

YAVAPAI COUNTY MEETING NOTES FOR DECEMBER 20 MEETING WITH 12 QUESTIONS AT THE END (IN BROWN) OF THE DOCUMENT ASKED BY THE PLANNING AND ZONING COMMISSIONERS – draft 1

12-10-18 YC P&Z Mtg recording 1

Thank you. Good morning. Chairman members of the commission. Tammy duet senior planner Yavapai County development services. So this is a Work Session to get you familiar with the project and to allow you time, rather than just a week to go through the little bit of letters that we've submitted to you guys, and I'm still getting them daily. So I might have to check my email yet today to see you make you in today, but... There may be duplicates in those letters and we do apologize for that. I've been getting them forwarded from the board members and letters in the mail and emails, some of them are duplicates, but we will be going through those before the next meeting to get you some really hard numbers and where these letters are really coming from because they can kind of we got separated in the thumb drive we gave you guys by area but we're going to kind of Define it a little bit more just didn't have a lot of time over the last couple weeks to do that.

[00:01:01] If I may I just want to mention, while Tammy's discussing the letters for everybody in the audience. Should they have additional comments... Should they want to rewrite their letters... Anything at all like that... Please send them to PlanningAtYavapai.us-- when they keep coming in from different directions from the main county website, the board office, is everything out there... They're getting lost as far as everything's getting forwarded to us in multiple forms. So. It's difficult to keep track of this person sent a letter in when we get four or five copies for different people. So please send them into PlanningAtYavapai.us That is our email repository for all public comment.

[00:01:42]

[00:01:42] At this time you do have copies of all the letters that have come in. So, just so you know.

[00:01:47] We definitely noticed a few duplicates on that thumb drive.

[00:01:51] Yes , we are trying to filter through those little bit. We want to make sure that you're still getting all the letters that are coming in. Some people gave added comment lines after they sent them, so we want to make sure you're getting all of them. I'll get that to you at end here. So what I'm going to do is I'm given a brief presentation over you the project now. Then I hand it over to the applicant and they have a much thorough presentation of their project.

[00:02:18] So this is supervisor Garrison's District, about two miles west of the city Sedona. Here's the city of Sedona's boundary here. And then it's out 89A going towards Cottonwood on the right hand side. It consists of four Parcels of land here about a hundred seventy-one acres.

[00:02:45] The zoning of the parcel. We have RCU-2A and R10-70. Basically on this Branch previously. So back in... There was a use permit on the property previously to allow for equestrian events. Since then, the property has been sold to another property owner and they've been using it as their private compound. So no commercial activities should have happened over the last, I'm not sure how many years when they bought it. So it has not been used commercially for a while. I know over the last 10 years since I've been here. The subject property is impacted by Dry Creek that comes through the property, as you can see here.

[00:03:35] So the request before us today is a request for zoning map change to a planned area development to allow for the development of a 600 manufactured home sites and 50 recreational sites on approximately 171 acres. All the sites will be developed to meet Section 5.5 of the up I can planning zoning ordinance. Developed spaces will be offered for lease and the underlying property owned by the applicant, which was what is similar over here and a Sedona Shadows. So I'll go back to talk about that.

[00:04:09] So here we have Sedona Shadows, which you've heard about with the cell tower. So this property is going to have this is an expansion of this development where the property... The people that live there... They may own the home or they rent them and they lease the land so they don't own the land. So that's why we have problems in notification... That since they don't own real property. There's nothing that you get from the assessor's office. We use our database to go down to all the property owners... the surrounding Property Owners. But, in this case, we did post both hearings in the mailbox areas. We want to make sure that everybody saw at least the hearing notices, and in the bright orange laminated forms that we put it on.

[00:04:53] And then this area here is... Sedona Shadows was approved in 1971 under Use Permits. There are no requirements for open space. They just said this is how many sites we're going to put in it and they developed it. That way. We have Sedona Pines next door, which is RCU-2A. It's a timeshare development where you see all the park models up there and their timeshared, so there's multiple ownerships into it... Or into that Corporation and then that was done on a use permit.

[00:05:26] And then we have these properties here. These are of R1L zoning. They are Residential Single-family lots... Site-built homes only... And then we have the Sunset Hills development... Was a manufactured home Community. It was a plotted subdivision under the R1 zoning.

[00:05:45] Okay. So here's here's a site plan. This is an amended site plan. Originally. It was 680 manufactured home units and an 80 RV spaces due to outreach to the community and to address the fire district's concerns before when we first started there was a 20 foot buffer around the property. To address the fire district concerns they increased it to 30 feet for a fire

buffer. In the RC zoning District usually we have a 50-foot rear setback, but the compromise with the fire district was 30 feet.

[00:06:19] Here's where the RV park is going to go... This property here. We have another single-family parcel here. That's not part of the development... It's individually owned. We have Phase 1 here, and then will have Phase 2. They'll be done in the in the future, as the demand is there.

[00:06:38] Under phase 1, they are also asking for the ability to use manufactured home sites in phase one, which is approximately a hundred thirty three sites as recreational vehicle sites until the lots are developed. If in the future the owner wishes to convert all, or any, of the 50 recreational vehicle sites to manufactured home sites. The applicant is requesting that this be permissible without going back through public hearing.

[00:07:04] In a planned area development the required to have 25% minimum open space. This project is has in excess of 46% open space, which includes the floodplain, and we have these other recreational areas. We have existing houses and horse stalls on the property where the event center area was . And that'll be all users open space and amenities for the people who reside there. We're not sure what the uses are going to be yet, but they'll all be amenities, as part of the manufactured home park.

[00:07:38] So here's the imagery of the property. So this is this is probably the biggest area here that's never been touched. Over the many years ago, we had a violation close by, where someone was doing trail rides on the property. When we asked him, do you have permission from the property owner to do trail rides out here? They said no that's for service, and I'm like "no that's private property". So we had to educate the people out here that was actually private property, and the property owner had to go out and do meditation to try to keep people from trespassing on their property. There's a lot of people out here who were going out here and thinking it was forest service property. So that's why she had concerns with doing a site visit today was the problems they've had out there with people trespassing.

[00:08:26] This kind of shows you the imagery. The area is surrounded on three sides by the forest service. Like I said, this parcel here is not part of it. That's a separate residential property. Here's kind of closer view of it. We have the equestrian facilities here. We have residents here that will be used as open space, and amenities as part of the manufactured home park.

[00:08:50] This is a the property from the road of the access to the property. Here is some images that was provided. So we have the access here... The front... We have the highway here. This area here is where the proposed manufactured the RV sites will go and then this is all part of phase 1 here, along adjacent to the roadway.

