

# County OKs *April 1986* NEWS-SUN senior zone

By MARK COAST  
Staff Writer

By a 4-1 vote this morning the Maricopa County Board of Supervisors approved a request for senior citizen overlay zoning in Sun City West.

The zoning would be effective immediately, said Richard Turner, principal planner for the county Planning and Development Department.

The motion to grant the zoning was made by Supervisor Hawley Atkinson of Sun City. Supervisor Ed Pastor cast the only dissenting vote.

**UNDER THE** zoning ordinance, existing zoning regulations will remain unchanged. Other provisions, however, will be added to current zoning.

The ordinance includes provisions that exclude permanent residents 18 years of age or younger and require at least one permanent resident to be no younger than 50.

Under the ordinance, temporary use permits may be requested by residents in the event of an "exceptional or unusual situation."

**THE ORDINANCE** also provides that no building be constructed more than two stories high unless it has elevators, that required parking spaces shall be located within 200 feet of the unit they are to serve and that senior citizen zoning not be established on areas of less than five contiguous acres.

The Sun City West effort, coordinated by the Property

Owners and Residents Association, had earlier faced a stumbling block in the form of the Maricopa County Planning and Zoning Commission.

In their initial appearance before the commission Jan. 19, PORA representatives were questioned by commissioners as to the amount of signatures they had collected.

**AFTER RECEIVING** signatures representing 65 percent of all the lots in Sun City West, several commissioners said that wasn't enough.

However, the panel eventually decided there were enough signatures and granted the matter a public hearing.

The commission also decided to establish 65 percent as the minimum amount of signatures needed by communities seeking the zoning.

**AT THE MARCH 1** hearing, the matter passed without debate.

The ease with which the commission approved the zoning caused Betty Pearlman, leader of a similar zoning drive in Sun City, to be "optimistic."

"We hope we will get the same kind of treatment," she said at that hearing.

**SUN CITY'S** request for the zoning regulation is on the Planning and Zoning Commission's agenda for Thursday.

In its initial consideration of the Sun City request, the commission will decide whether to grant the matter a public hearing.

# SCW apartment project moves forward

## Several steps precede construction

MITCHELL VANTREASE  
DAILY NEWS-SUN

With the major hurdle passed, developers of a proposed apartment complex in Sun City West still have a

few more bumps to maneuver before construction will begin.

The Maricopa County Board of Supervisors on Wednesday unanimously voted to rezone 7.8 acres of land in Sun City West for the complex, ending a yearlong battle between residents and the developer.

"We're really satisfied with the outcome," said Randy Fuller, the president of the Property Owners and Residents Association of Sun City West.

"It's going to be a successful project when it's finally completed."

PORA Director Chuck Ullman said this morning that the developer must now ensure its funding is in order before the project can move to the next step. LB Apartment Communities had previously applied for Industrial Development Authority bonds from Maricopa County, but the deadline for starting the project with those bonds has expired and the bond

application process must start anew.

"To the best of my knowledge, what they've indicated to me is, No. 1, they have to get with their financial people to get funding," Ullman said.

Once funding is lined up, LB likely will meet with the Recreation Centers of Sun City West to develop a facilities-use agreement governing renters' use of centers' properties. Fire department approval and

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permitting would follow, Ullman said.

He estimated construction wouldn't start for three to six months.

"At least the disagreement part, we're over that hurdle, so we're not in limbo," he said.

Sandra Lenocker, a co-owner of the land, said she and her sister are happy that PORA and the developers found a middle ground.

"I'd like to thank PORA for everything," she said.

The supervisors' approval comes after PORA directors and LB Apartment Communities reached a compromise on the proposed Deer Valley

Garden Apartments at 151st Avenue and Deer Valley Drive during a PORA meeting Monday. District 4 Supervisor Max Wilson, who represents the Sun Cities, said he's been working with both parties and is pleased with the results.

"We've made a lot of efforts to work through this and have a nice product," Wilson said.

This latest proposal lowered the number of rentals from 180 to 164. In the agreement, the parking ratio was raised, with 297 spaces, part of those covered.

The two-story buildings will be set back 240 feet from the property line on the east and south sides and 210 feet

on the west. Adequate elevators will be located in the units with two floors.

"It's been a year," said Fuller. "We think this is going to work on both sides."

LB Apartment Communities originally proposed 200 units in 12 two-story buildings on 8 acres. A recreation center was planned as well.

PORA and the Recreation Centers of Sun City West were looking to the county board to place stipulations on the project limiting the buildings to one story; decreasing the density from 200 units on nearly 8 acres to 100 or fewer units; creating two parking spaces per unit, including one covered space per unit; maintaining an appearance

consistent with the rest of Sun City West; incorporating Sun City West's master covenants, conditions and restrictions; and coming to an agreement with RCSCW officials on use of centers' facilities.

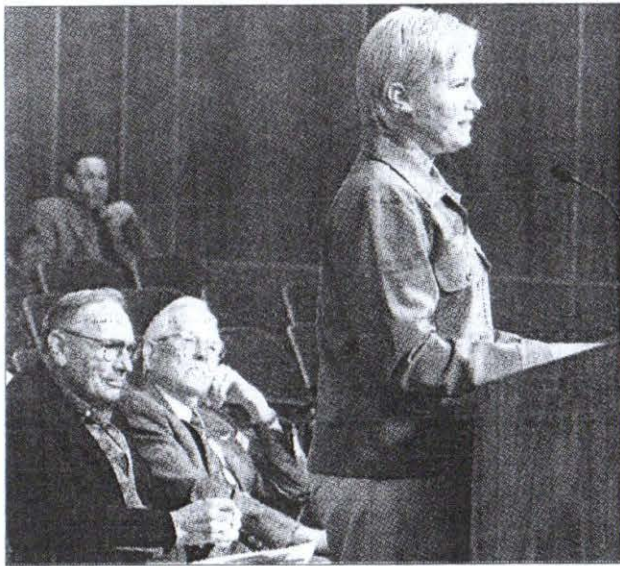
Darin Sender of Sender Associates, who represented the developer, said she was pleased with the negotiations between PORA and her clients.

"It's been a lot of work," said Sender. "However, I think that we've come up with something that the entire Sun City West community will be proud of."

Mitchell Vantrease can be reached at 876-2526 or [mvantrease@aztrib.com](mailto:mvantrease@aztrib.com).

Katy O'Grady contributed to this story.

OVER



PHOTOS BY JOY LAMBERT-SLAGOWSKI/DAILY NEWS-SUN

Darin Sender of Sender Associates addresses the Maricopa County Board of Supervisors, which Wednesday approved rezoning in Sun City West for the LB Apartment complex. Sender Associates represents the developer, which has been working on a compromise from its original proposal that met with community disapproval.

# Apartment complex endorsed by PORA

## Board of Supervisors approves zoning

By Jill R. Goodman

Independent Newspapers

The southeast corner of 151st Avenue and Deer Valley Drive will see new senior apartments that both the developer and the Sun City West Property Owners and Residents Association can live with.

After postponing the decision until an agreement was reached, the Maricopa County Board of Supervisors unanimously approved zoning for the apartment complex on Dec. 3.

District 4 Supervisor Max Wilson received about 400 e-mails from Sun City West residents over the last year.

"I think we wound up with

something that will be nicer than the vacant lot that's been there for years," Mr. Wilson said.

PORA President Randy Fuller agrees the year of compromising will result in a better apartment complex.

"You're not used to people coming before you one month and opposing (a project) and coming back the next month and supporting it," Mr. Fuller told supervisors.

The new plan created by L.B. Apartment Communities looks different than the original plan with scattered apartment buildings, which Mr. Fuller refers to as the

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## PORA

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"great train wreck."

The developer included elevators, lowered building heights, changed driveways and increased parking—all at PORA's request.

"Without the participation of PORA in the first place, this easily could have been approved with an excessive 200 units, all two-story buildings, and without adequate parking," Mr. Fuller said.

Some changes include:

The developer originally planned for 200 apartment units, while PORA wanted half that amount. The Maricopa County planning and zoning staff capped the maximum at 180 units and PORA later requested a maximum of 132 units. The approved plan allots for 164 units, which Darin Sender from Sender Associates representing L.B. Communities, calls a "great compromise."

The new proposal

includes five two-story buildings in the center of the complex and seven one-story buildings on the peripheral. The apartments are about 240 feet from adjacent property lines, which will be about 280 feet from neighboring houses, said Ms. Sender.

A former plan set the two-story buildings only 180 feet from adjacent property lines. PORA had requested more parking spaces at a ratio of 1.7 spaces per apartment unit, instead of 1.3. The Nov. 25 plan includes a 1.8 ratio, with more than half being covered parking.

Ms. Sender said in the board meeting they plan to meet with the Recreation Centers of Sun City West to discuss a facilities use permit upon approval of the rezoning request. RCSCW President Tom Cook said they must charge an initial fee and an annual fee to utilize the golf courses, recreational centers, bowling alley and pools.

