441.1111

NORTH TYLER PARKWAY
 PAYSON, ARIZONA

NO.	REVISION	DATE	BY	CHK.

SITE PLAN - ALTERNATIVE
ALT-1
 1 | 1

PROJECT: NORTH TYLER PARKWAY
 SHEET NO.: 1 OF 1
 DATE: 10/15/2010
 DRAWN BY: J. BROWN
 CHECKED BY: M. HARRIS
 APPROVED BY: J. BROWN



NO.	REVISION	DATE	BY	CHK.

TETRA TECH, INC.
 INFRASTRUCTURE SOLUTIONS GROUP
 1000 N. GILBERT AVENUE, SUITE 100
 TULSA, OKLAHOMA 74104
 TEL: 918.436.7000 FAX: 918.436.7001
 WWW.TETRA-TECH.COM

NORTH TYLER PARKWAY
 PAYSON, ARIZONA

DATE	DESCRIPTION

SITE PLAN

SCALE: HORIZONTAL 1" = 100'
 VERTICAL 1" = 20'
 EX
 1 1

C



NO.	REVISION	DATE	BY	CHK.

TC TETRA TECH, INC.
 ENGINEERING SCIENTIFIC CONSULTANTS
 200 N. Santa Fe Avenue, Suite 200
 Payson, AZ 85541

NORTH TYLER PARKWAY
 PAYSON, ARIZONA

DATE	DESCRIPTION

SITE PLAN - ALTERNATIVE

LEGEND

- ▭ BELOW 10% SLOPE
- ▭ 10% - 30% SLOPE
- ▭ ABOVE 30% SLOPE

GRAPHIC SCALE

1" = 100'

0 25 50 75 100

0 25 50

1" = 100'

DATE: 2/13/2007
 SCALE: 1" = 100'
ALT-2

F:\66640001\Map\16101 ALT2.dwg 2/13/2007 10:03:34 AM

D

Mogollon Views -Contact Analysis

10-Feb

Total - 53 residents within 150' limit

Contacts	Alpine Heights	Foothills East	Siena Creek	North Tyler	Heather Cir	Wild Flwr
Individuals #	2	3	8	2	2	0
within 150 ft	2	1	4	0	1	0
Design preference						
A			4		2	
B	2		2			
C	1	3	2	2		

Objection

Multifamily on east side of Tyler Pkwy near Ciena Creek
Equestrian facilities near Heather Circle
Tennis courts near Heather Circle



NO.	DATE	BY	CHKD.

TETRA TECH, INC.
 INFRASTRUCTURE SOLUTIONS GROUP
 2001 W. Camelback Road, Suite 200
 Phoenix, AZ 85017
 TEL: 602.998.8800
 FAX: 602.998.8801
 WWW: TETRA-TECH.COM

NORTH TYLER PARKWAY
 PAYSON, ARIZONA

DATE	DESCRIPTION

SITE PLAN - ALTERNATIVE

DATE PLOTTED: 11-10-2010
 DRAWN BY: J. F. ...
ALT-3
 1 1

CORRESPONDENCE

AS SUBMITTED

TO

STAFF

RECEIVED

APR 03 2007

COMMUNITY DEVELOPMENT
DEPARTMENT

April 2, 2007

Town of Payson Community Development Department
303 North Beeline Highway
Payson, Arizona 85541

To Whom It May Concern,

As a homeowner of lots # 1A & 1B (8 acres) in Foothills East Development, my lots border the acreage that MTS Development LLC is requesting a zoning change from R1-175 to R1-35, zoning request # P- 336-07.

When I purchased the lots in 1999 I was assured that this land was zoned for four acre lots and this had an impact on my decision to purchase in Foothills East Development.

I have received from MTS a suggested rezoning proposal for which they are requesting approval from the city council. I oppose this request because I believe there should be four acre lots bordering the boundaries of Foothills East and two acre lots for the balance of the development.

Furthermore I have concerns in the areas of increased traffic due to the number of additional homes, increased water usage, is there enough allocated, relocation of the herds of elk that grace our property and equally important, the quality of life, the serenity and quiet, peaceful surroundings that was assured us upon purchasing in an area zoned for four acre lots.

Please give careful review before approving any changes in zoning to this area.

Respectfully submitted,



Ben Brunner
716 Foothills East Circle
Payson, Az. 85541
472-8987
Foothills East Development homeowner

RECEIVED

APR 03 2007

COMMUNITY DEVELOPMENT
PAYSON, AZ

March 24, 2007

Planning & Zoning
Town of Payson
303 N Beeline Hwy
Payson, AZ 85541

RECEIVED

APR 02 2007

To Whom It May Concern:

COMMUNITY DEVELOPMENT
DEPARTMENT

Please excuse this handwritten note, however as we are traveling, it has come to our attention that the Planning & Zoning Committee of Payson is again considering a request for zone change (R1-175 to R1-35PAD) of property on North Dylux Parkway.

As landowners on Dylux Parkway, who purchased a 2 acre lot for our retirement home based on existing zoning laws and the quality of life those laws would provide, we are deeply concerned about the upcoming consideration for change.

To succumb to a zoning change would have an adverse impact on density, noise & water issues — quality of life — as well

as property value. Unfortunately this
adverse impact could conceivably be
multiplied by opening the door for
additional change requests.

We therefore sincerely request that the
Zoning Change be denied.

