

**From:** [Kaelee Wilson](#)  
**To:** [Neysa Morrissey](#); "[DesertViewVPC@phoenix.gov](#)"; [Council District 2 PCC](#); [wr@berryriddell.com](#)  
**Cc:** [Wade.Tinant <Wade.Tinant@kiewit.com>](#) ([Wade.Tinant@kiewit.com](#))  
**Subject:** RE: Amendment - Frustrated home owner - regarding the neighborhood meeting - Thursday, May 3, 2018 & Thursday, May 31  
**Date:** Tuesday, May 22, 2018 9:18:25 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)  
[image008.png](#)  
[image009.png](#)

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Neysa,

As I stated in my previous correspondence, there is no voting at this meeting. This is an informative neighborhood meeting regarding the case.

Thanks,

*Kaelee Wilson*

Village Planner – Deer Valley, North Gateway, Desert View and Rio Vista

City of Phoenix  
Planning and Development Department  
200 West Washington Street, 3<sup>rd</sup> Floor  
Phoenix, Arizona 85003  
Office: (602) 534-7696

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**From:** Neysa Morrissey [<mailto:neysa@morrisseytravel.com>]  
**Sent:** Tuesday, May 22, 2018 9:17 AM  
**To:** '[DesertViewVPC@phoenix.gov](#)'; Kaelee Wilson <[kaelee.wilson@phoenix.gov](mailto:kaelee.wilson@phoenix.gov)>; [Council District 2 PCC <council.district.2@phoenix.gov>](#); [wr@berryriddell.com](#)  
**Cc:** [Wade.Tinant <Wade.Tinant@kiewit.com>](#) ([Wade.Tinant@kiewit.com](#))  
<[Wade.Tinant@kiewit.com](#)>  
**Subject:** Amendment - Frustrated home owner - regarding the neighborhood meeting - Thursday, May 3, 2018 & Thursday, May 31

Good morning,

Please accept this written notification to amend my original correspondence.

To include the below:

- I do not approve and vote NO to this project
- I do not approve and vote NO to the re-zoning
- **I do not Approve and vote NO of a Cell Towner in any form or fashion – either 1 or multiple with the proposed project**



Thank you for your time.

Neysa Morrissey  
Resident - Diamond Creek Community



**Neysa Morrissey**

Morrissey & Associates, LLC

Phone: 480-515-2688 eFax: 480-393-1966

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

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**From:** Neysa Morrissey

**Sent:** Monday, May 21, 2018 3:28 PM

**To:** 'DesertViewVPC@phoenix.gov'; 'Kaelee Wilson'; 'Jim Waring'; [wr@berryriddell.com](mailto:wr@berryriddell.com)

**Cc:** Wade.Tinant <[Wade.Tinant@kiewit.com](mailto:Wade.Tinant@kiewit.com)> ([Wade.Tinant@kiewit.com](mailto:Wade.Tinant@kiewit.com))

**Subject:** RE: Frustrated home owner - regarding the neighborhood meeting - Thursday, May 3, 2018 & Thursday, May 31

Good afternoon,

I am in receipt of the new letter dated May 14, 2018....

The meeting is set for Thursday, May 31, 2018, between 6:00pm – 7:00 at the JW Marriott Desert Ridge Resort....

Previously, myself and multiple residents requested future meetings with our Community regarding this issue:

- Location to be at the Desert Broom Library or The Creek, a community friendly location. The JW Marriott is not convenient or easy for anyone from the community
- Meetings to not be scheduled until September. Some of our homeowners have already left for the season and this is a family community. Nearly every family has a week or two vacation planned this summer. Our Councilman and planning leads supported relaxing the timeframe requirements to allow this to happen.
- A little more than the absolute minimum notice would be appreciated. The habit of doing the absolute minimum only deepens distrust and concern about what the Developer would do if this zoning amendment ever got approved.

Seems our request for a community friendly location is not of importance to anyone other than us, the people who live in the community. Our request was met with deaf ears.

Seems our comments regarding the location of the meeting at the JW Marriott being very difficult to find as well as the location being changed on us at the last minute without adequate signage is also falling on deaf ears.

Seems us asking for a little more time from the date the letter to the community is written (May 14) to the time of the meeting (May 31) is exactly 12 workings days from the date the letter was written, not the number of days the letters have been in our hands. The time frame also includes a heavily celebrated family holiday – Memorial Day.

Why? Because it is a heavily celebrated family holiday and the developer doesn't want us to vote against the project so hold the vote when the community is gone?

Seems us asking for a hold on meetings until our community is back to full occupancy was also met with

deaf ears. Our family community has vacations, some live here seasonally to get away from the heat and/or like to celebrate Memorial Day, July 4<sup>th</sup> and Labor Day holidays away.

My perception is that every step is being taken to make this a very challenging situation for our community.

I for one will not be able to make the Thursday, May 31, 2018 meeting to sign in and vote due to the Memorial Day Holiday. So, I am taking the time to write this letter and the opportunity to put on record that:

- I do not approve and vote NO to this project
- I do not approve and vote NO to the re-zoning

Please utilize the correspondence as my vote and be binding. If there is another method that I personally need to make to ensure my vote counts, please inform me at your earliest convenience.

Thank you for your time.

Neysa Morrissey  
Resident - Diamond Creek Community



**Neysa Morrissey**

Morrissey & Associates, LLC

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**From:** Neysa Morrissey

**Sent:** Friday, May 04, 2018 10:28 AM

**To:** 'DesertViewVPC@phoenix.gov'; 'Kaelee Wilson'; 'Jim Waring'; [wr@berryriddell.com](mailto:wr@berryriddell.com)

**Cc:** Wade.Tinant <[Wade.Tinant@kiewit.com](mailto:Wade.Tinant@kiewit.com)> ([Wade.Tinant@kiewit.com](mailto:Wade.Tinant@kiewit.com))

**Subject:** Frustrated home owner - regarding the neighborhood meeting - Thursday, May 3, 2018

Good morning,

I am extremely disappointed and personally upset with the Developer and the process of this meeting.

Please understand, the notification letter for the Neighborhood Meeting, postmarked on 4/19 PM, was completely last minute for compliance and directed people to attend the meeting at the Desert Conference Suite at the JW Marriott. (there are multiple Desert Conference Suites at the JW Marriott Desert Ridge – as I walked the entire hall/meeting space area looking for the Developer and the meeting at the designated location that was NOT THERE!

Our neighbor and friend Wade Tinan, took time out of his day to go to the Marriott last Thursday and obtain facility maps to help our community members find their way to the meeting.

I arrived a few minutes late to the 5 PM meeting, looking up and down the area of Desert Conference Suites to find no meeting or signs directing me or anyone else. Unfortunately, I was not as lucky as fellow neighbors who found someone to point them in the right direction. I was informed there was no meeting there.

Wade Tinan has pictures from every entrance and the Desert Conference Suite. No signs or mention of the meeting changing locations. Even with the absolute last second notification, this Developer is unable

to accurately communicate a meeting location?

Wade Tinan asked the Developer to help put up signs in the Marriott to direct folks to the NEW meeting location we were dismissed, smirked at and even told "Don't make this into something". No help. No apologies. Just left to fend for ourselves and plead with Marriott events to help us out. Coupled with the absolute minimum notice, we can no longer assume any integrity on the part of the Developer.

The only signage on the main floor or where the meeting was supposed to be was placed by the community. Several folks at the meeting commented on how difficult it was to find the meeting and how many folks they say wandering around looking for the meeting. I was one of the community members who was not fortunate enough to recognize someone from the community to get directed to the meeting. We are a community of hard working, everyday people, everyday families with children. With that, it is difficult for our Community to attend Community meetings when we are working....

For future meetings with our Community we firmly request any/all meetings meet the following requirements:

1. Meetings to start at 6 PM. This is a working community, working until at least 5 PM. The 5 PM start time prevents a majority of our families/communities from attending
2. Location to be at the Desert Broom Library or The Creek. We moved away from commercial areas for a reason. The JW Marriott is not convenient or easy for anyone from the community.
3. No more meetings until September. Some of our homeowners have already left for the season and this is a family community. Nearly every family has a week or two vacation planned this summer. Our Councilman and planning leads supported relaxing the timeframe requirements to allow this to happen.
4. A little more than the absolute minimum notice would be appreciated. The habit of doing the absolute minimum only deepens distrust and concern about what the Developer would do if this zoning amendment ever got approved.

Our community hopes the Developer will make the reasonable choices listed above..... We thank you for your time and consideration.....



**Neysa Morrissey**

Morrissey & Associates, LLC

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**From:** Adam Lemisch  
**To:** [PDD Desert View VPC](#); [Council District 2 PCC](#); [Alan Stephenson](#); [Joshua Bednarek](#)  
**Subject:** PUD Z-22-18 PUD Process concerns  
**Date:** Monday, July 09, 2018 4:14:00 PM

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To Whom it May Concern,

I am concerned that PUD Z-22-18 is not following the PUD procedures outline that is required by A.R.S. 9-836. I am asking the City to add clarity by responding to the questions below as soon as possible.

1. Pre-application Meeting. The PUD procedures outline says this meeting “must” be held. We’ve been told the meeting was waived and then we were told the meeting did occur and that we would need to file a public records request to obtain the notes from this meeting. A public records request was initiated and no record of this meeting or notes from this meeting can be found. Was the meeting held? Where are the notes? If the meeting wasn’t held, why wasn’t the process followed? Holding this meeting certainly appears to be a legal requirement that was not met.

2. Fact Finding Summary. We were told the Developer submitted this form although it appears to be a City generated document. We were told to file a public records request to obtain this information which we initiated. No documents were found. The production of this summary can be waived by the Director of planning or his designee. When we asked if the requirement for this form was waived, we were told it was not waived. So, was the form completed? If so, where is it? If it wasn’t completed, was it waived per the process? If it wasn’t completed and it wasn’t waived, why can’t the form be found? Questions that this document would answer are still open issues with the Developer. This summary would have been completed before the application was submitted on March 27. This appears to be another legal requirement that was not met.

