

## Attachment B



### City of Phoenix PLANNING & DEVELOPMENT DEPARTMENT

#### Staff Report Z-89-18-2 (Manor Scottsdale PUD) April 26, 2019

Paradise Valley [Village Planning Committee](#) Meeting Date:

May 6, 2019

[Planning Commission](#) Hearing Date:

June 6, 2019

Request From:

[C-1 SP](#) (7.18 acres)

Request To:

[PUD](#) (7.18 acres)

Proposed Use:

Manor Scottsdale Planned Unit Development to allow multifamily residential and/or commercial uses

Location:

Approximately 275 feet south and 240 feet west of the southwest corner of Scottsdale Road and Joan de Arc Avenue

Owners:

Halmic, LLC/Kash Asset Holdings, LLC, etal

Applicant:

The Related Group

Representative:

Nick Wood, Esq., Snell & Wilmer, LLP

Staff Recommendation:

Approval, subject to stipulations

#### [General Plan Conformity](#)

##### [General Plan Land Use Map Designation](#)

Commercial

##### [Street Map Classification](#)

Scottsdale Road

Major Arterial

65 to 67.92-foot west half street (Phoenix and Scottsdale Jurisdiction)

Joan de Arc Avenue

Local

33-foot south half street

**CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES GOAL; LAND USE PRINCIPLE: Promote and encourage compatible development and redevelopment with a mix of housing types in neighborhoods close to employment centers, commercial areas, and where transit or transportation alternatives exist.**

The proposed Manor Scottsdale Planned Unit Development provides additional housing choices in close proximity to the Desert Ridge & Kierland Major Employment Center.

***BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREE AND SHADE; DESIGN PRINCIPAL: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.***

The Manor Scottsdale PUD proposes enhanced landscaping around the perimeter of the development and internal landscaped courtyards. A detached sidewalk along Joan de Arc Avenue and Scottsdale Road includes landscape areas with shade trees on both sides of the sidewalk to provide thermal comfort for pedestrians. The PUD also requires that a minimum of 50% of public and private pedestrian pathways be shaded.

***CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY AND CHARACTER; DESIGN PRINCIPLE: Create new development or redevelopment that is sensitive to the scale and character of the surrounding neighborhoods and incorporates adequate development standards to prevent negative impact(s) on the residential properties.***

The proposed Manor Scottsdale PUD narrative includes heightened setback, height, landscape and design standards to provide for a compatible transition to the adjacent single-family residences.

#### **Applicable Plans, Overlays and Initiatives**

[Tree and Shade Master Plan](#) – see background item No. 9

[Complete Streets Guiding Principles](#) – see background item No. 10

[Comprehensive Bicycle Master Plan](#) – see background item No. 11

[Reimagine Phoenix Initiative](#) – see background item No. 19

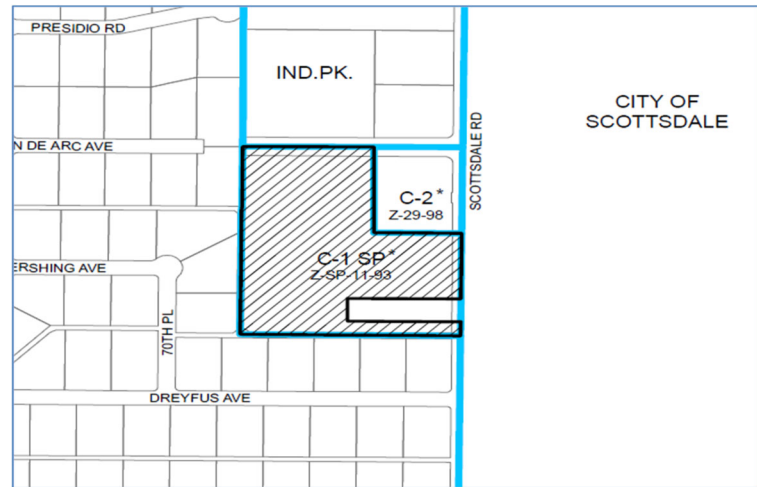
#### **Surrounding Land Uses/Zoning**

	<b>Land Use</b>	<b>Zoning</b>
<b>On Site</b>	Commercial	C-1 SP
<b>North</b>	Commercial Office/Commercial	IND. PK., C-2
<b>South</b>	Single-family residential/Commercial	RE-24, C-1 SP
<b>East</b>	Single-family residential/Commercial	City of Scottsdale, C-2
<b>West</b>	Single-family residential	RE-24

## **Background/Issues/Analysis**

### **SUBJECT SITE**

1. This is a request to rezone a 7.18-acre property located approximately 275 feet south and 240 feet west of the southwest corner of Scottsdale Road and Joan de Arc Avenue. The request is to rezone from C-1 SP (Neighborhood Retail, Special Permit) to PUD (Planned Unit Development) to allow multifamily residential and/or commercial uses.



*Source: City of Phoenix Planning and Development Department*

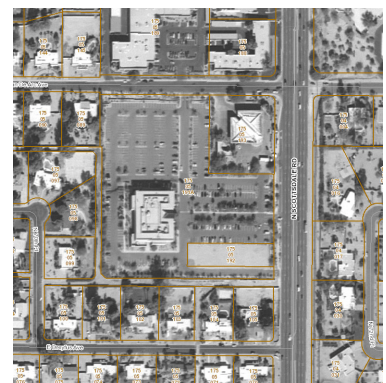
2. The subject property consists of one parcel and is improved with a fitness center building and surface parking. The subject property was annexed into the City of Phoenix on January 9, 1962. At that time, the subject property and the surrounding area consisted of vacant land. The current C-1 SP zoning designation on the property was established on September 1, 1993 through Rezoning Case No. Z-SP-11-93-2 to allow for a health club. Maricopa County historical aerials indicate that the single-family properties to the south and west of the site developed in and around 1976 and the subject property began development in approximately 1994.



1969



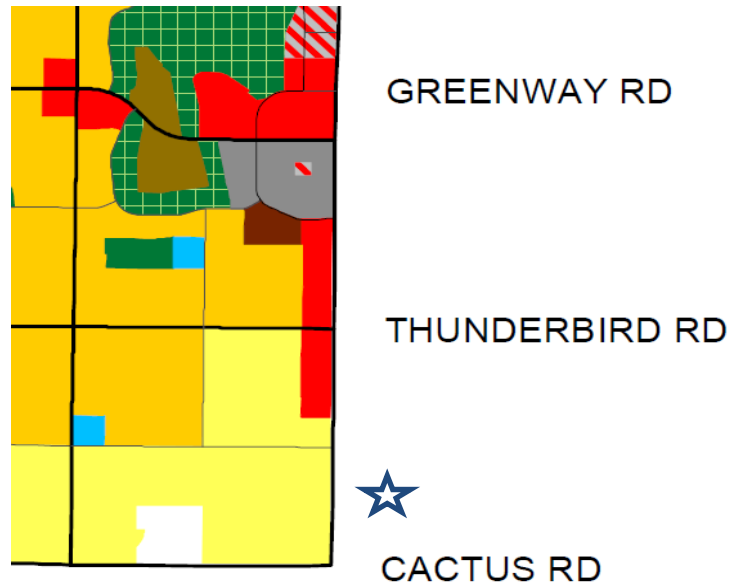
1976



1996

3. The General Plan Land Use Map designation for the subject site is Commercial. The proposal is consistent with the General Plan Land Use Map designation as the Commercial designation allows for commercial and multifamily development at various levels of intensity.

The General Plan Land Use Map designation to the north of the site is also Commercial. The General Plan Land Use Map designation to the south and west is Residential, 1 to 2 dwelling units per acre.

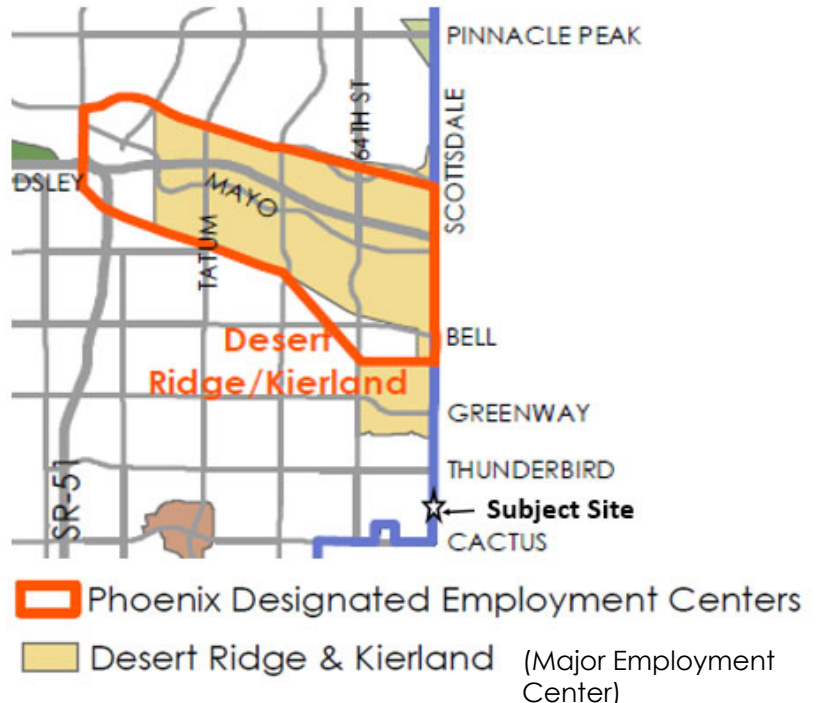


Source: City of Phoenix Planning and Development Department

#### DESERT RIDGE AND KIERLAND MAJOR EMPLOYMENT CENTER

4. The subject site falls just outside of the boundaries of the Maricopa Association of Governments designated Desert Ridge and Kierland major employment center and a City of Phoenix designated employment center.

A mix of housing types are encouraged in areas near employment centers and commercial corridors. The Desert Ridge/Kierland center profile provided by Community and Economic Development identifies that the Kierland area is comprised of a highly educated, executive and professional workforce with a large inventory of Class A office space. Providing additional housing options in close proximity to the nearby workforce will add to the sustainability of established office space and commercial uses build around Kierland.



Source: City of Phoenix Planning and Development Department



## SURROUNDING ZONING AND USES

### 5. North

The property to the north and east of the subject site is a Super Pumper gas station zoned C-2 (Intermediate Commercial). The site to the north across Joan de Arc Avenue is a business center containing Penrose Academy and zoned Ind. Pk. (Industrial Park).

### South

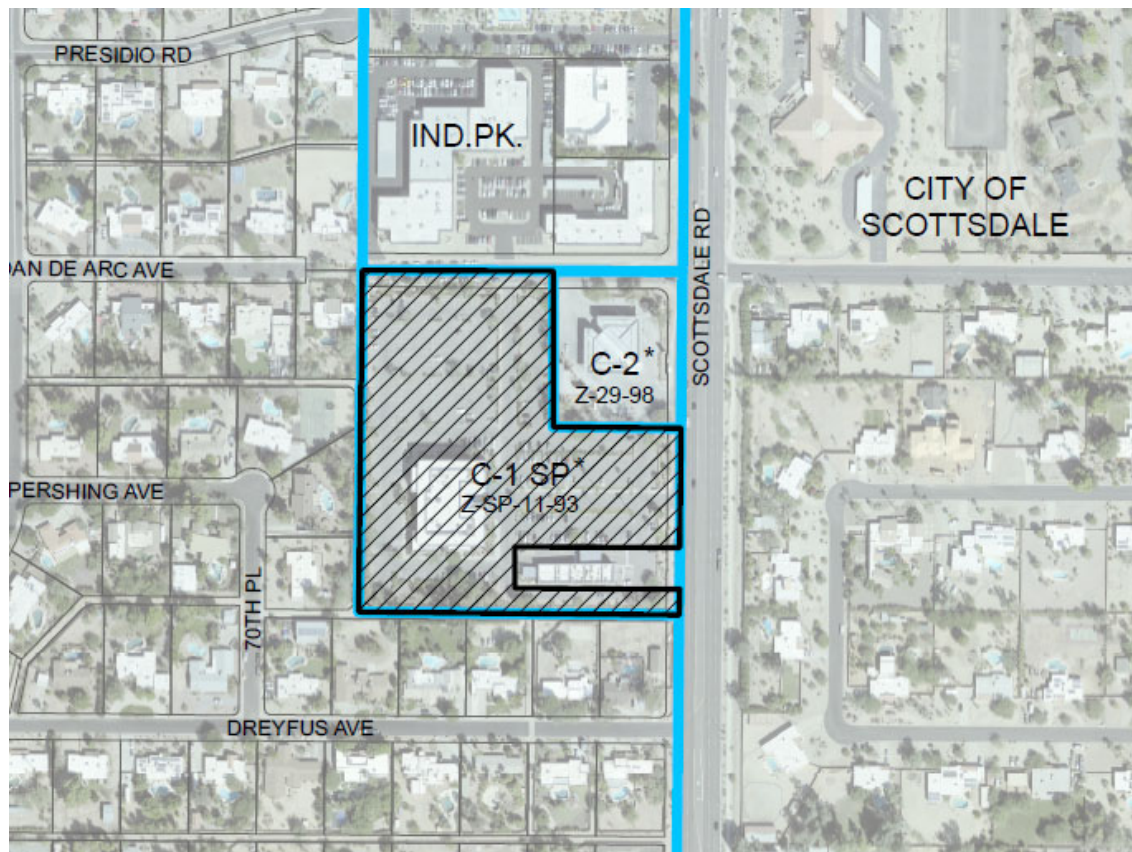
Directly south of the subject site is a single-family development platted in 1962 known as Desert Estates Unit Fourteen and zoned RE-24 (Residential Estate). South and east of the site is a dry-cleaners, Prestige Cleaners, which is wrapped by the subject parcel. The Prestige Cleaners site is zoned C-1 SP (Neighborhood Retail, Special Permit).

### East

Directly to the east of the subject site, across Scottsdale Road, are large single-family lots in the City of Scottsdale.

### West

Directly west of the subject site is a single-family development platted in 1962 known as Desert Estates Unit Fourteen zoned RE-24 (Residential Estate).



Source: City of Phoenix Planning and Development Department

## PROPOSAL

6. The proposal was developed utilizing the PUD zoning designation. The PUD is intended to create a built environment that is superior to that produced by conventional zoning districts and design guidelines. Using a collaborative and comprehensive approach, an applicant writes a document proposing standards and guidelines that are tailored to the context of a site on a case by case basis.