The developer agreed to

adopt compatible CC&R provisions, including restricting the age of occupants to more than 55.

The developer agreed to PORA's stipulations for stucco coverings, roof tiles and compatible color schemes.

Ms. Sender said many calls from residents who want to "move in" have been from widows wishing to sell their home and live out their lives in cheaper apartments.

Rent for the one-bedroom and two-bedroom units is estimated to be \$600 to \$800, Ms. Sender said. The apartment, which will be built in about one year, may be partially funded with bond money from the Maricopa County Industrial Development Authority.

"Our goal was to provide affordable housing," she said.

More than 20 percent of residents in the area have an income less than \$20,000, Ms. Sender said.

The PORA Board of Directors met Dec. 1 and voted 12-1 to accept the new proposal with 164 units, with the only no vote coming from PORA's Planning and Zoning Director Bill Hafeman who wanted to compromise at 148 units.

Before the final vote, Mr. Hafeman expressed that he did not receive "backing as the Planning and Zoning Director."

Sun City West resident Paul Warren was disappointed with the final vote.

"The people against this did not express themselves," Mr. Warren said.

PORA's prior vote to set the maximum number of units at 152 failed 4-9.

# New home plan moves ahead

**SUN CITY WEST:** Desert scrub land surrounded by SCW, land would hold 4 homes per acre

BRUCE ELLISON  
DAILY NEWS-SUN

June 16, 2000

After 30 months of indecision, Tim Fitzpatrick has formally asked Maricopa County to approve construction of 60 single-family homes on 15 vacant acres he owns in Sun City West.

The Fitzpatrick land, which developer Del Webb Corp. was unable to acquire as it built the expansion area, is off Veterans Drive north of Deer Valley Drive.

Except where it touches the Prince of Peace church parking lot, it is walled off from the surrounding neighborhood. It is undeveloped desert scrub.

Fitzpatrick and his wife Gail, who live

in Colorado, have owned the land for many years. It once was part of a family ranch before there was any development in the area.

A 5-acre chunk of the original 20-acre ranch was sold to the Diocese of Phoenix four years ago for parking for Prince of Peace.

In his filing with the county's planning and zoning department, Fitzpatrick said he would ask the county to approve a senior-overlay zone which would require that at least one resident of each dwelling be 55 or older.

That is the same zoning which applies to the rest of Sun City West.

Fitzpatrick first began talking about developing his land in late 1997, when he left letters on the doors of nearby residences, explaining that he wanted 120 units of duplex- or townhouse-type homes.

He later met with residents about the project, and talked with officials of the Property Owners and Residents Association and the Recreation Centers of Sun City West about his plans.

He's again talking with both — conversations began in October as Fitzpatrick revised his plans for the property.

PORA said the original plans called for too many units. The density was reduced from 120 units to 103, then to 60.

The property now is zoned R-43,

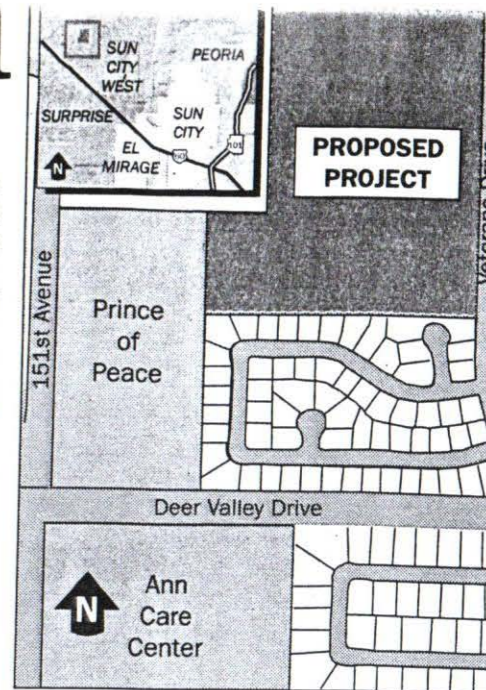
which allows one home per acre.

Fitzpatrick has said several times that he wants whatever development he puts on the land to be compatible with the rest of Sun City West, to be for seniors, and to provide Rec Centers privileges for its residents.

That would require approval from the Centers, since the land is not covered by the deed conditions Webb put on other property requiring Centers membership.

Rec Centers officials have a set buy-in fee for new developments, with costs that would run \$5,000 a unit. Residents also would pay annual rec fees.

Because the land was never owned by Webb, it is not subject to Webb's design



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## From A1

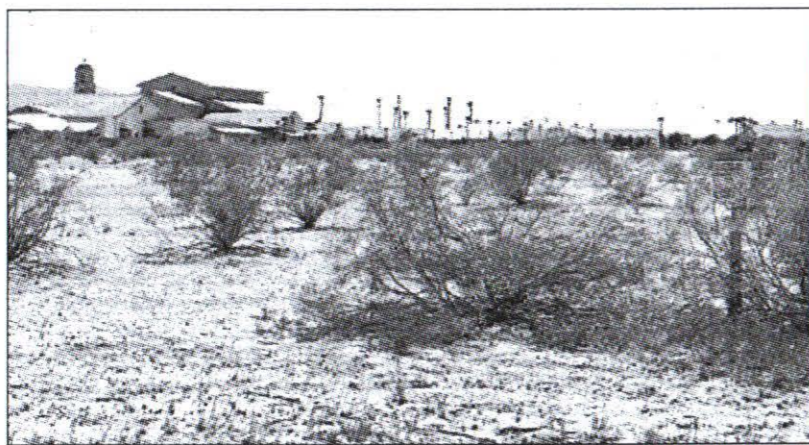
review process, though Fitzpatrick has said he wants the area to look like it belongs to the community.

Two years ago, at Fitzpatrick's request, the tract was annexed into the Fire District of Sun City West, so residents there would pay taxes to, and receive service from, the district, said district board chairman Jim Maley.

PORA's Planning and Zoning Committee reviewed the Fitzpatrick filing, and suggested 17 conditions that should be put on it, said Randy Fuller who heads the committee.

The biggest concern is density, with too many homes still planned in PORA's view, he said at Tuesday's board meeting.

"As it was filed, it calls for four units per acre, while the surrounding parts of the expansion area are at 2.58 per acre," he



LISA GOETTSCHE/DAILY NEWS-SUN

A piece of property owned by Tim Fitzpatrick, completely surrounded by Sun City West boundaries, is being considered for rezoning for new homes. Prince of Peace church is in the background.

said.

"The 60 units would have been appropriate on the plot's original 20 acres, but now that some land was sold off to the church, we think the density should drop to the three units per acre of the

original site. That would allow only 45 dwellings on the land."

County planners already have had a technical advisory committee meeting to look at the project and found no problems, Fuller said.

The TAC examines such things as streets, turning radius, utilities, drainage and the like, to be sure no technical details would interfere with the proposed plans.

A public hearing on the project is the next step, Fuller said, though it's doubtful one could be held in June.

The property will have to be posted with signs and adjacent property owners notified by mail before the hearing, which may occur in July or August, Fuller said.

Fitzpatrick has an unlisted telephone number and could not be reached for comment.

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# Sun City West fights Walgreens

By Lori Baker  
The Arizona Republic

New Walgreens stores are mushrooming across the Valley, but hundreds of Sun City West residents don't want one sprouting in their retirement community.

More than 700 Sun City West residents attended a meeting Tuesday to voice concerns that their residential area would be disrupted if a free-standing Walgreens store was built at the southeastern corner of 151st Avenue and Deer Valley Drive. They worry about noise and traffic, especially from large delivery trucks using the same roads as golf carts.

"It would be a tremendous change in the character of the neighborhood," said Chuck Gameros, a Sun City West resident.

Evergreen Development Co., which has located many of the new Walgreens stores throughout Arizona, asked Maricopa County for a zoning change from rural, 1-acre residential to commercial on a 2.2-acre parcel to allow a 15,000-square-foot, free-standing Walgreens, said

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Scott DeBo, Evergreen's project manager.

The company arranged for Tuesday's meeting to get Sun City West residents' comments. After the strong opposition, DeBo said he will relay the concerns to Walgreens officials.

Many residents said the site is the wrong place for a Walgreens. DeBo said the decision about whether to withdraw plans is up to company officials. A hearing may be held in November or December before the county Planning and Zoning Commission. If approved, the store is likely to open in early 2001.

The Sun City West Property Owners and Residents Association in August recommended that the county reject the proposal because an overwhelming majority of residents responding to a survey didn't want the store.

"The message is loud and clear that residents don't want a Walgreens there," said Phil Garner, president of the property owners group.

Michael Curley, a lawyer representing Evergreen, said the property has been planned for commercial development for several years, although it is currently zoned residential. He said if Walgreens doesn't build there, another commercial use will come in.

Richard Kotmour, a Sun City West resident, wondered why Walgreens would want to build on Deer Valley

Drive, as it has two stores nearby in Sun City West and Surprise.

Curley, however, said Walgreens' philosophy is to build stores about 1.5 to 2 miles apart to serve the immediate neighborhoods.