3. Neighborhood Meeting summaries shall be submitted to City Staff within 5 business days of the Neighborhood meeting. This has not happened. The summary from the meeting on 5/3 was not available until June 1 (again via public records request). The summary from the meeting on 5/31 is still not available. Why isn’t the Developer meeting these requirements? Why is the Developer holding a second meeting on 5/31 when they haven’t even posted the summary from the 5/3 meeting? The community is in the dark about the questions the Developers actually noted and what their potential resolution would be. This appears to be yet another legal requirement that is not being met.

As an impacted citizen, it has been frustrating see a process continuously ignored. As a taxpayer I am concerned that the City of Phoenix and this Developer are openly deviating from a legal process required by A.R.S. 9-836. Will my tax dollars be wasted on court costs from a legal issue that should have been avoided?

I respectfully request the answers to these questions which have remained unanswered for weeks. I also request to know what remedies are proposed.

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Adam Lemisch  


**From:** Adam Lemisch  
**To:** [Council District 2 PCC](#); [PDD Desert View VPC](#); [Alan Stephenson](#); [Joshua Bednarek](#)  
**Date:** Monday, July 09, 2018 4:08:56 PM

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To Whom it May Concern,

Upon reviewing this Core Value from the 2015 Phoenix General Plan, it seems as if PUD Z-22-18 would be counterproductive to the goals of the 2015 Phoenix General Plan, and, developing this target parcel within standard C1 zoning would provide far superior results per the 2015 Phoenix General Plan.

### **Cores, Centers & Corridors**

Per the maps associated the 2015 Phoenix General Plan, this parcel is NOT located in a Core (Desert Ridge), Center or Corridor (Cave Creek Rd).

**Land Use Principle 1** – “Locate land uses with the greatest height and most intense uses within village cores, centers and corridors based on village character, land use needs, and transportation system capacity”. This PUD would put the tallest, largest, most dominating building north of the 101 directly adjacent to R-18 housing. Intensity is more than just a traffic count. This facility will dominate our entire skyline.

I ask the City to provide maps that show Tatum & Dynamite as a Core, Center or Corridor. I can find none.

**Design Principle 1** – “Encourage centers to provide a pedestrian environment with plazas, common open space, shaded walkways.....”. Even though this parcel is not in a core, if this parcel were to be developed within standard C1 zoning with one of the 180 businesses allowed within standard C1 zoning, these criteria could be met. To generate the required SF needed, the self-storage warehouse soaks up every available SF of developable land with no room for common areas, etc. Review the list of C1 businesses. These are not the type of businesses that would require this size of footprint or SF of floor space.

### **Opportunity Sites**

The 2015 Phoenix General Plan’s “Measure for Success” calls for “Establishment of an inventory of vacant and previously developed sites of greatest priority in each village”. Has the Desert View Village done this? The community has asked for this list and has been told it does not exist. Is the development of this parcel truly the biggest priority in the village? This parcel has been zoned C1 since 1999 when we bought our homes. We’ve all endured a recession since then. Help the economy come back with a small and local business. Allowing PUD Z-22-18 would be nothing more than a desperate attempt to put “any” business on this parcel at the expense of putting the “right” business on this parcel. Why the rush all of the sudden?

**Land Use Principle 1** – “Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.” The surrounding neighborhoods showed up in vast numbers in January and twice in May to oppose this PUD. A warehouse of this size is not

respectful of our community, our skyline, our open skies or why residents elected to purchase homes in this community. Allowing PUD Z-22-17 would be in direct conflict with this Principle. Developing this parcel within standard C1 zoning would be in alignment with this Principle.

**Land Use Principle 2** – “Encourage development of the taller and larger buildings in Area of Change away from single family and low-rise, multifamily housing”. This parcel is not located in an Area of Change. If this is wrong, City of Phoenix, please provide a map that proves otherwise. How can putting the tallest and largest building directly adjacent to R-18 housing not be a complete conflict with this principle? Please advise.

**Plan 1-** In conjunction with the village planning committees, create an inventory of previously developed sites ranked by priority for development or redevelopment”. The Developer claims this parcel is an opportunity site. The community cannot find any list to support this claim. Village Planning, please provide this inventory and the ranking of this parcel.

### **Knowledge Infrastructure**

C1 zoning allows for libraries. C1 zoning allows for several businesses that could support increasing our knowledge infrastructure. Can you find any C1 business that would support this goal LESS than a self-storage warehouse? If so, please provide some examples.

### **Prosperity**

How many C1 businesses would only employ 1 person?

### **Environment**

The Self-Storage warehouse will employ one person. One person will have a short commute to this facility. What about the other C1 businesses that would employ multiple people reducing multiple commutes?

Basic questions have been asked that our community would like to have the City of Phoenix provide answers to. Our community deserves answers to these questions. It certainly appears that PUD Z-22-18 would simply be a knee jerk reaction to put “a” business on this available parcel without allowing the “right” business to be placed on this parcel. To the people that will live adjacent to this parcel, the difference between “an immediate” business and the “right” business is astronomical. The difference is value for our largest investments (our homes and families) deserves the right business under the right zoning be placed on this parcel.

Deny PUD Z-22-18. Please advise as to when we can expect answers to the questions posed in

this communication.

Regards,

--

Adam Lemisch

[REDACTED]

**From:** Al Gottfried  
**To:** [Kaelee Wilson](#)  
**Subject:** Fwd: FW: grandpas letter - cut and paste into your email  
**Date:** Sunday, August 05, 2018 6:23:58 PM

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----- Original Message -----

**From:** [REDACTED]  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Date:** August 3, 2018 at 3:19 PM  
**Subject:** FW: grandpas letter - cut and paste into your email

To whom this may concern,

To begin with, WE ARE OPPOSED TO THIS BUILDING. Alan and I are both 75 years old, and we would not be able to relocate at this time in our lives. The real estate agent that sold us the house informed us that there would be a decrease in our property value between 70,000 and 100,000 dollars if this building were built. We live at 4608 E. Running Deer Trail, directly south of the proposed building site. If this building is going to be a three-story building, it would completely block our view facing north from the first and second floors of our house.

Since the start of the proposed building, the builder has been extremely vague in the size of the building, where the entrance and exits would be, the hours of operation, and when people could access and retrieve their campers, trailers, and boats that would be stored directly behind our house. We feel the traffic and noise caused from this building would be very disruptive for the homeowners, and the daycare center directly next to the site. We are also concerned about the illumination that would come from the buildings lights and advertisements. With customers driving in and out as well as the lights in the building would reflect into the homes surrounding the proposed storage unit.

Besides being an extremely ugly design, there probably is not another building of this nature within 5 miles of this location. We moved to this location to enjoy the scenic views and tranquility of the area and to be away from this style of building. This building belongs on Scottsdale Road, a commercial area, not at Dynamite and Tatum, a rural area.

Due to medical conditions, we would not be able to try to sell this house and look for another. As I previously stated, our property value will diminish by about 70,000 to 100,000 dollars, which would make it almost impossible for us to relocate and purchase a new property, leaving us here for the rest of our



lives.

We sincerely hope that all members of the planning board understand our point of view, and take into consideration the residents of this community.

We are currently in Illinois, and will not be able to attend the meeting. We greatly appreciate the opportunity to share our comments and concerns with you.

Thank you.

Sincerely,

Mary A. Barrett & Alan J. Gottfried.

**From:** Amber Gutierrez  
**To:** [jim@jimwaring.com](mailto:jim@jimwaring.com)  
**Cc:** [Kaelee Wilson](#); [PDD Desert View VPC](#)  
**Subject:** Rezoning case # Z-22-18 Tatum and Dynamite  
**Date:** Sunday, April 29, 2018 1:47:53 PM  
**Attachments:** [IMG\\_2386.PNG](#)  
[IMG\\_2381.PNG](#)

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Councilman Waring,

Please look at the attached pictures. This proposed storage facility does NOT belong in our community. What this developer is proposing is unethical and our community is adamantly against it.

The facility would look DIRECTLY into our home as well as others. The parking would be facing our homes. Loading dock facing our homes and a desert view fence.

The picture taken from the home is my home, taken from my dining room on the ground floor. Parking would be facing me and the elevation near the TOP of my fence. I would see every car, moving truck, delivery truck that enters the facility. The office and lobby would also be FACING my home, I would be able to see people constantly, and them see us. What businesses adjacent to a community FACES the community???

We purchased our home knowing that the vacant property behind it was zoned C-1. The fact that this property is wedged into our neighborhood is fault of the original and current owner who chose to break apart the property in a strange way. We should not have to pay for that. We are all for development, C-1 development. And typical businesses do not FACE a neighborhood and away from main streets. I myself am a business owner.

I am shocked that a facility of this nature, that takes so little consideration of the community surrounding is even being considered.

Please look carefully into this application and see the unethical business that this developer is looking to conduct at the expense of property owners and tax payers surrounding.

Sincerely,

Amber Gutierrez

[REDACTED]

Cave Creek, AZ 85331

[REDACTED]

Directly impacted resident of Diamond Creek

 [cc storage facility locations vs proposed.pdf](#)

**From:** Amber Gutierrez  
**To:** [jim@jimwaring.com](mailto:jim@jimwaring.com); [Council District 2 PCC](#); [Kaelee Wilson](#); [PDD Desert View VPC](#); [Alan Stephenson](#); [Joshua Bednarek](#)  
**Subject:** PUD Z-22-18  
**Date:** Thursday, June 28, 2018 2:12:33 PM

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When reading the Core Value of “Strengthen our local Economy” from the 2015 Phoenix General Plan, it becomes glaringly obvious that developing the parcel at Tatum and Dynamite within standard C1 zoning would be far super to approving PUD z-22-18 for several reasons.

1. Job creation. PUDZ-22-18 would employ one single person. The businesses already approved for C1 zoning would create more jobs. In addition to sheer number of jobs, the type and quality of jobs created by these businesses would be superior. Banks, Trust Companies, Bonding Companies, Brokerage Houses, Building and Loan Associations, Contractors/Power/Gas Companies ‘Offices, Finance and Loan Companies. These are jobs that align with the 2015 Phoenix General Plan and our community.