[00:09:15] Here's another view of it. So this is where you come in. This is to be the RV park, and this would be phase 1. Then we do have Dry Creek coming through the property here. That's all part of open space... This area here will all be open space, and the development will be up here

on this Ridge up here. And this is the other residents... That's not part of this application... Here in this corner here.

[00:09:43] Here's another view. Here we have Sedona Pines, which is the timeshare development with Park models that have been permitted there. And then here we have the Sedona Shadows.

[00:09:55] And here's another view coming up... and this is the start of Sunset Hills and in Sedona Shadows here. Pine Shadows [Sedona Pines] and the the subject property over here.

[00:10:06] And then another view. This is a good view to look at what the traffic is going to require. So in doing a traffic impact analysis that was reviewed by ADOT. They are going to have to... It was recommend for a traffic signal for this to accommodate the additional traffic. So what we have... We have a turn lane here that comes into Red Moon Drive. This intersection here... There will have to be a traffic signal installed prior to any permits being issued on the houses. So we when we do a final on the improvements for phase 1, they'll have to have this done also, as part of that. The access point is right here coming out for this development. So what's going to have to happen is this is going to be a right only onto the highway 89A. They'll have to come up to this intersection as they go to Sedona... have to do a U-turn and go back, or they'll have to try to come up into this area with this. And that's per ADOT's recommendation. Now, they are as recommendation. They can't require anything, and they can't make any recommendations of approval or denial.

[00:11:12] So here's another... This is the main intersection coming in to it. There's already a right-hand turn lane there... when they did the improvements there.

[00:11:23] Here's a view. If you're coming from Sedona 89 coming onto the property. And here's another view of we come to the white fence. That's the beginning of the property. So this is what you see from the highway... from Google Earth. And then this is where the RV park will go up in this area... up front... And here's another view of that area. This is all from the road. And this is Sedona Pines. We do have the commercial here. Here's the cell tower that we were talking about earlier... the flagpole... Here's the... you do have RV sites here at the beginning... Then the park models are in the back.

[00:12:06] Here's another view looking back. Like if you're going to Sedona. So people are coming north like they're going to Sedona. This is what they see now. And then this is Sunset Hills they're all bunny Hills when you're coming from Sedona. Coming into this area. That's what you first see are Sunset Hills here.

[00:12:31] So this is a zoning map change to allow for the new development... of the expansion of the existing Sedona Shadows manufactured home park. The zoning map changed to a Planned Area Development to a construction and 600 manufactured home sites and 50 RV sites...

[00:12:45] There are a lot of questions about the Yavapai County Comprehensive Plan. This area is designated as a rural area in our Comprehensive Plan and that was per the push from the community. We did have this designated as... I can't remember... The municipality... transitional area to kind of protect it a little bit more, but the community ... Reverted to a rural area, so they can do a vision plan later. Rural areas includes ??? Rural areas between cities and unincorporated communities, and is characterized by a low rate of growth, improved roads, low-density agricultural production, and large tracts of undeveloped property and private land. Non-residential development is geared toward providing local Services, tourism, and intensive uses that are not appropriate in more of the densely populated parts of the county such as power plants and feedlots. These sparsely populated rural lands also have the potential for future master-planned communities that will provide the infrastructure... and support any proposed increases in residential density or non-residential activities.

[00:14:00] So, like I said... over... We did... Since we no longer do community plans anymore... That was a direction we were given at the time which were adopted by the county... You put in a provision in our Comprehensive Plan to create Vision plans. A vision statement for the community... A community vision statement is a document created by the residents of the community to be used as a tool. Go to review proposed land use projects. The document is not adopted by Yavapai County, and is therefore not binding. Statements will be used in reviewing projects within the community area, in concurrence with other community comments.

[00:14:37] So in December of 2014 a vision statement for the Red Rock 89 Corridor Dry Creek area of Yavapai County was submitted and presented to the Board of Supervisors for recognition. So in the packet, you got a letter from the Red Rock Community Rural Association in regards to how they feel the proposed development is not in conformance with the vision statement for that area.

[00:15:02] Regards to citizen participation, the applicant did hold many meetings and basically the thousand foot buffer... Takes in almost everybody in that community. So as of December 10th, which is when your packets went out, we had 587 letters of opposition, and 2 letters of support, and then we gave you another 110 today, handed out. So total 697 letters total.

[00:15:30] That's just the number of letters. That's not seeing how many people... So we're going to narrow that down for you. We did get a letter from the city of Sedona. The applicant did go to a town council meeting, which they discussed the project, and the comments from the city of Sedona are in your packets.

[00:15:47] Other Regional groups that we've heard from was the Verde Valley Sierra Club, SOARR, Save Our Ancient Red Rocks... That was a new group I've never heard of. Keep Sedona Beautiful and the Verde Valley Land Preservation Group. Most of the concerns is what we typically would hear for this type of development, was water, which is all regulated by the State Wastewater, because of this type of project is all handled through the State through ADEQ. Traffic is going to be handled through ADOT, through the traffic impact analysis - which they

made a recommendation, and the visual aspect of the project. From the highway as people are heading towards Sedona.

[00:16:28] So here's a buffer of a thousand foot... As you see it took in many... As we've talked about, with Sedona Shadows here... as you see it's one parcel. Even if we access them to contact all the people that live in there. We don't have any information about who all lives there are their contact information, because they don't have any tax records with us.

[00:16:50] We do have letters of opposition from all the residents in Sunset Hills, all these residents in the R1L, and this property owner here is also opposed to it. So at this time almost all the property owners surrounding the property is opposed. We haven't heard anything yet from a Sedona Pines, which owns all this, and the fire district never commented on it.

[00:17:16] So there are stipulations for consideration that we can discuss either today or the next meeting, and that concludes my presentation and I can answer any questions, but the applicant has a more thorough presentation of the project.

[00:17:51] **Rodney Jarvis:** [00:17:51] Mr. Chairman, members of the commission, for your record the name is Rod Jarvis. My address is 3101 North Central Avenue Suite 1000 in Phoenix. Just really quickly, since that slide was just up there about the neighborhood support, we have collected already 300 statements of support including a number from Sunset Hills and Sedona Shadows. We have not yet submitted those it's why you don't have them in your packet. But we will be submitting them in time for you to have them in your packet for the hearing in January.

[00:18:21] The message that we bring today is a good one. We are excited about being able to provide a very high quality residential Community... Factory Built Homes. The setting and the amenities that have previously only been enjoyed by a privileged few, we're not going to be able to offer to a whole lot more people. This is going to be an environmentally friendly project. This is going to have Workforce and retired residents. This project will be in the range of the existing densities in the area.