Walgreens had decided not to sell liquor at the proposed location but no decision had been made yet on whether the store would be open 24 hours, Curley said.

Walgreens has more than 2,800 stores in 39 states and Puerto Rico. There were 144 Walgreens stores in Arizona as of Aug. 31.

Lori Baker can be reached at (602) 444-7120 or at lori.baker@pni.com.

September 7-13, 1995

## SCW Residents File Suit Against Webb

### Say They Were Told Property Was Zoned For No More Than A Two Story Facility

By Ruth Borchardt

"Not in my back yard," say Charles and Maryann Best, plus Fred and Lenora Davey and Fred Larson about the proposed six-story Grandview Terrace project being built by Freedom Group, Inc. very close to their properties next to the Del E. Webb Memorial Hospital. They had expected no more than a two-story build-

ing to be erected.

A suit has been filed by them against the Del Webb Corporation, but as yet Del Webb has not seen the complaint, according to John Waldron, head of public relations and community development, so at this juncture there is no comment from Webb.

"They were told," say the

group filing the suit, "that the property was zoned for a commercial facility to be no more than two stories high." Gil Shaw, the residents' attorney, said that it never occurred to them that a six-story building would be constructed. Shaw also said, "The residents were told that although Del Webb no longer was the owner, Webb had a right to review and change any developments that might go on the lot. This was due to an agreement between the developer and the property owner. Webb had responsibility to the residents due

to that particular relationship between Webb and the property owner through this covenant."

Further, Shaw added, "No objection whatsoever would have been raised for a two-story building, with attractive landscaping, which could be an asset to the area."

Feeling they were misled regarding the construction, the three families are seeking unspecified damages. "Because the buildings would be seen from the back yards of the residents," Shaw said, "it would substantially drive down property values."

© The Arizona Republic Saturday, September 11, 1999

# SCW speaks loud and clear: No Walgreens here

## Retailer continues pushing for store

By Lori Baker  
The Arizona Republic

SUN CITY WEST — Despite strong opposition from Sun City West residents, a developer is proceeding with plans for a Walgreens store in the retirement community.

The Sun City West Property Owners and Residents Association conducted a survey to get community reaction to plans by Evergreen Development Co. to build a Walgreens store at the southeastern corner of 151st Avenue and Deer Valley Drive.

Evergreen has asked Maricopa County for a zoning change from

rural, 1-acre residential to commercial on a 2.2-acre parcel to allow the 15,000-square-foot, free-standing Walgreens store, said Scott DeBo, Evergreen project manager.

Questionnaires were sent to owners of property within 600 feet of the proposed store site. Other Sun City West residents had a chance to respond to the survey through the PORA office.

The results, presented to county officials earlier this week, were 313 against and 75 in favor of allowing a Walgreens store if it would not sell liquor. Based on the survey results, PORA President Phil Garner said his group asked that the county reject Evergreen's proposal.

DeBo said company officials want to talk to Sun City West residents in person to explain Wal-

greens' plans. A neighborhood meeting is tentatively scheduled for 10 a.m. to noon Oct. 6 at the R.H. Johnson Recreation Center's social hall.

Walgreens spokesman Mike Polzin said residents' comments at the meeting will be taken into account.

"We will be meeting with the residents and clarifying the aspects of our proposal," he said. "It would be helpful for them so they have a better understanding of the project."

Although Walgreens has a store at R.H. Johnson and Camino del Sol boulevards in Sun City West, Polzin said there is a market for a store farther north. He said the 151st Avenue and Deer Valley Drive location was chosen because it's an intersection of two major streets and the traffic patterns and population

density in the area would support the store.

Polzin emphasized that Walgreens does not plan to sell liquor at the store. The survey circulated by PORA had asked whether residents wanted the store with or without liquor sales. Polzin said it has not been determined whether the store would be open 24 hours a day.

Bill Hafeman, the Sun City West Coalition's planning and zoning committee chairman, said he is surprised that Walgreens is going forward despite the survey results.

"If people said 4 to 1 that they are not in favor of the store, I think Walgreens takes a chance if it wants to push it through and people might not even patronize it," he said. "If I were Walgreens, I'd pay more

attention to what people are saying."

Lori Baker can be reached at (602) 444-7120 or at lori.baker@pni.com.

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Wednesday, May 25, 1994

# Rezoning opposed by some Care center, not casitas, urged

By Lori Baker  
Staff writer

SUN CITY WEST — A board member of the Recreation Centers of Sun City West is urging residents to oppose Del Webb Corp.'s plans to build small houses in the community's commercial core.

**"It's about time we started to take care of ourselves and plan for the future out here."**

**Bob Kelley**  
Board member  
Recreation  
Centers

Bob Kelley, who joined the Rec Centers board in January, said he distributed form letters to about 3,000 residents to sign and mail to Chuck Colledge, director of current planning for the county.

The letter expresses opposition to rezoning the community's central core from commercial to residential.

Webb has requested the rezoning as a condition of reac-

quiring the commercial core property.

"County planners told me that if I had a substantial number of people send in letters opposing rezoning, then it would not be approved," Kelley said.

He said he is against Webb's proposal to rezone 50 acres from commercial to residential so that small houses, called casitas, could be built there. The property should be used instead for a life-care center, Kelley said.

"It's about time we started to take care of ourselves and plan for the future out here," Kelley said. "There is a need for facilities for people who no longer want to take care of their home or cook."

Webb has not yet filed a rezoning application with the county. The developer has said it will not repurchase the commercial property unless the county approves the zoning change to residential.

Webb spokeswoman Martha Moyer declined to comment about the letter of opposition, saying she has not seen it.

Moyer said, however, that negotiations are continuing among Webb officials, the Rec Centers board members and Property Owners and Residents Association board members regarding the rezoning.

The Rec Centers board is expected to decide Thursday whether to support Webb's proposal. The meeting will be at 9 a.m. in the R.H. Johnson social hall.

Webb originally had offered to pay the Rec Centers \$200,000 in exchange for the board's support of the rezoning of the 50 acres to allow the construction of 300 casitas.

But during a community meeting early this month attended by 1,200 residents, some people said they wanted part of the commercial land near R.H. Johnson and Camino del Sol boulevards used for a life-care facility.

Chuck Roach, general manager of Del Webb's Sun City West, said his company is willing to scale back plans to 235 casitas on 40 acres. Another developer then could build a life-care facility on the adjacent 10 acres. The casitas would be similar to those built in the Webb expansion area in Sun City West and would be priced from \$92,000 to \$105,000.

Roach has said that Webb wants to

develop the vacant land because residents have complained that it is a dust bowl. However, he said, the developer will not proceed with the rezoning if the community does not want it.

Kelley said he wants more people to send letters to the county

opposing the rezoning. The letters can be obtained by calling Kelley at 546-1558.

In other business, the Rec Centers board is expected to consider the budget for the fiscal year starting July 1 and possible changes to the conflict-of-interest policy.

# Webb Plans 300-Casita Complex in Heart of Sun City West

## Final Decision is Contingent Upon Successful Rezoning Request

Del Webb Corporation is finalizing the repurchase of 50 acres of the 55-acre commercial core located in the center of Sun City West. The other five acres in the commercial were sold by the owner to the federal government for the construction of a post office. Those plans remain unchanged.

Purchase of the commercial core property is contingent upon the successful rezoning of the property to residential from commercial

Webb sold the property in 1983 to Sun State West Limited Partnership. The original master plan for the community anticipated a regional shopping mall to be built on the property. Market conditions have changed and there is now a surplus of commercial property in the community, according to Webb.

Upon the repurchase, Webb expects to develop 300 smaller single family homes, known as casitas. The casitas expected to be built on the property were redesigned and reintroduced by Webb in January, 1994. They are smaller single family homes with a garage in the front and feature a homeowners association that maintains the common landscaping.

"As our company nears completion of our development work in Sun City West, it was important to us to resolve the future of the barren commercial core," noted Chuck Roach, Del Webb's Sun City West General Manager. "The residents will be assured that the commercial core will be developed with an attractive and appropriate product," said Roach.