2. Local & Small business. Very powerful statements on page 90 of the 2015 Phoenix General Plan. Allowing this parcel to be developed per PUD Z-22-18 would be in complete conflict with this subsection. 1784 Capital Holdings boasts of being a national investment firm. Allowing a C1 businesses on this parcel would be in complete alignment with this goal.

3. Entrepreneurs, Emerging Enterprises. Entrepreneurs need access to small businesses and suppliers. Several C1 businesses would fulfill this need.

4. Highly Skilled Workforce- the storage warehouse would not develop a highly skilled workforce. But look at what some of the allowable C1 businesses could do! Schools for business, data processing and insurance. Libraries. Driving schools. These businesses would help train a work force.

5. Tourism Facilities. How would a storage warehouse support tourism? Yet, an allowable C1 business is a travel bureau. Multiple arts related businesses are already allowed under standard C1 zoning. A 3 story monstrosity would not support tourism, or may people wanting to move away.

6. Review the summary for prosperity, Health and Environment on page 103 of the Phoenix General Plan. Prosperity- expand education and training; Health - counties with a higher concentration of small, locally owned businesses have healthier populations. Multiple C1 businesses align with these goals. A self-storage warehouse does not.

In conclusion, how can we justify allowing a self-storage warehouse on this parcel? Are we going to allow a Developer to prosper at the expense of our community? Developing within standard C1 zoning makes good sense and it’s what the community wants and needs.

Amber Gutierrez  
[REDACTED]

[REDACTED]  
Cave Creek, AZ 85331

**From:** Amber Gutierrez  
**To:** [jim@jimwaring.com](mailto:jim@jimwaring.com); Kaelee Wilson  
**Subject:** PUD Z-22-18  
**Date:** Tuesday, May 01, 2018 6:01:23 AM  
**Attachments:** [image001.png](#)  
[image004.png](#)  
[image006.png](#)  
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[image003.png](#)

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Councilman Waring & Kaelee Wilson,

After reading the comments made by a seasoned civil engineer on the General Plan I urge you as our elected officials to once again review this unethical re-zoning application. This developer does not have our communities best interest in mind. As you read through the comments and portions of the general plan that they conveniently did not mention in their application I think this will become blatantly clear.

This PUD Application should not be considered for our community. We do not want the parcel niched DIRECTLY behind our neighborhood to be re-zoned. We would love to see an appropriate C-1 business developed on this property.

Amber Gutierrez



For simplicity, I wanted to group comments on how I believe this PUD proposal is in conflict with the 2015 Phoenix General Plan (PGP) into a single email.

Unlike the PUD proposal, my comments will address all of the principles of a section, not just those convenient to support my own point of view. My comments pertain to Opportunity Sites, Certainty & Character as well as the Cores, Centers and Corridors portion of the 2015 PGP as these sections are referenced in the proposal. I have attached these excerpts for your reference.

The proposal sites conformance with six Land Use & Design Principles in these 3 portions of the 2015 PGP. I elected to take a broader approach to analyze compliance with the 2015 PGP. I compared the proposal against all 27 of the Land Use & Design Principles pertaining to these same 3 portions of the 2015 PGP. As a Civil Engineer with over 20 years in the design build industry, in my opinion, the proposal was in conflict with 18 of these principles, 7 principles were NA, the site plan has not been developed to the point to confirm or deny compliance with 1 principle, and, I do agree that the proposal met one of the 27 principles.

Here is an in depth look at each section and its corresponding Land Use & Design Principles.

#### ***Opportunity Sites***

The Developer implies that this PUD would support this section of the Phoenix General Plan. I don't agree. While this proposal would develop 5.6 AC of currently vacant property near existing services, the Land Use and Design Principles are not met.

#### **Land Use & Design Principle #1**

Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.

Shoehorning a C2 business up into an R-18 neighborhood instead of allowing a C1 business to occupy this parcel is NOT respectful of local conditions or respectful of the surrounding neighborhood. Over 95% (and growing) of the adjacent neighborhood does not want this facility as well over 1,000 from the local community. This staggering opposition is even after the Developer "listened" and "implemented" requested changes from the previous proposal (Z-89—17 & Z-SP-16-17) that was withdrawn.

Allowing a C2 business on this parcel does not support a gradual transition from commercial to residential. This structure would absolutely dominate our skyline and our community. This facility would be taller than CVS, have over seven times the floor SF of CVS and occupy the footprint of 2.5 CVS buildings stacked together.

There is already more commercial zoning at this intersection that outlined in the General Plan due to rezoning case Z-71-03 which established commercial zoning on the NE corner of Tatum & Dynamite.

I challenge that the proposal is respectful of local conditions and surrounding neighborhoods.

#### **Land Use & Design Principle #2**

Encourage development of the taller and larger buildings in Areas of Change away from single-family and low-rise, multifamily housing.

This parcel is NOT located in an Area of Change. This development would certainly not be “away” from single-family housing.

This proposal violates every part of Land Use & Design Principle #2.

### Land Use & Design Principle #3

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.

This principle is not applicable in this situation.

### Tools: Policies and Actions

Is this site truly ranked at the top of the priority list for development? Is this area truly a place where greater intensity is warranted?

### Certainty & Character

The Goal: Every neighborhood and community should have a level of **certainty**. Ensure that development, redevelopment and infrastructure supports and reinforces the character and identity of each unique community and neighborhood.

This proposal is in direct conflict with this Core Value subsection of the 2015 GDP. This parcel already rezoned once, in 1999, per Z-125-99. Our homes were built at this same time. We purchased our homes based on the adjacent zoning being C1. We based the selection of our home, our largest single investment, based on being adjacent to C1 zoning. We were **certain** that the zoning on the adjacent parcel would not change. Approving this PUD would be in direct conflict with this core value and would undermine constituents confidence in future real estate transactions based on adjacent zoning.

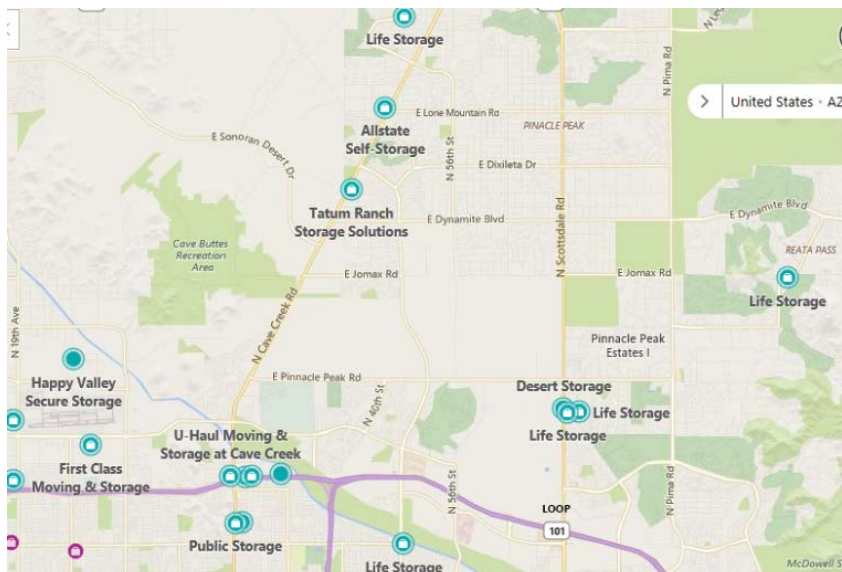
This Core Value is even further undermined when considering the character of Desert View, as stated in the North Land Use plan. Conflicts with the North Use Plan will be contained in a separate communication.

### Land Use & Design Principle #1

Located land uses with the greatest height and most intense uses within the limits based on village character, land use needs, infrastructure and transportation system capacity.

The core areas for Desert View are located at Desert Ridge and I-17 and Carefree Highway. A core at Cave Creek Rd and Dynamite was considered, but, with the evaporation of the planned freeway north of the 101 loop, it was determined that this location would not support the definition of a core. There is a commercial core at Cave Creek Rd and Pinnacle Peak. **Nowhere is Tatum and Dynamite mentioned as a place sited for increased intensity.** This intersection has already experienced an increased intensity due to the rezoning case Z-71-03 which established commercial zoning on the NE corner of Tatum & Dynamite. More commercial development in this area would render the “standards” as mere “suggestions”, and, not even strong suggestions at that.

Even though the financial outlook is the responsibility of the Developer, from a land use needs standpoint, how can more storage units be needed? Especially if the rule of thumb that says 90% of the business for a storage unit comes from within a 5 mile radius. When a 5 mile radius is drawn around each of these existing storage units, the overlap coupled with the strength of opposition, would **indicate that we do NOT need another storage facility.**



#### **Land Use & Design Principle #2**

**Protect residential areas from concentrations of incompatible land uses that could change their character or destabilize land values.**

Although the burden of proof is on the Developer in zoning amendments, the citizens have reached out and solicited independent, 3<sup>rd</sup> party real estate experts. Over 25 local, independent, 3<sup>rd</sup> party experts have clearly stated that this development would impact local land and housing values. I don't know how to more clearly illustrate the financial impact this proposal would have on local real estate. This proposal has already been shown to be in direct conflict with the "change in character" portion of this principle and will not be re-iterated here.

#### **Land Use & Design Principle #3**

**New development and expansion or redevelopment of existing development in or near residential areas should be compatible with existing uses and consistent with adopted plans.**

With the aforementioned saturation of storage facilities in the immediate area, I would struggle to say that this proposal would be "compatible". I would also say that cramming a C2 business in between C1 zoning and R-18 zoning would be in direct conflict with adopted plans.

#### **Land Use & Design Principle #4**

**Disperse group homes and homeless shelters throughout the city in locations where they are compatible with surrounding densities. They should not be concentrated in any one neighborhood or urban village.**

This proposal is not applicable to this principle, and, with some of the lowest densities in the valley, the north portion of Desert View is not compatible with this type of development.

