

## Attachment G

**David O Simmons**

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**From:** Rich Warren <richardjameswarren@gmail.com>  
**Sent:** Saturday, October 2, 2021 6:55 AM  
**To:** David O Simmons  
**Cc:** Rich Warren  
**Subject:** Hampton Group Project

David,

Hello, please see attached flyer. This was dropped off at my doorstep by the Hampton Group, developer of the proposed project at Bell & Scottsdale Road.

There are several disturbing things about the flyer:

1. "This project must be approved by the City of Phoenix." MUST be approved? Wow, that's kind of presumptuous of them. Why are they leading one to believe it "must" be approved?
2. "Email your support to: David.simmons@phoenix.gov". When did the COP allow developers to use their email address in their marketing materials?
3. To who do I email my opposition? The phrasing of this implies that David Simmons (COP) approves of the project.

Very questionable tactics. I'm not anti-developerment, not of the NIMBY crowd. But I am in favor of responsible development. This project is not responsible. I know there was a precedent set with the Optima project, so it's hard to prevent other developers from following suit. But it's obvious now that Optima is too tall (4-5 stories too tall) and too dense (too many units per acre). The character of Kierland changing, and not for the better.

The infrastructure was designed to support the zoning that was assigned to the land. When the zoning changes to accept more residential projects, the infrastructure is disproportionately affected.



The  
Hampton Group, Inc

Scottsdale & Bell, a Luxury Residential Proposed Project at the  
Southwest Corner of Scottsdale Rd. and Bell Rd.

**INVITE YOU TO JOIN US ON OCTOBER 4TH AT 6P.M.**

**PARADISE VALLEY VILLAGE MEETING**

This project must be approved by the City of Phoenix and will only be possible with positive, community support. Please consider attending virtually and/or sending an email to our city representative. Thank you!

**ATTEND VIRTUALLY**

**Monday, Oct. 4<sup>th</sup> at 6:00 p.m.**

**Contact 48 hours in advance:**  
[David.simmons@phoenix.gov](mailto:David.simmons@phoenix.gov) to  
request to speak and/or submit a  
comment.

**AGENDA ITEM #6 & 7**  
Z-12-21-2 (Companion Case GPA-PV-1-21-2)

**EMAIL YOUR SUPPORT TO:**

[David.simmons@phoenix.gov](mailto:David.simmons@phoenix.gov)

**ACCESS THE PARADISE VALLEY  
VILLAGE AGENDA AT:**

[https://www.phoenix.gov/cityclerk/  
site/PublicMeetings/211004002.  
pdf](https://www.phoenix.gov/cityclerk/site/PublicMeetings/211004002.pdf)

**FOR QUESTIONS OR ADDITIONAL INFORMATION PLEASE EMAIL**  
[GatewaytoKierland@gmail.com](mailto:GatewaytoKierland@gmail.com)

Rich Warren  
6718 E. Paradise Lane  
(480) 678-7071

Sent from my iPhone

## David O Simmons

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**From:** Wood, Nick <nwood@swlaw.com>  
**Sent:** Monday, October 4, 2021 3:46 PM  
**To:** David O Simmons  
**Cc:** Rich Warren; Griemsmann, Noel  
**Subject:** Re: Hampton Group Project

Good afternoon Mr. Warren.

My apologies, but I believe you are misconstruing the language referencing the “must” be approved.

If you read the remainder of the sentence, I believe that it clearly points out that this project may not go forward without the approval the City Council. There’s nothing presumptuous about that statement, it is nothing more than a statement of the legal requirements for this project to be developed.

I’m sorry that you don’t like the Optima Kierland project. Not only did I represent Optima with respect to that zoning case, but I also live there.

As to your comments regarding infrastructure, while the existing infrastructure is more than adequate to handle the development that will be heard tonight, in the event any developments requires additional infrastructure, the developers required to install that additional infrastructure at it’s own cost and expense. For example, Optima was required to upsize the sewer lines to serve buildings three and four.

Finally, sharing Mr. Simmon’s email address with everyone, is a courtesy, to assist you in sharing your thoughts with Mr. Simmons, who is the village planner on behalf of the City of Phoenix.

In any event, I strongly encourage you to sign up and speak about your objections to this project tonight. Even though you strongly oppose this project (and Optima), I believe that everyone’s voice should be heard.

Kind regards,

Nick

Nicholas J. Wood  
Snell & Wilmer  
400 East Van Buren Street  
Phoenix, Arizona, 85004  
Office: 602-382-6269  
Cell: 602-451-2255  
Fax: 602-382-6070  
nwood@swlaw.com<mailto:nwood@swlaw.com>

Albuquerque, Boise, Dallas, Denver, Las Vegas, Los Angeles, Los Cabos, Orange County, Phoenix, Portland, Reno, Salt Lake City, San Diego, Seattle, Tucson, Washington DC The information contained in this electronic mail message is confidential information intended only for the use of the individual or entity named above, and may be privileged. If the reader of this message is not the intended recipient or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly

prohibited. If you have received this communication in error, please immediately notify us by telephone at 602.382.6000, and delete the original message. Thank you.

On Oct 4, 2021, at 3:32 PM, David O Simmons <david.simmons@phoenix.gov> wrote:

[EXTERNAL] david.simmons@phoenix.gov<mailto:david.simmons@phoenix.gov>

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Mr. Warren,

Thank you for reaching out in regard to Rezoning Case No. Z-12-21-2 and GPA-PV-1-21-2. I have saved your comments below to the case file to be included as part of the public record. I have also cc'd the applicant so they are aware of your concerns.

The cases are scheduled to go to Village for a Formal Recommendation on October 4, 2021 (tonight).

Please register for the virtual meeting by clicking on the link on the attached agenda if you wish to attend.