[00:18:59] As you heard from staff over 46 percent of open space. This project has its own water supply. This project will create A+ grade effluent for irrigation purposes. This project will be adding Traffic Solutions to the area, and this project has wide public support. Again, we have a whole lot of statements of support, which we will be submitting to you. Obviously, we have some opposition too. I'm not suggesting that the room doesn't have opponents. I'm just telling you we have a good deal of support as well.

[00:19:34] This next slide illustrates the surrounding area. The concern has been we're going to gobble up the forest land. Obviously not. That is Coconino National Forest. This is a pocket of privately held property. That photo is simply meant to illustrate for you all exactly how much natural area... How much forest area there is.

[00:20:00] All right, next slide... Mike introduce the team Ingrid Flamengold Hills is the owner of the property. She's not here today. She will be here for your hearing in January. Equity Lifestyle Properties is the prospective buyer and developer of this site, and representing ELS today, we have Mr. Michael Blank, Mr. Luis Gonzales and Mr. Ron Bunts. Greg Oprah and I are zoning consultants from the firm of Earl, Curley & LeGarde. Project engineer who will be speaking to you shortly is Mr. Jason Berm from Kimley Horn. With him are messrs Chuck Wright and Ray Montoya. Water consultant is Southwest Groundwater Consultants. Neighborhood Outreach work has been done by Mr. Chad Willems and Willems Summit Consulting Group and the public policy consultant is former Yavapai County Supervisor. Mr. Bill Feldmeier. We have a number of people here who can answer a number of questions.

[00:20:59] Now a little bit about Equity lifestyle properties. Equity Lifestyle Properties is a MAJOR player in the manufactured home, factory-built home community, RV Resort campgrounds in North America. They offer a whole lot of housing options and vacation options.

[00:21:18] Let's take a moment. Talk about that for just a second. Countrywide, there was a trend toward answering the problem of cost of housing. And one of the answers is Factory built housing. There's a lot of different forms of that takes, by the way. But the form that it takes for us is well illustrated by Sedona Shadows, and this El Rojo Grande project.

[00:21:44] ELS Is one of the nation's largest real estate networks... has 410 properties in 32 states and British Columbia. What I'm telling you is we have a client here who has the financial wherewithal to keep its promises. It has an excellent track record. Sedona Shadows is essentially 100% occupied. There's a reason for that. It's a high quality projects.

[00:22:06] If you want to know whether we will do a good job. Go look at Sedona Shadows. It is an excellent project. ELS will provide with real Rojo Grande Sedona and opportunity for the general citizenry to enjoy a beautiful setting. Now, unfortunately, we weren't able to accommodate the tour after this session here in this meeting. Those are the concerns that were that staff referred to before by the owner that would not prohibit any one of you individually from arranging with the broker who represents the seller to go and look, and I hope you do because, if you do... You go out to that house, and you sit out on that Veranda, you'll realize that this will be a wonderful experience for these residents. That will be their clubhouse. That will be a place that they can go and relax and enjoy this beautiful setting. We are not going to do anything but enhance the setting, because that's what will attract people to this facility.

[00:23:06] Operating in this industry for nearly 50 years, Equity Lifestyle has been managing communities in Arizona for over 45 years. I personally have been representing this client for over 10 years. I found them to always be. very reputable, very responsive, highly reliable. They've enjoyed a number of different recognitions a number of different Awards. Those are listed up there. There are a great number of them.

[00:23:30] Now some history of this site, which will be relevant. El Rojo Grande Ranch was originally a 3-parcel, 143 acre ranch. Then some additional land was added by the Offields, and a land exchange for its current size of a little over a 131 Acres. It was developed as a horse ranch.

[00:23:51] It was zoned are largely RCU-2A, and Mr Feldmeier, former County Supervisor informed me that that was the equivalent of the holding Zone in Yavapai County. There's arguments been made with that was put on there and that was the intention for the property. That is not entirely accurate. That was a holding Zone.

[00:24:14] Then, about 15 years ago, I believe the Offields had divorced, and Ms Offield had decided to market the property. She had it in escrow for a developer who's going to put hundreds of homes on. That deal fell through. She ended up selling it to the Hills. Unfortunately within a year of that purchase, Mr. Hills grew sick and died. Ingrid, where she had looked forward to enjoying this with her husband... now it was not the same and after 5 years of ownership, roughly 10 years ago, she started trying to sell the property. Off and on, over those 10 years, she's had as many as 5 different deals fall through. This is the only one that has been able it come through to this point. And again, this is a buyer who has the financial wherewithal to make this happen.

[00:25:05] Since we can't do a visit to the site, we have prepared a video which I would now like to show if we can to get a running view of the site...

[00:25:27] Okay, pause it right there with you would Greg. Can you do that time? Tammy, can you pause it... Look over to the left of the screen there where that red dot is right now. That's that's Sedona Pines. Now Sedona Pines has a color code to it, and you'll notice from that view that those dwellings, even though there are over 11 dwelling units per acre, blend in an awful lot better than Sedona Shadows or Sunset Hills. The reason for that is that Sedona Shadows and Sunset Hills didn't have a restriction on the color of roof. We're going to put the same color roof. What's the name of the color? Desert Sand, and it's intended, as you can tell from the name, to blend in with the landscape. I simply wanted to point out to you what a difference the color-coding makes. All right go on...

[00:26:46] Okay, so this is illustrating again for you that a whole lot of this property is behind the ridge. It's down in this bowl. As you can see, the development up in the upper left-hand corner is on the other side of that Ridge. Now some of that is going to look into our property. A lot of it will not, but the stuff that's in the bowl. You're not going to see from 89A and in a little while Mr. Berman is going to walk you through some slides, that will show you what the views are actually to be. What the sightlines are going to be. For example, the RV park will actually not be visible from 89A and that will be demonstrated.

[00:27:29] Okay, I think that I think that does the trick. Okay, let's stop it there. Alright, on to the next slide. So the amenities you've seen those pictures of the various buildings that are there. We have three residential structures on the site. The original home, and then the caretakers home, and the guest home. Those are all going to be preserved, and used as common amenities.

The main house will almost certainly be the clubhouse... The main the main Clubhouse. The other buildings have various uses they could be... libraries, exercise rooms. That hasn't been exactly determined yet. You also saw the Stables, the writing Arenas... The Stables will be repurposed... Its being considered that maybe a cover will put be put overarching that area between the stables... And then a stage would be there... Kind of an open stage, so people could sit there and enjoy a performance, and see the Red Rocks behind it. The riding arena in front, nearest the house... That will be where the tennis courts and the pickleball courts go, and the riding arena in back nearest to the park... That will be where the pool goes. And that existing park, with all of the ramadas, will stay as it is. So these are going to be wonderful amenities. This is going to be an opportunity to offer some access to a beautiful area that only a few have been able to enjoy up until now. And I also should be noted that all those amenities are going to be available to the Sedona Shadows residents.

