

## Attachment E

### Samantha Keating

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**From:** Edward Cooper <edwacooper@gmail.com>  
**Sent:** Wednesday, November 27, 2019 8:06 PM  
**To:** Samantha Keating  
**Subject:** Case Z-60-19

I cannot attend the planing meeting on Wednesday a 6PM I live one house in at Mackenzie Dr .  
I am in favor of the project and think it will enhance the neighborhood. In addition I believe it will release congestion on the corner of 15th Ave and Indian School Road.

## Racelle Escolar

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**From:** Dave Cisiewski <dave@dclawaz.com>  
**Sent:** Tuesday, May 12, 2020 8:56 AM  
**To:** Nick Klimek; Racelle Escolar  
**Subject:** FW: FW: Opposition To Circle K Expansion Z-60-19-4  
**Attachments:** Phoenix (NWC 15th Ave Indian School Rd) SP-11 (5-11-20).pdf

Nick/Racelle:

Please see communication below from Mr. Tristan Whitaker regarding his opposition to this project. After the Planning Commission hearing last week I spoke with Mr Whitaker and he explained his primary concern was related to pedestrian access from the north being able to access the store without having to cross over the proposed vehicular drive onto 15<sup>th</sup> Ave. After some discussion we agreed that if a pedestrian path could be installed along the north edge of the parking lot this would alleviate his concern. Circle K has agreed, subject to final approval by the city, to install the pedestrian pathway along the north edge of the parking lot as depicted on the attached updated site plan. This is the pathway that Mr. Whitaker refers to in his email message below and based upon this resolution he is withdrawing his opposition to the project. Again, Circle K will agree to install this path subject to final City approval.

Thank you

David Cisiewski, Esq.  
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**From:** Tristan Whitaker <tristanwhitaker@gmail.com>  
**Sent:** Tuesday, May 12, 2020 8:31 AM  
**To:** Dave Cisiewski <dave@dclawaz.com>  
**Subject:** Re: FW: Opposition To Circle K Expansion Z-60-19-4

Good morning Dave,

The addition of the depicted pathway alleviates my concerns for pedestrian access and integration with the neighborhood.

I'll reach out Mr Klimek this morning to withdrawal my previous opposition.

I appreciate the willingness of you and Circle K to engage with neighbors.

Thanks,

On Monday, May 11, 2020, Dave Cisiewski <[dave@dclawaz.com](mailto:dave@dclawaz.com)> wrote:

Tristan:

Thank you for your time to discuss your concerns and comments regarding this development. As discussed, please find attached a revised site plan which depicts a pedestrian walkway from the public sidewalk at the intersection of 15<sup>th</sup> Avenue and 16<sup>th</sup> Drive along the north boundary line of the parking lot and connecting to the storefront sidewalk. I have noted this plan revisions in red on the attached site plan. I believe this reflects our discussion to provide a pedestrian path so as to reduce conflicts between pedestrians and vehicles crossing through the proposed driveway on 15<sup>th</sup> Ave.

Please review and let me know your comments. If this satisfies your concerns, Circle K will agree to add this pedestrian walkway to their final development plans, subject to approval by the City of Phoenix, in consideration for the written withdrawal of your prior opposition of the project and any appeal of the prior approvals issued by the Village Planning Committee and the Planning Commission. I hope you find this site plan revision satisfactory.

Please let me know your thoughts and comments at your earliest convenience.

Thank you

David Cisiewski, Esq.

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**From:** Tristan Whitaker <[tristanwhitaker@gmail.com](mailto:tristanwhitaker@gmail.com)>  
**Sent:** Friday, May 8, 2020 3:21 PM  
**To:** Dave Cisiewski <[dave@dclawaz.com](mailto:dave@dclawaz.com)>  
**Subject:** Re: FW: Opposition To Circle K Expansion Z-60-19-4

Sounds good, thank you.