#### **Land Use & Design Principle #5**

**Residential Conversion Policy: Encourage properties and neighborhoods planned for residential use to continue as residential uses rather than being assembled for nonresidential development.**

NA

#### **Land Use & Design Principle #6**

**Protect and enhance the character of each neighborhood and its various housing lifestyles through new development that is compatible in scale, design and appearance.**

This proposal would violate any sense of compatibility in scale. Taller than CVS? Seven times the floor space of CVS? 2.5 times the footprint of CVS? We will need to change the name of our local high school from Cactus Shadows to Storage Unit Shadows.

#### **Land Use & Design Principle #7**

**Provide high quality urban design and amenities that reflect the best of urban living at an appropriate village scale.**

The disproportionate scale has been discussed. The forthcoming analysis of the North Land Use Plan will further challenge the "amenities of the best urban living" portion of this principle.

#### **Land Use & Design Principle #8**

**Create new development or redevelopment that is sensitive to the scale and character of the surrounding neighborhood and incorporate adequate development standards to prevent negative impact(s) on the residential properties.**

The manner in which this proposal is not consistent with the scale or character of the surrounding neighborhood has already been communicated. The negative impacts on the residential properties has also been communicated in previous sections. These points will not be reiterated here.

#### **Land Use & Design Principle #9**

**All housing should be developed and constructed in a quality manner.**

NA

#### **Land Use & Design Principle #9**

Enhance the compatibility of residential infill projects by carefully designing the edges of the development to be sensitive to adjacent housing. Create landscape buffers and other amenities to link new and existing development.

If this project were to be considered an infill project, it is not sensitive to adjacent housing. The erosion of economic value, the elimination of mountain views, the spot zoning for a C2 business are not sensitive to the adjacent, existing housing. This lot has already been subdivided twice. At what point do we say the parcel has been adequately developed?

#### Land Use & Design Principle #10

Design neighborhood retail to be compatible in scale and character and orientated towards the residential areas it serves. In terms of both design and pedestrian linkages. Traffic, noise or other factors should not negatively impact adjacent residential areas.

The proposal is in complete conflict with this principle. If the zoning were left at C1, neighborhood retail could be implemented. Local, small businesses could be located on this parcel. With the aforementioned saturation and vacancy in existing storage units, combined with the overwhelming opposition to this proposal, this proposal is absolutely NOT orientated towards the residential area it would serve. Traffic, noise, visibility, light and open space would absolutely have a negative impact on adjacent residential areas.

#### Land Use & Design Principle #11

Protect the neighborhoods views of open space, mountains and man-made or natural landmarks.

Review the attached pictures with the building perimeter outlined on the picture from adjacent residences. This proposal would completely eliminate these views. The improvements residents have made on their properties to enjoy the annual average temperature of 74.2 degrees and 334 days of sunshine per year would be for not if this out of scale development were to be approved.

#### Land Use & Design Principle #12

When making changes and improvements near residential areas, avoid any alteration or destruction of points of reference (such as prominent natural features or historical buildings), focal points, and place names important to the area's identity.

Our mountain views will be gone. Not altered. GONE.

#### Land Use & Design Principle #13

Promote neighborhood identity through planning that reinforces the existing landscaping and character of the area. Each new development should contribute to the character identified for the village.

## Desert View

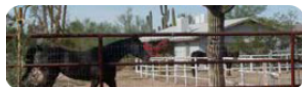
VILLAGE PLANNING COMMITTEE

Villages Home & Map

Role of the VPC

Urban Planning 101

Contact



## Desert View

In the **Desert View Village**, the scenic Sonoran Desert is the unifying element across diverse landscapes and mountain vistas. The Desert View Village ranges from an urban core with higher densities along the Loop 101 freeway, within and adjacent to Desert Ridge area, to more equestrian, low-density, horse properties and rural land uses.

Near the core, Desert View offers high-end retail and office space as well as condominiums and master planned communities. These land uses compliment the equestrian ranch properties, with vast amounts of open space and large lot single-family residences located throughout dark sky areas located further north in the village. The Village has natural washes that generally flow from the northeast to southwest. The Village also has many biking, walking, equestrian and multi-use trails that provide an abundance of opportunities for recreation in the lower density areas.

The Desert View Village is unique in character, assets and opportunities, and continues to remain one of the more desirable places to live in Phoenix.



## Annual Report

The information above was copied directly from the Desert View Village home page. How would allowing a zoning change to insert an intermediate commercial business up against a residential neighborhood (in the north part of the village with "vast amounts of open space and large lot single family residences located throughout dark sky areas") even be contemplated as contributing to the character identified above?

#### Land Use & Design Principle #14

Create or maintain spacing requirements for small-scale incompatible land uses such as adult businesses, homeless shelters, residential treatment facilities and other group facilities, to avoid concentration that change the character of the area.

I will say the revised proposal has mitigated the risk of these types of C2 businesses being placed on the parcel as compared to the full rezoning to C2 called for in the initial proposal.

#### **Land Use & Design Principle #15**

**Provide impact-mitigating features (such as extra width or depth, single story units, or landscape buffering) when new residential lots abut existing non-residential uses or are adjacent to arterial streets or freeway corridors. Dissimilar land uses often require additional separation or other measures to achieve compatibility.**

NA-applies to new residential.

#### **Land Use & Design Principle #16**

**Require appropriate transitions/buffers between neighborhoods and adjacent uses.**

Allowing a zoning change that would inject a C2 business in between existing C1 businesses and zoning and existing R-18 zoning would **contradict any sort of transition**. An appropriate transition would be C2 adjacent to C1 adjacent to R-18 zoning, not C1 adjacent to C2 adjacent to R-18 zoning.

#### **Land Use & Design Principle #17**

**Integrate into the development design natural features such as washes, canals, significant topography and existing vegetation, which are important in providing character to new subdivisions.**

NA-applies to new subdivisions

#### **Land Use & Design Principle #18**

**Encourage a streetscape that is not dominated by garage doors, by improving and varying home design or increasing or varying lot sizes.**

NA-residential

#### **Land Use & Design Principle #19**

**Encourage public and private utilities, including high-tension wires, to be located underground to enhance the overall appearance of neighborhoods. If high tension wires cannot be placed underground, they should not be placed along local neighborhood streets.**

Site plan has not evaluated where or how power will be brought into the site. Power needs to come from Dynamite (wet utilities are coming in from Tatum per the current site plan).

#### **Land Use & Design Principle #20**

**Freeways and parkways within the city should be designed or mitigated to be sensitive to adjacent neighborhoods.**

NA

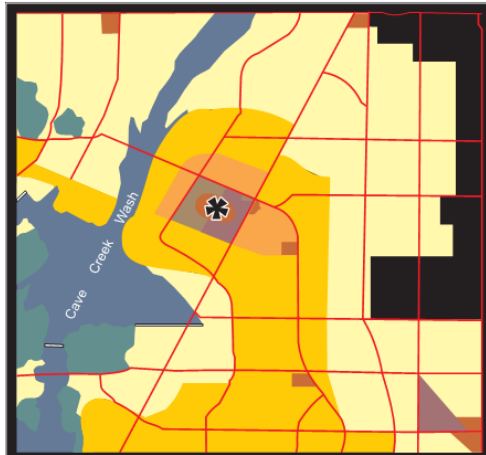
#### **Cores, Centers and Corridors**

##### **Land Use & Design Principle #1**

**Locate land uses with the greatest height and most intense uses within village cores, centers and corridors based on village character, land use needs and transportation system capacity.**



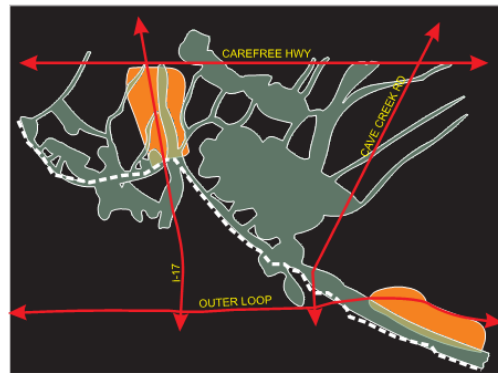
**Figure 3**



Prior to this plan, the General Plan included a land use and residential density map, with most of the area designated 0-2, shown in pale yellow on Figure 3. The exception was a corridor along Cave Creek Road and Tatum Boulevard that extends from Pinnacle Peak Road to Tatum Ranch. This corridor included densities from 2-5, shown in orange, to 10 plus dwelling units per acre, shown in brown. This plan also included a commercial core, noted by an asterisk at Dynamite and Cave Creek Road.

**This excerpt from the North Land Use Plan references a commercial core at Dynamite and Cave Creek Road.**

Opportunities to develop employment centers are critical to the health of the city's economy. In this area, the city has two key regional employment corridors shown in orange on Figure 9. One is along the Outer Loop freeway near Tatum Boulevard and one is along the upper I-17 in the vicinity of Carefree Highway. Located on freeways, these areas have access to a very large, future labor pool.



**Figure 9**

**This excerpt from the North Area Land Plan pinpoints the employment centers in the village.**

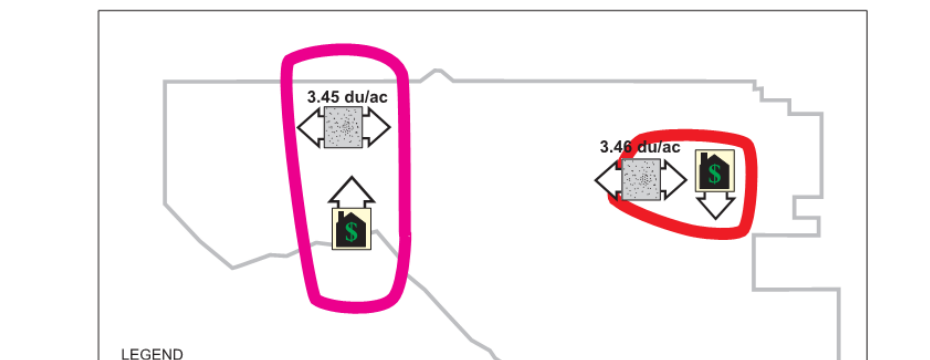
In response, the plan reduces the size of the core to 100 acres of commercial to function as a community service area shown as the middle red square on Figure 17. Two other community service areas are added: one at Carefree Highway and 48th Street in the north and the second at Cave Creek Road and Pinnacle Peak Road in the south.



