

# **RICH BROCK**

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**January, 28<sup>th</sup>, 2019**

Planning Commission Commissioners  
Town of Paradise Valley

Re: 4474 E. Valley Vista lot split

**Dear Planning Commission Commissioners:**

I have lived in Paradise Valley for 30 years. My company is based in Paradise Valley and we have built over 100 projects in Paradise Valley. We build ultra high end luxury homes and property values are very important to me.

I purchased the Valley Vista lot from builder Jim Morgan in 2007 with a full set of construction plans and a 3-D model. The home was once approved by Hillside to build a 20,000+ square feet home under roof. It was approved for 4 separate structures and a tennis court. A total of 8 car garage, guest house, care taker house and a pool house.

From 2008 the lot was listed on and off through 2015. Property taxes averaged 16k per year.

In 2015, Architect, CP Drewett, Civil Engineer, Nick Prodanov and I discussed a possible lot split to develop (2) 5000 square foot modern homes. We felt it would make more sense and would fit the neighborhood better than one giant home. CP is a neighbor and wanted to make sure that it fit the character of the neighborhood.

Over the past 2 years, we had meetings with Jim Shano, Richard Edwards, Paul Mood, Eva Cutro, Paul Michaud, & Bob Lee, it was determined that we needed to purchase a strip of land from Robert Johnson's property to be in full compliance with the private roadway and all of the lot requirements of R-43 zoning and Hillside ordinance.

We had to meet all drainage & utility requirements, provided a soils investigation report, cut & fill analysis, location of retaining walls, bridges, roadways, slope analysis, fire and safety, hillside and building requirements.

Robert Johnson, the owner of 4490 E Valley Vista Ln, and I spent about a year, making sure that he and the entire neighborhood would benefit with the addition of the new lot and the development of the homes. His home would be the most impacted.

The build process will follow all of the Town of PV guidelines for building codes, hillside regulations and grading and drainage standards.

We have spent over 2 years providing the Town with drainage studies and every item they have requested to meet all zoning requirements.

After reading the neighbors opposition letters and speaking to many the night of the work/study on Jan 22<sup>nd</sup> 2019, I wanted to truly understand what they were opposed to. Outside of drainage concerns, the common theme was that they loved the open space and they were worried about their views. All of this is understandable, however, I invested and have over 2 million dollars into this property, which I purchased to develop. In lieu of building the monstrosity that was approved, we are proposing to build 2 ultra high end 5000 square feet luxury homes that would fit the character of the neighborhood, have a smaller footprint and comply with Paradise Valley R-43 zoning.

We spent 2 years getting to this point, to make sure we complied with every item that the Town staff required. We came into the Planning Commission meeting in compliance. The hang up on a fire turnaround was puzzling to me. First and foremost, this road is private and is for these 2 properties only. They are the extended driveways to the homes. A garbage truck would not be allowed access as was discussed. A landscape truck may have access, depending if the homeowner grants access, but the home will have an additional drive or driveway leading to the house with adequate space to the garages, and guest parking for vehicles to turnaround. This I believe was not discussed in the meeting. A hypothetical was brought up by the Planning Commission about a drunk friend leaving his car in the hammerhead overnight and a landscape truck unable to turnaround the next day. That drunk friend could park in a cul de sac as well and block the turnaround. The real question is, if we are in compliance then why would this be rejected? If the cul de sac was a requirement

then why wasn't this brought up 2 years ago? The hammerhead was approved by 2 separate Town Engineers, Jim Shano and Paul Mood. It was approved by the Fire Marshall, Bob Lee and by Planner Paul Michaud. Two years of very hard work and tens of thousands of dollars was spent to make sure we were 100% in compliance with Town code. We are not applying for a variance. The staff scrutinized every aspect of this lot split.

Hillside Building Official, Bob Lee was concerned with hillside disturbance and was very satisfied with the minimal disturbance created by a Hammerhead turnaround.

The issue of the dirt was brought up at the beginning of the work/study meeting. This issue was resolved working with Bob Lee and Richard Edwards 2 years ago. I do not understand why Town Staff did not bring this up in the meeting when the Commission asked what needed to be done to resolve this.

To give you some background with the dirt left on part of the lot. Several years ago, we hired a company called Adams Contracting to do excavating and blasting on a few of our projects. At the time they were excavating a project on Moonlight way for John Schultz Development. I received a call from the Adams Project Manager asking me if I needed any dirt for a project. I told him that I may have a place on Valley Vista. We needed access to the lot and may have a spot to add dirt to flatten the roadway going down to the lot. I first submitted for a grading permit and expected to receive the permit approval fairly quick. After receiving several calls from the Adams Project Manager that he needed to move the dirt immediately, I jumped the gun and gave him the green light, expecting to receive the permit. (this was my mistake and I took full responsibility) The next day, Richard Edwards called me and told me that the grading permit needed to go through hillside first and would not get approved right away. I called the Town Code Enforcement Officer, Tina Brindley to let her know what had happened and then I called the Adams Project Manager and told him to halt. The next day he continued to dump more dirt. This was discovered by Bob Lee and addressed with Bob Lee and Richard Edwards. Bob & Richard had me remove the dirt and shoot points to make sure we brought the lot back to historical topo elevations. We paid another company to have the dirt removed from the site after Adams refused to remove it. It was brought back to native, however, the lot was grubbed by the earth equipment. I hired LDG Civil Engineering and Surveying to provide the Town with the points. LDG overlaid the two survey maps and created a staking plan to facilitate the restoration of the original natural

grades. After the regrading was complete, they reshot the site and had prepared an as-built topographic survey.

Adams contracting was caught dumping dirt on other sites all around PV and Phx that year. We are currently suing them for multiple infractions.

After the work/study meeting on Jan 22<sup>nd</sup>, 2019, Civil Engineer, Nick Prodanov made an additional adjustment to the roadway. He added a turnaround for delivery trucks and landscape vehicles. (please see updated G&D plan). This adjustment will mitigate the concerns for a truck turnaround as discussed.

I feel at this point we have done everything asked of us and provided what was needed to comply with all Town regulations. Please consider all of this when making your decision. Thank you for your time and consideration.

Sincerely,

**Rich Brock**