The construction of additional homes in the community is provided for in the Recreation

Association Master Agreement that was approved in 1993 by the Recreation Governing Board and Del Webb. That document indicates that Webb can build up to 17,340 homes in Sun City West without building additional amenities beyond those called for in the Master Agreement. With the addition of the 300 new residen-

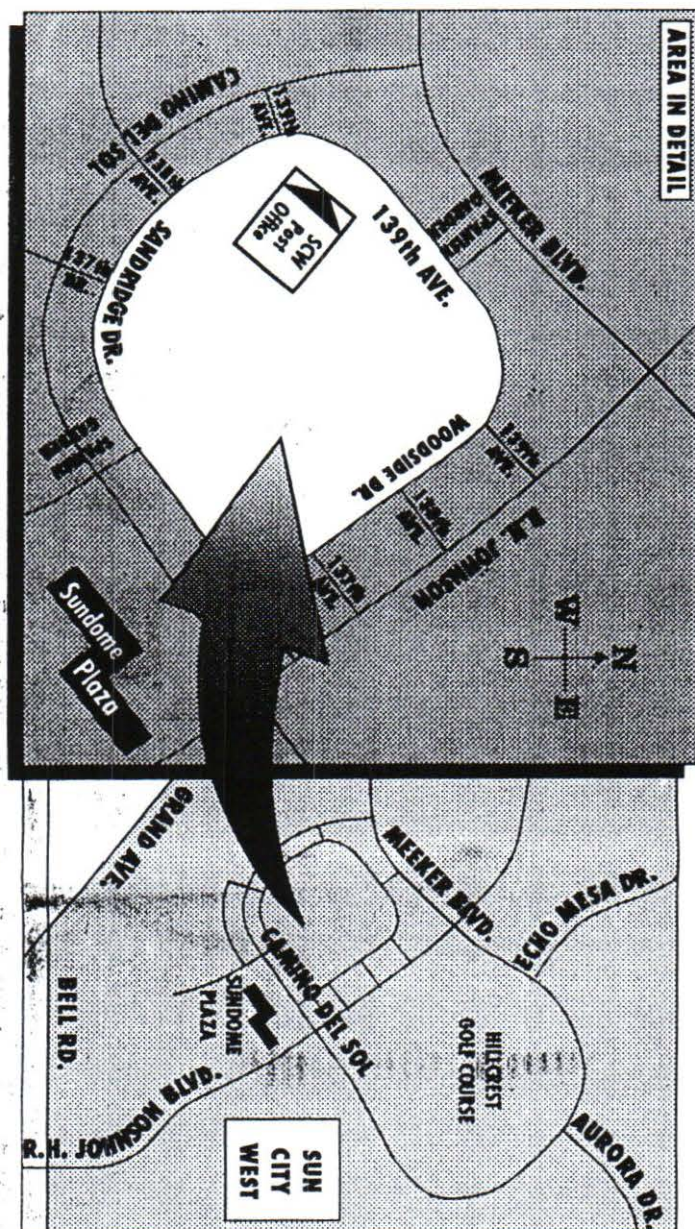
tial lots, the projected total number of households in Sun City West is still less than 17,000.

Del Webb spent \$1.3 million on the expansion of existing facilities one year ago and will expend over \$7.1 million on the construction of the new Palm Ridge Recreation Center which officially opens in May. The

Recreation Association Master Agreement called for the company to spend a total of \$8.1 million.

Additionally, the Master Agreement provided for Webb to spend \$6.5 million on the new

**Webb**  
Continued on Page 2



**Business or Casitas, That is The Question**

# Webb Plans 300-Casita Complex in Heart of SCW

Continued from Page 1

membership fees.

Webb will begin construction in the commercial core after review by the Planning and Zoning Commission and approval by the Maricopa County Board of Supervisors of the required zoning change. Sales are expected by late summer.

A community meeting is scheduled for May 5 at 1:30 p.m. in the R.H. Johnson Recreation Social Hall to review the plans. The public is invited to attend.

The purchase is contingent on a zoning change but as yet no request for a zoning change has been filed with the county. A scheduled pre-application conference is scheduled for this week, but there is nothing official. They are to meet only for a preliminary discussion.

Following this announcement, Wester reporter Ruth Borchardt found strong opposition from some civic leaders. Property Owners and Residents Association Pres. Arve Dahl points out that what is needed is a care center or as one member of the community asked, "What about a theater, another grocery store, or a small park".

Mort Leeper, president of Citizens Alert Group, feels there is much need for another store, a care center and other facilities to accommodate the expected influx of people in the next few years. Pointing out how many stores and care centers are located in Sun City, he thinks there should be more thought given to the Deer Valley Golf Course. The company actually spent \$7.8 million and expects to spend another \$6 million on the new executive golf course which is currently under construction. "We have met and exceed our financial obligation to the Recreation Association, but decided to take it one step further," said

Roach.

Webb has voluntarily pledged an additional \$200,000 to the Recreation Association for expansion of recreational amenities, if the commercial core land deal closes. "We have always been proud of the recreational amenities built by Del Webb. This gift will help assure those facilities will remain first rate," said Roach. That \$200,000 comes on the heels of a recent \$150,000 donation for club expansion, plus nearly \$600,000 Webb just paid in Recreation impact additional new homes would have on the recreation centers, the traffic situation with more cars and golf carts. Further he stated that no more commercial development in Sun City West would be a selling point for its commercial lots in its new retirement community in Surprise.

Governing Board Pres. John McMillen and other Board members have been assessing the plan, but in a meeting with Del Webb representatives, the suggestion was made that the Webb Corporation donate more money for amenities. Responding, the Webb representative said that

there is a certain point in allocating money for amenities that one can go and still make a profit. Going over a given amount, considering other costs involved, would mean it would not be a feasible business venture. Naturally the Del Webb Corporation would like the approval of the Governing Board and PORA, but under the Master Plan, as long as the homes are not more than 17,340 nothing can prevent them from going ahead. Arve Dahl, head of PORA, wants the residents to have an opportunity to

vote on the proposal. There will be a meeting with Del Webb, the Governing Board and PORA.

There is an unsubstantiated report that a commercial broker has a client wanting to buy 10 acres for a rest home.

"Nay" sayers persist as to the wisdom of building these houses. A community meeting is planned to review the plans May 5, 1:30 p.m., R.H. Johnson Recreation Center. The disagreements are still to be resolved but will be carefully evaluated with all factions involved.



Will this beautiful new Post Office bldg., shown as it will look from 139th Ave. looking Southeast, be surrounded by new Casitas or a new shopping complex anchored by a supermarket like a Fry's, Basha's or Smith's? Bids on the Post Office prior to Christmas this year.

# Residents object to plan for more houses

## Group: Stores needed there

By Lori Baker  
Staff writer

SUN CITY WEST — Del Webb Corp. says it's buying back 50 acres in Sun City West's commercial core so it can build small houses at the site.

But community leaders say they will oppose Webb's plans when a required zoning change is considered by the Maricopa County

Planning and Zoning Commission and the county Board of Supervisors.

Webb officials said the purchase is contingent on the zoning change.

"Del Webb is not considering what our community needs, which is more commercial services and a continuing care facility," said Arve Dahl, president of the retirement

community's Property Owners and Residents Association.

"When Webb takes the 50 acres, we won't have any more commercial land left in Sun City West, and there will never be room for another grocery store or any other type of commercial development," said Mort Leeper, president of Citizens Alert Group.

Leeper said the elimination of commercial property in Sun City West would help Webb market commercial lots in its new retire-

ment community in Surprise.

"People from Sun City West will have to cross Grand Avenue to go to a store, and that's dangerous for people driving golf carts," Leeper said.

A community meeting to review the plans is slated for 1:30 p.m. May 5 at the R.H. Johnson Recreation Center.

The 50 acres that Webb has targeted are near R.H. Johnson and Camino del Sol boulevards.

Webb sold the property in 1983

to Sun State West Limited Partnership. The original master plan for the community called for construction of a regional shopping mall at the site.

"Market conditions have changed, and there is now a surplus of commercial property in the community," Webb spokeswoman Martha Moyer said.

On five acres adjacent to the property Webb wants to buy, the U.S. Postal Service will build a post office later this year.

Webb expects to build 300 smaller, single-family homes known as casitas. The casitas are single-family homes with a garage in the front. The casitas have a homeowners association that maintains the common landscaping. If the county approves the proposal, home sales would start in late summer.

"As our company nears completion of our development work in See WEBB, Page 8

Sun City West, it was important to us to resolve the future of the barren commercial core," said Chuck Roach, Del Webb's Sun City West general manager.

"The residents will be assured that the commercial core will be developed with an attractive and appropriate product."

Dahl questioned why residents should not be able to vote on Webb's plans to build houses in the commercial core.

Roach said the construction of additional homes is provided for in the master agreement approved last year by the board of the Recreation Centers of Sun City West and Webb.

That document permits Webb to build up to 17,340 homes in Sun City West without adding ameni-

ties beyond those mentioned in the agreement. Even with the addition of the 300 new residential lots, the projected number of households would be less than 17,000, Roach said.

Dahl and Leeper said they were concerned that 600 more residents would burden already-crowded recreational facilities.

Moyer said Webb has pledged \$200,000 to the Recreation Centers of Sun City West for expansion of recreational facilities if the land deal goes forward.

"We have always been proud of the recreational amenities built by Del Webb," Roach said. "This gift will help assure those facilities will remain first-rate."

The \$200,000 is being donated on the heels of another, recent

\$150,000 donation by Webb for expansion of club facilities.

Additionally, Webb recently paid \$600,000 in recreation centers membership fees for its unsold lots.

To accommodate an expansion of Sun City West north of Deer Valley Drive, where about 6,100 residents will live, Webb spent \$1.3 million a year ago to expand recreational facilities. The developer also is spending about \$7.1 million to build the new Palm Ridge Recreation Center, which will open in May.