Thank you

Merrill & Susan Turner
PO Box 2682
Bismarck, ND 58502

RECEIVED

APR 02 2007

COMMUNITY DEVELOPMENT
DEPARTMENT

Petition Against Zone Change

As a resident in the community of North Tyler Parkway and East Tyler Parkway we, the undersigned strongly oppose the zone change request P-336-07, changing the zoning from R1-175 to R1-35 PAD for the property located at 900, 1100 & 1101 N. Tyler Parkway to allow a 114 unit subdivision. WE, THE UNDERSIGNED currently own real estate in this subdivision area and request that these and all properties remain consistent with the neighboring properties of a minimum no more than one home per 2.2 acres, R1-90 zoning. Our concerns consist of:

- 1. QUALITY OF LIFE** for the entire neighboring community.
- 2. CONTROLLED GROWTH** **3. Existing R1-90 property owners have invested the additional expenses and developed their land in this planned community specifically to enjoy the as stated rural design.**
- 4. Noise Pollution**
- 5. Environmental Impact.**
- 6. Community Impact** (higher density additional water consumption.)
- 7. Topography** (consists of boulders, hills, mountains, solid granite floors, and natural water drainage channels.
- 8. Properties are not conducive to this extreme density due to the natural terrain and drainage within.**
- 9. These above mentioned properties protect and provide a service from flooding and channel the natural water flow for the entire neighborhood area.**
- 10. Spot zoning. (NOT CONSISTANT)- high density R1-35 within a rural residential area R1-90.)**
- 11. NOT COMPATIBLE.** Surroundings properties are zoned R1-90 to allow horses. (Less than 5% of the properties in Payson town limits are zoned for horses.
- 12. DAMAGES ESTETICS OF ENTIRE NEIGHBORHOOD.**

Date	Printed Name	Address	S
4-1-07	Marilyn Grace	43160 N. Crawford Rd.	
	Marilyn Grace	Antioch, IL 60002	
4-1-07	TIM GRACE	43160 N. CRAWFORD RD.	
	Jim Grace	ANTIOCH IL 60002	
	OWNERS OF 900 E TYLER PARKWAY PAYSON AZ.		

RECEIVED

APR 05 2007

COMMUNITY DEVELOPMENT

March 22, 2007

To: Town of Payson
Planning and Zoning Commission
Town Council

Zoning Request: P-336-07

To Whom it may concern:

We request that the Planning and Zoning Commission and the Town of Payson Town Council deny the request of re-zoning the property at 900, 1100, and 1101 N. Tyler Parkway from R1-175 to R1-35 PAD tax Parcel #'s 302-23-038C and 302-23-039A which would allow a 114 unit subdivision including 74 single family homes and 40 mountain condominiums. Our request has many concerns as to the quality of life for the existing neighbors as well as the entire community. We purchased our property with the idea that the minimum lots size would be a two acre minimum single family dwelling with horse privileges if you desire. This was a planned rural neighborhood and the existing neighbors feel that this plan should be respected.

When the land came out of the Federal Land Exchange This community was proposed as rural residential and the Town Council voted on these zoning R1-175 (4-acre minimum) and R1-D90 (2-acre minimum) many years back. The reasoning behind it was to provide quality controlled growth and consistency would remain throughout. We chose this area along Tyler

Parkway for that specific reason. Other reasons include dream home, privacy, beauty, tranquility and horse privileges (less than 5% of property in town limits are zoned for horses) and many many more. We purchased these properties and invested in building homes for a specific quality of life style we desire, enjoy and treasure. We urge you to consider and respect our request for denial of the above zoning change.

This is a **planned neighborhood through its residents** who live in this area and desire this life style.

There are areas appropriately zoned for this type of development.

This request for zoning change is not consistent with the proposed plan of development not only to those in close proximity to the property in which this zone request has been proposed but the entire area of property owners and appears disrespectful to the investment made by all that have complied with the initial design in and along Tyler Parkway.

As others in this community show concern and take the responsibility for their neighborhoods as we do ours. The benefits are visual for all.

Lets promote **"QUALITY OF LIFE"** in Payson and not **"QUANTITY"**.

Sincerely yours,
Leonard L. Little
Mary L. Little

Mary L. Little
Leonard L. Little

RECEIVED

APR 05 2007

COMMUNITY DEVELOPMENT
DEPARTMENT

April 2, 2007

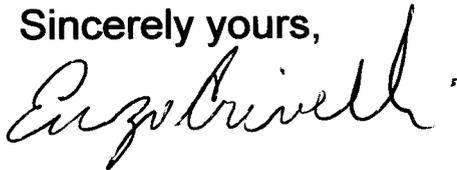
To: Planning and Zoning Commission
Town of Payson
Community Development

Zoning Request No. P-336-07

To Whom it may concern:

I presently own a 5 acre parcel at 1111 N. Heather Circle. I oppose the request for re-zoning of the 92 acre parcel adjacent to my property for many reasons. The main reason is not compatible with the existing plan for the area. This area was planned with a 2-acre minimum single family home. We purchased this property for this specific reason and we were assured it would remain. We are not apposed to this 92 acre parcel being developed, but out of respect for this planned neighboring community we hope that you will not allow any lower density than proposed R1-175 to R1-D90, (2-acre to 4-acre minimum.)

Sincerely yours,



Enzo Crivelli

RECEIVED

APR 05 2007

COMMUNITY DEVELOPMENT
DEPARTMENT

P.S.

I DID NOT RECEIVE A NOTICE CONCERNING
THIS ZONING CHANGE

Robert & Celeste Parsons
712 N. Foothills East Circle
Payson, AZ 85541

Town of Payson Community Development Department
303 North Beeline Highway
Payson, Arizona 85541

April 2, 2007

Re: Zoning Change Application P-336-07
Gila County Tax Parcel # 302-23-038C & 302-23-039A

To Whom It May Concern,

As the homeowner of lot # 2A in Foothills East Development, our lot borders the acreage (P-336-07) that MTS Development LLC is requesting a zoning change from R1-175 to R1-35. We strongly oppose this change.