Where the Manor Scottsdale PUD Development Narrative is silent on a requirement, the applicable Zoning Ordinance provisions will be applied.

7. Below is a summary of the proposed standards for the subject site as described in the attached PUD Development Narrative date stamped April 15, 2019. The proposed standards were designed to allow for a multifamily residential development that continues enhancement along Scottsdale Road for a more pedestrian-friendly environment and provides an enhanced transition from the adjacent single-family residential use to the west and south.

### **List of Uses**

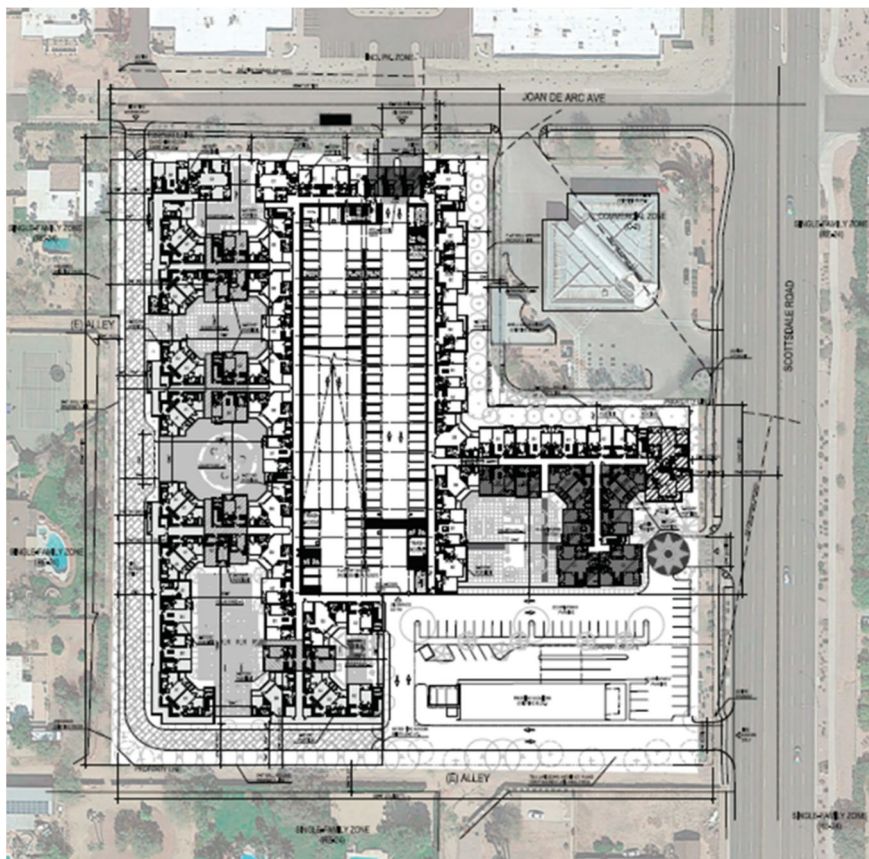
The Development Narrative proposes a primary land use of multifamily residential with a maximum density of 45 dwelling units per gross acre. In the event the property is not developed with multifamily uses, C-1 zoning uses found in Section 622 of the Phoenix Zoning Ordinance would also be permitted.

### **Prohibited Uses**

The Development Narrative proposes restricting certain C-1 land uses permitted by Section 622 of the City of Phoenix Zoning Ordinance that may become a nuisance to the single-family residential to the west and south of the property and shall include auto title loan establishments, auto parts and supplies, boat sales, car wash, natural gas retail sales, gas stations, garage repair shops, hospitals, motorcycle repair and sales, medical marijuana dispensaries, pawn shops, pet day care facilities, second hand merchandise sales, automobile service stations, tobacco oriented businesses, veterinarian offices and hospitals as well as window glass installation shops. Prohibiting these uses helps to make this proposal more consistent with adjacent single-family uses.

### **Conceptual Site Plan**

The development's main access point is along Scottsdale Road. The project proposes a five-story wrapped parking garage design with living units surrounding the parking structure, completely screening it. The main access point will be on the east of the site allowing access to the parking garage, the main lobby area and the Prestige Cleaners. A secondary ingress/egress point is located off of Joan de Arc Avenue on the north property boundary of the site. A fire lane is proposed on the southeast corner and the northwest corner of the site. This fire lane will be gated and utilized for fire access only. The frontage will include architectural breaks and setbacks to break up the massing of the building. Scottsdale Road will contain an enhanced streetscape with a minimum 5-foot detached sidewalk framed by landscape areas that will include trees, shrubs and live ground cover.



Source: Humphreys & Partners Architects, L.P.

The western and southern boundary of the site will include a permeable fire lane with enhanced landscaping that goes above and beyond traditional zoning standards, which will act as an enhanced buffer to the single-family residential to the west and the south. Increased building setbacks are also being proposed adjacent to single-family uses to include a 27-foot setback on the west side of the site and 40-foot building setback on the southern property boundary, which exceed traditional comparable zoning standards. Height limits are proposed adjacent to single-family residential with the structure gradually gaining height through stepbacks as the structure gets closer to Scottsdale Road. Balconies and clear windows shall face inwards to interior courtyards on the south and west property boundaries in an effort to protect adjacent single-family residential uses.

**Development Standards**

The table below provides a summary of the development standards within the Manor Scottsdale PUD development narrative:

<b>Development Standards</b>	<b>Proposed PUD</b>
Density (Maximum), du/acre	45
Height (Maximum)	50 feet, subject to step-backs
Two Story	20-foot building height
Three Story	30-foot building height
Four Story	40-foot building height
Five Story (wrapped garage)	40-foot building height
Five Story	50-foot building height
Building Setbacks (Minimum)	<p><b><u>Street Sides-</u></b>  <b><u>North:</u></b> 20 feet  <b><u>East:</u></b> 20 feet</p> <p><b><u>Adjacent to property-</u></b>  <b><u>West:</u></b> 27  <b><u>South:</u></b> 40 feet</p> <p><b><u>Internal Lot Line A (Adjacent to Gas Station)</u></b> 20 Feet</p> <p><b><u>Internal Lot Line B (Adjacent to Drycleaner)</u></b> 20 Feet</p>
Landscape Setbacks (Minimum)	<p><b><u>Street Sides-</u></b>  <b><u>North:</u></b> 20 feet  <b><u>East:</u></b> 20 feet</p> <p><b><u>Adjacent to property-</u></b>  <b><u>West:</u></b> 6 feet (adjacent to alley)</p> <p><b><u>West:</u></b> 14 feet (adjacent to single-family residential)</p> <p><b><u>South:</u></b> 15 feet</p> <p><b><u>Internal Lot Line A (Adjacent to Gas Station)</u></b> 20 feet</p> <p><b><u>Internal Lot Line B (Adjacent to Drycleaner)</u></b> 0 feet</p>
Lot Coverage (Maximum)	55%
Open Space (Minimum)	10% of gross area

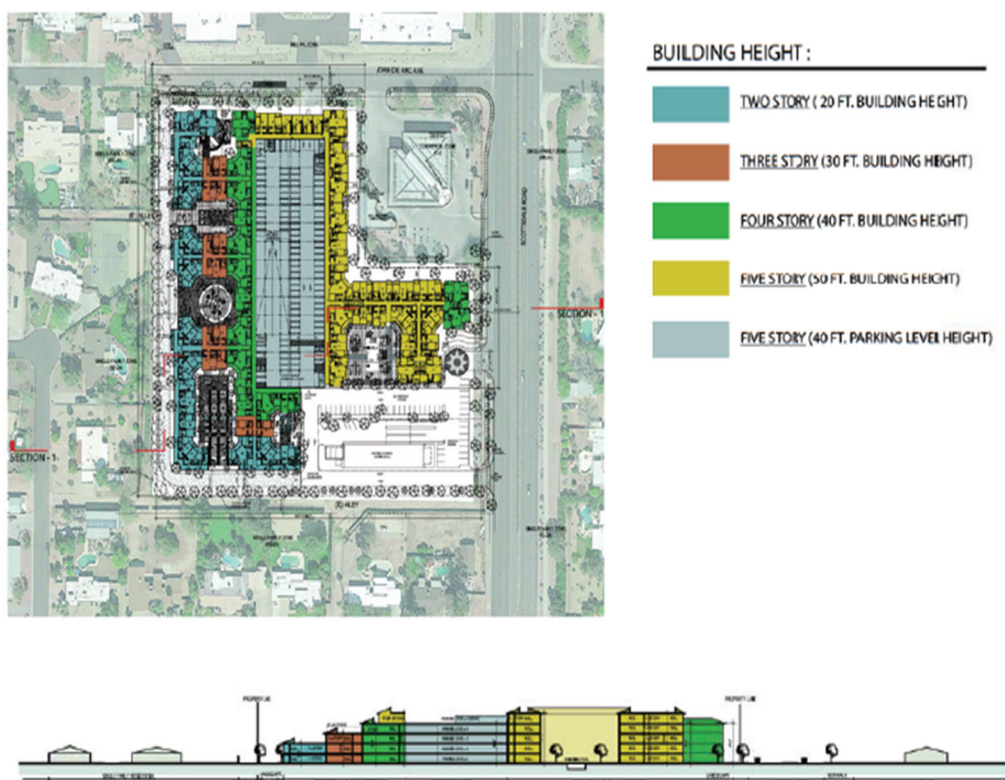


### **Height Stepbacks**

In order to provide an appropriate transition in height between the single-family residences to the west and south, the Development Narrative proposes a series of height stepbacks that gradually permit increased building height as the development moves closer to Scottsdale Road.

The following table summarizes the proposed stepback provisions in comparison with R-5 (Multifamily Residential District) standards, which allows a comparable density.

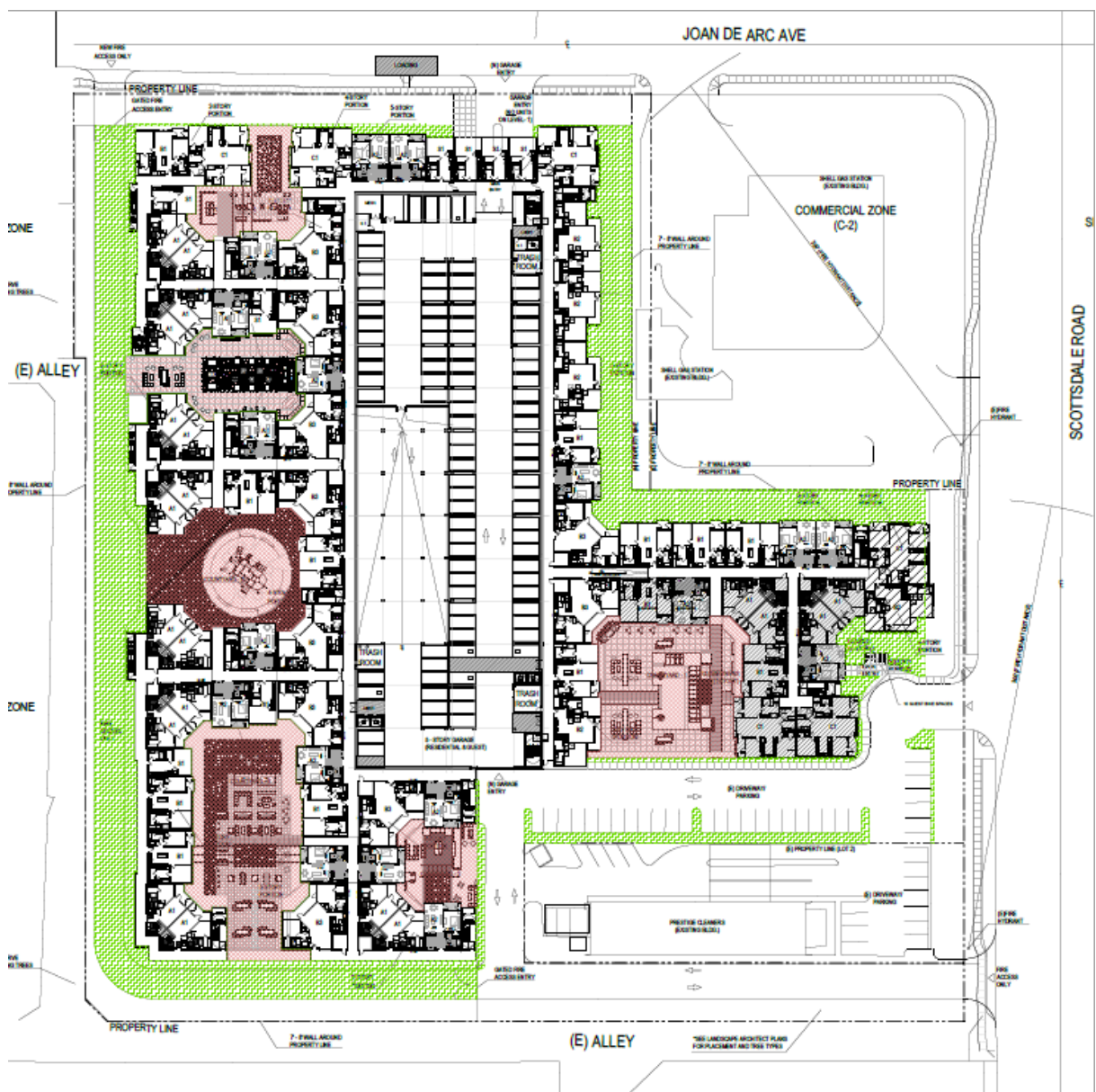
<b>Proposed Maximum Height</b>	<b>Proposed Minimum Setback from Adjacent Single-Family Zoned District</b>	<b>R-5 Minimum Setback from Adjacent Single-Family Zoned District</b>
20 feet	27 feet	15 feet
30 feet	74 feet	25 feet
40 feet	117 feet	35 feet
50 feet	170 feet	43 feet (for maximum height of 48 feet)



Source: Humphreys & Partners Architects, L.P.



The Development Narrative includes increased landscape setbacks adjacent to the existing single-family residential uses. Minimum landscape setbacks of 6 feet and 14 feet will be provided along the western property line whereas a 15-foot setback will be provided along the south property line. Both areas will utilize existing trees in addition to replacement 4-inch caliper trees and new 2-inch caliper trees at a rate of 1 tree per 500 square feet of landscape area. In addition to the landscape setback area long the western property line, the developer will seek permission to install a permeable surface fire lane that will be located between the setback area and buildings – thereby creating additional buffer area to the single-family residential properties to the west. These areas exceed the 5-foot setback area that is typically required for multifamily developments.