Additionally, Webb spent \$6.5 million building the Deer Valley Golf Course, which opened earlier this year, and plans to spend \$6 million on an executive golf course that is under construction.

SCW  
ZONING  
VF

# Rezoning sought for house sites

Daily News-Sun staff

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The public hearing, which will be at 10 a.m. in the Board of Supervisors auditorium, 205 W. Jefferson St., Phoenix, will concern an area near the southwest corner of Stardust and R.H. Johnson boulevards.

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"We are confident that it's going to be approved. If that particular piece of land was not developed for residential as we are proposing, it would be sitting vacant," Martha Moyer, Webb spokeswoman said.

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Roach, Webb executive and Sun City West general manager.

"It is our consensus that development of a shopping center on the Johnson and Stardust site is unrealistic both in the short and long term," Roach said.

The commission hearing precedes a public hearing with the Maricopa County Board of Supervisors, which is the last step in approval of the rezoning plan.

If plans are approved, construction could begin as early as November, Moyer said.

In April, Webb hosted a public meeting to get comments from local residents. Several options, such as an apartment building or a lifecare center, were presented to the group of about 300 property owners.

"When we explained the options to the neighborhood, they were very supportive of us developing for single families," Moyer said.

The additional houses would be similar to existing structures, Moyer said.

"The property has been a vacant lot the whole time and the people are anxious to have it developed one way or another," Moyer said.

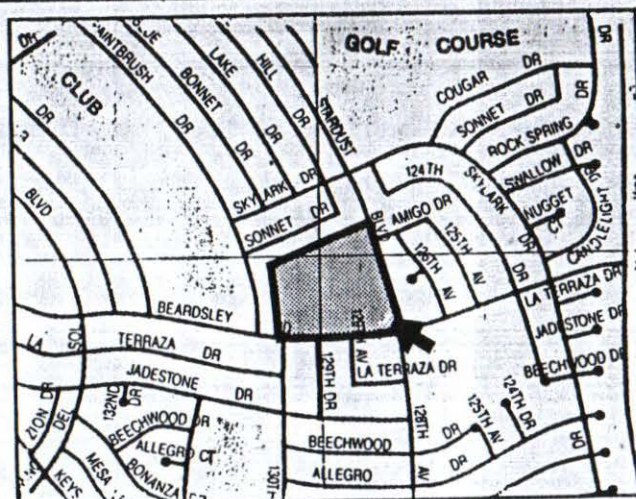
## Zoning Changed on 15 Sun City West Acres

The Maricopa County Board of Supervisors has approved a zoning change on 15 acres of Sun City West property located near the Beardsley Recreation Center. The property, near the northwest corner of Stardust Blvd. and Beardsley Road, was recently purchased by Del Webb Corp.

from the bank which had re-acquired the property from the previous owner.

Webb plans to build 56 single family homes on the site which originally was designated for a neighborhood shopping center. "As the real estate market

**ZONING CHANGED**  
Continued on Page 3



## 15 Acres in SCW Zoning Changed

Continued from Page 1

evolved in Sun City West, the preference for commercial property shifted from neighborhoods to major traffic areas, such as the more extensive commercial area along Camino del Sol and also on Bell Road," said Martha Moyer, Webb's public and community relations manager.

Separate from Webb's acquisition and zoning approval are two other areas situated on the corner of Beardsley and Stardust. Broadmoor Enterprises purchased that land at a recent Resolution Trust Corp. (RTC) auction and have no immediate plans for

development, but the acreage remains commercially zoned.

"We met with many of the residents in the neighborhood this summer and presented our proposal to buy back both the bank owned property and the RTC land and develop it residentially. Tired of the blowing dirt, the neighbors were thrilled with the prospect," added Moyer. "However, we were out-bid on the two acre site available at the RTC action," said Moyer. Land for commercial development carries a higher price than land for homes.

"We simply could not justify

paying commercial rates for residential development," Moyer said.

Land development work on the 15 acre site should begin by the end of January.

# Supervisors OK expansion zoning

## Board tags stipulations to approval

By MIKE GARRETT  
Daily News-Sun staff

PHOENIX — Del Webb Corp. received zoning approval Monday from the county for the first two parcels in its 1,320-acre expansion area north of Deer Valley Road.

The two parcels cover 210.7 acres, including single-family residences, the new recreation center, new golf course and storm water drainage facilities.

County supervisors unanimously approved the zoning with 17 stipulations approved last week by the county Planning and Zoning Commission.

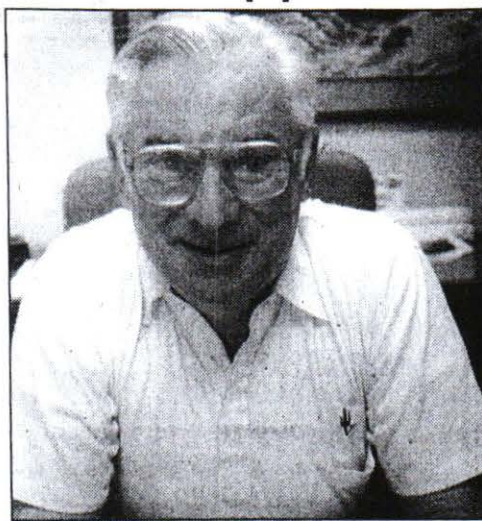
The stipulations deal with items like the width of Deer Valley Drive (110 feet) and Williams Drive (80 feet), the necessary encroachment permits from the County Highway Department for street landscaping in the right-of-way prior to the issuance of zoning clearance, the posting of a 50 mile-per-hour speed on Deer Valley Drive and the proper location and size of signage in the expansion area.

"Now we're getting into the details of where the streets are going to be, where the houses are going to be on those streets and where the rec center is going to be," said Sandy Goldstein, a Sun City West resident and a member of the county planning and zoning commission, said Goldstein said.

"What we first have to do is look at the entire project and then we can do things like changing the linear configuration of Deer Valley Road (which will meander north of the current road)," he said.

Final county approval on Webb's platting plan is expected in 30 days.

In Monday's vote, the four supervisors present (Supervisor Tom Freestone was absent), said they were concerned that Webb's zoning application



Sandy Goldstein

was consistent with the Grand Avenue Corridor Area Land Use Plan and the Wickenburg Highway Scenic Corridor Development Guide and Land Use Plan to better ensure development compatibility of the entire area.

County Planning Director Dennis Zwagerman said that as far as he's concerned, everything in the expansion planning process "is going fine. In about 30 days or so we'll look at the subdivisions that will divide the land into lots."

Sun City West Rural Metro Fire Chief John Rowlinson, who attended Monday's meeting, said the Sun City West Fire Board will continue to monitor the planning process and Del Webb's recent impact statement on the fire district's plans to annex the expansion area and build a new fire station.

"We're going through it all to make sure all of Webb's assumptions (on future district needs) are made," Rowlinson said. "The assumptions are all based on future forecasts."

# Webb zoning approved

## Panel ties strings to expansion OK

By MIKE GARRETT  
Daily News-Sun staff

SUN CITY WEST — Maricopa County Planning and Zoning Commission has approved Del Webb Corp.'s general layout and zoning of the first phase of the Sun City West expansion area.

But a string of 12 stipulations was attached to the approval of the 143-acre, 400-lot area by the county zoning panel.

