

## Memorandum

October 29, 2020

Vice Mayor Jim Waring,  
City of Phoenix, Arizona

Dear Vice Mayor,

I am writing on behalf of the Kierland Community Alliance in support of re-zoning case # Z-14-20 which is to be heard Monday, November 2, by the Paradise Valley Planning Committee.

In my capacity as President of the Kierland Community Alliance, a neighborhood association in the Kierland area, I and others have had the opportunity to meet and work together with both the developer, and his representative, Mr. Larry Lazarus, of Lazarus & Silvyn, P.C.

These interactions have been productive, collaborative, and have resulted in the adoption of voluntary commitments by the developer regarding noise restriction stipulations, building height reductions, and minimum additional setback stipulations for the planned buildings on the site and traffic mitigation.

These include the following:

- 1) The southern building will be no higher than 56 feet, and no closer than a minimum of approximately 560 feet away from the closest existing single-family residence; and the building connected to it, no higher than 84 feet, and no closer than a minimum of approximately 700 feet away from the closest existing single-family residence.
- 2) The northern building shall be no higher than 88 feet.
- 3) Traffic Mitigation funding:
  - a) At the time of the issuance of the Certificate of Occupancy for Phase I the Property Owner will establish a fund to pay for traffic mitigation measures to be approved by the City of Phoenix Street Transportation Department within 1 mile of the site. The funds will be held for 5 years upon which any unused portion will be returned to the property owner.
  - b) At the time of the issuance of the Certificate of Occupancy for Phase II the Property Owner will establish an additional fund to pay for traffic mitigation measures to be approved by the City of Phoenix Street Transportation Department within 1 mile of the site. The funds will be held for 5 years upon which any unused portion will be returned to the property owner.
  - c) At the time of the issuance of the Certificate of Occupancy for Phase II the Property Owner

will establish a fund to contribute to a HAWK light at the intersection of Acoma Drive and Kierland Blvd. or in the alternative, fund traffic mitigation measures to be approved by the City of Phoenix Street Transportation Department within 1 mile of the Site. The funds will be held for 5 years upon which any unused portion will be returned to the property owner.

4) There shall be no outdoor music or DJ music on site; only outdoor background dining music shall be allowed.

We think these stipulations will help establish precedents for commercial development in the immediate area, and assist in protecting the local, established resident's enjoyment of their homes and the unique character of the Kierland neighborhood, which we are dedicated to preserving by promoting responsible development.

Yours truly,

Wayne Mailloux  
President,  
Kierland Community Alliance

CC David Simmons  
Larry Lazarus  
Kierland Community Alliance board of directors