Source: Humphreys & Partners Landscape Architecture, LLC

The streetscape along Joan de Arc Avenue and Scottsdale Road will include a minimum 5-foot wide detached sidewalk and a minimum 8-foot wide landscape strip located between sidewalk and back of curb. A 20-foot landscape strip is proposed between the back of sidewalk and the building. The landscaping will provide for a pedestrian-friendly environment with 50% shade at maturity along the sidewalk. The PUD proposes landscaping in these areas with a minimum planting size of 50% 2-inch caliper, 25% 3-inch caliper and 25% 4-inch caliper trees. The landscape setbacks will also include shrubs at a minimum of 5-gallon in size and 50% living ground cover.

### **Design Guidelines and Standards**

The Development Narrative includes design standards that promote the use of internalized courtyards to provide additional privacy and buffering to the surrounding single-family neighborhood. West and south elevations of the building will provide patio and living room areas focused to an internal common courtyard instead of directed outward to the west and south. Similarly, design standards restricting clear windows and balconies along the western and southern building perimeters when abutting the setback areas are also included.

In addition to the design standards focused on the western and southern elevations, the Development Narrative proposes enhanced building architecture utilizing high-quality materials. The final elevations and building plans submitted to the City shall include evidence of the provisions outlined in the table below and shall follow the Design Guidelines of Section 507.Tab A of the Phoenix Zoning Ordinance in addition to the following:

Design Standards	PUD
Exterior Materials	Exterior plaster with light texture. Colored stone veneer in various textures. Wood accents. Plastic details are prohibited.
Exterior Facade	Moldings at windows and faux openings. Band course moldings of plaster or cast stone. Wood columns at select balconies. Decorative metal railings. Expressive decorative elements including embedded tiles or cartouches.
Color Palette	Warm climate appropriate and wood-like accents in tans, browns and gray-browns.
Driveways and Walks	Use of accent paving at the entryway to the project shall be pavers or decorative scored colored concrete.

	<p>Shade over the primary internal sidewalks shall be provided at 50% through the use of structures and landscaping.</p> <p>The fire access lane located between the structure and the west and south property lines shall be gated to limit vehicular access. Fire lane shall comply with Chapter 5 Section 503 of the Fire Code.</p>
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### **Parking Standards**

The development of the site shall comply with Section 702 (Off-street Parking and Loading) of the Phoenix Zoning Ordinance. The PUD proposes 0.25 bicycle parking spaces per dwelling unit and a minimum of 10 guest bicycle parking spaces. A dedicated area for lockers and bicycle parking will be provided inside the parking garage.

### **Fences/Walls**

Fences and walls shall comply with the standards in Section 703 (Landscaping, Fences and Walls) of the Phoenix Zoning Ordinance.

### **Amenities**

The PUD proposes amenities for the multifamily residential use that includes six internal landscape courtyards, pool and spa, fitness center, lounge, and an outdoor barbeque with patio.

### **Shade**

The proposed shade standards require that a minimum of 50% of shade cover be provided at maturity over pedestrian pathways, both public and private.

### **Lighting Plan**

All lighting will be consistent with the standards of Section 704 (Environmental Performance Standards) of the Phoenix Zoning Ordinance and Section 507.Tab A. II.A.8 (Site Lighting).

### **Signage**

All signs will comply with the standards of Section 705 (Signs) of the City of Phoenix Zoning Ordinance for multifamily developments.

### **Sustainability**

The Development Narrative proposes several options to incorporate sustainability principals including LED lighting, recycling services, energy star rated appliances, bicycle parking and low flow toilets and showerheads among other features.

### **PUD Compatibility to Zoning Ordinance**

The PUD proposes building setbacks that are comparable or greater than what is required by the Phoenix Zoning Ordinance in multifamily zoning districts. However, the north and west sides of the building will include an enhanced frontage with detached sidewalks to provide shade for 50% of the frontage along Joan de Arc Avenue and Scottsdale Road to

increase pedestrian comfort and activity. The open space standards are greater, requiring a minimum of 10% compared to 5% which is typically required for multifamily residential development. The PUD landscape setbacks proposed are larger on three sides compared to the minimum requirement of the Phoenix Zoning Ordinance and require that larger trees be planted at a minimum of 50% 2-inch, 25% 3-inch and 25% 4-inch caliper sizes.

### **Phasing**

The project will be constructed in one phase.

### COMMUNITY INPUT SUMMARY

8. Staff has received 32 emails with concerns related to building height, building massing, line of site to existing residential, buffering, proximity to Scottsdale Municipal Airport, traffic, noise and density.

### AREA PLANS, OVERLAY DISTRICTS, AND INITIATIVES

#### 9. **Tree and Shade Master Plan**

The Tree and Shade Master Plan has a goal of treating the urban forest as infrastructure to ensure that trees are an integral part of the city's planning and development process. In addition, a vision in the master plan is to raise awareness by leading by example. The proposal includes landscaped pedestrian walking paths and greater planting standards than otherwise required by the Zoning Ordinance.

#### 10. **Complete Streets Guiding Principles**

In 2014, the Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, and connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. There are existing detached sidewalks adjacent to the public streets which provides a safer and more comfortable pedestrian experience.

#### 11. **Comprehensive Bicycle Master Plan**

The Comprehensive Bicycle Master Plan also supports options for both short-and long-term bicycle parking as a means of promoting bicyclist traffic to a variety of destinations. The proposal requires bicycle parking spaces be provided on the site. The development requires that 0.25 spaces be provided per unit, including up to 50 secured spaces. A minimum of 10 visitors spaces are proposed near the clubhouse.

### INTERDEPARTMENTAL COMMENTS

12. The Street Transportation Department has reviewed the Traffic Impact Statement for the Manor Scottsdale PUD project as submitted with the zoning application. This statement is conditionally approved with the requirement to obtain the City of Scottsdale's approval prior to preliminary site plan approval.
13. The City of Scottsdale Aviation Department expressed concern with the location of this project as it relates to the airports flight paths and the 55 and 60 DNL noise contours of Scottsdale Airport. The City of Scottsdale comments and proposed stipulations were provided to the City of Phoenix Aviation Department for review.

14. The City of Phoenix Aviation Department has noted that the site is within the Scottsdale Municipal Airport (SDL) traffic pattern airspace, therefore, the developer shall notice to prospective purchasers the existence and operation characteristics of the Scottsdale Airport and shall provide documentation that Form 7460-1 from the FAA. This requirement is addressed in Stipulation Nos. 3, 4 and 5.
15. The Phoenix Fire Department has noted that they do not anticipate any problems with this case and that the site and/or buildings shall comply with the Phoenix Fire Code.
16. The City of Phoenix Floodplain Management division of the Public Works Department has determined that this parcel is not in a Special Flood Hazard Area (SFHA), but is located in a Shaded Zone X, on panel 1760 L of the Flood Insurance Rate Maps (FIRM) dated August 25, 2017.
17. The City of Phoenix Water Services Department has noted the property has existing water and sewer mains that can potentially serve the proposed development. However, there is potential need to up size existing water and sewer infrastructure mains so that any remodels or new buildings will be able to meet domestic and fire code requirements.
18. The site has not been identified as being archaeologically sensitive. However, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within 33-feet of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation No. 6.

#### OTHER

19. As part of the Reimagine Phoenix initiative, the City of Phoenix is committed to increasing the waste diversion rate to 40 percent by 2020 and to better manage its solid waste resources. Section 716 of the Phoenix Zoning Ordinances establishes standards to encourage the provision of recycling containers for multifamily, commercial and mixed-use developments meeting certain criteria. The provision of recycling is addressed in the PUD noting that recycling receptacles will be provided in the refuse room and recycling services will be provided for tenants.
20. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

#### **Findings**

1. The proposed development is in conformance with the General Plan Land Use Map designation.
2. The proposed development is consistent with several General Plan goals and policies that will result is a more walkable, shaded and pedestrian-friendly environment.



3. The proposed development will provide additional housing opportunities in the area.
4. The proposed development provides additional protection for adjacent single-family uses through site design and enhanced development standards.

### **Stipulations**

1. An updated Development Narrative for the Manor Scottsdale PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped April 15, 2019.
2. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
3. The developer shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Scottsdale Municipal Airport (SDL) to future owners or tenants of the property.
4. The developer shall provide documentation to the City prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a "No Hazard Determination" from the FAA. If temporary equipment used during construction exceeds the height of the permanent structure a separate Form 7460-1 shall be submitted to the FAA and a "No Hazard Determination" obtained prior to the construction start date.
5. The developer shall grant and record an aviation easement to the City of Phoenix Aviation Department for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
6. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
7. THE APPLICANT SHALL NOT INITIATE A PETITION TO THE CITY OF PHOENIX STREET TRANSPORTATION DEPARTMENT TO OPEN JOAN DE ARC ROAD AS A THRU STREET WHERE IT WAS PREVIOUSLY ABANDONED THROUGH STREET CLOSURE CASE NO. V990088C ON 1/17/2001.

8. THE APPLICANT SHALL RECORD A CONDOMINIUM PLAT FOR THE MANOR SCOTTSDALE PUD DEVELOPMENT PRIOR TO FINAL CERTIFICATE OF OCCUPANCY.
9. ALL UNITS SHALL BE CERTIFIED AND CONSTRUCTED WITH NOISE ATTENUATION MEASURES, SUCH AS OUTLINED IN BUILDING CODES FOR NOISE LEVEL REDUCTION/SOUND INSULATION REQUIRED TO REDUCE EXTERIOR TO INTERIOR NOISE LEVELS BY AT LEAST 25DB, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

**Writer**

David Simmons

April 18, 2019

**Team Leader**

Samantha Keating

**Exhibits**

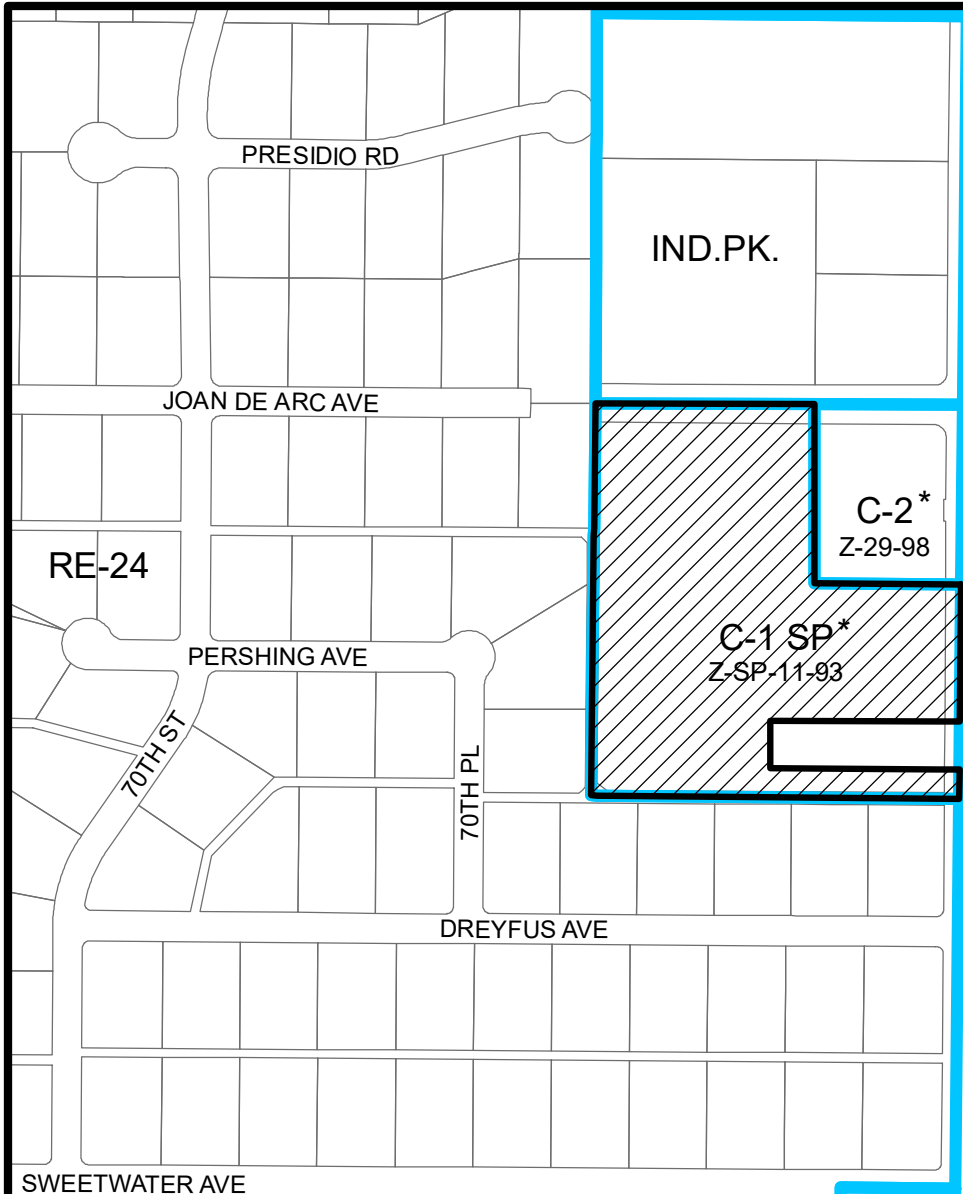
Zoning Sketch Map

Zoning Aerial Map

Community Correspondence (43 pages)

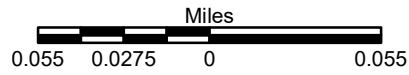
Manor Scottsdale PUD Development Narrative date stamped April 15, 2019