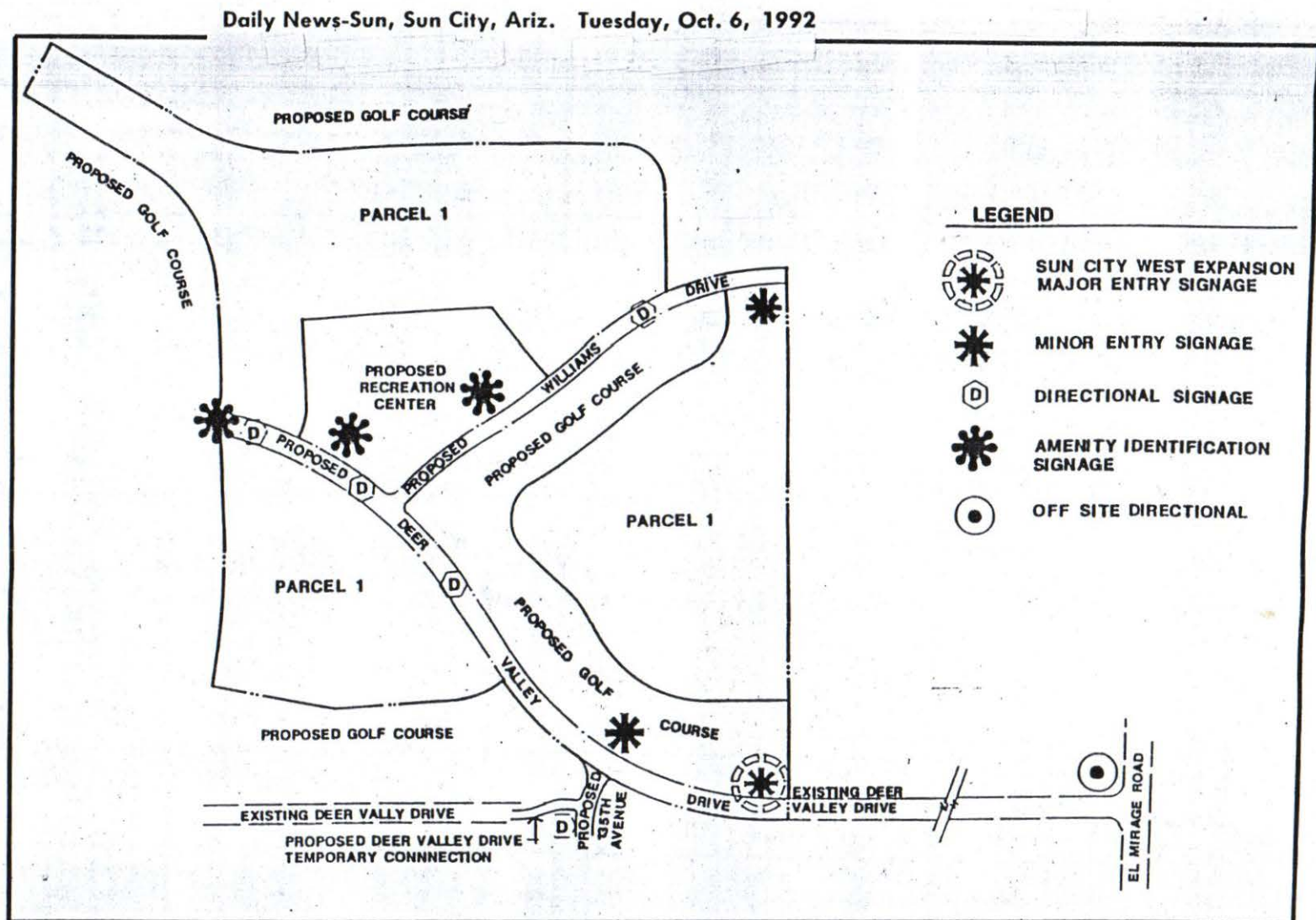
The approval is one of a long line in the approval process that Webb must complete before developing the 1,320-acre expansion area north of Deer Valley Road.

The commission's approval of the first phase of the expansion included changing the area's zoning from rural to residential and adding senior overlay to continue the community's age restrictions.

The age restriction requires that one resident in each home be 55 or older.

"This is the first unit in the expansion area to be developed and is more significant than our normal routine subdivision planning," said Martha Moyer, Webb community relations manager.

Moyer and Sun City West resident Sandy Goldstein, a director on the planning and zoning board, said the main concern raised by the board last week was over a proposed monument sign for the new expansion area north of Deer Valley Road.



"We had proposed what we call an entry monument to the community, which would have been erected near 135th Avenue on Deer Valley Drive," Moyer said.

Goldstein said he objected to the larger monument sign identifying the expansion area because it would tend to give the expansion area its own identity after Webb has gone to great lengths to try and integrate the new area into the existing community.

Some community activists

have called for a separate community because they don't want to see the existing three recreation centers comingled with the new recreation center in the expansion area. They feel that will lead to overcrowding of existing facilities.

The board also wanted a clarification from Webb on the proposed height of the dirt noise-abatement berm that will separate the expansion area's northern boundary with the proposed Estrella Freeway.

"Apparently we had not been

clear enough in the plan on the maximum height, which will be 15 feet," Moyer said. Planning and zoning agreed with that height after clarification.

The berm has also been the subject of controversy in the planning process among some activist residents who are concerned with how it will look and who is going to pay for maintaining it.

Other stipulations of the approval require Webb to remove a billboard and other directional signs it had proposed installing

on Bell Road near El Mirage Road to inform motorists that they were nearing Sun City West. The board said that wasn't a part of Webb's original application.

Goldstein said other stipulations dealt with more technical issues like the width of the roads from sidewalk to sidewalk (Deer Valley Drive will be 110 feet from sidewalk to sidewalk) and the proposed designed speeds for the major highways in the community.

Tuesday, Oct. 6, 1992 Daily News-Sun, Sun City, Ariz.

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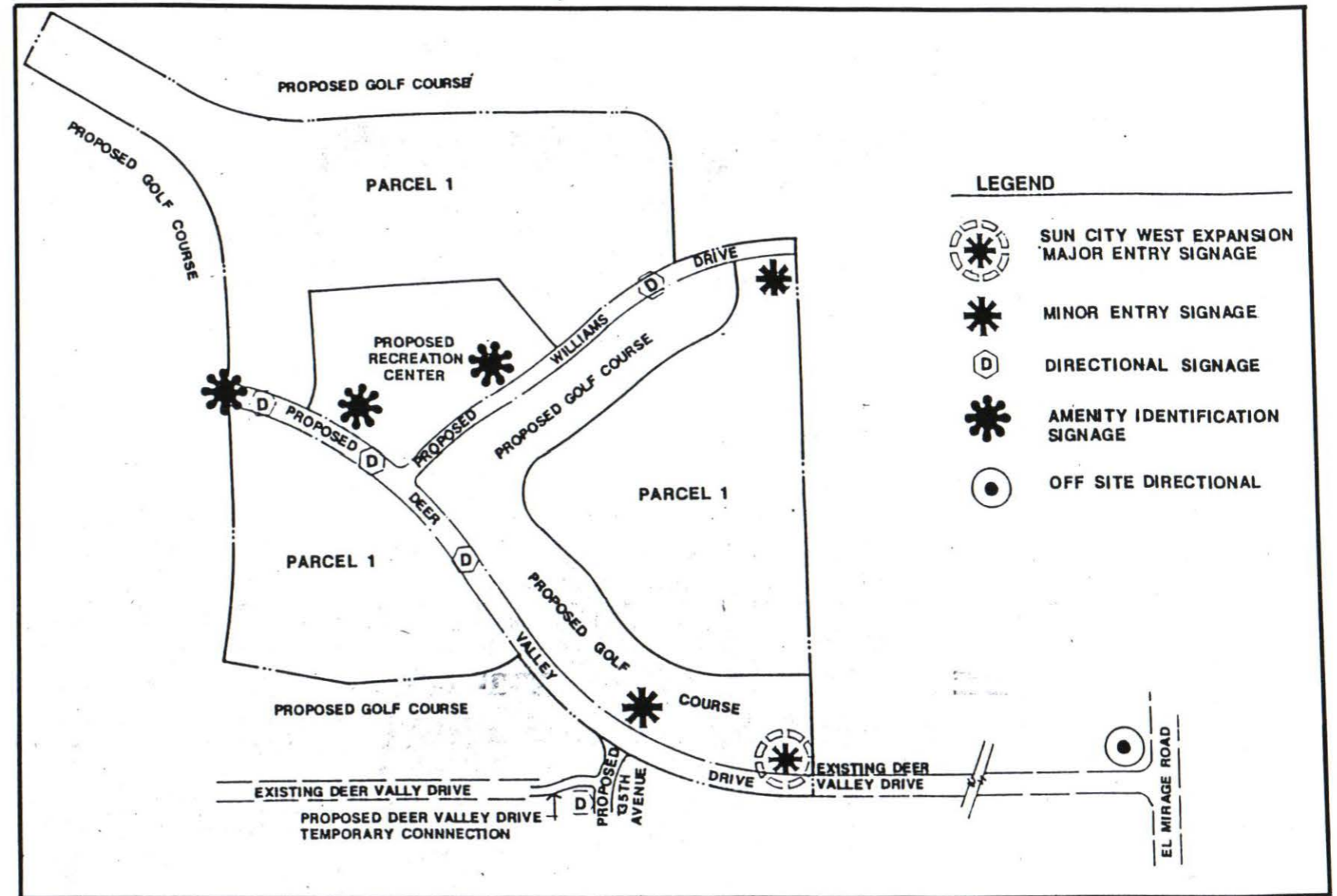
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3/10/92

The Arizona Republic

## 210-unit Sun City West subdivision approved

By Lori Baker  
Staff writer

SUN CITY WEST — The county Planning and Zoning Commission has given its blessing to a 210-unit subdivision in Sun City West.

If the Board of Supervisors approves the proposal at its April 6 meeting, there will be only one plat left to be considered for development in the first phase of Sun City West, said Martha Moyer, manager of public and community relations for Del Webb Corp., developer of Sun City West.

The Planning and Zoning Commission on Thursday approved 210 single-family homes and "casita" dwellings in Unit 50, located in the northwestern corner of Sun City West bordered by Grand Avenue south of Deer Valley Drive. Casita owners own the land under their homes and the side yards, but the front yards are owned by a com-

mon association that charges fees for landscape maintenance.

The county has yet to consider an application for 30 lots in Unit 50 for Webb's Classics homes. Under this plan, home buyers pay homeowners association fees for landscape maintenance of front and back yards. That is the last area to be developed in Sun City West's first phase.