[00:29:01] Now they're not going to be the same project. We'll clarify that. This is not actually an expansion of situations as they will be two separate projects - two separate communities... But the Sedona Shadows residents will be given full access without additional charge to the amenities at Rojo Grande Sedona.

[00:29:21] All right staff is already talked about our conformance to the Comprehensive Plan, and pointed out the definition of rural area and what ways rural areas can be developed. So I don't need to touch on that too much. Let's move on.

[00:29:34] I spoke earlier on about how the density that we're proposing is right in the range of the existing densities. I understand that this term density is defined and used by your own staff. And basically it's simple arithmetic... How many acres... How many dwelling units... Divide one into the other... That gives you the density. People are saying well you couldn't build on the riverbank anyway. Of course not. Most sites have unbuildable area, but that doesn't mean that an unbuildable area has no value to the project.

[00:30:04] The question is simply what is the density? Sedona Pines is 11.8 as you see there Sedona Shadows is 5.0 Rojo Grande. Our proposed project is 3.78 Sunset Hills is 2.6.

[00:30:18] The one on the end Sunset Village is the closest comparable manufactured home project in the city of Sedona, and it is more than twice our density. We are we are coming in at a low density for this type of project and a very comparable density to the surrounding area. The objection seems to be that the total is 600 dwelling units plus 50 RVs, but it's over a span of a 171+ acres, creating a lot of open space.

[00:30:54] Now, the next question is, who will be living there? Are we going to be addressing the workforce housing need in the Verde Valley? It's understood. I've seen the statistic in governmental documentation. There's about 1,800 dwelling unit shortage in Verde Valley Workforce. And the question has been raised, but how can you be Workforce if you're 55+ plus Community? Well, first of all, I'm 55+ and I can't see retirement from here. So there's a lot of people in the workforce who are 55+, number one.

[00:31:30] For two, the 55+ didn't just get pulled out of thin air. That's the Federal Regulation. If you were going to restrict on the basis of age, then in 80% of your homes, there must be at least one resident age 55 years of age, or older. But only one! So there can be other residents in that dwelling that are under 55. So again people 55 and older... still many of them in the workforce. As a matter of fact, the statistic is that 20% of the workers in the state of Arizona are individuals age 55 or older.

[00:32:03] But then also we will have many residences where there will be people living in the home that are under 55. Then the other 20%... 80% must have that one 55 or older... The other 20% by law don't have to. Statistically we have found in our communities that that averages out to be about 10 percent of the homes will not have anyone age 55 or older. And you combine all that together and our statistic is that somewhere between 50% to 30% of the residents in a project will still be working... Will be in the workforce now... Yes, ma'am, please...

[00:32:47] **Commissioner:** [00:32:47] Mr. Jarvis, in my package it says that you're looking at 600 manufactured homes with 50 are designated recreational vehicle sites. There's a statement in here that if somebody's not careful, it could be overlooked, and I almost think it's like a strike or bill. You've got it in there, and it zips through that you want the right to convert any or all of the 50 designated recreational vehicle sites to manufactured home sites without approval . That absolutely changes the density. I don't expect you to fix that today. But at the next hearing I would like to see what the conversion of those 50 sites to manufactured home sites...

[00:33:43] **Rodney Jarvis:** [00:33:43] Let me answer that question...

[00:33:44] **Commissioner:** [00:33:44] Sir, just a moment please...

[00:33:45] **Rodney Jarvis:** [00:33:45] I was going to be able to answer that question...

[00:33:48] **Commissioner:** [00:33:48] But I want to make another statement...

[00:33:50] **Rodney Jarvis:** [00:33:50] The RVs are included in the Density. Are they not? Yeah. So the RVs are included in the density...

[00:33:57] **Commissioner:** [00:33:57] In the 600...

[00:33:58] **Rodney Jarvis:** [00:33:58] 650. That's why I specified 50 RVs... 600.

[00:34:04] **Commissioner:** [00:34:04] This is not clear and that's not how it reads...

[00:34:06] **Rodney Jarvis:** [00:34:06] We will clarify that.

[00:34:07] **Commissioner:** [00:34:07] You need to have that clarified.

[00:34:10] **Rodney Jarvis:** [00:34:10] Thank you very much. Thank you. Alright. Alright, so continuing on then... There's also been concern that that people in the workforce cannot afford to be here. There's been a whole lot of discussion about that, and we're very simply tell you

that, in our experience, they very much can afford that, and we won't go into all the numbers today unless you ask us to, but the simple fact is we can demonstrate it.

[00:34:36] Okay, so I'm sorry we can demonstrate that a significant portion of the workforce can afford to be here. And if you want us to go into that in more detail, we're happy to do that. But that's been our experience.

[00:34:56] So, with that, if you don't have any more questions over what I have said so far. I would like to turn the podium over to Mr. Jason Berman of Kimberly Horn, who will walk you through the Conceptual Site Plan. Thank you very much.

[00:35:17] **Jason Berman:** [00:35:17] Mr. Chairman and members of the commission. My name is Jason Berman. Rod said I am the civil engineer on the project with TMD & Associates, 7740 North 16th Street in Phoenix. I think Tammy did a really good job of walking through kind of a changes where we were, and where we are now, with our conceptual site plan. But I would like to clarify a couple items. What I would like to clarify on a couple items are regarding the setbacks. So Tammy did mention it... We have proposed in working with the Sedona fire district to provide a 30-foot buffer. That buffer was for defensible space, and we can talk about that here in just a just a bit. That was through discussions with Sedona Fire District, and we have accommodated that. The minimum is 20 feet for the manufactured homes adjacent to the Coconino National Forest. It is 50 feet adjacent to the recreational vehicle uses. We do have that accommodated on that portion.

[00:36:22] So Tammy did a great job walking you through this. I think what I'd like to do is talk a little bit more about the site specifics, and then address some of the concerns that were brought up in some of the letters regarding water, sewer, access, traffic and then visual impact of this project.

[00:36:36] It was stated earlier. There's 46 percent of open space on this project now. So what does that mean? Well, 46% is open space of Natural Area open space untouched. Involves right red rock formations that are on the north side of the project the area in green that you see on your slide is the amount of open space that's proposed on this property. It does not include the amenities. That's an additional 10% The amenities is the Ranch area in a little bit darker green that you see there that's going to be over 10% as required on this project. Gorgeous amenities, with open space active recreational uses there as well, but it's not part of the 46% that's in addition to. The dry creek wash Corridor is a part of that open space for good reason, obviously the drainage reasons, there's a significant flow through this property and we want to maintain that and establish that untouched. The Proposal is our development does not encroach within the Yavapai County in the FEMA flood limits on this Dry Creek wash. For another reason that's really important... Rod showed it earlier. There is a significant amount of Coconino National Forest surrounding it. This site itself is a drop in the bucket compared to the environment surrounding it. We want to make sure that the site plan establishes for the connectivity for

wildlife and habitat. That's what this site plan does. Not only the Dry Creek wash but several open space corridors that you will see in green here allow for connectivity. So that's important.