<https://www.phoenix.gov/pdd/pz/pzservices/pud-cases>

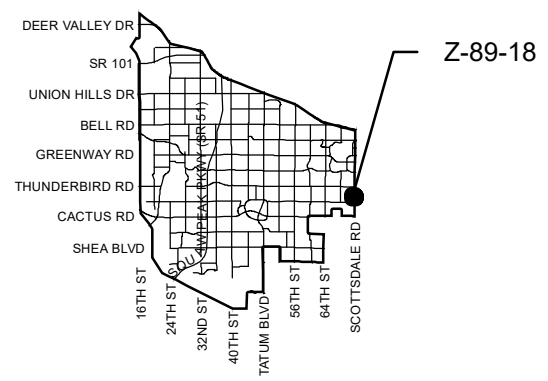


CITY OF  
SCOTTSDALE

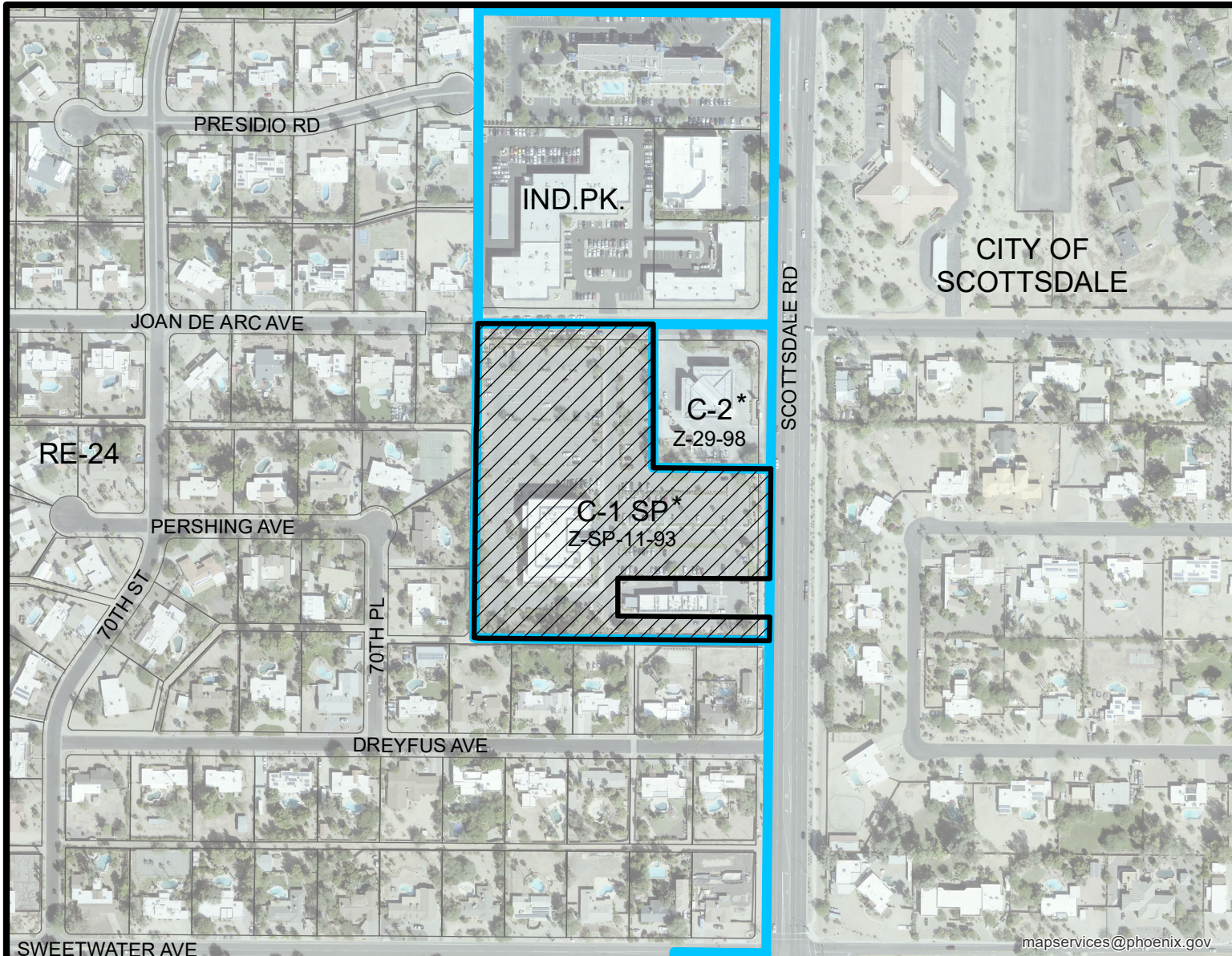
SCOTTSDALE RD



**PARADISE VALLEY VILLAGE**  
CITY COUNCIL DISTRICT: 2



<b>APPLICANT'S NAME:</b> The Related Group		<b>REQUESTED CHANGE:</b>	
<b>APPLICATION NO.</b> Z-89-18		<b>FROM:</b> C-1 SP ( 7.18 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> <b>7.18 Acres</b>		<b>TO:</b> PUD ( 7.18 a.c.)	
<small>DATE:</small> 2/5/2019 <small>REVISION DATES:</small> 4/15/2019		<small>AERIAL PHOTO &amp; QUARTER SEC. NO.</small> QS 32-44	
<small>ZONING MAP</small> L-12		<small>* UNITS P.R.D. OPTION</small> 125 N/A	
<b>MULTIPLES PERMITTED</b> C-1 SP PUD		<b>CONVENTIONAL OPTION</b> 104 323	
* Maximum Units Allowed with P.R.D. Bonus			



mapservices@phoenix.gov



Miles

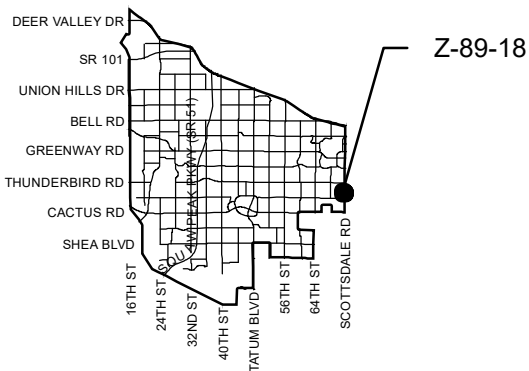
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**PARADISE VALLEY VILLAGE**

CITY COUNCIL DISTRICT: 2



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME: **The Related Group**

APPLICATION NO. **Z-89-18**

GROSS AREA INCLUDING 1/2 STREET  
AND ALLEY DEDICATION IS APPROX.

**7.18 Acres**

DATE: **2/5/2019**  
REVISION DATES:

4/15/2019

AERIAL PHOTO &  
QUARTER SEC. NO.

**QS 32-44**

ZONING MAP

**L-12**

REQUESTED CHANGE:

FROM: **C-1 SP ( 7.18 a.c.)**

TO: **PUD ( 7.18 a.c.)**

**MULTIPLES PERMITTED**

**C-1 SP**

**PUD**

**CONVENTIONAL OPTION**

**104**

**323**

**\* UNITS P.R.D. OPTION**

**125**

**N/A**

\* Maximum Units Allowed with P.R.D. Bonus

## David O Simmons

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**From:** Mrsamandaconklin <mrsamandaconklin@gmail.com>  
**Sent:** Monday, March 04, 2019 12:19 PM  
**To:** Council District 2 PCC; David O Simmons  
**Subject:** Property Zoning

Hello Gentlemen,

My husband and I live at 6612 E Sharon Dr. Scottsdale, AZ. We are near the LA Fitness that is on the list for rezoning to apartment buildings.

We are highly against this change of zoning. The amount of apartments and traffic around this area is already extremely high. We do not need another apartment building in this area, there are too many as it is. The area is congested with traffic and people, we do not need more.

Please consider this as a notification that we are against the new zoning.

Have a blessed day,

Amanda Conklin  
480-510-5215  
Freed Spirits Animal Rescue  
Equine Experience Coach & Director



## David O Simmons

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**From:** Arlette Itami <arlette@cssaz.com>  
**Sent:** Monday, March 11, 2019 4:31 PM  
**To:** David O Simmons  
**Subject:** LA Fitness Rezoning

Dear Mr. Simmons,

Our family has lived in District 2 for nearly 40 years. We have seen much development. Our family home is at the corner of 68th St and Joan De Arc. We are 3 blocks from the proposed high density apartment complex. As a neighborhood we worked together with then Councilwoman Barwood to close Joan De Arc when Joan De Arc was opened to Scottsdale Rd and the Superpumper gas station opened. Two neighbors provided access to their property for the city waste pickup and emergency vehicles. Changing the zoning to accommodate high density apartments is not part of a village planning model. It will decrease property values, increase more traffic in the future and would be a tremendous loss of privacy for those homes that back up to proposed site. In addition, the apartment complex will obstruct the easterly view of the mountains for the entire community.

There is a gentleman going door to door and posing as representing both the neighbors and the developer and reports that we are all in agreement and should sign his petition. He is the same gentleman who recently worked on the high rise at Kireland. He does not represent our views and is misrepresenting the neighborhood.

We implore you to vote against the rezoning of LA Fitness. We have seen much change and we are not against change and growth. We are against the wrong type of growth. Multifamily housing is simply wrong for this area. It does not fit into the architecture of the neighborhood and is not a good fit. How many more high rise apartments will continue to encroach on existing single family homes? Our neighborhood is where we were raised and have raised our children and our children have raised their children. We ask that you and your colleagues vote NO on the rezoning and preserve the neighborhood.

Thank you.  
The Itami Family  
13235 N 68th St

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Arlette Itami  
602-309-4210 - Direct Line

\*\*\*\*\*CONFIDENTIAL\*\*\*\*\*  
\*\*\*\*\*

This electronic mail message contains information that is or may be LEGALLY PRIVILEGED, CONFIDENTIAL, PROPRIETARY IN NATURE, OR OTHERWISE PROTECTED BY LAW FROM DISCLOSURE, and is intended only for the use of the Addressee(s) named herein. If you are not the intended recipient, an addressee, or the person responsible for delivering this to an addressee, you are hereby notified that reading, using, copying, or distributing any part of this message is strictly prohibited. If you have received this electronic mail message in error, please contact us immediately and take the steps necessary to delete the message completely from your computer system. Thank you.



Aviation Department  
15000 N. Airport Drive, Suite 200  
Scottsdale, AZ 85260

Phone: 480-312-2321  
Fax: 480-312-8480  
Web: [www.scottsdaleairport.com](http://www.scottsdaleairport.com)

March 26, 2019

David Simmons  
City of Phoenix Planning & Development Department  
200 West Washington Street, 3rd Floor  
Phoenix, Arizona 85003

RE: City of Phoenix Zoning Case Z-89-18, Scottsdale Manor

Dear David,

The zoning case, Case Z-89-18, Scottsdale Manor, proposes a zoning change for a non-compatibly zoned use development (noise sensitive/residential use). This development falls about 3,124' from the end of Scottsdale Airport's Runway 3 endpoint, within Scottsdale Airport's flights paths, and the 55 and 60 DNL noise contours of Scottsdale Airport.

The [City of Scottsdale's Airport Noise Compatibility Part 150 study](#), that was completed in partnership with the City of Phoenix, strongly discourages rezoning for residential or other noise-sensitive land uses not consistent with our general plans and especially within the 55 and 60 DNL to protect the airport's environs.

Enclosed our copies of our previous correspondence on this project. If this project does move forward, we strongly encourage that the stipulations outlined in our letter our implemented. We will also direct any future complaints about aircraft noise to the attention of the owners and management of this development and the City of Phoenix.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary P. Mascaro", with a stylized flourish at the end.

Gary P. Mascaro, C.M., C.A.E  
Aviation Director  
Scottsdale Airport

Cc: Scottsdale Mayor and City Council  
Scottsdale Airport Advisory Commission  
Jim Thompson, Scottsdale City Manager  
City of Phoenix Aviation Department, Sheldon Daisley  
City of Phoenix Planning Department, Nick Klimek

Encl: Scottsdale Mayor Lane Letter  
Aviation Director Gary Mascaro Letter

## David O Simmons

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**From:** BLAIR BUNTING <blair@blairbunting.com>  
**Sent:** Saturday, March 02, 2019 1:50 PM  
**To:** Council District 2 PCC; David O Simmons  
**Subject:** Rezoning of Thunderbird and Scottsdale

Sirs,

I am writing to voice my opposition to the rezoning of the property currently occupied by LA Fitness. Over the past month of knowing about this project, I have seen the community come together in their view that this project should not move forward as proposed, and I strongly agree with this sentiment. While I support the development of the land in question, building an apartment complex is amongst the last things I would want in this neighborhood. My family is fortunate to not be in the immediate vicinity of the proposed project, but we care about our neighborhood (your constituents) and join all those in support of not rezoning this lot for apartments.

Thank you for your consideration,  
Blair Bunting

Blair Bunting | Photographer  
e: [blair@blairbunting.com](mailto:blair@blairbunting.com)  
p: 602.361.5428







Aviation Department  
15000 N. Airport Drive, Suite 200  
Scottsdale, AZ 85260

Phone: 480-312-2321  
Fax: 480-312-8480  
Web: [www.scottsdaleairport.com](http://www.scottsdaleairport.com)

David Simmons  
City of Phoenix Planning & Development Department  
200 West Washington Street, 3rd Floor  
Phoenix, Arizona 85003

RE: City of Phoenix Zoning Case Z-89-18, Scottsdale Manor

Dear David,

It has come to our attention that there is a proposal for a luxury rental multi-family community project, Z-89-18, to be located at 13220 N. Scottsdale Road. This location, although in Phoenix, is within Scottsdale Airport's flights paths and the 55 and 60 DNL noise contours of Scottsdale Airport.

The [City of Scottsdale's Airport Noise Compatibility Part 150 study](#), that was completed in partnership with the City of Phoenix, recommends that the City of Phoenix and Scottsdale maintain compatible development within these noise contours. As such, the City of Scottsdale strongly discourages rezoning for residential or other noise-sensitive land uses not consistent with the general plans and especially within the 55 and 60 DNL to protect the airport's environs.

The city receives significant noise complaints from Phoenix residents in this area. While our preference is to not build residential developments so close to an airport or flight path or within these DNLs, we do not have the authority to deny a zoning request in Phoenix. However, we ask that you seriously consider the consequences of allowing this project to move forward. This project is located less than a mile from the approach and departure end of our runway.

If the project moves forward, we request the inclusion of the following stipulation as agreed upon by the City of Phoenix in accordance with the Part 150 Noise Study:

- 1) *Each owner shall make fair disclosure to each purchaser/tenant to disclose proximity of airport and operational characteristics of Scottsdale Airport. If this development is subject to CC&Rs, to include the disclosure in the CC&Rs and/or record disclosure against the property. We would like each prospective tenant/owner to be fully aware of the proximity to airport and associated impacts.*

The City of Scottsdale recommends the following stipulations for a noise sensitive use development located in the 55 and 60 DNL. We would strongly encourage you to include these stipulations:

- 1) Owner/developer shall submit to the FAA the appropriate forms for FAA Form 7460-1 analysis and submit the FAA response of "No Hazard Determination" prior to final plan submittal.