When we purchased our lot in 2005 we were assured that this land was zoned for four acre lots and this had a great impact on our decision to purchase in Foothills East Development. We do not want to see the values of our property diminish because of a zoning change that should never happen.

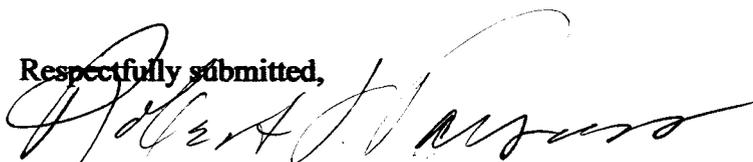
We have received from MTS a suggested rezoning proposal for which they are requesting approval from the city council. We are opposing this request because we want to maintain the integrity of the 4 acres that is the existing zoning. We believe that you should maintain the four acre zoning bordering the boundaries of Foothills East. The balance of the property we would be willing to see two acre lots as a compromise.

If they continue with the subdivision as planned, traffic will be a problem due to the number of homes and condominiums on Tyler Parkway. We also want to know if MTS has the water allocations for 4 acre lots for 92 acres or does MTS really have the water for 114 units.

Our last concern is the wildlife. There are herds of elk that habitat this area that will be displaced if that large number of condominiums and homes do go in on such small lots. The property was original designated for 23 homes to which now MTS wants to put 114 residences. This is absurd to make such a large change.

Please do not approve this change in zoning without further review.

Respectfully submitted,



Robert & Celeste Parsons
Homeowner Foothills East Subdivision



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APR 05 2007

COMMUNITY DEVELOPMENT
DEPARTMENT

April 3, 2007

Payson Planning and Zoning Commission
303 N. Beeline Highway
Payson, AZ 85541

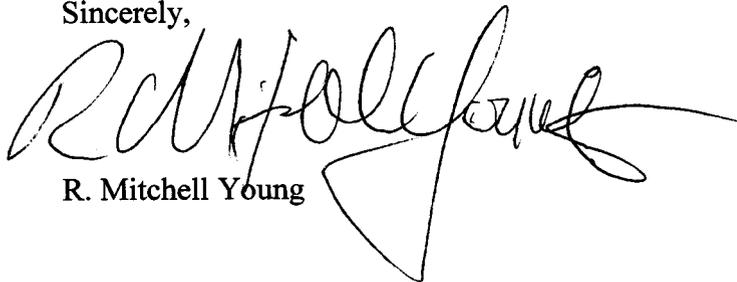
RE: Public Hearing P-336-07-Application filed by MTS Development LLC (property owner), David West (representative)-Gila County Tax Parcel Numbers 302-23-038C and 302-23-039A

To Whom It May Concern:

I am the owner of Lot 2B in the Foothills East subdivision adjacent to the MTS property referenced above. I have owned this property for more than seven years. Because my property directly abuts the proposed development on the southern border, I have the most at stake. I believe the value of my investment will be diminished considerably should rezoning of the above referenced property be changed to anything less than 4 acres per home site.

As stated in my previous letter to the Payson P&Z, it is your obligation to preserve the integrity of existing zoning. By allowing such a zoning change you are compromising the Town's decision to keep this area as something very special within the Payson town limits. Those of us who purchased property within Foothills East relied on existing zoning as part of our purchase decision and now feel our investments are at risk should the proposed development be approved. I urge you to deny the application to rezone the MTS Property. Please feel free to call me at 480-837-7507 should you have any questions.

Sincerely,


R. Mitchell Young

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APR 05 2007

COMMUNITY DEVELOPMENT
DEPARTMENT



CARDONHIATT
COMPANIES

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April 3, 2007

APR 04 2007

Payson Planning and Zoning Commission
303 N. Beeline Highway
Payson, AZ 85541

COMMUNITY DEVELOPMENT
DEPARTMENT

Re: Public Hearing P-336-07 – Application filed by MTS Development LLC (property owner), David West (representative) – Gila County Tax Parcel Numbers 302-23-038C and 302-23-039A

To Whom It May Concern:

I hereby renew my objection to the rezoning of the 92 acres at 300, 1100 and 1101 N. Tyler Parkway that is subject to the rezoning application referenced above and I strongly request that the Town of Payson deny the application.

I am the owner of Lot 3A and 3B in the Foothills East subdivision that is contiguous to and immediately south of the 92 acre parcel that is subject to the rezoning application (the "MTS Property"). I am currently working with an architect (Mark Fredstrom, Architecture Plus, Ltd.) to design and build my home on Lot 3A and I expect to file an application with the Town of Payson for a building permit within the next year.

Prior to purchasing my lots in the Foothills East subdivision, I researched the zoning of the property surrounding the Foothills East subdivision to analyze the impact that future development of surrounding properties might have on my lots. I learned that the minimum lot size under the current zoning of the MTS Property provided for a **minimum lot size of 4 acres.** (This is the same zoning that is recorded on my property.) I relied on this fact when making my decision to spend significant money and purchase the lots I now own. Obviously, the value of my property will be significantly affected in a negative way if the Town of Payson approves this application to rezone.

As you will note, the application to rezone the MTS Property is not compatible with surrounding densities, especially on the west side of North Tyler Parkway. In addition, the topography of the MTS Property is such that any rezoning to higher density than currently allowed will significantly scar the natural terrain, something that the Town of Payson has taken great measures to avoid.

Once again, I strongly urge the Town of Payson to **deny the application to rezone the MTS Property.** Please contact me at (480) 222-5808 if you have any questions.

Sincerely,

April 4, 2007

Town of Payson
Planning and Zoning Commission
303 N. Beeline Highway
Payson, AZ 85541

To Whom It May Concern:

RE: Request P-336-07 - Concerning 92 acre zone change

We request that the commission not reduce the zoning in the Tyler Parkway area to less than 2 acres per household. A higher density zoning would adversely affect the quality of life of those who originally established homes in this area, due to increased traffic, pollution, noise, loss of trees and decrease in property values.