This excerpt illustrates the community service areas in Desert View.

### Growth Corridor/Core

The General Plan currently reflects this development pattern in the I-17 Corridor and the Northeast Core area; therefore, this pattern was not analyzed in other sub-areas.



After reviewing the 2015 PGP and the North Land Use Plan, I can find no mention of Tatum and Dynamite being any type of core, area or corridor. The proposal references Tatum and Dynamite as being a core area in a couple of locations. **Tatum and Dynamite is NOT identified as a core area.**

### Land Use & Design Principle #2

**Plan cores, centers and corridors to include a variety of land uses: office, shopping, retail, entertainment and cultural, housing, hotel and resort, and where appropriate, some types of industry.**

**Tatum and Dynamite is NOT identified as a core, center or corridor.**

### Land Use & Design Principle #3

**Encourage centers to provide a pedestrian environment with plazas, common open space, shaded walkways, separation of pedestrian and vehicular traffic, bicycle parking and vehicle parking, in architecturally disguised structures or underground where possible.**

**Tatum and Dynamite is NOT identified as a center.**

**Land Use & Design Principle #4**

**Promote development in compact cores, centers and corridors that are connected by roads, roads and transit and are designed to encourage walking and bicycling.**

Tatum and Dynamite is NOT identified as a core, center or corridor.

**From:** Amber Gutierrez  
**To:** [jim@jimwaring.com](mailto:jim@jimwaring.com); [Council District 2 PCC](#)  
**Cc:** [Kaelee Wilson](#); [PDD Desert View VPC](#); [Alan Stephenson](#); [Joshua Bednarek](#)  
**Subject:** PUD Case # Z-22-18  
**Date:** Monday, June 25, 2018 9:23:35 AM

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Councilman Waring and committee members,

While currently on vacation, I am extremely disappointed that I have to take time away from my family to make sure that my voice is heard in regards to the above application. It has come to my attention that the principal and development team has once again blatantly lied to our community and is doing everything that they can to discredit a very well educated and informed member of our community. A community member that we have chosen to forward the thoughts and research about the case for all of us.

We asked multiple times that the next community meeting be delayed until after summer as so many people in our neighborhood would be leaving on vacation. They scheduled the meeting directly after school ended knowing people were leaving, including myself.

We have asked the team MULTIPLE times if they were planning on putting a cell phone tower on the storage facility. I was told to my face, no, absolutely not. Another community member was told that has not been mentioned yet. Now here we are after FINALLY receiving the new application WITH the addition of the cell phone tower.

As previously stated, I am directly impacted by this re-zoning as my home sits directly behind the proposed sight. I am against any re-zoning of this property. I am in no way against development, but I am against this type of development and the need to re-zone it as it is niched into our neighborhood. Literally.

We and every neighbor I have spoken to is adamantly AGAINST any cell phone tower near our neighborhood. There are many more appropriate commercial and industrial areas that a cell phone tower could be erected. Not directly behind our homes. Please take a look at the link below. You will find several article links and news stories with information about health effects as well as property values. We have a son with autism who has environmental sensitivities, that is one of the reasons we moved to this area. Erecting a cell phone tower directly behind our home would essentially push us out and we would be forced to sell. We love our neighborhood and our neighbors, that is not something that we would like to entertain.

In addition to the many families in our neighborhood that would be effected by the tower we have several people with severe health concerns. Eileen on Blue Sky has a Medtronic infusion system that infuses her with doses of medicine. She absolutely can not live next to a cell phone tower. It would cause the device to malfunction, putting her life at risk. She would have to move as well.

<https://www.emfanalysis.com/property-values-declining-cell-towers/>

While we all use cellular service, this is not an appropriate re-zoning development location nor is it an appropriate location for a cellular tower.

I am disgusted with development team and the constant lying and trying to sabotage our rights

as taxpaying citizens and members of a community directly impacted by their proposed development. We have been lied to multiple times, they hold a meeting without signage for community members to attend, change the location minutes prior to the meeting and do not provide information that is requested of them. I had to directly ask a manager of the hotel to put up signage and direct people with other members of our community so people could actually get to the meeting. There is a constant condescending tone when speaking to our community members as well as in e-mails.

Please keep our families and communities in mind while reviewing this case. We are against not only this development in our backyards but very against the cell phone tower as well. There are many commercial properties in the area that would be much better suited for what the developer would like to do. As a business owner I understand the bottom line, but our community should not have to suffer because he is getting a good deal on a difficult piece of land. The location does not make any sense. Especially when there are so many commercial and appropriately zoned properties in the area.

I am going to get back to my vacation with my family. Please know that you can add my name to any list created at community meetings that I will not be able to attend because we are not in town.

Sincerely,

Amber Gutierrez

[REDACTED]

[REDACTED]

Cave Creek, AZ 85331

**From:** Amber Booth  
**To:** [Kaelee Wilson](#)  
**Subject:** Storage Unit, PUD Z-22-18  
**Date:** Thursday, June 28, 2018 10:15:44 AM  
**Attachments:** [Businesses allowed per standard C1 zoning.pdf](#)

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I currently reside at [REDACTED], Cave Creek AZ 85331. I am not happy with a zoning change from C1 to a PUD that would allow a self-storage warehouse. I purchased my home based on a friendly gated community adjacent to C1 zoning. Attached is a list of all of the businesses allowed within standard C1 zoning which we reviewed before purchasing our home. Developing the parcel with any of the attached C1 businesses would foster small and local business development on this parcel. The 2015 Phoenix General Plan explicitly states that small and local businesses drive our economy. Why would we want to remove an opportunity for these types of businesses and allow a national corporation to install a HUGE warehouse? Developing this parcel within C1 zoning would meet community expectations, bolster our local economy and "fit" in our community. The list of C1 businesses would also not have the size nor height of this proposed warehouse.

Let's forget about how a self-storage warehouse could meet a few of the goals of the 2015 Phoenix General Plan and look at the abundance of ways a C1 business on this same parcel would better align with the 2015 Phoenix General Plan.

The proposal of a cell tower also does not make any sense on this parcel. Why not put the tower at Dynamite Park and keep the revenue in city coffers? Why not put the cell tower near black mountain nursery where the nursery can serve as a buffer between the adjacent neighborhood? Or why not put the dish on a be of the multiple APS transmission poles just north and south of us? There is no need for another tower in our community when the APS poles would work and these poles are already installed.

I request that Village Planning present how a cell phone tower would make any sense from a zoning perspective.

Thank you,

Amber Wittmers

--

*Amber Booth*  
*Owner/Director*  
*Adaptive Force Performing Arts*  
[REDACTED]  
[www.adaptiveforce.com](http://www.adaptiveforce.com)

**From:** april mauch  
**To:** [Joshua Bednarek](#); [PDD Desert View VPC](#); [Alan Stephenson](#); [Kaelee Wilson](#); [Council District 2 PCC](#)  
**Subject:** Storage Unit, PUD Z-22-18  
**Date:** Wednesday, June 27, 2018 2:15:15 PM

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Good afternoon,

When reading the Core Value of “Strengthen our local Economy” from the 2015 Phoenix General Plan, it becomes glaringly obvious that developing the parcel at Tatum and Dynamite within standard C1 zoning would be far super to approving PUD z-22-18 for several reasons.

1. Job creation. PUDZ-22-18 would employ one single person. The businesses already approved for C1 zoning would create more jobs. In addition to sheer number of jobs, the type and quality of jobs created by these businesses would be superior. Banks, Trust Companies, Bonding Companies, Brokerage Houses, Building and Loan Associations, Contractors/Power/Gas Companies ‘Offices, Finance and Loan Companies. These are jobs that align with the 2015 Phoenix General Plan and our community.
2. Local & Small business. Very powerful statements on page 90 of the 2015 Phoenix General Plan. Allowing this parcel to be developed per PUD Z-22-18 would be in complete conflict with this subsection. 1784 Capital Holdings boasts of being a national investment firm. Allowing a C1 businesses on this parcel would be in complete alignment with this goal.
3. Entrepreneurs, Emerging Enterprises. Entrepreneurs need access to small businesses and suppliers. Several C1 businesses would fulfill this need.
4. Highly Skilled Workforce- the storage warehouse would not develop a highly skilled workforce. But look at what some of the allowable C1 businesses could do! Schools for business, data processing and insurance. Libraries. Driving schools. These businesses would help train a work force.
5. Tourism Facilities. How would a storage warehouse support tourism? Yet, an allowable C1 business is a travel bureau. Multiple arts related businesses are already allowed under standard C1 zoning. A 3 story monstrosity would not support tourism, or may people wanting to move away.
6. Review the summary for prosperity, Health and Environment on page 103 of the Phoenix General Plan. Prosperity- expand education and training; Health - counties with a higher concentration of small, locally owned businesses have healthier populations. Multiple C1 businesses align with these goals. A self-storage warehouse does not.

In conclusion, how can we justify allowing a self-storage warehouse on this parcel? Are we going to allow a Developer to prosper at the expense of our community? Developing within standard C1 zoning makes good sense and it’s what the community wants and needs.

Thank you,

April Mauch  
Pillar Realty  






**From:** Wade.Tinant  
**To:** [Joshua Bednarek](#)  
**Cc:** [Alan Stephenson](#); [Kaelee Wilson](#); [Samantha Keating](#)  
**Subject:** basement counting as a story  
**Date:** Thursday, August 02, 2018 1:31:19 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[Why the basement is actually the 3rd Story.pdf](#)

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Josh,  
Have you guys had a chance to vet the basement counting as a story? I've attached the definitions and site plan with some notes. Can you confirm that the basement, at least as currently shown, will in fact count as a story?