[00:38:14] Throughout that open space, we're also proposing nearly 3 miles of an internal Trail for the residents. That trail... I think the biggest amenity of all is this area. I think we can all agree... gorgeous area. We want to make sure we're taking advantage of that, and it's kind of the heart of the community. So there's a three-mile trail that goes throughout the site and throughout the open space.

[00:38:36] We kind of recapping you down the open space. The minimum for this PAD would be 25%. We're recommending 46 percent and that's again based on various reasons. When you develop you look at a property as a whole 171.1 acres. This site plan proposes to show development where it's appropriate on that site. We want to protect features that are important to the property. Important to the county and also important to this community. So that's what this site plan does with providing open space where we don't want to impact things that are make this site so valuable,

[00:39:14] And Rod did a good job of kind of walking through the amenities. I would love to be there to sit. I fortunately have been able to do a site visit, and it is incredible, and the fact that this is going to be the heart of the community... I think is just so hard to in find most manufactured Communities. This is very unique, and I think the site plan itself is proposing to make sure it's established in that fashion.

[00:39:43] So I want to kind of walk you through this is called a view shed analysis map. Now there's a lot here. So I'm going to walk through it... Kind of briefly go through the slides, and then go into detail on a couple spots. This will be provided to the commission prior to the next hearing. I want to make sure everybody has time to look through some of this information because we've went through to show from a visual impact with this site offers. The area in green is highlighted. The legend says low visibility. For the most part most of the green areas, no visibility from the 89A. We said low visibility because there are other adjacent properties that have it visibility, and albeit ,lower because not everybody in adjacent properties can see, but from the 89A virtually the green area you see is almost not visible at all. The yellow area is more visible and I'd like to walk you through some of the site features at this site plan proposes to help mitigate and help further screen the property. So again, this will be provided to you. I can walk you through in detail when I show a couple of specific spots. But at each location on this map, there's letter indicators A through E, and they represent on the left side what you see from that location in picture form. But then also we put together renderings, with actual Topo, of what the site grading will look like, both today and in the future. The reason it's important is if I zoom in on points A and B. To this recreational vehicle use, this area today has a pretty substantial cut slope. You can see it in picture A that follows in this dashed Line work. You can kind of see along the right side of the page there... That's there today, and it blocks view as you drive the 89A. I've driven it many times. Cross section A-1 at the top, at the bottom, of your page here is really difficult to see. What I will tell you is... you will have this in your packet. It's

the berm itself, and the site, you can see falls away from left to right. The highway's on the left side of that cross section. The site Falls away... Rod kind of mentioned in a bowl affect. This site plan and the recreational uses were selected there specifically for this reason. It helps to further screen those uses in its appropriate location for the site. In the areas that are more visible. That's the yellow area that's shown in the manufactured home section in Phase 1. There is a Hillside and ridge line and that Ridge line is in this white dash that you see, kind of above the top of the page from there the site falls back down towards what is more of a bowl effect where the Dry Creek wash meanders through the site. So this area is more visible. What this site is offering, though, is a couple features. Number one... It was mentioned earlier... There will be a consistent roof color that will help to blend in with the surrounding terrain. Again, I think that is unique if you look across and some of our neighboring properties, they don't have that. They're white reflective roof tops. That's something that Equity Lifestyle Properties is proposing to help further blend this site plan into the surrounding Terrain. There are different ways that you site develop... and what we propose is to site develop where it makes the most sense on this property. So in some areas of more moderate terrain, what you do is what's called "clustering development". You identify an area that makes the most sense for that development. And you locate your homes The home sizes are 40 feet wide. When I say "cluster" there still minimum 10 feet in between each home. That's a minimum, and we are rendering here of landscaping in between that's going to happen. Just like sit on the Shadows you'll have other open space area that we're not counting for. That's not part of 46%, but that will feel like open space when the site develops.

[00:43:47] You do that for specific reasons. One of the reasons we do this is adjacent to the 89A, for example. We're providing additional setbacks for more further screening and setback for... To help it again avoid use from 89A. In other areas where it's steeper, you do something where you call tearing Pat's, so the site will be graded to better follow the terrain which provides for more space in between the homes that tenth of minimum is not a 10-foot anymore. It's more than that. It's 20 feet. This varies, depending on where it's located, which has more open space for landscaping.

[00:44:23] So, in general, the site itself is working within the 171 acres and, that just under 3 .8 dwelling units per acre, that does include the recreational vehicle uses to find on that 171 where it makes sense for the development, which is what this site is doing.

[00:44:42] I want to focus now on some access and traffic concerns that were brought up. So there's a lot on the slide. I think what I'll do is start with this with this exhibit. Today there are two locations for access on the SR 89A. That's the Red Moon Drive, which serves Sunset Hills Sedona Shadows and Sedona Pines. That location is unsignalized today. There's a frontage road that also runs along the 89A, and there's a right in, right out, connection at the ranch location. Those two spots will be the connection points on this project. Those are not changing. What this project offers though, is opportunity for a traffic signal at Red Moon Drive. Another clarification. I want to make is the frontage road will be utilized by Rojo Grande Sedona to access Red Moon Frive Where the signal will be to facilitate movement on 89A. There will not be allowed U-turns

at Red Moon Drive. That won't be a part of it. So traffic will flow, similar to what it is today. They will either take the right out, to head towards Cottonwood, or they will take the Frontage Road to Red Moon Drive, which allows for full access. The difference is, there's been a lot of concern about traffic, and access to 89A. In fact ADOT put together. I believe it was around 2011 other improvements to help mitigate those concerns. So traffic signal here is something that I think is a huge benefit in this project actually offers the ability to do it now, and because of the site itself, but ADOT, and there are warrants for signals. This project would allow for a signal to be at this location, which has been discussed by some residents.

[00:46:29] We have submitted a traffic impact analysis that analysis has gone through the review multiple times now with ADOT and the county. ADOT is the reviewing agency. They provided comment, and we have addressed those. Again, it's a signal at Red Moon Drive, and we've also provided for secondary access. Onto the frontage road for El Rio Grande.