It would increase the demand and strain on Payson's water supply. Our entire state has been concerned with diminishing water supply for years.

It is our wish that the Payson Planning and Zoning Commission not approve P-336-07.

Thank you for your consideration.

Sincerely,


Robert E. Baldwin


Harriet R. Baldwin

14416 N. Sun Valley Dr.
Sun City, AZ 85351

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APR 05 2007

COMMUNITY DEVELOPMENT
DEPARTMENT

April 5, 2007

Payson Planning and Zoning Commission
303 N. Beeline Highway
Payson, Arizona 85541

Re: Public Hearing P-336-07

Member of the Planning Commission:

The Foothills East Homeowner's Association, four of whose members have property adjacent to the MTS property, and representing eleven property owners, are opposed to the proposed property rezoning. We originally stated our objections at the planning commission meeting where the first proposal was rejected. We have also attended the citizens' participation meetings and feel his proposal has not changed significantly and the unwillingness to recognize the direction our community has taken requires our need to continue to oppose a zoning change for this extreme density of the acreage adjacent to Foothills East.

All property owners in Foothills East were aware of the zoning of our property and that surrounding us when we purchased our land. We bought on the basis that this zoning would stand which allowed for controlled quality growth, lower densities, maintenance of our property values, and maintenance of the natural terrain. A change that would approve MTS's rezoning, in our opinion, would not only decrease property values but would also greatly damage the esthetics of the entire area along Tyler Parkway.

We do recognize that MTS Development has every right to develop his property. Our wish is that he develops it in a manner that enhances the entire surrounding area and keeps with the integrity and beautification of Payson.

We originally allowed Mr. West to hold a planning meeting at one of our neighbor's homes. At this meeting, having learned his general intent, we asked if an option might be to purchase a buffer zone from Mr. West to avoid potential closeness of homes. His response was that would cost approximately \$300,000/acre.

Mr. West's current compromises fail to recognize the value of a rural residential community. We are willing to make compromises so that he can develop his 92 acres and still make an excellent profit. Our hope is that he will respect our investments and the life style we have chosen. We have suggested a four acre single family (R1-175) zoning bordering Foothills East and two acre single family (R1-D90) on the balance of the property which seems consistent with other surrounding properties.

Concerning the condo portion of the proposed project, it is our position that the high density does not fit the area or the original zoning for it.

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APR 05 2007

COMMUNITY DEVELOPMENT
DEPARTMENT

We have complied with the zoning in existence and we have already made the investment for a specific quality of life style. That should have some impact. We will still be here after the developers have completed their project and are gone. Please don't let developers change the posture of our community and leave the area less desirable for the existing residents who lived with the present and appropriate zoning.

Thank you for your time and we urge the rejection of the proposed rezoning as presented.



Bruce Giedt
Vice President
Foothills East Homeowner's Association

To: Payson Planning/Zoning and Payson Council

Date: 18 March 07

cc: Len & Mary Little

From: Larry & Barbara Brown
701 E. Tyler Parkway
Payson, Arizona 85541

Subject: Proposed Projects and Zoning changes on N. Tyler Parkway (900, 1100, 1101)

I am opposed to the Large Housing Development & proposed rezoning (near my property at 701 E. Tyler Parkway) that would increase the density of homes in our neighborhood; primary reasons:

Summary Major Issues:

1. Loss of Quality of Life
2. Loss of neighborhood character and image
3. Increased water issues
4. Increased water run off problems
5. Sewer issues
6. Increased traffic and noise issues due to increased housing density
7. Value of property will be decreased due to increased housing density

In summary, the goal would be to implement a plan that maintains the current zoning (2 acres /home) and encourages controlled and quality growth consistent with water analysis, while preserving the character and image of our neighborhood and maintaining the Quality of Life we enjoy which was the main reason I moved to 701 E. Tyler Parkway.

Regards,

Larry Brown
Barbara Brown
Larry & Barbara Brown

RECEIVED

APR 05 2007

COMMUNITY DEVELOPMENT
DEPARTMENT

Leonard Little

From: "Santora, Melissa" <Msantora@concordefs.com>
To: <littlepaint@cybertrails.com>
Sent: Monday, March 26, 2007 3:56 PM
Subject: FW: Rezoning

Mary, hello! Thank you for your initiative on behalf of all of your neighbors that oppose this latest rezoning attempt! My name is Melissa Santora and my husband and I own the properties at 1105 and 1303 N. Heather Circle.

We are very much opposed to Mr. West's latest rezoning attempt. I would actually hasten to define it as a rezoning attempt – considering that the majority of residents concerns, including ours, were not addressed in his latest plan.

We understand there will be development however there are plots and places for these types of developers who flip properties for profit. Payson & Tyler Parkway should not be one of them. The existing zoning, approved by all, allows for moderate growth, a habitat for animals while still maintaining privacy for homeowners.

As did many, we purchased our properties in the hopes of preserving a place for future generations. We did this however while still respecting *existing* town regulations, our neighbors and wildlife that also call this wonderful place home.

Unfortunately there are those that purchase land for opportunistic purposes only - at the expense of those who own land and abide by existing zoning regulations. Although Mr. West's choice of verbiage and delivery may sound clever & inviting, the original and subsequent rezoning plans do not benefit everyone, only one.

Thank you Mary for the opportunity to echo our sentiments on this matter; although my husband and I do not live up there full-time, our hearts are full-time residents.