Thank you.

Wade

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**From:** Joshua Bednarek [mailto:[joshua.bednarek@phoenix.gov](mailto:joshua.bednarek@phoenix.gov)]  
**Sent:** Thursday, August 02, 2018 12:50 PM  
**To:** Wade.Tinant <[Wade.Tinant@kiewit.com](mailto:Wade.Tinant@kiewit.com)>  
**Cc:** Alan Stephenson <[alan.stephenson@phoenix.gov](mailto:alan.stephenson@phoenix.gov)>; Kaelee Wilson <[kaelee.wilson@phoenix.gov](mailto:kaelee.wilson@phoenix.gov)>; Samantha Keating <[samantha.keating@phoenix.gov](mailto:samantha.keating@phoenix.gov)>  
**Subject:** [EXTERNAL] RE: Elevation definitions PUD Z-22-18

Wade:

Thanks so much for the additional information. As you correctly note in your first e-mail, one of our comments to the applicant has been that the proposed PUD should utilize the Zoning Ordinance definition. I don't believe we have seen a third submittal from the applicant where the applicant has responded to this comment. I've copied Kaelee on this e-mail to see if that has changed.

Do you have time tomorrow or on Monday to touch base on the phone?

Joshua Bednarek  
City of Phoenix Planning and Development Department  
Deputy Director, Planning Division  
P: 602-256-3555

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**From:** Wade.Tinant [<mailto:Wade.Tinant@kiewit.com>]  
**Sent:** Wednesday, August 01, 2018 6:30 AM  
**To:** Joshua Bednarek <[joshua.bednarek@phoenix.gov](mailto:joshua.bednarek@phoenix.gov)>  
**Cc:** Alan Stephenson <[alan.stephenson@phoenix.gov](mailto:alan.stephenson@phoenix.gov)>  
**Subject:** RE: Elevation definitions PUD Z-22-18

I need to clarify – there are now finished grade elevations provided around the perimeter of the building on the Helix preliminary GD plan. The is minimal enough that it doesn't change the math, but, there are cases where the finished grade does not equal the existing grade. The South and West sides of the building (adjacent to the neighborhood) do not meet the basement criteria. About half of the North side does not meet the basement criteria.

Wade

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**From:** Wade.Tinant  
**Sent:** Tuesday, July 31, 2018 7:15 AM  
**To:** 'Joshua Bednarek' <[joshua.bednarek@phoenix.gov](mailto:joshua.bednarek@phoenix.gov)>  
**Cc:** Alan Stephenson <[alan.stephenson@phoenix.gov](mailto:alan.stephenson@phoenix.gov)>  
**Subject:** Elevation definitions PUD Z-22-18

Thank you for the reply and I hope you got out of the office too. The river in Nebraska was great. And, college football is close!

I'm flexible this week. The definitions I'm referencing are below. I am also using the logic that in this case, natural grade = finished grade = ELEV 30 to ELEV 35, and, finished floor is at ELEV 41.

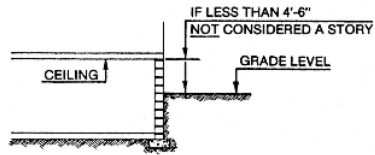
Happy to provide any other info – I know you guys are dealing with multiple cases and I'm only dealing with this one. This will be a topic of discussion at the meeting on 8/7, so, if we could gain clarity in advance it would aid productive discussion. I did see the note in the 2<sup>nd</sup> set of staff comments requesting the Developer use the ordinance definition of height-does that mean that we are already on the same page?

Thank you.

Wade

*Storage/Warehousing Indoors:* An enclosed building designed and used primarily for the storage of assorted goods and materials. +86

*Story:* That portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, then the space between the floor and the ceiling next above it. A basement, the ceiling of which is less than four feet six inches (4'6") above the natural grade, shall not be considered a story. A mezzanine floor shall not be considered a story if it is less than thirty-three and one-third percent (33 1/3%) of the area of the floor next below it. \*58



*Natural Grade:* The elevation through any section of a site on an undisturbed lot at the time of adoption of this ordinance by City Council. On lots that have been disturbed previously, the natural grade is the pre-existing grade if it can be determined; otherwise it shall be determined by an average of off-site elevations at points taken around the boundary of the site. +1 \*50

**From:** Joshua Bednarek [<mailto:joshua.bednarek@phoenix.gov>]

**Sent:** Wednesday, July 18, 2018 9:49 PM

**To:** Wade.Tinant <[Wade.Tinant@kiewit.com](mailto:Wade.Tinant@kiewit.com)>

**Cc:** Alan Stephenson <[alan.stephenson@phoenix.gov](mailto:alan.stephenson@phoenix.gov)>

**Subject:** Re: [EXTERNAL] Re: Thank You

Wade:

Ha! That was good! We agree that work needs to be done to provide clarity regarding the proposed building height. I'm out of the office this week, but will circle back with you when I get back. I know you are on vacation as well, so let me know what works well for you.

Josh

Sent from my iPhone

On Jul 13, 2018, at 8:15 AM, Wade.Tinant <[Wade.Tinant@kiewit.com](mailto:Wade.Tinant@kiewit.com)> wrote:

Josh/Alan,

If you can help us "Bear Down" and "Put a Fork" in the height dimension/#of stories/setback the issue it would be much appreciated. Look forward to working with you guys and likewise, if you need anything from the community, we are here to help as well.

Wade

On Jul 13, 2018, at 5:38 AM, Joshua Bednarek <[joshua.bednarek@phoenix.gov](mailto:joshua.bednarek@phoenix.gov)> wrote:

Wade:

It was a pleasure meeting with you. We appreciate you taking an active role in this process. Please let us know if you have any other questions or if there is anything else we can do to assist you.

Josh

Sent from my iPhone

On Jul 12, 2018, at 9:39 PM, Wade.Tinant <[Wade.Tinant@kiewit.com](mailto:Wade.Tinant@kiewit.com)> wrote:

I wanted to say thank you for taking the time to meet with me today. I appreciate it as does the community. It was enlightening and productive.

Thank you again,

Wade

**From:** Beth Summers  
**To:** [Joshua Redhartz](#); [Alan Stephenson](#); [PDD Desert View VPC](#); [Council District 2 PCC](#); [Kaelee Wilson](#)  
**Subject:** PUD Z-22-18 does not Celebrate our Diverse Communities and Neighborhoods  
**Date:** Wednesday, June 27, 2018 12:58:38 PM

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City Leadership:

Upon reviewing this Core Value of the 2015 Phoenix General Plan, it becomes strikingly clear that allowing this parcel to be developed within standard C1 zoning would be far superior to allowing PUD Z-22-18 to be approved.

1. Certainty & Character. This subsection is a poster child for keeping the zoning and development within standard C1 zoning. "There is a level of certainty one expects to have and quality of life one expects to maintain while living in a great city". This is very true. This parcel was zoned C1 in 1999 and has been zoned C1 every since. Every home purchased in Diamond Creek was based upon and purchased with this zoning. If the community supported changing the zoning on this parcel it would be a different matter. NONE of the adjacent landowners in Diamond Creek support this zoning change. "The goals and policies that are outlined in the General Plan" were created so residents have a reasonable expectation and level of certainty while living in our great city. Certainty in regards to quality of life and compatibility. How could changing the adjacent zoning, against the voice of the people, not be in complete and utter contradiction to this section?

The Land Use and Design Principles drive the point home even further!

LAND USE 1- Locate Land uses with the greatest height and most intense uses within limits based on Village character, Land Use needs, etc." this PUD would cram the tallest and largest structure in the vicinity up into low density, single family homes. Look through the allowable C1 businesses. Do these businesses look like they would require a 3 story facility with well over 100k SF? That's a big Barber shop or camera shop or tailor shop.

LAND USE 2- "Protect residential areas from concentrations of incompatible land use that could change their character or destabilize land values." Every local realtor says this PUD will reduce home values. Mountain View's and open skies will disappear. Protect. That's what we are asking the City to do. Protect us. Develop within standard C1 zoning.

DESIGN 1- "Protect and enhance the character of each neighborhood and its various housing lifestyles through new development that is compatible in scale, design and appearance." There's the word "protect" again. Also the word scale. How can this proposed warehouse be within any kind of scale in our community? This PUD proposes placing the tallest and largest building in the vicinity directly against R-18 zoning. Taller than CVS. 2.5 times the footprint of CVS. 7 times the floor SF of CVS. This is not within scale. This is a factor of 3-7 out of scale. Review the list of already approved C1 businesses. These businesses would be in scale. The community would not need the City to "protect" them from developing within C1 zoning.

DESIGN 2- "appropriate village scale". Same as above. Scale. Developing within the current C1 zoning would allow a business that would be in scale with our community.

DESIGN 3- "Create new development 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". Scale. The character of our community is low density with low heights. This warehouse will dominate our skyline. This warehouse will impact our property. Develop within C1 zoning.

DESIGN 7- "Protect the neighborhood's view of open space, mountains, and man made or natural landmarks." Come to our houses today. Look at the views of the mountains and open space. See what we saw when we purchased our homes. Then look at the proposed warehouse outline. Mountain View's? Gone. Open air? Gone. The allowable C1 businesses would not hinder our views.

In addition, to summarize and reiterate previous significant concerns I will outline a few hallmarks. In respect of your time I will simply provide the highlights and happily provide greater detail upon request.

I have heard many of these points echoed by my neighbors, but speak for my family here:

The community meetings are a farce exercise. What is the purpose? We brought forth specific questions with no response to date. For example, at the "Neighborhood Meeting" on 5/31, we specifically asked Kelly and Wendy about the PUD process that governs the posting of questions within 5 business days of the meeting. Wendy indicated that we were not properly interpreting this requirement and assured us that she would provide us the section she was referencing (as she was not able to during the meeting). Where is this? They boldly distributed propaganda at the first meeting on 5/3, in my opinion, in an effort to intimidate the community. One of these outlandish claims was that a "drug treatment facility" could be placed in this parcel within the current C1 zoning regulations, in immediate proximity to Primrose school. As I stood in front of her and asked her to point to this approved use, I had in hand, the 180 approved C1 zoning uses as of 7/21/17. She indicated to me that I was not correct and that I did not have the current information. This proved to be false and the response she promised has not been provided. It has been well over a month. As the process continues to move forward...

