



## Planning and Development Department

**DATE:** August 4, 2022

**TO:** Planning & Zoning Commission

**FROM:** Martin Martell, Planner

**SUBJECT:** DMP2021001 & Z2021050 – White Tank Foothills Phase 3  
PZ Handout #2

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Since the publishing of the staff report and handout for the above cases, staff received a letter of opposition to the cases from an area resident. The resident is opposed to the number of homes that will be built in this development and how this will impact area traffic. The letter has been attached to this handout. Additionally, since the publishing of the staff report and handout for the above cases, staff received one letter of support for the cases by an area resident. The homeowner is pleased with the modification to the proposal based on community input. The letter has been attached to this handout.

Attachments: 8/3/22 Opposition Letter (2 pages)  
8/3/22 Support Letter (1 page)

Dear Mr. Martell,

Let me introduce myself. I am a homeowner and resident of the White Tank Foothills Master Planned Community. Our home was built in 2009 as a part of parcel 9 in phase one. I have been opposed to this rezoning from the start (over one year ago) primarily due to the intention to increase the number of lots and therefor population density. I am writing today to express my concerns and voice opposition once again to the most recent rezoning request for phase 3 of White Tank Foothills.

I. White Tank Foothills is unique with mid-size lots offering room for ramadas, pergolas, pools, and other amenities. We are not a high-density community like Marley Park or Verrado with community club style amenities.

Phase 3 of the WTF Master Planned Community is the last Phase to be built and should be structurally and visually consistent with the lot sizes in Parcels 9 and 10. This consistency was not only verbally stated to us when we purchased our home, it was also documented in our CC&R's.

II. The proposed increase in homes would create massive traffic congestion that existing roads are not currently designed to accommodate. The requested rezone plans have not adequately addressed these issues. A reduction in lots to the designated increase of 10% will address this concern.

III. I and other homeowners have participated in a number of meetings with Brennan Ray and Ed Bull in an attempt to arrive at a plan to reduce the number of lots to the already approved number - 390 plus 10% per our CC&Rs. We have offered to discuss a higher number of lots as a middle ground compromise, but they refused to participate. In the course of these meetings Brennen stated that the CC&R's had been changed. The article setting forth a restriction to the total increase in the number of lots was removed and no longer prevented them from going over the original 10%. We were shocked. As a homeowner, I was never notified of any proposed or finalized changes. In fact, we have discovered that there was never any communication with homeowners about this change. I believe you have received a copy of our challenge letter giving full details regarding this purposeful and illegal manipulation and our planned response.

IV. Brennen's most recent tactic has been to offer promises to a handful of homeowners with homes along the buffer zone. They were given assurances that their view would not be impaired if they agreed to his latest plan. This promise was accompanied with a threat that if they did not support his plan, they could lose the current developer and a new developer likely would not save their view. This has caused a rift among some homeowners and

garnered a handful of support for his desired increases. However, it does nothing to alleviate the traffic congestion or maintenance of community consistency. Brennen has already stated that he plans to add higher elevation homes along this buffer zone.

Needless to say, many of us do not have confidence in Brennen's plans, promises or intentions. His underhanded tactics are unprofessional and not deserving of support from Planning and Zoning or the homeowners of White Tank Foothills. Although Planning and Zoning rarely if ever deny a developer's rezoning request, I am asking you to deny this rezoning request at your August 4th Planning & Zoning meeting at least until the conclusion of the legal proceedings related to our challenge.

With sincere appreciation.

Respectfully,

Nancy Rosenberg

Nancy R. Rosenberg, M.Ed.  
18020 W. El Caminito Dr  
Waddell, AZ 85355

Maricopa County Planning and Development Department,

My wife Brandy and I would like to express our support for the Rezone project in our community in White Tank Foothills as we live within the 300-foot area from the new development in Phase 3. We have been very involved in this process and have volunteered some of our time helping to represent homeowners in our community. We have attended several meetings with the developer's attorney, and the Board of Supervisor's Chief of Staff and were able to see firsthand all the concessions that have been made by the developer to accommodate almost all the concerns that homeowners had. From our perspective the developers have done exactly what was asked of them by the Board of Supervisors, to work with the community and resolve the issues fairly over the last year. We know that our support may not equal the amount of opposition emails you are receiving from the community however the bottom line is that while we love the quiet of our community, we always knew homes were slated to be built behind our property since we moved here approximately 10 years ago. The fact that these developers have given so many assurances to the community and took the time to work with the community making decisions based on what the neighbors are requesting is a positive thing. On your end there certainly is no way to make our neighborhood and all the surrounding communities happy as we all have different concerns, but the current proposed plan is one the developers took into great consideration of all affected areas. We support the Planning and Zoning Commission and the Board of Supervisors approving this plan as it was presented to us by the Developer's Attorney at the most recent meeting.

Sincerely,

Dennis and Brandy Ogorchock

18165 W. Las Palmaritas Dr.

Waddell, AZ. 85355

602-290-2650