With warm regards,
Melissa & George Santora

RECEIVED

APR 05 2007

COMMUNITY DEVELOPMENT
CITY OF DENVER

Leonard Little

From: "coyote88ss" <coyote88ss@juno.com>
To: <littlepaint@cybertrails.com>
Sent: Wednesday, April 04, 2007 6:47 AM
Subject: Opposition to the Zoning Change

Wednesday, April 04, 2007

Tim and Marilyn Grace
43160 N. Crawford Rd.
Antioch IL, 60002
847-395-8597

To Whom It May Concern,

As property owner's at 900 E Tyler Parkway, Payson AZ my wife and I would like to express our concerns and opposition to Zone change request P-336-07, changing the zoning from R1-175 to R1-35 PAD for the property located at 900, 1100 and 1101 N. Tyler Parkway to allow for 114 unit subdivision. My wife and I are greatly concerned how this zoning change will open the door to others to follow and disrupt the present zoning all along the Tyler Parkway belt. The quality of life will be changed forever as well as the other environmental issues. We originally bought that specific property for the fact that it was zoned for no more than the present 2.2 acre minimum zoning so as to enjoy a little of the country life with our horses as we head into the retirement years. It was a huge investment for our future which we felt was totally safe according to how the Town of Payson implemented its building and zoning practices. This was explained to us just prior to our purchasing of the property as we had visited the Building and Zoning Department of the Town of Payson and spoke with one of the Zoning Administrators.

Thank You,

Tim and Marilyn Grace

RECEIVED

APR 05 2007

COMMUNITY DEVELOPMENT
DEPARTMENT

4/4/07

Erlandsen, Ray

From: Virginia KATZ [wellscaninc@msn.com]
Sent: Thursday, April 05, 2007 5:30 PM
To: Erlandsen, Ray; rgoddard@ci.payson.az.us; jjarrell@ci.payson.az.us; hbaas@ci.payson.as.us; jscheidt@cipayson.az.us
Subject: Proposed zoning changes - P336-07 - MTS Development - Mr. Dave West

Gentlemen: We have a home at 1201 N. Heather Circle, our east boundary abutting the proposed MTS Development. We have followed Mr. West's proposals -- attending meetings, talking with Mr. West, and observing your Planning and Zoning hearings. We object to the high density of this project, as we feel it will have a negative impact on our property value and our rural life style. The proposed two-story, multi-family condos, called Rim View Condos, will certainly affect OUR rim view.

In 1999, before purchasing our 5 acres on Heather, we spoke with a gentleman, Mr. Frost, in the Payson Community Development office. He explained to us that the R1-175 zoning would be very unlikely to be changed to less than 2-acre single-family zoning. On this basis, we purchased the 5 acres. We feel that the proposed development's zoning should be consistent with existing homes that abut that development. For instance, our 5 acres, next to 40 condos, seems extreme and unfair. We never envisioned a neighborhood roadway so close to our home servicing 40 condos!

We learned that the Payson General Plan called for Mr. West's property to be zoned DETACHED single-family zoning. Many people made their investment decisions and dreams partially based on this plan. It seems the extreme changes proposed would ONLY benefit and profit Mr. West.

Our property has a large wash on the north side and one on the south side that drain to the east, to Mr. West's property. Will the 40 condos disrupt this natural drainage?

At one point, there was a proposed lighted tennis court immediately adjacent to our property line. In attending a meeting Mr. West had on Feb. 10, we found his plan had changed from the community tennis courts to a community stable and riding area. We objected to the stables (dust, smells, dust). Mr. West later phoned us to let us know the stables proposal had been changed, but we have not received his latest proposal.

We very much appreciate the care and attention you have given to this proposal and to the future of Payson.