Additionally, what is the purpose of the second public meeting when the community's questions from the first meeting had not been posted, let alone answered? This is entirely illogical and counterproductive. The developer and his representatives did not have the most current elevations or site plans, did not know what the final square footage would be, where the cell tower would be located or what the finished grade elevation would be. It was simply an exercise, a show, and not productive. They continuously make statements as fact, and when called out, promise answers that they never provide.

Further concerns are the height of the building, eliminating views, increased light, traffic and noise. And a cell tower! All right next to a neighborhood that has existed for nearly two decades? We understand the desire for the developer to profit to the tune of many 6 figures per year on the cell tower along with this monstrous 3 story building, but would he like this built next to him and his family?

Reduced property values. Every realtor to whom I have spoken indicates that property values will be negatively impacted, it's only a matter of how much.

Flooding! I am no expert here, however, everyone I have spoken with indicates that it will increase. Common sense would dictate that the flooding will increase it's only a matter of what degree. Who will pay when our homes flood?

I feel that this process has been laid out to aid the developer in being successful. They have not followed the process, are not being held accountable, and seem to say anything to further their goal. It is clear to me that they will continue this in the hopes of gaining their requested changes at all costs, believing that if they are successful there will be nothing more the neighborhood can do. Likely they will sell or sublease the warehouse and collect their monthly paychecks on the CELL TOWER immediately bordering our homes. They underestimate our community's resolve and potential legal remedies that the developer has not foreseen.

We are reasonable. We support business and capitalism. Build a business allowed by C1 zoning. Develop within C1 zoning.

Our family's future is in your hands. We ask that you place yourselves in our shoes.

In conclusion, how can anyone objectively think that PUD Z-22-18 would not be in complete and utter conflict with Certainty and Character? How could any development on this parcel provide anything more in alignment than standard C1 zoning?

Will the City protect its constituents and live up to the 2015 Phoenix General Plan? Will the City follow the 2015 General Plan?

We implore the City of Phoenix to deny PUD z-22-18 and require that any development on this parcel be done so within standard C1 zoning.

My wife, two 5 year old daughters, and I stand ready to meet and discuss any matters at your convenience. You are always welcome at our home or we can come to you!

Thank you for your time and attention to this matter.

Sincerely,

Matt and Beth Summers

**From:** B Elliott  
**To:** [Council District 2 PCC](#)  
**Cc:** [PDD Desert View VPC](#); [Alan Stephenson](#); [Joshua Bednarek](#); [Kaelee Wilson](#); [wr@berryriddell.com](#)  
**Subject:** Storage Unit, PUD Z-22-18 - Not wanted in this area  
**Date:** Monday, July 02, 2018 7:33:18 AM

---

Hello Mr. Waring,

I currently reside at [REDACTED] in Cave Creek, Arizona. Along with other local residents, I have been actively engaged in trying to understand the proposed rezoning at Tatum and Dynamite included in **Proposal PUD Z-22-18**.

After reviewing PUD Z-22-18, resubmitted on June 13, 2018, several key concerns arise. Two of the most significant concerns are as follows:

1) **Number of stories:** by City of Phoenix definition, this is a 3 story facility, NOT a "basement plus two story" facility. The difference has an impact on setbacks as well as public perception. In this submission, the finished floor has been raised several feet, the main building is again larger, and the largest floor is the 3<sup>rd</sup> floor. These factors further remove and restrict residents' mountain views.

2) **Hours of operations/access:** since January, the community has asked for certain stipulations and definitions around hours of operations and access. These have not been addressed.

Detailed questions and concerns based on a review of **PUD Z-22-18** are listed below with key items in red font for clarity. **We ask for your assistance to determine when these questions and requests can be addressed for our community.**

1) Page 5: The proposal states: "...for the development of a new **secured** and climate-controlled Self-Service Warehouse..." (emphasis added)

- a) While the proposal states that the building is secure, the site will not be secure.
- b) **We request that the Developer provide a plan to secure the site, not just the building itself.**

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  - ii) Finished Floor is now listed at ELEV 41 for the entire floor.
  - iii) Natural grade is between ELEV 30.5 and 35 under this main building
  - iv) These differences exceed the 4.5 ft. delta and the definition of a basement.

- b) **We request that the Developer correct all references in this proposal to reflect a 3-story building instead of a basement plus 2 stories.**
- c) **We request that the Developer update and correct all required setbacks to reflect a 3-story building instead of a 2-story building.**

3) Page 7: The proposal states in the 4<sup>th</sup> paragraph "In response to neighborhood input, the internal loading garage has been reoriented to face West."

- a) This is incorrect according to the drawings at Exhibit C – Conceptual Site Plan, the internal loading garage does not face west.
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- a) Community members believe developing this parcel within standard C1 zoning would be far superior to this PUD.
- b) Community members have shared and will continue to share this viewpoint with you.

6) Page 13: The proposal states "...building height shall be measured from the finish floor elevation to the top of roofline..."

- a) Zoning standards require building height to be calculated from finished grade, not finished floor.
- b) **We request that the Developer calculate and provide finished grades and building heights calculated from finished grades to allow for accurate comparison to zoning**



**standards referenced.**

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- a) The WCF discussion provides NO location, height or setbacks.
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- a) **We are pleased to see that the perimeter road around the main building has been removed.**
  - b) **We request that the Developer confirm whether this also indicates that the paved surface behind Primrose will be eliminated.**
- 10) Exhibit C – Conceptual Site Plan: RKAA# 17189.50, SP-1
- a) Note J states "ALL ROOFTOP EQUIPMENT AND SATELLITES DISHES SHALL BE SCREENED TO THE HEIGHT OF THE TALLEST EQUIPMENT"
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to the NE corner of the building to mitigate view impacts.

ii) **We request that the Developer confirm whether the parapet wall can be minimized in height on the South and West sides, at a minimum, and ideally on the East and North sides as well.**

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b) Note K states "ALL SERVICE AREAS SHALL BE SCREENED TO CONCEAL TRASH CONTAINERS, LOADING DOCKS, TRANSFORMERS, BACKFLOW PREVENTERS AND OTHER MECHANICAL OR ELECTRICAL EQUIPMENT FROM EYE LEVEL ADJACENT TO ALL PUBLIC STREETS."

i) **We request that the Developer revise this note to also state these same items shall be shielded from the view of the neighborhood.**

c) Note P states "AVERAGE NOISE LEVEL, MEASURED AT THE PROPERTY LINE, SHALL NOT EXCEED 55dB (1dn)

WHEN MEASURED ON AN "A WEIGHTED" SOUND LEVEL METER AND ACCORDING TO THE PROCEDURES OF THE ENVIRONMENTAL PROTECTION AGENCY.

i) **We request that the Developer revise this note to state, no noise increase will be allowed at the property lines, and, not to exceed 55 dB in any circumstance.**

d) The drawing states the main building finished floor is now ELEV 41.0.

i) Height is such a contentious issue; why was the finished floor elevation raised so drastically?

(1) **Average finished floor in the March proposal was "4 ft. below" the Primrose finished floor. We request that the Developer address why the finished floor was RAISED 4 feet.**

(2) Helix drawing from the March proposal lists finished floor at the following elevations:

(a) 33.5 (1 ft. above outfall in SW corner)

(b) 36.5 (1 ft. above high grade NE corner)

(c) **We request that the Developer address why the finished floor is now at 41, 6.5 feet higher in the SW corner and 3.5 feet higher in the NE corner.**

ii) This is a foot per foot reduction of the mountain views that Desert View Village aims to protect.

e) Building size is now proposed to be 117,285 square feet. Why has the building gotten larger with every submittal?

i) **We request that the Developer address why the SF in the main building has increased from 105k SF, to 115k SF to now 117k SF?**

ii) **We request that the Developer address why the largest floor, now at 42k SF, is on top?**

iii) This is a SF by SF reduction of mountain views that Desert View Village aims to protect.

f) **We are pleased with the improvement of the location of the parking and office.**

g) Building B and adjacent office/storage.

i) No heights were provided.

ii) **We request that the Developer provide the heights of these buildings.**

11) Exhibit E – Conceptual Elevations vs. Exhibit K – Comparative Standards Zoning Table

a) Height is a very significant concern of the residents.

i) **We request that the Developer address why the elevations (Exhibit E) show a roof height of 25'-4" but the tables (Exhibit K) reserve the right to have a maximum height of 28 ft.**

ii) **We request that the Developer address whether the height will be increased to 28 ft., and, if so, we ask the Phoenix City Council whether this will require resubmittal and require the Developer to go through the process again.**

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b) Exhibit 13 – Circulation Plan

c) Exhibit 14 – Sign Plan

d) Other PUD proposals that have been reviewed by Desert View Planning have had these submittals.

e) **We request that the Developer resubmit the proposal with these Exhibits.**



Sincerely,

Brad Elliott

Parent, Diamond Creek Residen & Taxpayer

[REDACTED]

**From:** Wade.Tinant  
**To:** [Kaelee Wilson](#)  
**Subject:** Catching up  
**Date:** Tuesday, May 15, 2018 5:05:38 AM

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Kaelee,

I should be out of meetings by 8 am this morning. If you can set a time, or, try to give me an hour or so heads up before you have time, I can try to get back into the office and have my info and computer in front of me.

Wade

**From:** Dillow, Cheryl  
**To:** [Joshua Bednarek](#); [Alan Stephenson](#); [PDD Desert View VPC](#); [Council District 2 PCC](#); [Kaelee Wilson](#)  
**Subject:** Storage Unit, PUD Z-22-18  
**Date:** Tuesday, June 26, 2018 7:42:45 AM  
**Attachments:** [Businesses allowed per standard C1 zoning.pdf](#)

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Sorry I forgot the attachment in my previous email.

