



**MINUTES
PUBLIC MEETING
TOWN OF CAREFREE
PLANNING AND ZONING COMMISSION**

WHEN: MONDAY, OCTOBER 12, 2020
WHERE: ZOOM WEB* <https://us02web.zoom.us/j/3229729660>
TIME: 5:01 P.M.

Members of the Planning and Zoning Commission participated by technological means or methods pursuant to A.R.S. §38-431(4).

Present VIA ZOOM:
Chairman Al Mascha
Vice Chairman Tom Cross
Dick Tatlow
Heather Burgett
Dan Davee
Lyn Hitchon
Scott Sperl

Absent:
None

Also Attending Via Zoom:
Stacey Bridge-Denzak, Planning Director
Samantha Gesell, Planning Clerk
Greg Crossman, Town Engineer
Uri Schumm, Applicant
Gale Totten, T's Construction & Development

ITEM #1 APPROVAL of PLANNING AND ZONING MEETING MINUTES for the meeting of **MAY 13, 2019.**

Commissioner Hitchon **MOVED** to **APPROVE** and Vice Chairman Cross **SECONDED** the motion, **PASSED** Unanimously.

ITEM #2 PUBLIC HEARING, discussion and possible action on the following request for a Preliminary Plat. Public comments will be taken.

CASE #: 20-02-PP

APPLICANT: Mr. Uri Schumm
8650 East Stagecoach Pass
PO Box 2480
Carefree, AZ 85377

CASE LOCATION: West of the NWC of Stagecoach Pass and Pima Rd
APN 216-26-887.

ZONING: R1-35 Single-Family Residential

REQUEST: **PRELIMINARY PLAT** to subdivide approximately 7.93 gross acres into 6 detached, single-family residential lots for a new subdivision named Estates at Carefree located west of the northwest corner of Stagecoach Pass and Pima Road. The plat consists of residential lots, a private tract for a gated street, landscaping, and utilities, and easements for drainage and conservation.

Ms. Bridge-Denzak introduced the proposed Preliminary Plat, via PowerPoint.

Director Bridge-Denzak explained the request is to subdivide approximately 7.5 net acres, zoned R1-35 into 6 residential lots for a new subdivision named Estates at Carefree. The property was rezoned in 2019 to create the subdivision into 1 acre custom home lots, a low density type of development. Ms. Bridge-Denzak added, the location is on the east side of Carefree. To the north is the Eastwood development, to the west is Stage creek Estates (platted but not built) and Scottsdale is to the South. Stagecoach Pass is all Scottsdale Right of Way.

Director Bridge-Denzak pointed out that one significant feature is a 404 wash, (waters of the US). In addition, there is an existing home site within the development that meets all of the Town of Carefree's development criteria.

Ms. Bridge-Denzak explained that all lots will have access off a single street cul-de-sac, 86th Place and that no traffic will exit onto Stagecoach Pass. There will be a Vehicular Non Access Easement (VNAE) around the property. Director Bridge-Denzak explained the 6 lots range from 35,000 square feet to just over 80,000 square feet, with the largest lots located on the north end of the development, benefitting the neighboring subdivision of Eastwood.

Ms. Bridge-Denzak added that Carefree Water Company will service the sites. Based on the number of lots and their sizes, each parcel will have its own septic system permitted through Maricopa County. Liberty utilities would be the sewer provider, but it is not within a reasonable proximity to develop 6 lots. The Town of Carefree agreed that septic systems would be allowed in this situation.

Director Bridge-Denzak noted that Stagecoach Pass is Scottsdale right-of-way. A 40' section of Stagecoach Pass still has not been dedicated to the City. This will be a requirement, as part of the approval at the final plat, so there is a consistent length of right-of-way down Stagecoach Pass. Scottsdale will be responsible for determining

what the improvements will be. At a minimum they have requested an additional 5.5' of pavement width for the roadway. It is the applicant's responsibility to coordinate with the City of Scottsdale directly.

Ms. Bridge-Denzak explained that each lot will be responsible for its own drainage to meet the 2-hour, 100 year storm event requirement. There are proposed basins to deal with the runoff from the proposed street. The outlying retention basins are in easements. They may need to be adjusted to accommodate for a single family home.

Ms. Bridge-Denzak explained, as any development in Carefree, when the lots develop they will have to comply with the plant salvage requirements which require salvageable native material to be used on the site again. Ms. Bridge-Denzak presented via PowerPoint images and details of the proposed landscape, entry wall and gates.

Ms. Bridge-Denzak stated that the applicant had his Citizen Participation meeting and all Citizen Participation requirements have been met. The Citizen Participation report questions addressed were regarding the length of the cul-de-sac, where some of the future home sites would be and building heights. Ms. Bridge-Denzak explained the building heights will be the standard 24' at maximum, future home sites will be based on the Towns setbacks and the cul-de-sac is allowed by Rural Metro and meets their fire safety requirements.