[00:46:54] Fire protection... So back to this discussion on the 30-foot fire defensible space. That is a elected proposal that we have on Phase 2 of this project. Any part of the property that fronts the Coconino National Forest. I want to make it clear. We are obligated and we will follow all Code Compliance requirements. With the Sedona Fire District. That's a given, but in what we're proposing I think is a huge benefit. It's a 30-foot defensible space as the urban interface... Wildland Urban interface code suggest which allows for better fire protection both ways... Both for the Coconino National Forest, but also for our residents. That I think is a huge benefit that we are proposing on this property. We have worked with Sedona fire district. We've gone through a couple rounds now. One of the changes that I do believe Tammy mentioned is we have provided two points of access across the Dry Creek wash, to access Phase 2, which is north and northwest of the Dry Creek. We also have two points onto the frontage road, and allow for two points of access to 89A... And I mentioned that 30-foot fire defensible space, and this is an example of where that fire defensible space would be located, again adjacent to the Coconino National Forest. And to give context, this shows at the bottom of the page the full access that Red Moon, and then the right in, right out, access today. That would be still kept in its condition when it develops - when Rojo Grande develops.

[00:48:28] So water... There is presently an existing well in property. That well has been tested and has been evaluated by Southwest Groundwater Consultants, who understand this area - this region. This is what they do for a living, and through that 48-hour test that was conducted, it was confirmed that the data for the aquifer and the well has substantial capacity to serve this project without any adverse impacts to any adjacent properties. The same data that is used... That we submit to ADWR... I know that's beyond this stage... But when we go into development, we must submit all of this to ADWR... all that data will be submitted, and it shows that we're compliance and have adequate supply for this project.

[00:49:13] Couple options on wastewater. Number one. I'd like to kind of walk you through where we were, so we had a discussion with the city of Sedona about Wastewater service. I think there's a lot of benefit there for the city of Sedona, as well as our residents. So we had the

discussion. We believe monthly fees, for one, is good to help the city of Sedona maintain their facilities. We also would assist in any improvements needed to their facility and any other system. Their sewer system runs right along the frontage of el Rojo Grande. Discussion at this time, and at that time, the answer was no outside of City Limits. I still think it's an important discussion. But what we've done is provided our solution to serve ourselves, and it comes with a lot of benefit, and we can explain that.

[00:50:00] There's been a lot of discussion I've heard at some neighboring meetings as well about Wastewater. What are we doing? So this system is a top-of-the-line state-of-the-art system. It's a package plant that's called MBR, which is a Membrane BioReactor, and what it does is it allows us to get to a class A+ reclaimed water effluent. The reason that's important is we want to further reduce our footprint from water consumption. So by providing this type of Technology - That by the way is NOT a requirement. This is an addition to... We propose that, so that we can further reduce our footprint for water. Another important point is it allows us to confirm and ensure that we don't have any potential nutrient loading to that aquifer. So there's secondary treatment. There's a lot of technology that goes into it. It's not... It's an elective thing that we would like to do to make sure that we're ensuring not only the aquifer but water consumption. Other extra advantages is it is a smaller footprint than what you're probably familiar with conventional treatment facilities. It provides higher quality effluent, and it's easier to expand as the phase is expanding. So phase one develops... you can have the footprint of the size... Everything sized appropriately for full build-out, but it's optimized so that, when it comes for Phase 2, you can expand upon that. The biggest point of all is that it's very common technology. This is happening all over the valley - all over the State of Arizona. It is a lot of qualified operators that can do O&M on this type of site. So it's not unfamiliar. It's very common.

[00:51:32] Last point I'll make is all of this again. We're at an early stage. But all of this is highly regulated by the Arizona Department of Environmental Quality. So all those regulations and project reviews will have to occur.

[00:51:47] So before I kick it back to Rod, I'd just like to say thank you for your time. I think it's important that we had the opportunity to speak to a little bit of that. But we're all here to help answer any questions that you may have.

[00:52:02] **Commissioner:** [00:52:02] I'm just curious, as far as traffic Ingress/egress from this development. You mentioned you have two access points, and that there's going to be two more access points...

[00:52:11] **Jason Berman:** [00:52:11] No... The two access points are the same on the 89A. We provide for... our proposed for two access points to the frontage road that is just adjacent.

[00:52:20] **Commissioner:** [00:52:20] Has there been any consideration for using traffic circles, as opposed to lights?

[00:52:25] **Jason Berman:** [00:52:25] That has been brought up. We have worked with ADOT and the preferred solution is for a traffic signal, and the reason the cross traffic on this project is not in line, I would say, with the type of traffic that's on 89A, and so the preferred option is for a traffic signal at that location.

[00:52:55] **Commissioner:** [00:52:55] Very fine, thank you.

[00:52:59] **Rodney Jarvis:** [00:52:59] A comment or two more. First of all with regard that question. It is ADOT's call, and so when we say it's the preferred we mean it's ADOT's preferred... We'll build whatever they tell us to build. Additional kind of point with regard to traffic. It is true that the property as currently zoned would accommodate somewhere between 80 to somewhere in the mid-90s of homes. If you know, you can meet all the development guidelines. I don't know that we've come up with the exact number. Whereas we're proposing 650 dwelling units. So a lot of people say, well, that's just way, way, way more traffic. I want to explain about few things about the traffic impacts that those numbers would not tell you.

[00:53:51] First of all because we are 55+ Community - now locked... It is true, I said somewhere between 30-50% of our residents will be in the workforce. Of course, that means somewhere between 50 and 70% will not be. They will be retired. Retired people can choose when to go on the road for the most part. So a vehicle trip is not necessarily equivalent to a vehicle trip. It depends on the time of day. They can decide when to go on the road. They can decide what day to go on the road. That is different than people who have to be on the road at a particular time. That's number one. Number 2, ITE standards will tell you that, whereas a single family home is basically assigned 10 vehicle trips per day. This type of home is generally signed for vehicle trips per day. So it's fewer per residence, or per dwelling unit. Another thing those numbers won't tell you, is that the typical vehicles per household. with this type of household is 1.4, and often that second vehicle is a golf cart. That golf cart won't go out on 89A. Another thing that we need to point out to you is that, when we went before the Sedona City Council, a couple of folks said "well look, what we would like you to consider doing is helping us with intersection of Foothills Drive, and we also want to consider want you to consider helping us with some sort of convenience of people from your site into town, and we've responded affirmatively to both. The number one is that we've gone to some of the Council members and suggested, well, we've run the numbers and based upon the ITE standards, we will add 10% more traffic to Foothills Drive and 89A, and the cost of a new signalized intersection there would be \$450,000. So we think it's fair for us to offer 10% \$45,000. If Sedona can find the funds for the rest of the 90%. We're waiting to hear back from them on that. We said would you please explore that with us? We're waiting for a response.

[00:56:19] Secondly, we have approached Verde Linx, and we have told them that we will build them a bus stop for buses going both ways on our site. They won't have to go cross 89A to get on the bus. Both. Both directions can get on our side will have a park-and-ride there for cars and for golf carts, so that people can conveniently get on them, on the Verde Linx bus, and go into town - either direction to Cottonwood or Sedona from our site.