Sincerely,

Al and Virginia Katz

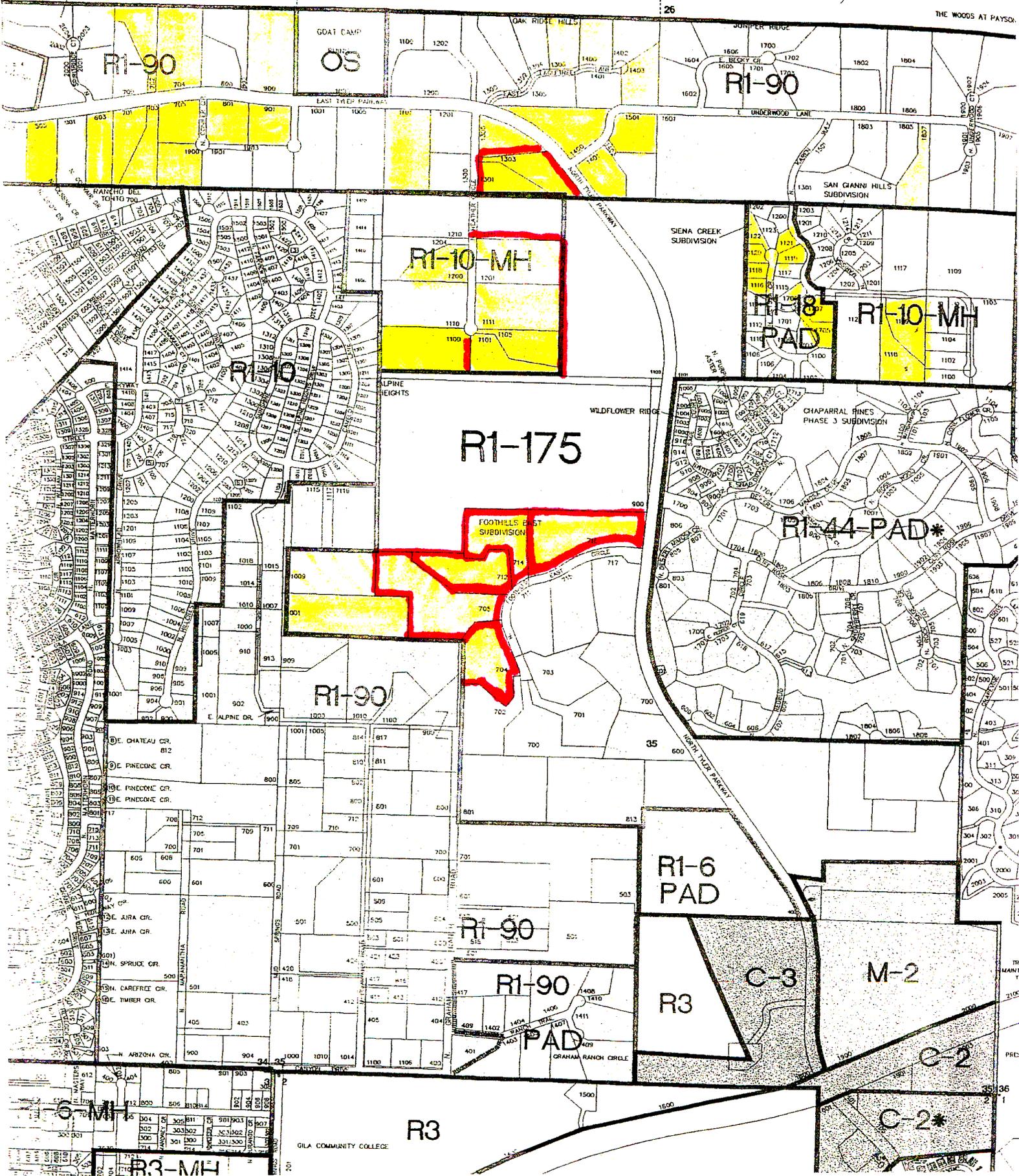
 OPPOSE REZONING MIN. 2.2ACRE R1-D90

 OPPOSE HAVE NOT REC R1-175
LETTER MIN. R1-D90

SPRIT RIDGE
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26

THE WOODS AT PAYSOT



Petition Against Zone Change

As a resident in the community of North Tyler Parkway and East Tyler Parkway we, the undersigned strongly oppose the zone change request P-336-07, changing the zoning from R1-175 to R1-35 PAD for the property located at 900, 1100 & 1101 N. Tyler Parkway to allow a 114 unit subdivision. WE, THE UNDERSIGNED currently own real estate in this subdivision area and request that these and all properties remain consistent with the neighboring properties of a minimum no more than one home per 2.2 acres, R1-90 zoning.

Our concerns consist of:

1. QUALITY OF LIFE for the entire neighboring community.
2. CONTROLLED GROWTH 3. Existing R1-90 property owners have invested the additional expenses and developed their land in this planned community specifically to enjoy the as stated rural design. 4. Noise Pollution 5. Environmental Impact.
6. Community Impact (higher density additional water consumption.) 7. Topography (consists of boulders, hills, mountains, solid granite floors, and natural water drainage channels. 8. Properties are not conducive to this extreme density due to the natural terrain and drainage within. 9. These above mentioned properties protect and provide a service from flooding and channel the natural water flow for the entire neighborhood area. 10. Spot zoning. (NOT CONSISTANT)- high density R1-35 within a rural residential area R1-90.) 11. NOT COMPATIBLE. Surroundings properties are zoned R1-90 to allow horses. (Less than 5% of the properties in Payson town limits are zoned for horses.
12. DAMAGES ESTETICS OF ENTIRE NEIGHBORHOOD.

Date	Printed Name	Address	Signature
3/26/07	C. Larry Brown	701 E. Tyler Parkway	C. Larry Brown
3-26-07	Barbara Brown	701 E. Tyler PKWY	Barbara Brown
3-28-07	LOUIS FELIX	1301 N. Heather Circle	Louis Felix
3-28-07	PAT FELIX	1301 N. Heather Cir.	Pat Felix
3/30/07	James W. Delbrook	901 E. Tyler Parkway	James W. Delbrook
3/30/07	Layonne Delbrook	901 E. Tyler Parkway	Layonne Delbrook
4/2/07	ENZO CRIVELLI	1111 N. HEATHER CIR.	Enzo Crivelli
4-2-07	PETER T. HAAK	1807 E HUNTERWOOD LN	P. T. Haak
4/2/07	Tanda Hart Jones	1116 N. Karen Way	Tanda Hart Jones
4/2/07	Dinah A. Jones	1118 N. Karen Way	Dinah A. Jones

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901-246

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APR 05 2007

(i-OF 4)

COMMUNITY DEVELOPMENT
DEPARTMENT

Petition Against Zone Change

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2. CONTROLLED GROWTH **3. Existing R1-90 property owners have invested the additional expenses and developed their land in this planned community specifically to enjoy the as stated rural design.)** **4. Noise Pollution** **5. Environmental Impact.**

6. Community Impact (higher density additional water consumption.) **7. Topography** (consists of boulders, hills, mountains, solid granite floors, and natural water drainage channels. **8. Properties are not conducive to this extreme density due to the natural terrain and drainage within.**

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12. DAMAGES ESTETICS OF ENTIRE NEIGHBORHOOD.