2) Noise sensitive developments within the City of Scottsdale in a comparable zone (AC-2) require noise attenuation measures, such as outlined in building codes for noise level reduction/sound insulation required to reduce interior to exterior noise levels by at least 25dB.

3) Noise sensitive developments within the City of Scottsdale in a comparable zone (AC-2) require an avigation easement to be recorded for noise sensitives uses as well. We would highly suggest that you consider this for this proposed project due to the close proximity to the airport.

I hope that you will consider this request. If you need additional information from us, please do not hesitate to contact me. Likewise, please keep us updated on this proposed project.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary P. Mascaro", with a stylized flourish at the end.

Gary P. Mascaro, C.M., C.A.E  
Aviation Director  
Scottsdale Airport

Cc: Scottsdale Mayor and City Council  
Scottsdale Airport Advisory Commission  
Jim Thompson, Scottsdale City Manager  
City of Phoenix Aviation Department, Sheldon Daisley  
City of Phoenix Planning Department, Nick Klimek



## David O Simmons

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**From:** RETRO RENTALS <AZRETRORENTALS@hotmail.com>  
**Sent:** Tuesday, February 19, 2019 4:18 PM  
**To:** Council District 2 PCC; David O Simmons  
**Subject:** LA fitness/Scottsdale & Thunderbird rezoning

Gentlemen,

I am beyond opposed to the building of a 5 story 300 unit apartment complex on this property. I live in Raskins Estates at 64th and Thunderbird. It is unthinkable that this would be approved for a site that currently holds a fitness club. The traffic alone that this will bring into our quiet neighborhood is ridiculous.

Bruce Block  
602-705-3571

[www.azretrorentals.com](http://www.azretrorentals.com)

Retro Rentals  
2123 S. Priest Dr. #207  
Tempe, AZ 85282

**Mailing address:**  
**6540 E. Sharon Dr.**  
**Scottsdale, AZ 85254**

## David O Simmons

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**From:** Catherine Hale <CatherineHale@mail.com>  
**Sent:** Wednesday, January 23, 2019 3:46 PM  
**To:** David O Simmons  
**Subject:** Manor Scottsdale Proposed Development

6847 East Sweetwater Avenue  
Scottsdale, Arizona 85254

January 23, 2019

Attention: David Simmons, Village Planner

Dear Mr. Simmons,

As a resident that lives near this proposed residential redevelopment of the current LA Fitness at 13220 North Scottsdale Road, Scottsdale, 85254, I feel compelled to explain why this will negatively impact our quiet community.

There is already enough traffic on Sweetwater Avenue to warrant a roundabout at 70th Street and Sweetwater, and lights at 64th Street as well as Scottsdale Road. The proposed development will inevitably bring more traffic to our quiet neighborhood. More traffic means more garbage, less safety, and less tranquility in our neighborhood.

Additionally, the redevelopment of this parcel will lead to a decrease in our property value. We are very happy here with very few apartments/condominiums in the area. More population density inevitably leads to more crime, as has been proven time and time again in every city across America. Additionally, this opens up our safe and quiet community to become more transient. With transient (rental) communities, again, this brings more crime. We chose this neighborhood to live and raise our family in because **there are no apartments**. We moved from East Camelback Village to rid ourselves of the constant barrage of crime in our neighborhood mainly because of the transient and low-income nature of the tenants in all the surrounding properties. **We would like to see our neighborhood remain apartment-free.**

The reasons above are enough to hurt our property value, and that is something we have worked very hard to attain.

A five story apartment building may also impact arrivals and departures at Scottsdale Airport.

Thank you for your time regarding this matter.

Sincerely,

Catherine Hale, concerned resident

## David O Simmons

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**From:** Council District 2 PCC  
**Sent:** Tuesday, January 29, 2019 12:44 PM  
**To:** David O Simmons  
**Subject:** FW:

**From:** Cinda Miller [mailto:cindamiller@gmail.com]  
**Sent:** Wednesday, January 23, 2019 3:22 PM  
**To:** Council District 2 PCC <council.district.2@phoenix.gov>  
**Subject:**

January 23, 2019

Dear Jim Waring,

I understand that the lot occupied by L.A. Fitness located on Scottsdale Road is being proposed for rezoning for high-density apartments.

I would like to submit that my home located at 7023 E Pershing Ave, Scottsdale, AZ 85254 would be adversely affected. Also, the property located at 13201 N. 70 Place. This property is owned by my sister Gaila J. Noble, who has suffered a stroke and is living in a group home. I am the trustee of her estate, so speaking on her behalf this complaint includes this property as well. If you need proof of this I can provide a copy of her Trust.

My property was bought in 1986 and my sister bought her home shortly after. It is enough that the noise factor has increased dramatically since those early years. If the proposal goes through then we will also be suffering from a loss of privacy. Many of these homes have swimming pools, of which I am one. The value of the homes in this area will also suffer. If you drive through our neighborhood you will see that many homes have been renovated because the property in this area is highly coveted.

I am asking that the proposal is denied because of the aforementioned reasons. I understand that progress is of major concern, but this is in no way a step forward in progress but a denial of the comforts and security for those of us already living here.

Thank you for your time regarding this matter,

Cinda L. Miller  
7023 E. Pershing Ave.  
Scottsdale, Arizona 85254  
602-319-7696

Gaila J. Noble  
13201 N, 70th Place  
Scottsdale, Arizona 85254  
602-319-7696

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## David O Simmons

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**From:** Cinda Miller <cindamiller@gmail.com>  
**Sent:** Wednesday, January 23, 2019 3:05 PM  
**To:** David O Simmons

January 23, 2019

Dear Mr. Simmons,

I understand that the lot occupied by L.A. Fitness located on Scottsdale Road is being proposed for rezoning for high-density apartments.

I would like to submit that my home located at 7023 E Pershing Ave, Scottsdale, AZ 85254 would be adversely affected. Also, the property located at 13201 N. 70th Place. This property is owned by my sister Gaila J. Noble, who has suffered a stroke and is living in a group home. I am the trustee of her estate, so speaking on her behalf this complaint includes this property as well. If you need proof of this I can provide a copy of her Trust.

My property was bought in 1986 and my sister bought her home shortly after. It is enough that the noise factor has increased dramatically since those early years. If the proposal goes through, then we will also be suffering from a loss of privacy. Many of these homes have swimming pools, of which I am one. The value of the homes in this area will also suffer. If you drive through our neighborhood you will find that many homes have been renovated because the property in this area is highly coveted.

I am asking that the proposal is denied because of the aforementioned reasons. I understand that progress is of major concern, but this is in no way a step toward in progress but a denial of the comforts and security for those of us already living here.

Thank you for your time regarding this matter,

Cinda L. Miller  
7023 E Pershing Ave, Scottsdale, AZ 85254  
602-319-7696

Gaila J. Noble  
13201 N. 70th Place, Scottsdale, AZ 85254  
602-319-7696

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Cinda Miller  
[cindamiller@gmail.com](mailto:cindamiller@gmail.com)

**David O Simmons**

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**From:** DARCY FORST <dlf788@cox.net>  
**Sent:** Wednesday, January 23, 2019 3:47 PM  
**To:** Council District 2 PCC; David O Simmons  
**Subject:** LA Fitness redistricting

Vice Mayor Jim Waring and Village Planner, David Simmons

Sirs:

I am writing this email to strongly oppose the proposed rezoning of the property occupied by LA Fitness on the corner of Scottsdale Road and Thunderbird. I live 2 houses south of Sweetwater and am concerned that 300 more units will make the already existing traffic much worse on Sweetwater. We have recently upgraded our property with the addition of \$100,000.00 of improvements and with apartments so close we will never be able to get our value out of the property. I am quite concerned that the once quiet residential 1/2 acre property area will just be like every other over populated area in Phoenix. Please vote against this out of state developer and keep our neighborhood what it was intended to be.

Thank you,

Darcy Forst Jenkins

12826 N. 68th Place

Scottsdale, AZ 85254

phone 602-509-9749



## David O Simmons

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**From:** Council District 2 PCC  
**Sent:** Tuesday, January 29, 2019 12:44 PM  
**To:** David O Simmons  
**Subject:** FW: City of Phoenix Notification - emdist2 - Form Submission

**From:** no-reply@phoenix.gov [mailto:no-reply@phoenix.gov]  
**Sent:** Thursday, January 24, 2019 3:42 PM  
**To:** Council District 2 PCC <council.district.2@phoenix.gov>  
**Subject:** City of Phoenix Notification - emdist2 - Form Submission

This is Not Spam - This message is sent on behalf of the city of Phoenix.  
Please handle appropriately.

FROM : Denise and Paul Finell

SUBJECT : LA Fitness rezoning on Scottsdale Road

MESSAGE : Please do NOT allow a five story apartment building to be built in the area of acre plus or minus properties. These are mostly one story homes and the area is zones less than thirty feet. This apartment building will be an abomination.

Investors must know that when they are buying properties it is not for the local homeowners to ensure they will make a profit. I went to the mee4ting showing the plans for this and hoped you would be there. I heard some of the homeowners 'representatives' for the Kierland group saying that there would be no other profitable use for this property. They are from far north -- not from the area bounded by Cactus and Thunderbird roads. We will be very negatively affected by this building.

Why should we be penalized because someone bought property thinking they can bully the City Council to change their zoning?

Also, the traffic is so bad on Scottsdale road that I usually cannot turn right onto Scottsdale road for several minutes. Soon I will need to go 1/2 mile north to Thunderbird to have a light just to turn right on Scottsdale road. With all of the high density building going on up north, this is becoming more like a city center. I was happy to live in this neighborhood of acre lots and less traffic , but these investors (from out of state) are destroying our quality of life. They have no interest in the neighborhoods they are destroying.

Email : [lunarjoy@yahoo.com](mailto:lunarjoy@yahoo.com)

AREA : 480

PHONE : 480-203-9455

ADDRESS : 6951 E. Bloomfield Road

CITY : Phoenix (Scottsdale address)

STATE : AZ

ZIP : 85254

Submission ID: fb5c71c8c2b245f6b13cef6dd2c59eb9

Form Submission On : 1/24/2019 3:42:27 PM

IP Address : 174.26.145.24

Referer: <https://phoenix.gov/district2/contact-district-2>

## David O Simmons

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**From:** Frank Flider <fflider@mac.com>  
**Sent:** Friday, January 25, 2019 11:31 AM  
**To:** Council District 2 PCC; David O Simmons  
**Subject:** Objection to Planned Construction at LA Fitness Property at Scottsdale & Joan de Arc

Dear Messrs Waring and Simmons:

As long time residents of the neighborhood where the planned 5 story high density apartment complex is planned, we request that this project not be approved in its current state, if at all. Very little benefit will be derived for the neighborhood and its residents while the negative impacts will be many.

- A five story building in the direct path of an airport runway is a disaster waiting to happen and approval of such construction is incredibly irresponsible. A few years ago, we had a plane crash at 70th St & Joan de Arc, approximately 1 block from the proposed construction site, so this is a definite possibility. One person was tragically killed in that crash, but it would have been much more disastrous had it crashed into a building. It is very hard to believe that the airport authorities would not have grave concerns about a five story obstacle in the path of a very active runway being used by both professional and amateur pilots alike.
- Turning north onto Scottsdale Road from the west side of the street is already very difficult and people regularly cut through to Dreyfus or Sweetwater to 70th St to eventually get to Scottsdale Rd. As it is, we get a lot of traffic on this route and many of these people do not obey the speed limits nor the stop signs. With the addition of 300 additional units, the traffic problems will be increased multiple fold. With typical lot sizes of 0.5 acres in the neighborhood, the increase in population density with no infrastructure consideration will be overwhelming.
- In addition to being irresponsible relative to air traffic, a 5 story building is a potential eye sore for residents of the area. This area consists predominantly of single family one story homes— one of the reasons the neighborhood is attractive is the privacy factor derived from having very few two story homes in the area. This contributes to the property values of our neighborhood and a five story tower looking into neighboring yards will not be a positive factor for our home values.
- The effects of indiscriminate construction, whether it be yet another strip mall or another apartment complex, can be seen throughout the Valley. Over building results in increasing vacancies which adds to crime and represents an eye sore. The occupancy rate of apartments in the area does not suggest the need for even more construction. On the contrary— some discrimination is in order.

We live in a terrific area and growth is to be expected and welcomed. However, we also have a responsibility to make sure that that growth is responsible and to the benefit rather than to the detriment of our neighbors and neighborhood.

Thank you for your consideration in this matter.

Sincerely,  
Frank & Diane Flider  
6922 E Joan de Arc Ave

## David O Simmons

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**From:** James Moyer <jmoyer@cox.net>  
**Sent:** Thursday, January 24, 2019 9:09 PM  
**To:** Council District 2 PCC; David O Simmons  
**Cc:** jmoyer@cox.net  
**Subject:** Re: Rezoning for High Density Apartments (Scottsdale Road south of Thunderbird)

Dear Sir's, my name is James A. Moyer. My wife, and I are home owners, located at 7001 E. Presidio Road, Scottsdale, 85254-4029. Please consider this e-mail as being in total opposition to the above mentioned "High Density Apartments" that are being planned at the soon to be demolished L. A. Fitness center located on the west side of Scottsdale, Road south of Thunderbird Road. My reasons for opposing the planned development is based on three (3) factors; safety, security and privacy. (1) Safety is paramount. Clearly this high-rise structure ( I understand is planned for five (5) stories) appears to be in the glide path of air traffic for both landing and taking off out of the Scottsdale Airport, thus further requiring air traffic controllers and pilots to be aware of such an obstacle as they plan take offs and landings. Safety is further compromised when you consider the increase vehicle traffic resulting from the occupants of the apartments. The residential streets of Voltaire, Presidio, Joan De Arc, Pershing, Dreyfus and Sweetwater which run east /west, and 70<sup>th</sup> Street, which is a through street runs north/ south from Thunderbird Road to Cactus Road will have increased traffic from the apartment dwellers seeking a back way to their high-rise apartment in order to avoid the congestion of Scottsdale Road. This area is a neighborhood characterized by children playing along the street riding bicycles or chasing balls. The neighborhood is further characterized by people jogging, or walking their dog both in the early morning and the evening hours. All of these activities put people's lives at risk due to the increase traffic. (2) Security with more residences on the edge of our neighborhood comes the possibility of increased crime, both automobile theft and home invasion. It is understood that such an event may be remote, but even one such event is one too many! (3) Privacy such a structure as a high-rise provides an opportunity for unwanted observation while the charm of a private neighborhood would be compromised and gradually diminished by a high-rise building. Your careful consideration and support to disapprove such a structure is requested!