[00:56:51] We've made a number of changes based upon input the two points of access internally was with one. We move the sewer treatment plant to another location. That was another... We lowered the density. Originally we were asking for 688, including the RV units, down to 650 now. We've added that bus stop. And we've increased the setbacks for fire defense. We'd be happy to answer any questions you have. We have a big team here with a lot of different expertise, so fire away.

[00:57:30] **Commissioner:** [00:57:30] Thank you. Mr. Chairman, and thank you. Mr. Jarvis for two things... First of the great presentation and secondly for bringing an engineer along, instead of another damn lawyer. I have several questions, and you can field them... whoever you pick can answer. First of all, earlier in your presentation, you talked about the advantages of affordable housing, because of the manufacturing community. The average teacher in the Sedona School District makes about \$35,000 a year. The average public safety worker makes about \$38,000. Will these kinds of key people in the city of Sedona be able to afford to live in your community?

[00:58:17] **Rodney Jarvis:** [00:58:17] Ron, do you want to field this, or do you want me to? This is Mr. Ron Bond, Equity Lifestyles.

[00:58:27] Mr. Chair Commissioners had commissioned real good. Thank you. For real that questions. Our experience has been in this type of community, especially in 55+ community, our residents will take a look at their personal financial situation, and make a decision on how they're going to purchase our home. In many cases homebuyers in US communities purchase in cash, because they're at a stage of life where they don't want any more debt. So when we're going to... our proposed new home would be roughly 1,500 square feet, brand-new out of the factory, for roughly \$100,000 and many of our customers take a look at their total net worth and say I don't want to buy. \$380,000 condo at my stage of life. I don't want to be 700,000 for home in Sedona. I would feel very comfortable putting a \$100,000 into my home, and then leasing the land because personally, financially that works for them at their stage of life. When it comes to people that YOU'RE describing... again, it's going to depend on their personal financial situation. Do they have a down payment that they want to apply to this, and these homes are financeable, if they decide to do that. And they would need to qualify, as any other borrower would, based on their housing costs.

[00:59:45] But we think the product we're talking about is very competitively priced, compared to other forms of housing in this area, and it's going to offer some form of housing to people at a price point that they just don't have today.

[01:00:08] Well, when it comes to cost of housing again, I mentioned cost of a condo... The cost of a single family home. I think the average rental price for an apartment in a Sedona is \$1,800 a month. Again. We think that when, even if you want to finance the purchase of your home, plus the site rent to lease the land, that would be very competitively priced, as a housing option for people in this area. And that's what we try to do. We don't want to be the most expensive. But

we are not going to be the least expensive. We want to be a fair option for people priced appropriately in that market. So that's how we would take a look at it.

[01:00:52] **Commissioner:** [01:00:52] I'm an ex realtor. So excuse the question, but what type of home are you talking about? Are these going... Are you going to have controls over the style and size of the units that are going to be in there... Besides just the roof?

[01:01:08] Ron's more expert in this...

[01:01:10] **Ron Bunts:** [01:01:10] I'm sorry, I didn't introduce myself Ron Bunts. I live in Scottsdale and have been here... been with ELS for about 20 years. When it comes to the type of housing again... this is manufactured housing. It's factory built and we do buy our product in Arizona. There's manufacturers in Phoenix, Buckeye... areas who make these homes. So it's a it's an Arizona built product that would be delivered to the site.

[01:01:39] **Commissioner:** [01:01:39] And you have restrictions on these... I mean, are they going to be similar in appearance and size, or are you going to have variations of anything that somebody wants to bring in and park there?

[01:01:53] **Ron Bunts:** [01:01:53] Well as a manufactured home community... It's similar, if you want to look at it, to like an HOA. As the management and owner of the property, we would have a set of rules and regulations, and typically we would apply some architectural standards to the homes, and that's absolutely in our plan... Is to require a color palette if you want to paint your house, I think everyone in here has encountered that at one time or another... And it would be very similar to that. There be a color palette. We're proposing the siding material on these homes be fire-resistant. The roofing material would be fire resistant, and would be of same color, which has already been brought up. So, architecturally, we absolutely can manage that through the process.

[01:02:40] Typically, we offer five to eight floor plans. The homes themselves are on average 1,500 square feet and in that range. Excuse me, but you're actually selling the homes, rather than people bringing their home into your site. Is that correct? It could occur either way. Typically though we would have a sale Center there. We would have models for people to take a look at and then we would offer them as a we would be set up as a sales company, and be able to offer them a product. If they have a home that they want to bring in from another dealership in the state. They're certainly welcome to do that. It would again need to meet their architectural standards.

[01:03:18] **Commissioner:** [01:03:18] I do have further questions, and thank you Mr. Chairman. By the way, I had taken the opportunity to drive out there last week, and it is quite beautiful sight. So everything you say is it's really pretty. I'm concerned about fire, and I understood that the 30-foot buffer... I get that. You mentioned in your last response. Thank you for setting up your engineer. I am an engineer by the way... I understand the 30-foot setback from the national forest. That's fine. That's standard. But you're going to have 10 feet between these

these manufactured home units, with landscaping in between. And that gives me a little bit of pause, because of the way fire spreads. Are you going to have fire hydrants there?

[01:04:26] **Ron Bunts:** [01:04:26] So we will have all the requirements for fire suppression in the street, which is the water fire hydrant spacing.

[01:04:34] **Commissioner:** [01:04:34] Are you going to his roof sprinklers or anything like that?

[01:04:39] **Ron Bunts:** [01:04:39] So the discussion we've had is that I think the answer is yes where we need to, and maybe not where we don't, so there would be the code, and we will follow that code. So the Phase 2 area.. There are 13 points with Sedona Fire District of what triggers fire sprinkler requirements, and our site in some areas may not have hit any of those points and may not require it. There are other features that may end up happening. For example, even a speed bump may require sprinklers. There are different things that, as you work through final design, that might be a requirement. But right now the plan is with two points of access and the proposal is that fire sprinklers would not be required with the fire code as it is today.

[01:05:29] **Commissioner:** [01:05:29] You mentioned... or your colleague Mr Jarvis mentioned that the roofs and the siding will be fire-resistant. Is there a criteria for that? I mean... fire-resistant means nothing really.

[01:05:48] **Ron Bunts:** [01:05:48] I don't know specifics of what material, but what I can say is the minimum is 10 feet for fire spacing, and you can go less than that with certain improvements to a home building material. I don't believe we're suggesting those type of changes. Those are pretty significant for manufactured home. But the materials will be more fire resistant. We still have the 10-foot minimum spacing requirement between homes.