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Date	Printed Name	Address	Signature
3/26/07	Wayne Walter	1501 Underwood Lane	Wayne A. Walter
3/26/07	CAROLYN WALTER	1501 E UNDERWOOD LN	Carolyn Walter
3/26/07	DARREL JENKINS	1200 N. HEATHER CIR #468 #1888	Darrel Jenkins
3/26/07	ROBERT GREEN	1101 N. HEATHER CIR	Robert Green
3/26/07	KIM NEES	1101 N. HEATHER CIR	Kim Nees
3/26/07	James Hadder	702 E Tyler Parkway	James Hadder
3/26/07	KAREN HADDER	702 E. Tyler Parkway	Karen Hadder
3/31/07	Jacquelyn Elston	1900 N. Conifer Cir	Jacquelyn Elston
3/31/07	Robert D. Elston	1900 N. Conifer Cir	Robert D. Elston

150'

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OWNS MH-10
2 1/2 ACRE PLOTS

RECEIVED

APR 05 2007

COMMUNITY DEVELOPMENT
DEPARTMENT

(A-OF 4)

Petition Against Zone Change

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12. DAMAGES ESTETICS OF ENTIRE NEIGHBORHOOD.

Date	Printed Name	Address	Signature
3/26	James McIntyre	703-E Tyler Parkway Payson	<i>James McIntyre</i>
3/26	Sheila Sifferath	505 E Tyler Parkway	<i>Sheila Sifferath</i>
3/26	Michelle Nolan	1904 Conifer Cir	<i>Michelle Nolan</i>
3/26	Tom Nolan	1904 Conifer Circle	<i>Tom Nolan</i>
3/26	Paula Stahl	1400 E. Underwood Ln	<i>Paula Stahl</i>
3/26	Robert Stahl	1400 E Underwood Ln	<i>Robert Stahl</i>
5/26	JOHN KIRKPATRICK	1461 E UNDERWOOD LA	<i>John Kirkpatrick</i>
3/26	CHARLENE KIRKPATRICK	1401 E UNDERWOOD LA	<i>Charlene Kirkpatrick</i>
3/26/07	MARY L. MARY L. LITTLE	704 E TYLER PARKWAY	<i>Mary L. Little</i>

928
468-8343
Pre-597-069
630-665
Mnolan@yahwo.com
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RECEIVED

APR 05 2007

(2 OF 4)

Petition Against Zone Change

As a resident in the community of North Tyler Parkway and East Tyler Parkway we, the undersigned strongly oppose the zone change request P-336-07, changing the zoning from R1-175 to R1-35 PAD for the property located at 900, 1100 & 1101 N. Tyler Parkway to allow a 114 unit subdivision. WE, THE UNDERSIGNED currently own real estate in this subdivision area and request that these and all properties remain consistent with the neighboring properties of a minimum no more than one home per 2.2 acres, R1-90 zoning.

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Date	Printed Name	Address	Signature
3/29/07	Kathy Grout	1305 N. Heather Circle	Kathy Grout
3/29/07	Ron Grout	1305 N. Heather Circle	Ron Grout
4/2/07	Michael Greer	603 E. Tyler Pkwy	Michael Greer
4-2-07	Diane Greer	603 E. Tyler Pkwy	Diane Greer
4-2-07	Stephanie Vogel	700 E. Tyler Pkwy	Stephanie Vogel
4-3-07	ERNIE P. MEESKE	1101 TYLER PARKWAY 2608 W. BUCCA PAYSON, AZ.	Ernie P. Meeske
4-4-07	LEONARD LITTLE	709 E TYLER PARKWAY	Leonard Little
4-5-07	DONNEEN O'MALLEY	1001 N. Mud Springs Road	Donneen O'Malley

2-1153

RECEIVED

APR 05 2007

Petition Against Zone Change

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12. DAMAGES/ESTETICS OF ENTIRE NEIGHBORHOOD.

Date	Printed Name	Address	Signature
* 4/1/07	Jean L. Smith	1118 N. Alyssa Circle	Jean L. Smith
* 4/2/07	Michael Crossman	1114 N. Alyssa Circle	Michael Crossman
* 4/2/07	CHARLES BALLEW	1112 N. ALYSSA CIRCLE	Charles Ballew
4/5/7	Alan Michels	1117 N. Alyssa Circle	Alan Michels

APR 06 2007

COMMUNITY DEVELOPMENT

Petition Against Zone Change

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12. DAMAGES/ESTHETICS OF ENTIRE NEIGHBORHOOD.

Date	Printed Name	Address	Signature
4/1/07	Ben + Quinci Castleberry	1707 E. Lexi Ln. Payson	<i>Quinci Castleberry</i>
4/1/07	Zed + Robin Montiso	1705 E. Lexi Ln Payson	<i>Zed Montiso</i>
4/1/07	RICHARD ORMAND	1121 N. ALYSSA CIRCLE	<i>R. Ormand</i>
4/1/07	Mike Foil	1119 N. Alyssa Cir	<i>M. Foil</i>
* 4/1/07	SCOTT NOSSEK	1120 N. ALYSSA CIR	<i>Scott Nossek</i>
* 4/3/07	Preston + Kelsey Mauer	1116 N ALYSSA CIR	<i>Preston Mauer</i>

APR 06 2007

PLANNING DEPARTMENT

Petition Against Zone Change

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6. Community Impact (higher density additional water consumption.) **7. Topography** (consists of boulders, hills, mountains, solid granite floors, and natural water drainage channels. **8. Properties are not conducive to this extreme density due to the natural terrain and drainage within.** **9. These above mentioned properties protect and provide a service from flooding and channel the natural water flow for the entire neighborhood area.** **10. Spot zoning. (NOT CONSISTANT)- high density R1-35 within a rural residential area R1-90.)** **11. NOT COMPATIBLE.** Surroundings properties are zoned R1-90 to allow horses. (Less than 5% of the properties in Payson town limits are zoned for horses.