About 11,000 homes have been sold in Sun City West, Moyer said.

Meanwhile, construction is expected to start in June on Sun City West's second phase, where 2,400 homes are planned on 895 acres located north of Deer Valley Drive between 135th and 151st avenues.

Webb opened a new, \$3 million sales pavilion and 14 model homes Feb. 1 at 13323 Meeker Blvd.

Homes range from \$71,900 for a 1,102-square-foot model to \$203,500 for 2,903 square feet.

# Site use changed from shopping center to homes

By Connie Cone Sexton  
Staff writer

**SUN CITY WEST** — A Del Webb Inc.-owned parcel once proposed for a shopping center will be developed for single-family homes instead, a company official said last week.

The 15.5-acre site, on the southwest corner of R.H. Johnson and Stardust boulevards, received plat approval Thursday by members of the county planning and zoning commission.

Chuck Roach, Webb's general manager for Sun City West, said site development may begin early in 1991.

Webb is glad to be able to move ahead on the project, he said. "This site was originally planned as neighborhood shopping center but a couple of events happened" to alter that proposal, he said.

Construction of the Crossroads shopping center at Bell Road and

R.H. Johnson Boulevard drew much of the potential shoppers away from Webb's planned development, Roach explained.

"And a change in the complexion for the demand of retail facilities led us to the conclusion that that site was no longer needed or viable as a shopping center site," he added.

Some residents in the area had hoped to have a neighborhood shopping center within walking

distance, Roach said.

But others did not want the congestion and supported the addition of homes.

In September, the site, which is surrounded by single-family homes, was rezoned from C-2 commercial to R1-7 SC for the county's senior overlay zoning.

The R1-7 zoning will allow for Webb's plat proposal of 47 single-family lots on the site. The average lot size within the subdivision is

11,659 square feet; the smallest lot proposed is 8,700 square feet.

Because the parcel is a vacant lot, some of the neighbors said they will be glad to have the site transformed.

When told of the proposed plat approval, Joseph Bowers, who lives on Yosemite Drive near the parcel, was glad to see the development moving along.

"We had thought it would be nice to have a shopping center,

there. But we're satisfied that it will be single-family homes," he said.

In meeting with the neighbors, Roach said it became evident that if a shopping center could not go in, single-family homes were the best alternative.

"There certainly was some amount of disappointment for some people that a shopping center was no longer viable — it would

See ZONING, Page 3

## ZONING

From Page 1

have made things more convenient for the residents — but by and large, I think more people are happier with this than if we had gone with a higher density," Roach said.

There was some concern from residents that Webb would opt for multifamily residences on the parcel.

"But the community overwhelmingly approved single-family, so we went with it," Roach said.

With the parcel remaining empty since Sun City West was started about 11 years ago, Webb officials decided it was time to develop it, the general manager said.

The slowed commercial market played a part in scrapping the shopping center plans, he added.

"If we didn't do something now, it was probably destined to be an empty piece of dirt for a long time," he said. "We felt it was necessary to complete it."

"The parcel still will be a money maker for Webb (via homes sales) but considerably less than what a commercial parcel would be. We're getting less money out than what we originally had planned."



■ ROACH

# Rezoning sought for house sites

Daily News-Sun staff

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Tues., March 21, 1989

The Phoenix Gazette

## Del Webb raises age limit to 55

By Connie Cone Sexton  
The Phoenix Gazette

In order to comply with a new federal fair housing law, Del Webb Corp. has raised the minimum age requirement for buying new houses in its retirement communities.

But the company does not anticipate a drastic effect on sales, a spokeswoman said.

The new age requirement is now 55 at Webb's three retirement developments. Sun City West had a minimum age restriction of 50. Sun City Vistoso, a project northwest of Tucson, and Sun City Summerlin in Las Vegas, Nev., both had minimum age restrictions of 45.

"The majority of our sales are to those in their 60s," spokeswoman Martha Moyer said. "This probably won't hurt the Del Webb Corp."

Especially not in Sun City West, which under the guidelines of the fair housing act may qualify for an exemption, allowing sales of houses to those age 50 and older.

The federal law, which went into effect March 12, bans adults-only housing areas except in established retirement communities where all of the residents are 62 or older or where at least 80 percent of the residents are 55 or older.

Bud Marquiss, sales manager at Sun City West, said the community meets the latter criteria.

See ■ Webb, D-6

## ■ Webb

From D-1

"Because we have a sufficient number of people older than 55, we feel we can sell to those between 50 and 55. We are carrying the 55 age in all our marketing material, now, however," he said.

Marquiss could not estimate how many people in that five-year bracket visit his development. "It is very common for them to come and look or purchase a house. But most are looking to the future to buy."

Moyer said Webb anticipated the federal law and raised the age restriction at its communities before the amendment went into effect.

"The law has had more effect on our two other communities in Tucson and Las Vegas where the age limit was 45," she said.

Webb had been using the mid-40s age limit to compete in the retirement community market. Many other "young adult" retirement projects have developed since the success of Sun City and have age limits of 40 or 45.

"We thought the 45 age would give us an edge in the marketplace to appeal to another target market. But now, if others raise their age restrictions, that edge won't be there for anybody," Moyer said. She predicted that some of the other retirement developments might even open their communities to families.

But that won't happen in Webb communities. "Del Webb has always been the classic retirement development," Moyer said.

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# Senior zone plan faces last hurdle

By MARK COAST  
Staff Writer

Sun City West residents have one more hurdle to clear before being granted their request for senior citizen overlay zoning.

The measure, which passed the Maricopa County Planning and Zoning Commission Thursday, now must be approved by the Board of Supervisors before it becomes final.

It is tentatively scheduled for the April 2 supervisors meeting.

FOUR SUPERVISORS, contacted after the commission hearing, said they would vote in favor of the measure. Supervisor Ed Pastor could not be reached for comment.

In the past, Pastor has voted against the zoning, calling it discriminatory.

Supervisors Chairman Fred Koory, Jr., said he has previously supported senior citizen overlay zoning and plans to vote for the Sun City West request.

Hawley Atkinson, supervisor from Sun City, said he will vote for the zoning. "I would expect the board will approve it with no problem," he added.

SUPERVISOR George Campbell said he has previously voted in favor of the zoning but sees "serious problems" with applying senior citizen zoning to existing developments.

However, Campbell sees an exception in the case of Sun City West. He said the community is "unique" since it is "so fully accepted as being a retirement area."

Supervisor Tom Freestone indicated he would also support the zoning in Sun City West.

ON THURSDAY the matter breezed through its commission hearing when no opposition was made and none of the commissioners discussed it.

Commissioner Bernard Feuer, Sun City West, moved that the matter be recommended for approval and commissioner Earl de Berge cast the only dissenting vote.

The ease with which the matter was approved surprised some Sun City and Sun City West residents

who were in the audience.

DURING A JAN. 19 commission meeting—one to decide whether the matter should receive a public hearing—several commissioners had opposed the concept of senior citizen zoning and questioned the amount of signatures submitted.

Betty Pearlman, leader of a similar zoning drive in Sun City, said she had expected the panel to debate the matter at least briefly.

In light of the zoning's easy passage, she added, the way looks clearer than ever for the Sun City effort.

"WE'RE OPTIMISTIC," Mrs. Pearlman said. "We hope we will get the same kind of treatment."

Petitions for the Sun City drive were submitted to the Department of Planning and Development last week and signatures are still being checked, said Richard Turner, principal planner.

The earliest date that Sun City's request for a hearing could be considered is April 5, he said.

AT THURSDAY'S hearing, Property Owners and Residents Association President William Thomas said he thought Sun City should "feel heartened" by the commission's action.

Previous opposition to the zoning from commissioners has faded, Thomas said, because "they accepted reality."

Robert Williams, past PORA president, said he "didn't expect any opposition" to the zoning.

WITH NEARLY 70 percent of Sun City West property owners signing the zoning petitions, he said, "there was no reason for a delay."

But Williams was quick to add that once the zoning is granted, it "doesn't mean that every piddling case will go to the county."

"Anything that can be resolved by PORA will be resolved," he said.

IF SUN CITY West receives senior citizen zoning, age restrictions now specified only in deeds will have the weight of a county ordinance.

The zoning includes provisions requiring at least one resident per home to be over 50 with no resident younger than 18.

# Senior-only rules face revision

By DAN BURNETTE  
Daily News-Sun staff

PHOENIX — Retirement communities will have to verify annually that they meet federal and county criteria for age-restrictive zoning, under proposed procedures being considered by Maricopa County.

The procedures will have their first public hearing at 10 a.m. Thursday before the county Planning and Zoning Commission, in the county Board of Supervisors Auditorium, 205 W. Jefferson St., Phoenix. If approved by the commission, the procedures would go to the Board of Supervisors for final approval.

The proposals grew out of a need to "treat every (senior-only) development equally," said Bob Brittain, principal planner for the Zoning Division of the county Department of Planning and Development.