[01:06:17] **Commissioner:** [01:06:17] I would like to see in the ensuing weeks some some data about the fire resistance. I mean I have seen increase in fire hazards... We've seen this in Northern California. We've seen this here, and we're putting a lot of folks in a small spot. Access is difficult, as only two people choose to access point off one road... 89A... and I'd like to be sure that it's going to be safe. I want to move on. Is there going to be any outside water storage?

[01:06:57] **Ron Bunts:** [01:06:57] Yes, we will, and that water storage needs to be sized per ADEQ for our project demands, but also for fire protection.

[01:07:05] **Commissioner:** [01:07:05] You have a site for that... Where you going to put it?

[01:07:34] **Ron Bunts:** [01:07:34] Right here, and the reason for that is that's on the top of the hill. That will be sized... It's very likely we'll have another storage facility which we show up here for Phase 2. That expands... Phase 1 this will be the location for the storage that will meet fire suppression requirements as well.

[01:07:56] **Commissioner:** [01:07:56] Okay. Alright. Thank you for that. I really wanted that Assurance. Now, I'm going to move on to a third subject if I may. You're right. I'm retired now and I don't get on the road at 6:30 in the morning unless I have to come over here... Which case I did get up 6:30. But, as a retired person I go shopping, and I go to the doctors, and I don't play golf, but my friends and neighbors do. Where you go shopping here. Where do you buy your groceries?

[01:08:35] **Rodney Jarvis:** [01:08:35] Well, the simple answer is you will go shopping where you choose to, I guess. But you've got shopping in Cottonwood. You've got shopping in Sedona. It's true. I'm not suggesting that nobody's going to get on the road ever during a peak hour. I was simply trying to suggest that you have options, and you can work your shopping around sometimes, unless you had a bunch of friends coming over and you forgot to stock up on whatever it is that you were going to serve them, and you immediately have to go out. You can time your shopping particularly...

[01:09:06] **Commissioner:** [01:09:06] I get that Rod but I mean, I don't know. I've been out there number of times but I just never looked at it in this way. Where do you go to buy your gas? Where's the nearest gas station. Where is the nearest place to go buy fast food, or groceries, or anything like that? It seems to me that you're creating a small City out here, in conjunction with what's already there. Those residents are going to need these kind of urban amenities... Right? And where do you go to get that?

[01:09:37] **Rodney Jarvis:** [01:09:37] Well, a lot of them will go into some...

[01:09:39] **Commissioner:** [01:09:39] How far away is it?

[01:09:41] **Rodney Jarvis:** [01:09:41] Well Sedonas two and a half miles away. Cottonwood is a little further. So, you know, if you're going to go to Cottonwood, you're going because you want to avoid the traffic, or you like the particular store that's in Cottonwood, as compared to the stores that are available to you in Sedona.

[01:09:57] **Commissioner:** [01:09:57] So there are no plans that you're aware of for any sort of commercial shopping in this.

[01:10:03] **Rodney Jarvis:** [01:10:03] That is correct. We know there is a little market there at Sedona Pines, I understand. And there there is some discussion of approaching them, and seeing what we can do to help them to expand their service there. They may have a motivation to do it, once they have some customers to access it.

[01:10:23] **Commissioner:** [01:10:23] Okay, I have one more question of staff. There was a triangular piece that was privately owned, that was adjacent to this and it was sort of on the on the right hand side. How do you get access to that? Is that an easement or...

[01:10:49] **Tammy DeWitt:** [01:10:49] Yes, it's an easement. So, they'll have to go through the project to get to their property.

[01:10:53] **Commissioner:** [01:10:53] Thank you very much.

[01:10:56] **Commissioner:** [01:10:56] Thank you again. Mr. Chairman. I just wanted to clarify my position in this study group and this hearing today. This is in my district. And I know the property well and, you know, I'm over there in Sedona quite a bit. But I think it's really interesting that the development team here is meeting the codes that are required for the the state and Yavapai County, whether it's the septic requirements, fire. Requirements in the ADOT requirements, and I think that speaks unto itself. But for me, I'm going to withhold my questions till we have the regular public hearing that is scheduled for when we can hear from the public at the same time. I just see this to me as informational today, but I think it's it's more fair to have that venue for the public has a chance at the same time. So I'm going to withhold my comments and just take in information today.

[01:12:05] **Commissioner:** [01:12:05] Mr. Chairman. This is for staff. I vaguely recall back 25 years ago when Karin Offield developed this property that there was some trades that went along with the forest service, and there were certain restrictions on how some of that land could be used. Can you expand on that and tell me. Can you remind me what that was about?

[01:12:35] **Tammy DeWitt:** [01:12:35] So when this project came forward, I did reach out to the forest service for comments, and needed the data tell us about the trade in about.. There was a restriction on the property in regards to how that portion... The smaller portion of the bottom can be developed. But what we did find is that was rescinded. So it's no longer active...

[01:12:58] **Commissioner:** [01:12:58] It was we rescinded...

[01:12:59] **Tammy DeWitt:** [01:12:59] It was rescinded...

[01:13:01] **Commissioner:** [01:13:01] By the National Forest Service?

[01:13:03] **Tammy DeWitt:** [01:13:03] No, the forest service had nothing to do with that restriction. That was put on by the bank, I believe. If I remember at the time, and I have a copy of the rescind, but it was rescinded by the same entity. So it's no longer valid. Otherwise, this project wouldn't be in front of you.

[01:13:18] **Commissioner:** [01:13:18] Okay, so it wasn't a condition of the of the land trade... With the trade that occurred that went on with this... Is that correct?

[01:13:28] **Tammy DeWitt:** [01:13:28] We can't answer questions about that. The forest service told us about that. The Forest Service told us that there was a restriction of when the trade happened. It was something that was put on the property, based on the concerns for the residents. But about a year and a half... Two years later it was rescinded.

[01:13:44] **Rodney Jarvis:** [01:13:44] I have some information to add to that, if I may. It's apparent from the language of the deed restriction itself that it was not a prerequisite to the land Swap. And the reason that's clear is that the deed restriction itself said this creates no third

party rights. No second party rights. It was only enforceable by the party that put it on it. It is specifically said the government can enforce this, and nobody else can - only the owner can. And the same owner - the same trustee that put it on, and this was this was before Ingrid bought the property... The same trustee that put it on, took it off a year later.

[01:14:29] **Commissioner:** [01:14:29] No, Mr. Chairman. I have nothing else to add.

[01:14:41] **Chairman:** [01:14:41] So this will be heard on January the 16th. Is that correct?

[01:14:45] January 17th in these Chambers again.

[01:14:49] **Chairman:** [01:14:49] And would be in this body... So then we thank everybody for attending. We will take your questions and our comments at that hearing. We do appreciate you attending today. Thank you