12. DAMAGES ESTETICS OF ENTIRE NEIGHBORHOOD.

Date	Printed Name	Address	Signature
3-30-07	Kenneth Caldwell	1306 E. Eagletree, Payson	Kenneth Caldwell
3.30-07	Ronda S. Caldwell	1306 E. Eagletree Ln, Payson	Ronda S. Caldwell
4/1/07	Fred E Mansour	1400 E Eagletree Ln, Payson	Fred E Mansour
4/1/07	Janet M Mansour	1400 E Eagletree Lane, Payson	Janet M Mansour
4/6/07	MEDO MIRZA	1403 E. Eagle tree Lane, Payson	Medo Mirza
4-6-07	LINDA MIRZA	1403 E. Eagle tree, Payson	Linda Mirza
			RECEIVED
			Town Clerk

APR 09 2007

Town of Payson

April 22, 2007

Town Council
Planning and Zoning Department
Payson, Arizona

Attention: Ray Erlandsen

Re: Tyler Parkway

via E-mail to Mary Little
littlepaint@cybertrails.com

Dear Mr. Erlandsen,

We received a phone call on April 19th from Ms Mary Little, regarding the development of higher density housing on or around Tyler Parkway.

As we expressed in our letter to you and the Planning and Zoning Department of the City of Payson last August, we are strongly in favor of keeping the present R1-90 zoning for all the Tyler Parkway neighborhoods. The Phoenix area traffic and over crowded lifestyle we live in was our reason for selecting property on Heather Circle in Payson. Our plans to build in a more tranquil neighborhood are foremost in our minds, and the invasion of higher density homes in the area would strongly deter our desire to build there.

We are certain our opposition to any change in zoning that results in an increase in the number of dwellings is in agreement with all property owners in the Tyler Parkway area.

Our stand is currently and for the future, against any and all changes. Please regard this notice as our opposition to MTS Development's current plans for the development of the 92 acres. Please keep us informed of the dates and times for public meetings regarding this matter and we will be available to attend.

Thank you,

Wayne Casto & Cynthia Houck
11422 South Iroquois Drive
Phoenix, Arizona 85044

Owners of: 1300 North Heather Circle
Payson, Arizona

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APR 24 2007

COMMUNITY DEVELOPMENT
DEPARTMENT

Petition Against Zone Change

As a resident in the community of North Tyler Parkway and East Tyler Parkway we, the undersigned strongly oppose the zone change request P-336-07, changing the zoning from R1-175 to R1-35 PAD for the property located at 900, 1100 & 1101 N. Tyler Parkway to allow a 114 unit subdivision. WE, THE UNDERSIGNED currently own real estate in this subdivision area and request that these and all properties remain consistent with the neighboring properties of a minimum no more than one home per 2.2 acres, R1-90 zoning.

Our concerns consist of:

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APR 30 2007

Date	Printed Name	Address	Phone no.	Signature
26 Apr. 07	C.E. Zuber II	1203 Camelot	474-9862	<i>C.E. Zuber II</i>
26 Apr 07	DOROTHY G. KITCHELL	1206 CAMELOT	4726529	<i>Dorothy G. Kitchell</i>
26 Apr 07	Chester C Kitchell	1206 Camelot	4726529	<i>Chester C Kitchell</i>
26 Apr 07	Alyse E. Kitchell	1206 Camelot	472 6529	<i>Alyse Kitchell</i>
4/26-07	GERALD D MOODY	1300 CAMELOT	970 0055	<i>Gerald D Moody</i>
4-26-07	HUBERT R. MORAN	1302 Camelot	474-1136	<i>Hubert R Moran</i>
4-26-07	Ella L. Moran	1302 Camelot	474-1136	<i>Ella L. Moran</i>
4-26-07	E. Van Vleet	1304 Camelot	472-4593	<i>E. Van Vleet</i>
4/26/07	Sandra Van Vleet	1304 N Camelot	472-4593	<i>Sandra Van Vleet</i>
04-26-07	KELLY D. FANICCA	1303 N. CAMELOT	474-8504	<i>Kelly D. Fanicca</i>

Addendum to: MAY 03 2007 G-4

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Date	Printed Name	Address	Phone no.	Signature	COMMUNITY DEVELOPMENT DEPARTMENT
4/26/07	LARRY BROPHY	1205 N. CAMELOT	472-2144	<i>L. Brophy</i>	
4/26/07	CONNIE MARCO	1201 N. CAMELOT	474-5479	<i>Connie Marco</i>	
4/26/07	CECIL F. ALLEN	1107 N. CAMELOT DR	595-1345	<i>Cecil Allen</i>	
4-26-07	JOSEPH H. BOITZ	1105 No CAMELOT LN	474-4466	<i>Joseph H Boitz</i>	
4-26-07	Lois McClusky	1108 N. Camelot Ln	468-2333	<i>Lois McClusky</i>	
4-26-07	Kathleen Staudt	1108 N. Camelot Ln	468-2333	<i>Kathleen Staudt</i>	
4-26-07	Richard Staudt	1108 N. Camelot Ln	468-2333	<i>Richard Staudt</i>	
4/26/07	Katherine Beckham	1202 N. Camelot Ln	474-0939	<i>Katherine Beckham</i>	
4/26/07	Mary S. Logue	1204 N. Camelot		<i>Mary S. Logue</i>	
4/26/07	DONALD J LOGUE	1204 N. Camelot		<i>Donald J. Logue</i>	

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APR 30 2007

Date	Printed Name	Address	Signature
4/26/07	DEANNA FLYNN	806 N. Desert mimosa PAYSON, AZ 85541	<i>Deanna Flynn</i>

COMMUNITY DEVELOPMENT
DEPARTMENT

002

B GI EDT

04/26/2007 15:34 FAX 928 466 6844

Apr 27 07 12:00P

NICK FIRBN

480-836-6858

p. 1

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APR 30 2007

Date	Printed Name	Address	Signature
4/27/07	Brett Tanner	900 N. Autumn Sage Circle Payson, AZ 85541/0	<i>[Signature]</i>

COMMUNITY DEVELOPMENT DEPARTMENT