Very Respectfully,

James (Jim) A. Moyer  
(H) 480.443.8480  
(C) 602.510.4996  
[jmoyer@cox.net](mailto:jmoyer@cox.net) or  
[moyebay2@cox.net](mailto:moyebay2@cox.net)

## David O Simmons

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**From:** Council District 2 PCC  
**Sent:** Tuesday, January 29, 2019 12:43 PM  
**To:** David O Simmons  
**Subject:** FW: Rezoning for LA Fitness

**From:** Jessica Lydick [mailto:jessicalydick@yahoo.com]  
**Sent:** Friday, January 25, 2019 3:17 PM  
**To:** Council District 2 PCC <council.district.2@phoenix.gov>  
**Subject:** Rezoning for LA Fitness

I have heard that there is a proposition of rezoning the lot of LA Fitness (Scottsdale Rd and Thunderbird) for an apartment complex. I am urging you to reconsider as this would drive all the property values down in the neighborhood and create a lot of anger. Our surrounding roads can not handle this influx of people and would have us lose out on the privacy and reason we chose this neighborhood.

Sincerely,

Jessica Carter  
\*\*\*\*\*



## David O Simmons

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**From:** Jessica Lydick <jessicalydick@yahoo.com>  
**Sent:** Friday, January 25, 2019 3:18 PM  
**To:** David O Simmons  
**Subject:** Rezoning of LA fitness

I have heard that there is a proposition of rezoning the lot of LA Fitness (Scottsdale Rd and Thunderbird) for an apartment complex. I am urging you to reconsider as this would drive all the property values down in the neighborhood and create a lot of anger. Our surrounding roads can not handle this influx of people and would have us lose out on the privacy and reason we chose this neighborhood.

Sincerely,

Jessica Carter

## David O Simmons

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**From:** Joanne Menard <joanneswims@gmail.com>  
**Sent:** Wednesday, February 27, 2019 3:35 PM  
**To:** David O Simmons  
**Subject:** Property Located at 13220 N. Scottsdale Rd. in Phoenix, AZ

To the City of Phoenix Planing and Development Department:

I have great concerns about the safety and wellbeing of residents located in the neighborhood where a change of rezoning has been requested of you by a national developer. I feel that this would be terrible for the surroundings areas.

We currently have some major traffic issues already in the neighborhood. There are four schools and the Jewish Community Center that place a tremendous amount of people into the area several times a day. On the southeast corner of Scottsdale Road and Sweetwater we have the very large Jewish Community Center which offers people various activities daily. The Jewish Community Center is also the home of a large school located at the same location. Directly behind the Jewish Community Center is a large public elementary school, Sonoran Sky Elementary School on Sweetwater. On the northeast corner of Scottsdale Road and Sutton there is the Thunderbird Academy. On the southwest corner of Scottsdale Road and Sweetwater a Montessori Preschool is located. All four of these schools plus the Jewish Community Center have really put a burden on the neighborhood. I worry about the safety of all the children attending these schools as it is. Currently, it can be very difficult for residents to navigate in and out of the neighborhood.

One can only imagine placing the addition of 293 dwellings smack in the middle of this area. I am sure that the planned community will be a very nice place but it must be located in an area that can better accommodate the families that choose to live there. Just picture the traffic jams with 293 families and possibly over 500 additional cars! It does not make sense.

When we had our home built in 1979, we moved here to avoid 50 foot or five story buildings. Nobody that lives in our community wants to have five story buildings spoiling their neighborhoods either.

Our main concern is the tremendous traffic burden and safety of the students and neighbors. Please give this your utmost attention. Building this 293 dwelling units with their 500+ cars needs some serious thought before it becomes a disaster for us. Please do not allow this rezoning. Thank you for your attention to this urgent matter.

Mr. Charles and Dr. Joanne Menard  
7281E. Camino Santo  
Scottsdale, AZ 85260  
[joannemenard@cox.net](mailto:joannemenard@cox.net)

## David O Simmons

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**From:** Council District 2 PCC  
**Sent:** Tuesday, January 29, 2019 12:43 PM  
**To:** David O Simmons  
**Subject:** FW: City of Phoenix Notification - emdist2 - Form Submission

**From:** no-reply@phoenix.gov [mailto:no-reply@phoenix.gov]  
**Sent:** Friday, January 25, 2019 5:01 PM  
**To:** Council District 2 PCC <council.district.2@phoenix.gov>  
**Subject:** City of Phoenix Notification - emdist2 - Form Submission

This is Not Spam - This message is sent on behalf of the city of Phoenix.  
Please handle appropriately.

FROM : Carolyn Curcuru

SUBJECT : Rezoning for high density apartments

MESSAGE : As registered voters, we are writing in opposition of the proposed rezoning for high density apartments with regards to the lot currently occupied by LA fitness on Scottsdale Rd south of Thunderbird Rd. This rezoning would significantly decrease our property value in resale value as our property is directly behind the proposed site and would lose the mountain view that we currently enjoy. We are very concerned about an extreme increase of traffic through our neighborhood as our disabled child who uses a wheelchair for mobility very actively hand cycles through the neighborhood. Not to mention the complete loss of privacy from a building this size. The beauty of living in the desert is there is enough land to build out vs up.

Best regards,  
Joe and Carolyn Curcuru  
13223 N 69th Street  
Scottsdale AZ 85254  
(480) 219-5530

Email : [carolyn-curcuru@live.com](mailto:carolyn-curcuru@live.com)

AREA : 480

PHONE : 219-5530

ADDRESS : 13223 N 69th Street

CITY : Scottsdale

STATE : Arizona

ZIP : 85254

Submission ID: edb4bfd0e262438492a63b63204317de

Form Submission On : 1/25/2019 5:01:00 PM

IP Address : 68.231.85.146

Referer: <https://phoenix.gov/district2/contact-district-2>

February 11, 2019

Mr. David Simmons  
Staff Planner  
Paradise Valley Village Planning Committee  
david.simmons@phoenix.gov

Rezoning case number Z-89-18-2

Dear Mr. Simmons:

This letter is to serve as an official response to the 6.47 acre development project located at 13220 North Scottsdale Rd.

I am in receipt of a letter outlining a request for a zoning change to accommodate the building of a 293 unit multi-resident project on North Scottsdale Rd.

My family as well as our neighbors strongly oppose the project on the following grounds.

The Setup: I like progress. As a once longtime NBC television executive and advertising agency owner in both northern (Reno) and southern (Las Vegas) Nevada, I appreciate that progress is what turns the wheels of commerce. In fact, growth was my stock in trade. My ad agency handled the Builder's Association, nationwide homebuilders, regional master-planned community developers, and large shopping centers and malls. But it makes sense only where a project belongs as per designated by City Planners and agreed to by city or county politicians long ago – for a reason.

You've heard this: One commercial development company's desire to make land use more profitable - for them - should not be a concern of the city or county. So what then is left? General Improvement. This is not improvement.

Right of Use: Noise and Privacy

Large horse properties surround the land in question and continue for miles. Due to the up to five floor design (with balconies), the lifestyle of all who purchased here will be changed in perpetuity. Two stories adjacent to the property line and five stories peering across North Scottsdale Rd. is unacceptable. The current homeowner's property values will surely decrease.

Aircraft Safety: Accidents happen



Five stories, even three stories is unreasonable for final approach to the runway at the increasingly busy Scottsdale Airport. We see the level of flight from fixed wing light airplanes, private jets, helicopters, and military aircraft all day, every day. This project is not wise.

Additionally, leasing the units may present a challenge due to close proximity (overhead) noise and vibration. The owner's price matrix to justify the project may not be realized. High density included.

New Height Rules: Establishes a new precedent

This is an area of single and two story residential and commercial buildings. Farther north, near and including Kierland, the number of floors increase to accommodate office and retail space. Farther South, it occurs beyond East Shea Blvd. near Gainey Ranch. This project will tower unpleasingly against the current architecture. What's next?

Traffic Flow: Ingress and egress

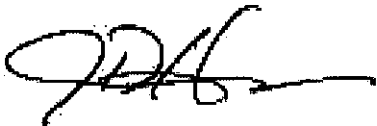
293 units equals at least 293 vehicles. The traffic flow is guided by traffic lights at a one-quarter mile distance between East Sweetwater Ave. and Thunderbird Rd. Ingress and egress by the apartment dwellers will be disruptive to the North Scottsdale Rd. artery through a busy city corridor. Morning and evening rush will definitely back up, especially if a new traffic signal is proposed at Joan de Arc at the property's northern edge. Noise, smog, and longer drive times for everyone will be the result.

Contamination: A gas station and a dry cleaner anchor this plot of land. Chemical spills as well as an underground storage tank rupture could happen anytime.

In Closing: May we recommend something else that is Commercial C-1 District?

Thank you for your consideration on this quite urgent matter. Please truly weigh all of our concerns when deliberating this zoning change.

Best,

A handwritten signature in black ink, appearing to read 'JH', with a long horizontal flourish extending to the right.

Jonathan Herbert  
13190 N. 72<sup>nd</sup> Place  
Scottsdale, AZ 85260  
(702)630-8988

February 11, 2019

Mr. David Simmons  
Staff Planner  
Paradise Valley Village Planning Committee  
david.simmons@phoenix.gov

Rezoning case number Z-89-18-2

Dear Mr. Simmons:

This letter is to serve as an official response to the 6.47 acre development project located at 13220 North Scottsdale Rd.

I am in receipt of a letter outlining a request for a zoning change to accommodate the building of a 293 unit multi-resident project on North Scottsdale Rd.

My family as well as our neighbors strongly oppose the project on the following grounds.

The Setup: I like progress. As a once longtime NBC television executive and advertising agency owner in both Reno and Las Vegas, Nevada, I appreciate that progress is what turns the wheels of commerce. In fact, growth was my stock in trade. My ad agency handled the Builder's Association, a nationwide homebuilder, regional master-planned community developers, and large shopping centers and malls. So I am qualified to propose this: Because an idea for a project is born. Renderings are drawn. Blueprints are drafted. It doesn't mean the idea is right for the site. Zoning is designated by City Planners and agreed to by city or county politicians long ago for good reasons. And those reasons in this case still apply today.

You've heard this: One commercial development company's desire to make land use more profitable - for them - should not concern the city or county. So what then is left? General Improvement for its citizens. This is not improvement.

Right of Use: Noise and Privacy

Large horse properties surround the land in question and continue for miles. Due to the up to five floor design (with balconies), the lifestyle of all who purchased here will be changed in perpetuity. Two stories adjacent to the property line and five stories peering across North Scottsdale Rd. is unacceptable. The current homeowner's property values will surely decrease.

Aircraft Safety: Accidents happen

Five stories, even three stories is unreasonable for final approach to the runway at the increasingly busy Scottsdale Airport. We see the level of flight from fixed wing light airplanes, private jets, helicopters, and military aircraft all day, every day. This project is not wise.

Additionally, leasing the units may present a challenge due to close proximity (overhead) noise and vibration. The owner's price matrix to justify the project may not be realized. High density included.

New Height Rules: Establishes a new precedent

This is an area of single and two story residential and commercial buildings. Farther north, near and including Kierland, the number of floors increase to accommodate office and retail space. Farther South, it occurs beyond East Shea Blvd. near Gainey Ranch. This housing cluster will tower suddenly, unpleasingly above the current landscape. It will conflict with the architecture. What's next?

Traffic Flow: Ingress and egress

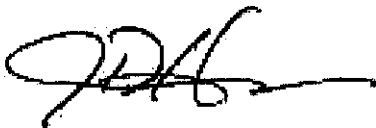
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Contamination: A gas station and a dry cleaner anchor this plot of land. Chemical spills as well as an underground storage tank rupture could happen anytime.

The Close: May we recommend something else that is Commercial C-1 District?

Thank you for your consideration on this quite urgent matter. Please truly weigh all of our concerns when deliberating this zoning change.

Best,

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Jonathan Herbert  
13190 N. 72<sup>nd</sup> Place  
Scottsdale, AZ 85260  
(702)630-8988

## David O Simmons

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**From:** David O Simmons  
**Sent:** Thursday, January 03, 2019 9:44 AM  
**To:** 'kathycb@cox.net'  
**Cc:** Joel Carrasco  
**Subject:** RE: City of Phoenix Notification - cuZoning - Form Submission

Hi Kathy,

Thank you for your message addressing concerns in regard to rezoning case Z-89-18-2 located south and west of the southwest corner of East Joan De Arc Avenue and North Scottsdale Road. Please know that a copy of your message will be saved in the rezoning case file for record, included as an attachment in the staff report, forwarded to all of the hearing bodies and to the applicant so that they are aware of your concerns. If you have any questions please let me know.

The PUD is a fluid process and the development standards that move forward to the hearing bodies is not set until there is a hearing draft. This case has not been scheduled for public hearing as of yet. However, the applicant is required to host a public meeting prior to the Village Planning Committee meeting. Keep an eye out in the mail for a notification of this meeting. Please let me know if you have any additional questions.

Respectfully,

David Simmons, MA  
Planner II \* Village Planner  
Paradise Valley, Deer Valley & Maryvale  
City of Phoenix Planning & Development Department  
200 West Washington Street, 3rd Floor  
Phoenix, AZ 85003-1611  
[david.simmons@phoenix.gov](mailto:david.simmons@phoenix.gov)  
Office: 602-262-4072

**From:** [no-reply@phoenix.gov](mailto:no-reply@phoenix.gov) <[no-reply@phoenix.gov](mailto:no-reply@phoenix.gov)>  
**Sent:** Friday, December 28, 2018 11:18 PM  
**To:** Zoning Mailbox PLN DSD <[zoning@phoenix.gov](mailto:zoning@phoenix.gov)>  
**Subject:** City of Phoenix Notification - cuZoning - Form Submission

This is Not Spam - This message is sent on behalf of the city of Phoenix.  
Please handle appropriately.

