

# ATTACHMENT E

**Bradley A Wylam**

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**From:** Kenny W <kennywaters602@gmail.com>  
**Sent:** Wednesday, August 17, 2022 9:03 AM  
**To:** PDD PHO  
**Subject:** Today's PHO Hearing, Item #3. PHO-1-22-Z-26-15-4 NWC of Central and Pierson St

Re: PHO Agenda Item #3 : PHO-1-22-Z-26-15-4, NWC of Central Ave and Pierson Street. Applicant: Omninet/RangeWater via Ed Bull

Hearing Date: Wednesday, August 17<sup>th</sup>, 10am.

**Position:** Denial of extension request; or ... Adding a development stipulation that states: an extension is hereby granted for one additional year **on the development STIPULATION condition** that all original 14,000 sq ft of **Walkable Urban** PUBLIC retail space that was planned along the light rail station and Central Ave in the heart of Uptown is indeed built on the ground floor, AND two (2) floors of underground parking are also built, as both retail and parking elements were originally represented and highly touted when the applicant used those elements to win the 5<sup>th</sup> floor WU Code **bonus award** in 2015 ... based upon their incorporated WU Code representations that were modeled into their PUD award. The applicant is now making highly significant changes to the *once* **Walkable Urban Project**, going back on their word, and making the previous staff and public participation process a total sham. The question is, is that even legal? It certainly deserves another public process as this **WU to Non-WU switch-a-roo** has gone under nearly EVERYONE's radar. Including, I reckon, a lot of the planning staff's radar as well.

**Dear Planning Hearing Officers,**

There is a great, great deal *more* to this PHO case than meets the eye with its seemingly simple extension request. Walkable Urban Code planning and development *was* coming to the heart of our Uptown. Evidently, not anymore? How is that possible? BUT ... they'll keep the bonus award of a 5<sup>th</sup> floor while scuttling the very public retail elements that won them the Walkable Urban bonus award? Saying it's not fair doesn't begin to address this post-entitlement planning practice.

Furthermore, Mr. Ed Bull **just** informed me that RangeWater, the 'new' developer/applicant since the Spring of 2021 is OUT – they have dropped out of escrow with Omninet and will NOT be developing the site. Days or hours before the extension hearing?! And when they were rumored to have entered escrow in the spring of 2021 last year, we were all far beyond any and all Covid hardships. Covid economic stimulus's had actually **SPIKED** the markets and Zoom efficiency had taken over. So that hardship excuse is null and void.

This Z-26-15-4 PUD was approved in December, 2015 with a firm 7-year expiration STIPULATION. No ifs, ands or buts. Done so in a time period that has been the most wildly successful real estate market in Phoenix's history. But the owner, Omninet, NEVER sought to develop the site themselves. They almost immediately put the site up for sale after winning the zoning entitlements. Evidently they were asking too much and prospective buyer after buyer passed on Omninet's asking price. Until RW, then not RW either. This is exactly why it was capped at seven years – to spur actual *development*. Not entitlement enrichment and speculation.

I hope you will insist on proper planning practices and not reward this kind of planning and development behavior in Phoenix. Thank you for your consideration.

Sincerely

Ken Waters

Pierson Place resident