I encourage you to virtually attend all public hearings moving forward. Community input is a critical component of the public hearing process.

The applicants Hearing Draft of the development narrative can be reviewed here:

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

The cases are filed by case number (Z-12-21-2)

Lastly, staff formulates the first level of recommendation solely based on land use policy. The Village Planning Committee formulates the second recommendation and the Planning Commission formulates a third recommendation. City Council reviews all recommendations as well as public comment and makes the ultimate determination on any given rezoning request.

Respectfully,

David Simmons, MA  
Paradise Valley & Deer Valley  
Village Planner \*II  
200 West Washington Street  
3rd Floor  
Phoenix, AZ 85003  
602-262-4072  
david.simmons@phoenix.gov  
<image001.png>  
<image002.png>

From: Rich Warren <richardjameswarren@gmail.com>  
Sent: Saturday, October 2, 2021 6:55 AM  
To: David O Simmons <david.simmons@phoenix.gov>

Cc: Rich Warren <richardjameswarren@gmail.com>

Subject: Hampton Group Project

David,

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1. "This project must be approved by the City of Phoenix." MUST be approved? Wow, that's kind of presumptuous of them. Why are they leading one to believe it "must" be approved?
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The infrastructure was designed to support the zoning that was assigned to the land. When the zoning changes to accept more residential projects, the infrastructure is disproportionately affected.

<image003.jpg>

Rich Warren  
6718 E. Paradise Lane  
(480) 678-7071  
Sent from my iPhone  
<100421a.pdf>

## David O Simmons

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**From:** THOMAS STERN <tstern007@aol.com>  
**Sent:** Monday, April 5, 2021 2:54 PM  
**To:** David O Simmons  
**Cc:** Griemsmann, Noel; Moran, Taylor N.; Wood, Nick  
**Subject:** Re: Scottsdale & Bell

[EXTERNAL] tstern007@aol.com

Hi David,

In doing more research about this project and the subject of possible “alleged” payments to the neighbors as I indicated to you, I find that I am completely wrong about it and I am very sorry that I made the statement. It did not happen at all or in any way that I believed. This is totally my fault for the way that I communicated about something that I was passionate about.

If you have forwarded my comments to anyone, please let them know that I assumed something that just was not true.

Again, I am sorry for creating the confusion. I sincerely apologize to you, the Planning Committee, Nick Wood and his client.

Regards,  
Tom Stern

Sent from my iPad

> On Apr 5, 2021, at 8:12 AM, David O Simmons <david.simmons@phoenix.gov> wrote:

>

> Mr. Stern,

>

> Thank you for reaching out. The Scottsdale & Bell PUD case has not been scheduled for public hearings for formal recommendation. However, The case will be heard for Information Only at the April 5, 2021 Paradise Valley Village Planning Committee meeting. If you wish to speak at the Paradise Valley Village Planning Committee virtual meeting, please submit a request to David Simmons, Paradise Valley Village Planner, via email at david.simmons@phoenix.gov at least 48 hours prior to the start of the meeting. Please indicate the item number on the agenda if you wish to speak.

>

> I have also cc'd the applicant in the event you have questions for them.

>

> I have attached the agenda for your reference.

>

> Staff will provide hearing dates for recommendation once the applicant submits a hearing draft of their development narrative. Once the hearing dates have been set and if you wish to speak at the Paradise Valley Village Planning Committee virtual meeting, please submit a request to David Simmons, Paradise Valley Village Planner, via email at david.simmons@phoenix.gov at least 48 hours prior to the start of the meeting. Staff will make every effort to accommodate requests to speak submitted beyond the 48 hour period. Due to the added demands of facilitating the virtual environment for the public, applicants and other staff members, we cannot consider any request less than six business hours before the start of the meeting.

>

> I encourage you to virtually attend all public hearings moving forward. Community input is a critical component of the

public hearing process.

>  
> The applicants 1st review development narrative is available for review on the City's website:  
> <https://www.phoenix.gov/pdd/planning-zoning/pzservices/pud-case>

>  
> The cases are filed by case number (Z-12-21-2).

>  
> Please let me know if you have additional comments or concerns.

>  
> Respectfully,

>  
> David Simmons, MA  
> Planner II\* Village Planner  
> 200 West Washington Street  
> 3rd Floor  
> Phoenix, AZ 85003  
> 602-262-4072  
> david.simmons@phoenix.gov

>  
>  
> -----Original Message-----  
> From: THOMAS STERN <tstern007@aol.com>  
> Sent: Sunday, April 4, 2021 2:52 PM  
> To: David O Simmons <david.simmons@phoenix.gov>  
> Subject: Scottsdale & Bell

>  
> Hi David,

>  
> Re: GPA-PV-1-21-2  
> Z-12-21-2

>  
> We understand that this project will be presented to Planning Committee by Nick Wood on Monday night on behalf of Hampton Group. We were told that this application is for informational purposes and is not in final design form.

>  
> Please be aware that Landmark Condominium Association 15802 N 71st Street will vehemently object to this project in its present form. We object to height, density, setbacks, traffic flow and proximity violation.

>  
> We are also aware that the current owners have "ALLEGEDLY" offered payments to the immediate neighbors (CVS, the Jackson's Car Wash and the Chevron Gas Station) if they do not object to the project. We understand that this is a common occurrence, but if true, we want it disclosed to Planning Committee.

>  
> Finally, Kierland Community Alliance (KCA) also objects to this project in its present form.

>  
> For the record, KCA and Landmark met with Nick Wood, Noel Griemsmann and Hampton last Tuesday. We told them that we would support tasteful development on the site. Hampton did not appear willing to work with us.

>  
> I will provide you with more information when we know what their final submission is.

>  
> Regards,  
> Tom Stern

>  
> Sent from my iPad