First and Last Name : Katherine Clevenger-Burdell

Email : [kathycb@cox.net](mailto:kathycb@cox.net)

Comments : I would like to know how to give additional input regarding proposed Rezoning Project for 13220 N. Scottsdale Road. Request is for changing from Commercial C-1 District Neighborhood Retail with a Special Permit -health club to a "Planned Unit Development". I live on the Scottsdale side of Scottsdale Road. The back of our property faces Scottsdale Road.

My initial reaction is a negative one. There are "MULTIPLE" high rise condos/apartments just down the street on the same side as Kierland Commons . There are also Multiple developments on the Scottsdale side all around Kierland Commons. Traffic issues are now a major problem. There is not a need for additional high rise or "Multi-housing" units in this area. I know that one development was already turned down closer to Kierland. These development projects increase density, traffic, and high vacancy rates of buildings when those condos/apartments are less attractive for young professionals when single family homes are more available.

The city needs to make this developer prove there is demand for multi-unit housing in this area when so many developments are already complete or in process just up the street-no more than 1/4 to 1/2 mile up the street. My thoughts are this development is totally un-necessary.

Submission ID: 57dfef6c294f4e3d8a5b8578f4438413

Form Submission On : 12/28/2018 11:18:25 PM

IP Address : 68.3.137.74

Referer: <https://phoenix.gov/pdd>



**David O Simmons**

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**From:** mpatter845@aol.com  
**Sent:** Monday, January 28, 2019 8:30 AM  
**To:** David O Simmons  
**Subject:** Apartment project for 300 units. Scottsdale road south of Thunderbird

Good morning,

My husband and I reside at 6842 E. Joan de Arc., Scottsdale AZ 85254.

We are against the development that is proposed for the lot presently occupied by LA fitness on Scottsdale Road.

This project will be a huge negative for our neighborhood as a whole.

We need your help!

Sincerely,

Micaela Patterson  
Doug Patterson  
480.229.8563

Sent from AOL Mobile Mail  
Get the new AOL app: [mail.mobile.aol.com](mailto:mail.mobile.aol.com)

**David O Simmons**

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**From:** Michele Blanton <mdblanton17@gmail.com>  
**Sent:** Friday, January 25, 2019 3:55 PM  
**To:** Council District 2 PCC; David O Simmons  
**Subject:** LA Fitness Scottsdale rd & Thunderbird

I am writing in dispute the projected project of the 300 unit apartment complex at the site of the LA Fitness Scottsdale rd & Thunderbird. As a neighbor who lives in the neighborhood just to the west of that location, this project is not going to be good for the already over trafficked area or home values. And the many other side affects of bringing in a 300 unit apartment complex.

Please reconsider. Use the property for something positive for the area.

Thank you.

Michele Blanton

## David O Simmons

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**From:** Council District 2 PCC  
**Sent:** Tuesday, January 29, 2019 12:43 PM  
**To:** David O Simmons  
**Subject:** FW: Apartment project for 300 units. Scottsdale road south of Thunderbird

David,

I saw that you were responding to some residents regarding this rezoning below. We have received a couple more opposition emails and just wanted to make you aware.

Thank you,

Nicholas Cappellini  
Office of Vice Mayor Waring  
200 W. Washington St. 11th Floor  
Phoenix, Arizona 85003  
602-262-7445

**From:** mpatter845@aol.com [mailto:mpatter845@aol.com]  
**Sent:** Monday, January 28, 2019 8:31 AM  
**To:** Council District 2 PCC <council.district.2@phoenix.gov>  
**Subject:** Fwd: Apartment project for 300 units. Scottsdale road south of Thunderbird

Sent from AOL Mobile Mail  
Get the new AOL app: [mail.mobile.aol.com](mailto:mail.mobile.aol.com)

On Monday, January 28, 2019, [david.simmons@phoenix.gov](mailto:david.simmons@phoenix.gov) <[david.simmons@phoenix.gov](mailto:david.simmons@phoenix.gov)> wrote:

Good morning,

My husband and I reside at 6842 E. Joan de Arc., Scottsdale AZ 85254.

We are against the development that is proposed for the lot presently occupied by LA fitness on Scottsdale Road.

This project will be a huge negative for our neighborhood as a whole.

We need your help!

Sincerely,

Micaela Patterson  
Doug Patterson  
480.229.8563

## David O Simmons

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**From:** Nate W <nwade1010@gmail.com>  
**Sent:** Monday, February 11, 2019 1:42 PM  
**To:** David O Simmons  
**Subject:** Manor Scottsdale - former LA Fitness

Hello Mr Simmons,

I recently purchased and redeveloped my home at 6622 East Sweetwater Ave. The posted speed limit is 30 MPH yet we have cars driving about 40 - 45 MPH on a daily basis along Sweetwater. While I would prefer lower density, I understand the draw of additional tax revenue from the proposed condo units and I think they would be beneficial for local businesses which I also currently support. If Manor Scottsdale is developed, the additional density will definitely result in additional traffic on Sweetwater Avenue between Scottsdale Road and 64th Street.

Sadly children can rarely ride bikes or play along Sweetwater due to current traffic even though we have bike lanes and this will definitely get worse with higher density. I would like to propose a simple solution that could benefit the neighborhood with minimal costs to the Manor developer. Add an additional roundabout with tree or large decorative rocks at Sweetwater and 68th Street AND Add Several Speed Humps at various locations along Sweetwater Ave which would force traffic to obey the posted speed limit signs and encourage drivers to use the major thoroughfares Cactus and Thunderbird.

Hopefully this makes sense and does not seem like an unreasonable request.

<https://www.reliance-foundry.com/blog/speed-humps-effective#gref>

Thank you for your time and I would appreciate a response to this email.

Nathan Wade  
602.516.0022

## David O Simmons

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**From:** rnkoppenmd@aol.com  
**Sent:** Friday, January 25, 2019 11:07 AM  
**To:** Council District 2 PCC  
**Cc:** David O Simmons  
**Subject:** apartment complex building plans for Scottsdale Rd south of Thunderbird Rd.

Dear Vice Mayor,

I am sending you this email as a very concerned resident of the neighborhood on the west side of the above mentioned building site, as the impact of a five story, 300 units building of this size will have a seriously challenging effect on our privacy in our front and back yards, but even more on our ability to drive smoothly through our neighborhood with the arrival of some 500 or 600 additional cars that would need to travel through this residential neighborhood, especially for northbound traffic from this site that will try to avoid the left turn on to Scottsdale road which will, especially in the day time, not be easy.

Surely there must be other building sites farther North alongside Scottsdale Road, or elsewhere, that would not impact the local residents in such a challenging way.

In addition, future residents of a five story building, right in the flight path to the Scottsdale airport, would not be pleased with the significant airplane noise at that location, especially now that we have frequent military jets landing on and taking off from this airport, for some reason, especially on weekends which is challenging enough for us as longtime residents here.

So please direct the developer to another building site that does not create these difficulties that I described.

Thankfully,

Robert N. Koppen, MD  
822 East Joan De Arc Ave.  
Scottsdale, AZ 85254



**David O Simmons**

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**From:** Steve - Shelves <steve@slidingshelfdepot.com>  
**Sent:** Friday, January 11, 2019 7:49 AM  
**To:** David O Simmons  
**Subject:** 13220 N Scottsdale

I just received the letter regarding the rezoning of the property at 13220 N Scottsdale rd. I am opposed to this change. It is not appropriate or safe to have multi-family housing in the landing path of Scottsdale Airport and it does not fit in with nor benefit the existing neighborhood. We have had several plane crashes over the years, one into a home on Pershing and the other in a yard on Joan De Arc. The risk of a plane crashing into a house is bad enough but the idea of it hitting a multi-family complex makes me shutter. I am sure you do not want to be responsible for what could happen, I certainly don't

Thank you

Stephen Edling  
7058 E Dreyfus  
Scottsdale, AZ 85254

**David O Simmons**

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**From:** radcon6@aol.com  
**Sent:** Thursday, February 28, 2019 11:33 AM  
**To:** David O Simmons  
**Subject:** Apartment Project Proposed for the LA FITNESS property at Scottsdale Rd. & Joan D'Arc

Please be advised that we are very much AGAINST the appx. 300 unit apartment project proposed for the LA FITNESS property at Scottsdale Road and Joan D'Arc for the following reasons:

DECREASE IN PROPERTY VALUES in the nearby neighborhood.

EXTREME INCREASE IN TRAFFIC in the area - drivers cutting through the neighborhood to avoid a left turn onto Scottsdale Road.

LOSS OF PRIVACY for homes near the project.

DECREASE IN AIR QUALITY from increased traffic volume in the area.

John and Barbara Lutton  
6802 E. Presidio Rd.  
Scottsdale, AZ  
480-948-3623

radcon6@aol.com

## David O Simmons

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**From:** lori mmtaz.com <lori@mmtaz.com>  
**Sent:** Friday, March 08, 2019 4:29 PM  
**To:** Council District 2 PCC; David O Simmons  
**Cc:** jlane@scottsdaleaz.gov; sferrera@scottsdaleaz.gov  
**Subject:** Z-89-18-2 Rezoning 7.18-acres, located at SW corner of Scottsdale Rd/Joan De Arc Ave from C-1SP to PUD and/or C-1

Jim Waring, Phoenix Vice Mayor

And

David Simmons, Paradise Valley Village Planner

March 8, 2019

RE: Z-89-18-2, Rezoning 7.18-acres, located at Southwest corner of Scottsdale Rd/Joan De Arc Ave from C-1SP to PUD and/or C-1.

Dear Sirs,

After attending the Paradise Valley Village planning committee meeting on March 4, 2019 regarding the rezoning request referenced above, I feel compelled to contact you with some very legitimate concerns regarding the possible negative impact on the neighborhood to the west and southwest of this property. In addition to the possible impact/interference with the Scottsdale Airport runway. Many legitimate issues were raised by the effected home owners during the March 4th meeting that I feel were not taken seriously. Only one of the committee members even questioned the legal representative for the developer. This meeting left me with the impression that this rezoning was going to go forward regardless of how it impacts the surrounding neighborhood and/or Scottsdale Airport's runway.

First let me introduce myself, I am Lori Sneed and have owned my home on Sweetwater Ave since December of 1999. I am a retired property manager with over 30 years' experience in the residential multifamily property management. My home's location may not be directly impacted by this development. However, I believe the developer has not presented a clear picture of the entire impact on not only the surrounding homes/neighborhood but our neighboring city of Scottsdale and their airport, along with the amount of increased traffic on Scottsdale Road and through our neighborhood. You also have to consider the probability that the "Luxury Living" statement may not be actual if the interior finishes and amenities of the development do not meet the standards of luxury when compared to the other luxury multifamily communities North of Greenway Road on Scottsdale Road.

I would like to start with questioning the parking and traffic numbers provided. The developer has stated that the 293 units will be comprised of 28-Studios, 119-one bdrms, 123-two bdrms & 23-three bdrms. They also stated that the average parking spaces per unit will be 2.1 spaces, based on the 293 units this equates to a total of **615** parking spaces. Let's assume that there is only 1 car for each studio and 50% of the one bdrms; 2 cars for the other 50% on the one bdrms; 2 cars for each two bdrm and 2 cars for each three bdrm. At full occupancy that totals **615** resident cars. **That leaves no parking for guests.** Even at 95% occupancy this would only leave **31.5** spaces for visitor parking. These numbers are all based on the assumption that no apartment will not have more than 2 vehicles. In my experience, most of the three bdrms and 25% or more of the two bdrms usually end

up having 3 or more vehicles. Meaning the guests of these residents will be parking on the neighborhood streets, gas station and other commercial building parking lots in the neighborhood. Based on these simple numbers I believe their traffic count for additional vehicles on Scottsdale Road is also under estimated and the parking issue has not been sufficiently addressed. Would like the PVV planning committee to ask the developer for detailed figures on how they arrived at their parking and traffic numbers before proceeding to a vote.

Another item to be addressed should be their occupancy standards. Meaning the number of persons being permitted to reside in each unit. Federal HUD occupancy standards use the 2 plus 1 theory. Meaning two persons for each bedroom plus one person for the common area is the standard. Which would allow for 2 persons for each of the 28 Studios, 3 persons for each of the 119 One Bdrms, 5 persons for each of the 123 Two Bdrms and 7 persons for each of the 23 Three Bdrms. At maximum occupancy this 7.18-acre site will have the potential to house **1,189 people**. This equates to **165.60 people per acre**. This seems like extremely high density for a site of this size and in this neighborhood. Would like the PVV planning committee to ask the developer for detailed figures on their occupancy standards before proceeding to a vote.

If the developer has acquired a **HUD-221D** Loan, the interior finishes may not be luxury finishes. This maybe the reason one of the developer's representative at the neighborhood meeting at Westin Kierland on Feb 28, divulged to me that their "**average rents will be \$500.00 less per month** then other communities on Scottsdale Road". Interior finishes have not been disclosed as far as I know. Would like the PVV planning committee to ask the developer for detailed information regarding interior finishes as this information would truly dictate luxury living.

In the 85254-zip code the median list price according to Realtor.com is **\$499,000** and a price per square foot of \$221.00 to which can be **50% to 85% greater** than median for Paradise Valley Village. Current houses listed for sale on Realtor.com as of March 4, 2019 between Scottsdale Road, west to 64<sup>th</sup> Street, Thunderbird Rd-south to Cactus Rd start at **\$400K** for 2106 sq ft on .24 acres' up to **\$895K** for 2790 sq ft on .55 acres. Actual home sold in this same vicinity for the past 6 months range from **\$410K**, 2385 sq ft on .25 acres to **\$930K**, 4848 sq ft on .77 acres. A **vacant lot** of .55 acres sold for **\$420K**. In addition, the homes in this same vicinity have lots sizes of .24 acres up to 1 acre and most of the homes with .50 acres or more have horse privileges on their Deed & CCRs. In my opinion, this developer's legal representation during the meeting seemed to be unaware of our horse privileges and dismissive of them when this fact was brought to his attention. Would like the PVV planning to assess the quality of this proposed development (*interiors and amenities as well as the exterior*) in comparison to the quality/value of houses in the area of Scottsdale Road, west to 64<sup>th</sup> Street, Thunderbird Rd-south to Cactus Rd., also compared to other true luxury developments on Scottsdale Road.