Federal fair housing law generally prohibits discrimination based on age, but makes an exception for senior-citizen-only housing developments.

To be eligible for senior-only age restrictions, a community must meet a number of federal criteria, including the presence of what are known as "significant facilities" — recreation centers and so forth geared toward senior citizens. Eighty percent of a community's population also must be 55 or older.

All retirement communities, including Sun City, Sun City West and Youngtown, had to be certified as meeting the criteria when they were established three years ago. The criteria won't change under the proposed new procedures, but all retirement communities will have to submit documentation to the county annually to verify that they are continuing to meet the criteria.

Wednesday, May 5, 1993

Daily News-Sun, Sun City, Ariz.

The first of the verification statements will have to be completed within 60 days of the Board of Supervisors' adoption of the procedures. A written complaint to the county that a community is failing to meet the criteria for age restrictions will require the community to submit an updated verification.

The new procedures also won't change a provision allowing a number children 17 and younger to live in retirement communities with approval from the county Board of Adjustment.

Sun City will have no problem meeting the annual verification filing, said Ted Hack, chairman of the land use, planning and development committee of the Sun City Home Owners Association. The HOA in early 1988 compiled the initial certification that demonstrated Sun City met the criteria for senior-only zoning.

NEWS - SUN  
Sun City AZ  
Cir: 17,500

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Zoning

# Westers file petitions for overlay zoning

By HELEN ALLEN  
Staff Writer

Petitions aimed at getting senior citizen overlay zoning in Sun City West were filed Thursday with the county Planning and Development Department.

The step was described by Property Owners and Residents Association director Ray Shrewsbury as "starting the machinery toward overlay zoning."

Also filed with the county by Shrewsbury and PORA vice president William Thomas was a letter from the Del E. Webb Development Co. supporting the proposal on land and homes the firm still owns in Sun City West.

SHREWSBURY said during a PORA board meeting earlier Thursday that he believes the Devco backing helped the community acquire the required number of signatures.

The zoning, to get approval, requires signatures of at least 51 percent of the property owners in each housing unit.

Among the problems petition passers ran into while collecting signatures, according to the PORA director, were absentee ownership, not being able to "catch people at home," names of property owners not matching those on a list provided by the county assessor's office due to

property sales, and finding a large number of homes still in Devco's name or the name of a title company.

THE ZONING would enforce community deed restrictions which require at least one household member to be 50 years of age or older and prohibit children under 18.

Shrewsbury said it's now up to the county to verify the signatures and determine if there was enough support for the proposal.

After this is done, he said, a public hearing is to be set before county officials.

Shrewsbury estimated it will be about four months before Sun City West gets the zoning.

## VALIDITY DOUBTED

# Webb limits ages for SCW

By TIM CLARK,  
Staff Writer

Recorded property deeds for Sun City West lots contain an age restriction prohibiting occupancy by anyone under 18 years.

The restrictions, already recorded for several Sun City West units, also require that at least one occupant of each household be 50 years of age.

Those restrictions are consistent with the sales policy of developer Del E. Webb Development Co., but that policy had not been incorporated previously in property deeds.

**THE ISSUE** of age restrictions in deeds was a matter of controversy here in the latter half of 1977. The issue emerged after the Town Meeting Association began adding similar age covenants to Sun City deeds through amendments to existing restrictions.

At that time the Webb firm said it had studied the issues nine times since 1960 and each time reached the conclusion that age covenants in deeds could not be enforced.

The age covenant for Sun City West, included in deeds for both condominium units and single-family dwellings, states:

"No occupant of the premises shall be less than eighteen (18) years of age, and at least one occupant of the premises must be fifty (50) years of age or older."

Gerald Williams, chief counsel for the Webb firm in Sun City, said he made the policy decision to include the age covenant in Sun City West deeds.

"**THERE WAS** a large amount of interest in having them, whether they are valid or not," said Williams. "I'm not making any overture as to whether the (U.S.) Supreme Court will find them valid or not," he said. "We still don't know if they are valid."

Williams said the deed restrictions contain a "severability clause" stating that if any section of the restriction is ruled invalid, the other sections will stand.

Enforcement of the deed restrictions in Sun City West is delegated to the "Sun City West Home Owners Association or its successor." Williams said no such group exists yet, but Webb expects one will be formed by residents of the new community.

The restrictions state that the homeowners group "may, but shall not be obligated to," enforce the restrictions.

**IN ADDITION**, an individual homeowner has legal standing to enforce the restrictions, Williams said. Unless Webb owned adjacent land, it would have no legal basis to intervene in any enforcement case, he added.

Williams said that since all deeds in Sun City have been recorded, the Webb company will not add the age covenant to any lots in its original retirement community.

Language in the Sun City West age covenants differs slightly from that added to some Sun City deeds through the Town Meeting Association campaign.

The TMA language states that no "permanent resident" may be under 18 years and one must be 50 years or older.

It defines a permanent resident as one who lives in a home for more than 45 days in any calendar year. The Sun City West age covenant contains no such definition.

**ROY FOLINO**, TMA chairman for the  
(Continued on Page 2)

## Webb limits...

(Continued from Page 1)  
last three months, commented on the Sun City West age covenants:

"It was obvious from the start that this was the only route to take for retirement areas. I'm glad they (Webb) have seen the light and are doing what TMA advocated all along."

Al Brown, a TMA activist and spokesman for the legality and enforceability of age covenants in deeds, expressed surprise at the Webb move. "This is great," he said.

Folino said that as of June 1 the TMA campaign has resulted in age covenants on 8,538 lots in Sun City. In addition, petitions to add the age restrictions are in process for another 5,385 lots.

Other deed restrictions

for the first Sun City West units are consistent with those in Sun City. They include:

—**OWNERS MUST** sign agreements with the Recreation Centers of Sun City West.

—No trailers or recreational vehicles may be parked at homes more than 48 hours.

—No businesses may be established in homes.

—No prefabricated structures, outside clotheslines or outside buildings may be erected.

—Restrictions and covenants may be amended by a majority vote of lots within a recorded unit.

—No swine, horses, cows, pigeons, ducks, turkeys or other livestock or poultry may be kept. Cats, dogs, pet birds and fish are not prohibited.

# County's zoning board postpones action on Sun City West plans

By GLEN LAW

The Maricopa County Planning and Zoning Commission voted Thursday to delay action on the master plans for Sun City West, a new retirement community that will be located northwest of Sun City.

The commissioners said they had not had time to review the plans.

"I didn't get the plans until right before today's meeting," said commission chairman Lovatt Burgess. "They (Del Webb officials) have caused the delay, so therefore it is not going to hurt them to wait on this."

County Planning Director Don McDaniel said he did not receive detailed plans from Del Webb Development Co. officials until last Friday. He said material was not distributed to the commissioners until before the meeting because his staff had to review the plans.

The commission voted to consider the matter again at 9 a.m. Nov. 3 in the supervisors' auditorium, 101 W. Jefferson.

Several representatives of Sun City citizens' groups attended the meeting and voiced a concern about the new community's sewage treatment plant.

Bruno Larsen, a spokesman for the Town Meeting Association, said his organization did not want another open cesspool problem.

Al Brown, president of the Retirement Community Association, said "our members want some guarantees from Del Webb officials that before any houses are built the sewer system will be built first." He said the association members oppose an open lagoon as part of the sewer system.

Murray Karsten, vice president of the Sun City Taxpayers Association said the Sun City sewage system now is taxed to its capacity. He said a separate system for the new community is a must.

In a report, Webb officials said a sewage system will be constructed in three phases. They said the first phase will include a lagoon which will be completed by June 1978.

Webb officials said a secondary treatment plant using trickling filters will be constructed by December 1979. The third phase, which will be completed by December 1981, would be an expansion of the trickling filter plant.

Commissioner George Watson told Karsten that Sun City residents could solve their sewage problem by incorporating.

"We have 15,000 members and we surveyed them two years ago on this," Karsten said. "The overwhelming reaction was that they did not want to incorporate Sun City."

Karsten said the general feeling among residents is that incorporation would create more government and more taxes.

Brown said the people of Sun City feel fortunate that they don't have a local government.

"They read in the newspapers about scandal after scandal in local governments," he said. "The people feel that government has interfered too much in the lives of people and they don't want any part of a local government."

Commissioner Jerry Skousen said he had no

sympathy for Sun City residents because of their attitude about schools.

"They voted down bond elections and they almost bankrupted several school districts in the area," he said.

Commissioner Delores Foyle said it would be convenient to hold the hearing in Sun City, because many residents cannot get to the supervisors' auditorium at the downtown county complex.

Other commissioners said it should remain downtown.

McDaniel said Sun City West is one of the largest single developments ever

undertaken in Maricopa County.

He said the plans submitted conform to the county subdivision requirements.

The first phase will include 17,000 housing units with a population of approximately 32,500.

It will be located on 5,700 acres bounded by Bell Road, Grand Avenue, a proposed extension of El Mirage Road and Deer Valley Road.