

PAUL H. McALLISTER
201 W. Circle Mountain Road
New River, AZ 85087

Date: 12 July 2008

To: NR-DHCA, INC.

Case # S2008015.

Related Case #: Z2008073.

Planner: Rachel Applegate.

Property Location: Gavilan peak area, New River 85087. (Maricopa County Assessor: records show 128.04 acres, no recorded survey no one can now for sure, unless survey was completed and not recorded). Narrative 130.694 acres gross in Section 35 T7N R2E, APN no.(s) 202-14-013X, 202-14-019B, 202-14-023B, 202-14-025A, 202-14-033. Gavilan Peak Estates LLC.

Current Zoning: Rural-43

TAC BOA Other: Meeting Date: Tuesday, August 05, 2008 from 10:30 am till Noon, at MCP&Z, 501 N. 44th Street, Phoenix AZ.

Review By Date: 1 August 2008.

Name: Zone change request from Rural-43 to Residential R1-35.

Owner: Gavilan Peak Estates LLC, 9393 E. Palo Brea Bend Suite #1055, Scottsdale, AZ 85255.

Developer: & Subdivider, Gavilan Estates 9393 E. Palo Brea Bend Suite #1055, Scottsdale, AZ 85255.

Applicant: Coe & Van Loo Consultant, Inc., 4550 N. 12th Street, Phoenix, AZ 85014-4291.

Request for: Zone change request from Rural-43 to Residential R1-35.

Current Use: Vacant.

Opinion: First lets look at the impact Gavilan Peak Estates will have on the rural area.

- (1) 73 new lots, 73 new dwellings. Possibly 76 lots can be constructed under R1-35 when the reserved for future development area is used.
- (2) 70% of open space on private lots.
- (3) A new population: narrative states 3 per dwelling unit, that is 219. In my calculations the new population could be as much as 266 if 3.5 residents per dwelling unit is applied.
- (4) 110 new vehicles (conservative number). No traffic study listed.
- (5) 440 trips per day (conservative number).
- (6) Impact on existing roads. No traffic analysis shown for existing roads.
- (7) Recreation on site and local parks.
- (8) Schooling.
- (9) They justify some of their needs by using Anthem's amenities.
- (10), Water usage: fire and residential needs to be met by wells. They fail to mention water usage for horses. That is 10 gallons per day per horse by Arizona regulations.
- (11), Sewage: no sewer available. Percolation approval doubtful. Narrative calls for 1,000 gallon septic tanks with drain field on each lot. This action is premature, Maricopa County Department of environmental services upon application will address this.
- (12), Slopes exceed 35% on property, narrative states 35% is the maximum on the property.
- (13), Mountain has two peaks 2983.3 and 2981.1. feet. Here is where narrative states one peak at 2970 feet and drawing shows two 2983.3 and 2981.1.

Primary access: I-17, Carefree highway, New River Road.

Secondary access: 27th Avenue extension, no ROW on private land (meandering dirt), Jenny Lin Road, no ROW on private land (meandering dirt) Wander Lane, ½ ROW (the ½ that is nonexistent is on private land), meandering dirt, 35th Avenue no ROW, on private property, Private paved road.

All roads except private paved road are dirt and do not possess 100% ROW; (more dust).

Many of the accesses are across private land. Legal R.O.W.s do not exist.

Meander Road, dirt (probably closer to property) and Kelly Road, dirt not even mentioned.

Existing Conditions: The proposed land is vacant. The adjacent land is lightly developed or vacant.

Reason, Mountain areas are difficult to develop and to access.

The sub-division (a walled in community) appears to block access to APN 202-14-013P, 46660 N. 27th Avenue.

In the narrative they talk about many rock outcrops on the property, no explanation as to what their dispositions will be or their location.

Private road slopes within sub-division (unknown) may preclude the access of a fully loaded fire truck. They mention that 70% of the lots will be considered as open space.

They propose to construct a private water company. The calculations provided does not include horses but they propose trails in the ROWs and connection to the regional trail system.

They also propose individual septic systems (septic tanks and drain fields) as their on-site waste treatment facility. They also call out in the narrative 1,000 gallon septic tanks and 1,200 square feet drain fields. A 1,000 gallon septic tank will restrict the number of bedrooms and fixture units allowed. The size of the leach fields will be determined by the percolation test. Maricopa County, Department of Environmental Services will review each on site waste treatment facility on an individual basis.

The proposal (within the narrative) speaks of compliance with the New River Area Plan. I am totally confused with their explanation of compatibility.

Many errors & misinformation included within drawings (plans) and narrative.

- (1) Slope is shown in decimal percentages not full percentages within plans and narrative.
- (2) Plans received on Jun 27 2008: states that lot 52 is in an area greater than 15% slope (this statement in its self is correct) but lot 52 at least 95+% is in an area of 35% slope. The 35% slope is their estimation. Lot 52 identified on their plans and in their narrative. Since that time, under a separate mailing the preliminary has been revised.
- (3) I have just recently viewed Gavilan Peak. There exist many areas of Gavilan Peak that far exceed 35% slope.
- (4) Density stated throughout plans and narrative as .56 DU per acre, this makes the average lot size of 1.43 acres (62,500 square feet). The narrative states 128.25 acres to be used for single-family residence, that is 1.75 acres (75,528 square feet) per dwelling, another confusing statement. Either the total area, lot size or the density is in error.
- (5) Chapter 10, Section 1002 RUPD, Article 1002.5.2. of the Ordinances for the Unincorporated Areas of Maricopa County states that the lot size shall be no less than the zoning district that they are within. Again, R1-35 requires 35,000 square feet minimum.
- (6) The total square footage of lots, open space, ROWs and areas reserved for future use do not equal 100% of the proposed sub-division. They must have a method of making statistics work that I am unaware of.
- (7) No recorded survey on file in county. County Assessor believes there exist 128.04 acres in property when narrative states 130.694 acres. No recorded survey, so who knows.

- (8) In 2007 the State Legislature passed bill # 1575. The owner/developer/designer shall get a determination of a 100 year water supply from the Arizona Department of Water Resources prior to the approval of the final plat by the local platting authority.
- (9) There is reference to an RUPD overlay for this sub-division.

Recommendation: Denial.

Sincerely,

Paul H. McAllister