



Village Planning Committee Meeting Summary (Action)

Z-90-18-1

Date of VPC Meeting	May 14, 2019
Request From	S-1 (55.42 acres)
Request To	R1-6 (46.81 acres) and S-1 (8.61 acres)
Proposed Use	Single-Family Residential
Location	Northwest corner of 43rd Avenue and Circle Mountain Road
VPC Recommendation	Denial
VPC Vote	5-1

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Kaelee Wilson, staff, presented the case to the Village. She stated that staff is recommended approval, subject to stipulations. Ms. Wilson went through all the stipulations.

Will Holton asked if the City has a requirement to build walls around each property. Ms. Wilson stated the City doesn't require walls.

Max Sommacampagna asked why a portion of the property is rezoning from S-1 to S-1. Ms. Wilson stated that is where the trail will be located so there are some improvements associated with the trail that need to be stipulated.

Ed Bull, applicant, presented the case to the Village. He stated the proposed density of 3.1 dwelling units per acre is consistent with the General Plan Land Use Map designation. He stated that the homes will range in pricing from 325k to 550k. He went on to state they have looked at alternative routes from ingress and egress. Mr. Bull stated the development will need to be reviewed by the City's Floodplain group and FEMA prior to construction. He stated the homes finished floor are proposed above a 500-year flood event level.

Will Holton asked if the drainage from the subdivision will flow into the New River Wash. Mr. Bull stated at some point in the drainage process it will.

The floor was open to the public.

Teresa Harvey, representative for residents to the south of the proposed subdivision, spoke in opposition to the case. She discussed the importance of the General Plan and zoning. She stated the proposed subdivision isn't harmonious with the existing subdivision. She stated the existing lots at 18,000 square feet and the proposed lots are 6,000 square feet. She went on to express concern about the location of the lift station, traffic impact and the floodplain issues.

Richard Lucas, resident, stated that he is an environmentalist and has concerns about the proposed development. He stated the exhibit the applicant presented was a good graphic but as soon as the wash narrows, the water velocity will increase.

Ozzie Virgil walked into the meeting.

Neal Shearer, resident, stated that he is the current President of the Anthem Community Council. He stated that the City's planning by "hope" approach isn't working. He stated that just because the General Plan allows it doesn't mean it is a good idea or the right time. He said there aren't enough services or infrastructure to handle the homes. He urged the committee to vote to deny the request.

Ron Jerich, resident, stated that the developer has a responsibility to the area. He had concerns about floodplain and traffic.

Teddi Thompson, resident, stated that she wrote a letter of opposition to the committee. She had concerns about floodplain and the increase in traffic around the school.

Paul Thompson, resident, stated there is only one way in and one way out. In the event of an emergency, everyone would need to evacuate along Anthem Way.

Roger Willis, resident, stated he is the past ACC President. He questioned if the proposed trail will link up with Anthem trails. He said the City of Phoenix needs to help address three things. 1) 43rd Avenue capacity 2) stipulate that Anthem amenities are private 3) will not increase flooding to Anthem subdivisions.

Scott Bar, resident, stated he is concerned about traffic. He stated there needs to be access to the north.

Tyler Estes, resident, stated that he is concerned about the safety of the kids trying to get to the school.

Laurie Ricci, resident, stated that in 2012 there was a 1,000-year storm. She went on to state that during a storm in 2014 a home was washed off the foundation in the area. She expressed concern about the lack of City of Phoenix services in the area. She also stated she is concerned for the potential of flooding for the existing residents on the opposite side of the New River Wash if this proposed subdivision gets built.

Michael Vannoy, resident, stated that he is concerned for the aquifer. He stated this is a major corridor for wildlife. He stated development in this area was the cover page of the paper.

Liz Flores, resident, stated she is concerned for future flooding with climate change.

Ed Bull, applicant, stated that the request is consistent with the General Plan and urged the committee to vote with staff's recommendation. He stated that the impact fees that will be paid by this development will help fund the needed city services in the area. Mr. Bull went on to state that floodplain is not simple, and it is FEMA's job to review the request. He also stated that the developer is willing to help mitigate their traffic impact by funding the dual left-hand turn signal at 43rd Avenue and Circle Mountain.

Ozzie Virgil asked if the applicant can guarantee that these homes won't flood. Mr. Bull stated that there are isolated flooding events so no one can guarantee anything, but they are building to a 500-year event level when they are only required to build to a 100-year level.

Max Sommacampagna asked if all the finish floors of the homes will be raised 2 feet. Mr. Bull stated that is a minimum, some homes will be more. Mr. Sommacampagna asked if the applicant have looked into options with the school. Mr. Bull stated they are continuing discussion with Deer Valley Schools.

The floor was closed for committee discussion.

Loyd Nygaard thanked the developer for the presentation. He stated that he understands they are a private property owners but the infrastructure has changed. He said that he has concerns about the floodplain and the potential impact. He also stated he has concerns about public safety. For those reasons, Mr. Nygaard stated he will be voting to deny the request.

Will Holton stated that there is a lot of liability in this world and everyday there is more and more liability. He stated that we can't afford to take on more liability and it sounds like there is a lot of liability associated with this case. For those reasons, he stated he will be voting to deny the case.

MOTION: Will Holton made the motion to deny case Z-90-18-1,

The motion was seconded by **Mr. Loyd Nygaard**

VOTE: The motion was approved, 5-1 to deny Z-90-18-1. Yes- Loyd Nygaard, Will Holton, Max Sommacampagna, Steven Scharboneau. Nay- Judy Lorch