Director Bridge-Denzak received two calls concerning the proposed development. One call was confirming that there were no changes from when the property was rezoned. Ms. Bridge-Denzak added that nothing has changed and that Preliminary Plat formalizes those lots and helps to better understand the infrastructure. The second call was in regard to ensuring that when the lots develop, that they will meet erosion setback requirements. Ms. Bridge-Denzak explained that the building process is something that herself as Planning Director and Greg Crossman, Town of Carefree Engineer will review to show that those conditions and requirements are being met.

Ms. Bridge-Denzak presented an overview of a few of the conditions of approval included in the Staff report and responded to questions and comments from the Commission.

Commissioner Sperl had questions regarding the 40' dedication to the City of Scottsdale? Ms. Bridge-Denzak explained that the dedication never happened but should have because legally it is Scottsdale's right-of-way. Town Engineer, Crossman confirmed that Ms. Bridge-Denzak is correct, that the 40' of property is in the corporate limits of the City of Scottsdale and has to be dedicated as Scottsdale right-of-way.

Vice Chair Cross inquired about the erosion setback requirements and the location of the homes, and how limited the buildable area may become. Mr. Crossman explained that there is a FEMA floodplain that goes through the property and typically cannot be encroached within and added that it is required that the development stays outside the FEMA floodplain. Additionally, there is an erosion setback and explained that the washes tend to laterally migrate back and forth and there are engineering measures that estimate how much a wash can laterally migrate. Although encouraged to stay outside those setbacks, if a lot is constrained, engineering measures to protect the

property and home can be implemented to control the lateral movement of a wash such as bank protection, rip rap, scour walls etc.

Engineer Crossman addressed a question from Chairman Mascha regarding the location of retention basins within the proposed development. Mr. Crossman explained that finding locations for more of a large, single type basin was challenging. Working with the developer, they found areas where they could work within the topography and lot layout to provide basins. The basins will be provided upfront as part of the infrastructure. These basins are located in drainage easements that the HOA is responsible for not individual lot owners. Mr. Crossman and applicant Uri Schumm addressed questions regarding retention basins and how they will be vegetated. Mr. Crossman confirmed that the basins will be vegetated to blend with the natural desert. Mr. Schumm explained that they want the lots to be beautiful, desirable and inviting.

Public comment was heard from an adjacent property owner, Kathleen Garcia. Ms. Garcia had concerns regarding the wash and the amount the wash runs during a heavy rain event. Applicant Uri Schumm explained that the Town of Carefree has set high standards for engineering improvements to assure that there isn't any issue of overflow. Town Engineer Greg Crossman informed the group that Mr. Schumm will be dedicating a large amount of conservation area adjacent to the wash. Additionally, any improvements within the wash, because it is in a dedicated FEMA flood zone, will have to go through the Flood Control District of Maricopa County along with Town Staff for review and approval.

Commissioner Sperl asked how close the homes in Eastwood were to the wash. Town Engineer, Greg Crossman explained that when Eastwood was developed, homes in certain areas, required scour walls that go beneath the scour depth to be constructed. This and the engineering measures discussed with Commissioner Cross above are what protects those particular properties from the 100 year flood.

Vice Chairman Cross made a **MOTION** to **APPROVE** a **PRELIMINARY PLAT** to subdivide approximately 7.93 gross acres into 6 detached, single-family residential lots for a new subdivision named Estates at Carefree located west of the northwest corner of Stagecoach Pass and Pima Road. The plat consists of residential lots, a private tract for a gated street, landscaping, and utilities, and easements for drainage and conservation.

With the following conditions:

1. As per Section 2.20 of the Subdivision Ordinance, the Final Plat shall be in substantial conformance with the approved Preliminary Plat and meet the requirements of Sections 2.35 through 2.40.
2. All improvements including, but not limited to, streets, storm drainage and water lines shall be constructed as per Town of Carefree and MAG specifications. Pursuant to the Subdivision Ordinance waiver allowance, the private streets terminating in a cul-de-sac shall be allowed to exceed the length of 400 feet and no sidewalks or alleys shall be required.
3. All utilities shall be placed underground.

4. A drainage easement shall be dedicated along the Windmill Wash corridor through the northern portion of the property that encompasses the entire Special Flood Hazard Area (SFHA) Zone AE.

5. Areas adjacent to or within the FEMA Flood Zone AE shall address lateral migration and scour potential. Erosion setbacks shall be defined that establish areas requiring engineered scour control measures for all development improvements.

6. Disturbance within the FEMA Flood Zone AE shall require a Floodplain Use Permit from the Flood Control District of Maricopa County.