During the meeting no aerial map was provided by the developer with regards to Scottsdale Airport's incoming and departing runway being **less than 4,000 ft** from this development. Also, when you ask if they have spoken with Scottsdale Airport regarding this project. Their response is "The FAA has given them permission." To me this sounded like they have not, nor do they intend to notified Scottsdale Airport of their development intent. On March 6<sup>th</sup> I spoke with Scottsdale Airport's public relations department and they confirmed that no one associated with the development has reached out to them, however they have spoken with several concerned home owners, the airport and the Mayor of Scottsdale are aware of and are monitoring the situation.

By the way the FFA allowed Phoenix Sky Harbor to change their flight paths, so they flew over the historical district homes (*Story Preservation Association, Willo Neighborhood Association, Encanto-Palmcroft Historic Preservation Association and Roosevelt Action Association*) and a law suit had to be filed to have it reversed.

Having experience in multifamily property management and dealing with lease up communities, distressed properties, along with ownership changes. Poor developer planning regarding inadequate parking, possible inferior interior materials, lack of community amenities and airport noise in my opinion could most likely cause occupancy issues which leads to additional rental discounts and/or concessions. To which could cause the

quality of the resident profile to degrade and high resident turnover. If the resident turnover increases and/or resident profile degrades, then the wear and tear on the interior/exterior could degrade faster than anticipated. Leaving a once special neighborhood in the magic zip code with the start of blithe in due to the deterioration of the property. Would like PVV planning to take a very close look at this rezoning request to make sure this is the highest and best use for this parcel before proceeding to a vote.

One last concern, is the beginning of the over saturation of multifamily units located along Scottsdale Road, 7160 Optima Kierland's—150 units, 10 story Tower and their sister Condo tower are currently constructing two additional towers (another 300 units?). Then you have Broadstone Scottsdale Quarter 275 units; Liv North Scottsdale 184 Units (+55 community). Just North and South of Scottsdale Road we have, The Paragon @ Kierland 276 units; District @ Scottsdale 332 Units; Legend @ Kierland 360 units and Traditions @ Kierland 364 units. If you add on the 85255 zip code communities on Scottsdale Rd; just north of the 101 this is another additional 1601 units, equating to a total of 3842 multifamily units along Scottsdale Rd, north of Cactus Rd. This seems like a lot of luxury rental competition for an apartment community located less than 4,000 feet from the southwest-end of the Scottsdale Airport runway. If the market gets over built or we have an economic down turn it could cause rental rates to fall. Lower rents could cause changes to the resident profile, changes to resident profile could cause deterioration to the apartment communities, less income could cause distressed property conditions.

Would like PVV planning to reject this rezoning request. This parcel should remain C1 SP (Neighborhood retail, Special Permit). Please do not permit a multi-story multifamily high-density community to be put in the back yards of single-family homes with long term home owners.

Thank you for your time and consideration.

Respectfully submitted,

Lori Sneed





"Most Livable City"  
U.S. Conference of Mayors

Office of  
W.J. "JIM" LANE  
Mayor

January 15, 2019

Vice Mayor Jim Waring  
City of Phoenix  
200 W. Washington St., 11<sup>th</sup> Floor  
Phoenix, AZ 85003

Dear Vice Mayor Waring,

I hope 2019 is off to a successful start for you. I am writing to you to solicit your cooperation regarding proposed project Z-89-18. This project proposes a luxury rental multi-family community to be located in close proximity and within flight paths to Scottsdale Airport, and within the 55 and 60 DNL noise contours for Scottsdale Airport. The City of Scottsdale, Airport's Noise Compatibility Study Part 150 study, that was completed in partnership with the City of Phoenix, recommends that the City of Phoenix and Scottsdale should maintain compatibly-zoned developments within the 55 and 60 DNL contours. The study strongly discourages rezoning for residential or other noise-sensitive land uses not consistent with the general plans and especially within the 55 and 60 DNL to ensure compatible development within the Airport environs.

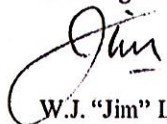
The city receives several noise complaints from Phoenix residents in this area. While our preference is to strongly discourage building residential developments so close to an airport or flight path or within the 55 or 60 DNL, we do not have the authority to deny such a project request in Phoenix. We do, however, ask that Phoenix consider our request to require the following airport development and FAA guidelines in this regard.

As such, we strongly encourage the consideration of the following stipulations if the project moves forward:

- 1) Owner/developer shall submit to the FAA the appropriate forms for FAA Form 7460-1 analysis and submit the FAA response of "No Hazard Determination" prior to final plan submittal
- 2) Each owner shall make fair disclosure to each purchaser/tenant to disclose proximity of airport and operational characteristics of Scottsdale Airport. If this development is subject to CC&Rs, to include the disclosure in the CC&Rs and/or record disclosure against the property. We would like each prospective tenant/owner to be fully aware of the proximity to airport and potential impacts.
- 3) Consider stipulating noise attenuation measures, such as outlined in building codes for noise level reduction of 25dB for establishing sound insulation standards

It is my hope, Vice Mayor Waring, that you do not support this project for the betterment of the constituents involved as well as the operation of the SDL Airport. This could be a dangerous situation that we may find ourselves in and it could also become a nuisance for future councilmembers if the project does move forward. Please contact my office with any questions and if you feel there are others that would benefit from receiving this correspondence, please let me know as I am happy to contact them as well.

Best Regards,



W.J. "Jim" Lane

**David O Simmons**

---

**From:** Mort Levin <mortlevin@gmail.com>  
**Sent:** Wednesday, February 27, 2019 4:24 PM  
**To:** David O Simmons  
**Subject:** La Fitness rezoning

David:

Mw wife and I live in Scottsdale. We are concerned about the the rezoning of LA Fitness. We do not want our property values to go down, or more traffic in the area and loss of privacy for those near the site.

Thanks,

Mort and Sharon Levin

**David O Simmons**

---

**From:** Tom <tomaz@tutanota.com>  
**Sent:** Wednesday, February 27, 2019 9:58 PM  
**To:** Council District 2 PCC  
**Cc:** David O Simmons  
**Subject:** PROPERTY ZONING NOTICE

Hi Jim,

My name is Tom Catzere. I just learned of a proposed zoning change request in our area (for the location at Scottsdale Rd, South of Thunderbird) by a Florida developer for a five-story apartment complex. I just wanted to let you know that I am not at all in favor of your approving this.

My wife and I moved to Scottsdale in 1975 and have lived in the same house ever since. Very honestly, it's incredibly discouraging to see what has happened to the 'Scottsdale' we once knew and loved -- and to the residential/desert area into which we originally moved. When we moved here (with just a very few exceptions), just about everything north of Thunderbird was raw desert. The last 10+ years have turned it into just another commercial NIGHTMARE -- it's starting to feel like downtown Chicago. Everywhere you look, it's another apartment complex, a semi high-rise or a condo development. In fact, just a couple blocks from our home (on Thunderbird), they are now selling used cars from what just recently was a residential property. I don't really understand what's going on here -- and why this has been approved and allowed to happen, but I SURELY DON'T LIKE IT!!! My wife and I are asking that you do everything in your power to defeat this new zoning proposal -- and any other same such requests that may come your way in the future. Thank you.

Tom Catzere  
6721 E. Voltaire Ave.  
Scottsdale, AZ 85254

## David O Simmons

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**From:** Don Rogut <donaldrogut@gmail.com>  
**Sent:** Friday, March 29, 2019 9:35 AM  
**To:** David O Simmons  
**Subject:** MANOR SCOTTSDALE PUD CASE Z-89-18-2

As a 43 year local Phoenix voter, taxpayer, homeowner and resident I would like to state my objection to the proposed MANOR SCOTTSDALE PUD CASE Z-89-18-2. This is the third draft submittal of this plan. Obviously, it is defective and objected to by local residents.

In this third draft the principals and development team have striven to downplay the effect of this project on the local area. They have deleted references to the number of dwellings to be built and the number of possible inhabitants.

My major concerns and comments are:

1. Although the team has tried to isolate the project there is no doubt that the addition of 500 residents to the area will impact the only residential area easily accessed by increasing foot traffic, animal waste, and crime. This residential project is not surrounded by a peaceful neighborhood, it is isolated by a very busy thoroughfare (Scottsdale Road) and local businesses.
2. Traffic in this area is already congested. The addition of 294 active residential units and over 600 parking spaces to support these residents clearly suggests that during normal commuting hours there will be a significant increase to vehicles trying to access and depart from this location. Currently vehicles accessing Scottsdale Road borders on dangerous with the additional traffic it will be very dangerous. No provisions have been made to address this. Pedestrian safety as the residents attempt to cross Scottsdale Road for access to buses or the local Jewish Community center is also a problem.
3. The team proposes a high rise only to increase resident density making the project potentially profitable. There is no reason to approve increasing the allowed building height in this area other than greed.
4. It is unlikely that this project will attract as many tenants since the building is directly under the airport flight path and aircraft noise is a significant deterrent both inside the residences and to using the outside open spaces. I know since I have lived under the flight path for 42 years. Scottsdale Airport noise has been and will continue to be a contention between Phoenix residents and the City of Scottsdale. This will only make it worse.
5. What effect will this have on local schools? How will school buses safely pick up children?
6. How will the city protect the alley way accesses in the area?
7. The current business zoning produces limited activity and mostly during daytime hours. This would be the same for other businesses. A large concentrated residential community will increase activity in the area well outside of normal business hours and especially on weekends.

8. Do not approve this plan and zoning change as all of my neighbors are concerned about the project reducing our property values. If it is approved will the city lower our taxes? I doubt it. Will our neighborhood be improved? NO.

**Donald Rogut**  
**7023 E Joan De Arc Avenue**  
**Phoenix, AZ**



## David O Simmons

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**From:** rrayofsun@aol.com  
**Sent:** Monday, May 6, 2019 2:17 PM  
**To:** ngriemsmann@swlaw.com; Council District 2 PCC; David O Simmons  
**Cc:** rrayofsun@aol.com  
**Subject:** Traffic Impact Statement for swc Scottsdale road and Joan De Arc

Noel - I am sending you this e-mail to request that a full comprehensive traffic impact analysis be completed for the PUD development at the subject location. I find the traffic impact statement completed by CivText Inc. to be flawed and incomplete.

The Traffic Impact Statement (TIS) indicates in the Trip Generation Comparison - Table 2 on page 4 that there will be an estimated 1600 trips per day. Of those trips 105 (6.5%) will be in the AM and 129 (8%) in the PM. The number of trips during peak hours does NOT seem reasonable. I would think a more reasonable and correct forecast trip number would be in the 15% range or 240 trips during a peak hour. The TIS indicated that the trips will be divided evenly with 50% going North and 50% going South on Scottsdale road. That would mean the 120 trips going North in the morning and 120 trips coming South in the evening would have to cross 3 lanes of traffic and dodge traffic making a right onto the property. A trip every 30 seconds would have to be completed for an entire hour to avoid a traffic backup on Scottsdale road. During a typical rush hour traffic presently on Scottsdale road this additional amount of traffic will bring movement on Scottsdale road to a standstill. With the small number of staging positions on site at entrance/exit position #5 will also create an additional hazard for people to enter or exist the site. I strongly feel that the future traffic that will be generated by the PUD development will create a hazardous situation that will cause many accidents, injuries and possible death. Your attention to this matter is required before a disaster takes place. I also take exception to the statement in Nicholas Wood's letter dated April 19, 2019 " The max proposed height for the project is fifty (50) feet, or (5) stories, along Scottsdale Road." What I have determined from the drawing documents is that the proposed height is actually 65 feet, as the parking structure alone is over 50 feet.

If you would like to discuss any of my concerns please call me at (480) 948 - 3816 or e-mail me at rrayofsun@aol.com.

Thanks,  
Raymond Busby  
6902 E Voltaire Ave.  
Scottsdale , AZ 95254

**David O Simmons**

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**From:** Toby <tovamirriam@cox.net>  
**Sent:** Friday, May 3, 2019 8:52 PM  
**To:** David O Simmons  
**Subject:** Fw: Case # Z-89-18-2 13220 North Scottsdale in Phoenix  
**Attachments:** Opposition Letter.pdf; Flight Path.pdf

Hi, David,

I have some concerns with regard to this proposal.

I request that they be read aloud into the record, as I am ill with pneumonia and won't be able to be there Monday.

1. This is directly in the flight path of the runway of the Scottsdale Airport. This is a proposed 5 story edifice. What would happen if an airplane lost altitude in take off or landing? it is a dangerous location for 5 story buildings of any sort.
2. The property is located in the middle of a large swath of single family homes that are horse property. It does not fit.
3. The traffic is already a problem with the existing homes. This proposed project will augment an already traffic problem for the neighborhood residents and those who travel through it.
4. The existing city services are already taxed ~ both Phoenix and Scottsdale
5. I'm not convinced that the services, sewers, etc. provided by the City of Scottsdale will be adequate.
5. While it is a nice plan, it is ill-advised at this location. it is in the wrong place.

I heard the arguments pro and con at the last Village meeting. I have read the opposition letters that have been sent to me, including the letters attached. Accordingly, I do not favor this project. For the foregoing reasons, I think

this Z-89-1822 located at 13220 N. Scottsdale Rd. in Phoenix is ill-advised and dangerous to the safety of the residents. I specifically request that the minutes of the meeting reflect my concerns.

Otherwise, I request that chair permit me to be put on speakerphone for the meeting, so that I will have a chance to hear the arguments, make any statements and vote. 602-996-3959.

Toby Gerst

**From:** [David O Simmons](#)  
**Sent:** Friday, May 03, 2019 8:58 AM  
**Subject:** FW: Case # Z-89-18-2 13220 North Scottsdale in Phoenix

Just an FYI. This letter came in after the packets went out. See you all Monday evening.

Respectfully,

David Simmons, MA  
Planner II\* Village Planner  
200 West Washington Street  
3<sup>rd</sup> Floor  
Phoenix, AZ 85003  
602-262-4072  
[david.simmons@phoenix.gov](mailto:david.simmons@phoenix.gov)

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**From:** Dan Rooney <[danrooneyllc@hotmail.com](mailto:danrooneyllc@hotmail.com)>  
**Sent:** Thursday, May 2, 2019 6:23 PM  
**To:** David O Simmons <[david.simmons@phoenix.gov](mailto:david.simmons@phoenix.gov)>  
**Subject:** Case # Z-89-18-2 13220 North Scottsdale in Phoenix

David Simmons

Please find attached my letter of opposition and copy of the Flight Path

Dan Rooney

[danrooneyllc@hotmail.com](mailto:danrooneyllc@hotmail.com)

702-768-2433