On Friday, May 8, 2020, Dave Cisiewski <[dave@dclawaz.com](mailto:dave@dclawaz.com)> wrote:

Yes, that will be fine. I can be reached at 602-321-6965 for the call.

Thank you

David Cisiewski, Esq.

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**From:** Tristan Whitaker <[tristanwhitaker@gmail.com](mailto:tristanwhitaker@gmail.com)>  
**Sent:** Friday, May 8, 2020 12:51 PM  
**To:** Dave Cisiewski <[dave@dclawaz.com](mailto:dave@dclawaz.com)>  
**Subject:** Re: FW: Opposition To Circle K Expansion Z-60-19-4

Definitely, does 11AM Arizona time work for you?

On Friday, May 8, 2020, Dave Cisiewski <[dave@dclawaz.com](mailto:dave@dclawaz.com)> wrote:

Mr. Whitaker:

Thank you for your comments. I would like an opportunity to discuss your suggestion so I can better understand the request. Would you have some time on Monday for a call?

Thank you

David Cisiewski, Esq.

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**From:** Tristan Whitaker <[tristanwhitaker@gmail.com](mailto:tristanwhitaker@gmail.com)>  
**Sent:** Thursday, May 7, 2020 8:33 PM  
**To:** Dave Cisiewski <[dave@dclawaz.com](mailto:dave@dclawaz.com)>  
**Subject:** Re: FW: Opposition To Circle K Expansion Z-60-19-4

Mr. Cisiewski,

Regarding the approval of your zoning change this evening. I am entertaining the idea of an appeal given the possibly illegal "out of order" format of the Planning Department's proceedings, and further statements I have on the matter.

However, I really am only trying to do what is best for my neighborhood. The Woodlea neighborhood, located diagonally across 15th Ave from the Circle K property, was added to National Register of Historic places in 2013. Making it particularly noteworthy for Phoenix history.

I propose an amendment to the plans as presented, that I feel will be mutually beneficial to both Circle K and the neighborhoods north of it.

The addition of some kind of semi-raised pedestrian access leading to the convenience store, north of the proposed 15th Avenue driveway. I feel this will help integrate the gas station with the existing neighborhoods and the newly finished "Grand Canalscape". It also allows pedestrian access without crossing the busy entry driveway or approaching the large Indian School Road intersection.

Adding this access would make the Circle K store truly part of the neighborhood and make it more resilient in the face of a changing transportation sector. With this in mind, I am willing to cease any further appeals or opposition to the planned Circle K store. If something similar to the described pedestrian access is added.

Thank you,

Tristan Whitaker

On Thursday, May 7, 2020, Dave Cisiewski <[dave@dclawaz.com](mailto:dave@dclawaz.com)> wrote:

Mr. Whitaker:

I represent Circle K regarding this rezoning request. I was only made aware of your concerns a short time ago. I would be more than happy to have a conference with you today to discuss your concerns and comments about the project if you wish.

Thank you

David Cisiewski, Esq.

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**From:** Nick Klimek <[nick.klimek@phoenix.gov](mailto:nick.klimek@phoenix.gov)>  
**Sent:** Thursday, May 7, 2020 9:13 AM  
**To:** Dave Cisiewski <[dave@ldcaz.com](mailto:dave@ldcaz.com)>  
**Cc:** Racelle Escolar <[racelle.escolar@phoenix.gov](mailto:racelle.escolar@phoenix.gov)>  
**Subject:** RE: Opposition To Circle K Expansion Z-60-19-4

Dave:

Mr. Whitaker has provided the below comments regarding the proposal.

Nick

**Nick Klimek, AICP**  
**Village Planner**  
Office: 602-534-7696



E-mail:  
[nick.klimek@phoenix.gov](mailto:nick.klimek@phoenix.gov)

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**Mission:** Planning, Development and  
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\*\*\*I am currently working remotely on a rotational schedule, but will be checking voicemails multiple times per day. Please feel free to leave me a voice message or email me for a more timely response. Thank you.\*\*\*