7. The development shall provide 100-year 2-hour onsite stormwater storage within dedicated drainage easements. The following areas shall be excluded from providing storm water storage; drainage easements for the SFHA, drainage easements for retention/detention basins, dedicated conservation areas, any lot containing a pre-existing single family residential structure, and other areas as approved by the Town Engineer.

8. The development shall dedicate a 40 ft. right-of-way for the entire fronting footage along Stagecoach Pass Road to the City of Scottsdale prior to final plat approval.

9. Improvement plans within City of Scottsdale right-of-way shall be permitted through the City of Scottsdale and shall meet all City of Scottsdale standards and requirements.

10. The development shall provide roadway/vehicular access improvements including the following:

- Full-width roadway improvements for internal subdivision streets meeting either; 1) public residential street standards, or 2) private residential street standards. Private residential streets shall be maintained by the Homeowner's Associations.
- Adjacent half-street roadway improvements wherever the subdivision abuts public right-of-way. For the Stagecoach Pass Road right-of-way, this shall consist of a minimum additional 5.5 feet of pavement width unless other improvements are required by the City of Scottsdale.

11. Subsequent submittal documents shall be consistent with all applicable Carefree zoning standards except as expressly stated herein, and shall substantially conform to the Preliminary Plat, Design Guidelines and Color Schemes, Grading and Drainage Plan and Report, and Landscape and Entry Gate Plans.

12. All existing fences/walls shall be reconfigured and/or removed to meet the Zoning Ordinance and Building Code prior to the Final Plat being brought forward to Town Council.

13. To restrict access, a one (1) foot vehicular non-access easement (VNAE) shall be dedicated along the perimeter of the parcel at the time of the recording of the Final Plat. The subdivision access point as illustrated on the plat shall be excluded from this dedication.

14. The Final Plat shall provide for all public utility easements including, but not limited to, water, electrical, sewer, telephone, natural gas, and cable television service. Such easements shall be dedicated and recorded with the Final Plat.

15. The following note shall appear on the Final Plat, "Residential fire sprinklers shall be installed in all residences."

16. Rural/Metro Fire Department or current fire protection service provider shall approve any fire hydrant locations and such hydrants shall be part of the Subdivision Infrastructure Improvement Plans.

17. Declarations of Covenants, Conditions, and Restrictions (CC&Rs) shall be submitted and reviewed by the Town Council and recorded with the Final Plat.

18. The Final Plat may be considered at a regular meeting of the Town Council per the Subdivision Ordinance. The Town shall be in receipt of the Arizona Department of Water Resources 100-year assured water supply certificate prior to the meeting.

19. Prior to the issuance of building permits, the developer shall obtain the required permits to comply with Maricopa County dust control standards and Arizona Department of Environmental Quality storm water management standards and policies.

20. Pursuant to the Subdivision Ordinance and Subdivision Improvement Agreement, the developer shall give the Town assurance in the form of 110% money or bond in the amount of the engineer's estimate of the construction cost for the on-site and off-site improvements.

21. The Town's Subdivision Improvement Agreement shall be executed by the applicant, approved by the Town Council, and recorded with the Final Plat.

22. After approval and prior to recording of the Final Plat, three (3) sets of the following documents shall be given to the Town:

- a. The approved and signed Final Plat map.
- b. The approved and signed Subdivision Improvement Agreement.
- c. The approved and signed CC&R's with Design Guidelines.
- d. One electronic copy of all documents.

23. After recording, the applicant shall file one copy of the above information with the County, one with the Town of Carefree and retain one copy for their records.

Board Member Hitchon **SECONDED** the motion, **PASSED** unanimously.

ITEM #3 ANNOUNCEMENTS

Director Bridge-Denzak and the Commission recognized Commissioner Sperl and Commissioner Tatlow and thanked them for their years of dedication to the Town of Carefree and the Planning and Zoning Commission.

ITEM #4 ADJOURNMENT

APPROVED: FEBRUARY 08, 2021

Commissioner Hitchon **MOVED** to **ADJOURN** and Vice Chairman Cross **SECONDED** the motion. The meeting was **ADJOURNED** by unanimous vote at 5:35 p.m.



PLANNING AND ZONING COMMISSION

Samantha Gesell

**Planning Clerk
Samantha Gesell**

10/12/2020

NOTE: **Due to the risks to public health caused by the possible spread of the COVID-19 virus at public gatherings, the Town of Carefree has determined that public meetings will be indefinitely held through technological means. Meetings will be also open to the public through technological means. In reliance on, and compliance with, the March 13, 2020 Opinion issued by Attorney General Mark Brnovich, the Town of Carefree Planning and Zoning Commission provides this special advance notice of the technological means through which public meetings may be accessed. While this special notice is in effect, public comment at meetings will only be accepted through written submissions, which may or may not be read aloud during meetings.*