I currently reside at [REDACTED], Cave Creek AZ 85331. I am not happy with a zoning change from C1 to a PUD that would allow a self-storage warehouse. I purchased my home based on a friendly community adjacent to C1 zoning. Attached is a list of all of the businesses allowed within standard C1 zoning which we reviewed before purchasing our home. Developing the parcel with any of the attached C1 businesses would foster small and local business development on this parcel. The 2015 Phoenix General Plan explicitly states that small and local businesses drive our economy. Why would we want to remove an opportunity for these types of businesses and allow a national corporation to install a HUGE warehouse? Developing this parcel within C1 zoning would meet community expectations, bolster our local economy and "fit" in our community. The list of C1 businesses would also not have the size nor height of this proposed warehouse.

Let's forget about how a self-storage warehouse could meet a few of the goals of the 2015 Phoenix General Plan and look at the abundance of ways a C1 business on this same parcel would better align with the 2015 Phoenix General Plan.

The proposal of a cell tower also does not make any sense on this parcel. Why not put the tower at Dynamite Park and keep the revenue in city coffers? Why not put the cell tower near Black Mountain Nursery where the nursery can serve as a buffer between the adjacent neighborhood? Or why not put the dish on one of the multiple APS transmission poles just north and south of us? There is no need for another tower in our community when the APS poles would work, and these poles are already installed.

I request that Village Planning present how a cell phone tower would make any sense from a zoning perspective.

Thank you!  
Cheryl Dillow

**From:** Dillow, Cheryl  
**To:** [Joshua Bednarek](#); [Alan Stephenson](#); [PDD Desert View VPC](#); [Council District 2 PCC](#); [Kaelee Wilson](#)  
**Subject:** Storage Unit, PUD Z-22-18 - Will not strengthen our local economy  
**Date:** Wednesday, June 27, 2018 11:17:45 AM  
**Attachments:** [Businesses allowed per standard C1 zoning.pdf](#)  
**Importance:** High

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Hello – I currently reside at [REDACTED], Cave Creek AZ 85331.

When reading the Core Value of “Strengthen our local Economy” from the 2015 Phoenix General Plan, it becomes glaringly obvious that developing the parcel at Tatum and Dynamite within standard C1 zoning would be far superior to approving PUD Z-22-18 for several reasons.

1. Job creation. PUDZ-22-18 would employ one single person. The businesses already approved for C1 zoning would create more jobs. In addition to a sheer number of jobs, the type and quality of jobs created by these businesses would be superior. Banks, Trust Companies, Bonding Companies, Brokerage Houses, Building and Loan Associations, Contractors/Power/Gas Companies ‘Offices, Finance and Loan Companies. These are jobs that align with the 2015 Phoenix General Plan and our community.
2. Local & Small business. Very powerful statements on page 90 of the 2015 Phoenix General Plan. Allowing this parcel to be developed per PUD Z-22-18 would be in complete conflict with this subsection. 1784 Capital Holdings boasts of being a national investment firm. Allowing C1 businesses on this parcel would be in complete alignment with this goal.
3. Entrepreneurs, Emerging Enterprises. Entrepreneurs need access to small businesses and suppliers. Several C1 businesses would fulfill this need.
4. Highly Skilled Workforce- the storage warehouse would not develop a highly skilled workforce. But look at what some of the allowable C1 businesses could do! Schools for business, data processing and insurance. Libraries. Driving schools. These businesses would help train a work force.
5. Tourism Facilities. How would a storage warehouse support tourism? Yet, an allowable C1 business is a travel bureau. Multiple arts-related businesses are already allowed under standard C1 zoning. A 3 story monstrosity would not support tourism, or may people wanting to move away.
6. Review the summary for prosperity, Health and Environment on page 103 of the Phoenix General Plan. Prosperity- expand education and training; Health - counties with a higher concentration of small, locally owned businesses have healthier populations. Multiple C1 businesses align with these goals. A self-storage warehouse does not.

In conclusion, how can we justify allowing a self-storage warehouse on this parcel? Are we going to allow a Developer to prosper at the expense of our community? Developing within standard C1 zoning makes good sense and it’s what the community wants and needs.

Thank you,  
Cheryl Dillow

**From:** Dillow, Cheryl  
**To:** [Joshua Bednarek](#); [Alan Stephenson](#); [PDD Desert View VPC](#); [Council District 2 PCC](#); [Kaelee Wilson](#); [wr@berryriddell.com](mailto:wr@berryriddell.com)  
**Subject:** Storage Unit, PUD Z-22-18 - Will not strengthen our local economy  
**Date:** Thursday, June 28, 2018 1:47:30 PM

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Good afternoon Mr. Waring,

I currently reside at [REDACTED] in Cave Creek, Arizona. Along with other local residents, I have been actively engaged in trying to understand the proposed rezoning at Tatum and Dynamite included in **Proposal PUD Z-22-18**.

After reviewing PUD Z-22-18, resubmitted on June 13, 2018, several key concerns arise. Two of the most significant concerns are as follows:

- 1) **Number of stories:** by City of Phoenix definition, this is a 3 story facility, NOT a “basement plus two story” facility. The difference has an impact on setbacks as well as public perception. In this submission, the finished floor has been raised several feet, the main building is again larger, and the largest floor is the 3<sup>rd</sup> floor. These factors further remove and restrict residents’ mountain views.
- 2) **Hours of operations/access:** since January, the community has asked for certain stipulations and definitions around hours of operations and access. These have not been addressed.

Detailed questions and concerns based on a review of **PUD Z-22-18** are listed below with key items in red font for clarity. **We ask for your assistance to determine when these questions and requests can be addressed for our community.**

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- c) Exhibit 14 – Sign Plan
- d) Other PUD proposals that have been reviewed by Desert View Planning have had these submittals.
- e) **We request that the Developer resubmit the proposal with these Exhibits.**

Respectfully,  
Cheryl Dillow

**From:** Craig Johnson  
**To:** [Kaelee Wilson](#)  
**Subject:** Objection  
**Date:** Thursday, April 12, 2018 9:55:26 PM

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Dear Kaelee –

Please accept this email as a strong objection to a planned storage facility at the intersection of Tatum and Dynamite. This business in no way fits in the initial master community plan for a low profile, desert development. With many other storage facilities nearby, it's totally unnecessary as well.

Sincerely,  
Craig

Craig P. Johnson

[REDACTED]

Cave Creek, AZ 85331

[REDACTED]

[REDACTED]

[REDACTED]

**From:** Wade.Tinant  
**To:** [wr@berryridgell.com](mailto:wr@berryridgell.com); Council District 2 PCC; PDD Desert View VPC; Kaelee Wilson  
**Cc:** Wade.Tinant  
**Subject:** Critical update - Tatum & Dynamite PUD Z-22-17  
**Date:** Wednesday, May 16, 2018 6:56:52 AM  
**Attachments:** [image005.png](#)  
[image006.png](#)  
[image007.png](#)  
[image008.emz](#)  
[image009.png](#)  
[image010.emz](#)  
[image011.png](#)  
[image012.png](#)  
[image016.png](#)  
[image017.png](#)  
[image018.emz](#)  
[image019.png](#)  
[Alliance Survey plat with easements from original narrative.pdf](#)  
[parcel in question survey - shaded drainage and retention easements.pdf](#)  
[3-27 Site Plan.pdf](#)  
[Proposed Tract 3-27-18.pdf](#)

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All,  
I apologize for the barrage of emails. Please review the critical and newly provided information below.

**Readers Digest version of the new information:**

1. The basement concept, per the City of Phoenix Floodplain Management department, will not be able to obtain the required permits from the City for construction.
  - a. This doesn't affect the Community, but, if this proposal continues, please verify concepts are permissible before discussing with constituents.
  - b. This confirmation may also impact the extreme care required to maintain occupancy at Primrose while formally amending cross retention and drainage easement 2012-0775408, M.C.R.
2. Corrections Required in the Lot Development Standards Table, page 13 of the Z-22-18 Narrative
  - a. Correct Building Setback, South, to 26'-5" vs the listed minimum of 55 ft.
  - b. Correct the Cumulative Building Setback, West and Building Setback East (adjacent to Commercial) to a value between a 39 ft. and 17 ft. vs the listed minimum of 97 ft. (or diagram building footprint over the Cross Retention and Drainage Easement).
  - c. Add detail to the Maximum Height PUD Standard – Finished Grade ELEV 30.0, Max height 25 ft. 4 in, max elevation ELEV 55.3, maximum 2 stories. (Elevations per Helix Job 345 drawing).
  - d. **IN NO UNCERTAIN TERMS, REGARDLESS OF PERMITTING OR ANY OTHER UNFORSEEN ISSUES, THE MAX ELEVATION OF THE TOP OF BUILDING WILL NOT EXCEED ELEVATION 55.3**
3. Attachments: Alliance Survey plat, Current parcel survey plat, proposed site plan, existing topo



**Backup information**

1. Discussion with Floodplain management 5/14/18
  - a. Per discussion with Floodplain management personnel on 5/14, no building below the floodplain would be permitted on this parcel.
    - i. This is consistent with the Primrose and CVS buildings on adjacent parcels in the same AO floodplain.
    - ii. The City of Phoenix, PUD Procedures Outline provides a PUD Application Submittal Checklist on page 10 of 54
      1. One of the requirements of this checklist is to submit the PUD Infrastructure Fact Finding Summary listed on pages 8 and 9 of 54
      2. This checklist (and subsequent application), if complete, would have
        - a. required the Applicant to acknowledge the site is in a floodplain
        - b. Contact the Floodplain Management on the 5<sup>th</sup> floor.
        - c. Called out easements on the parcel.
        - d. Why wasn't the Infrastructure Fact Finding Checklist completed, as required, before the application was submitted?
        - e. Why wasn't this information provided as required per PUD Submittal requirements, K. Infrastructure (pg. 15 of 54)?
    - iii. Regardless, the Developer, on multiple occasions, has made it clear and committed to:
      1. Finished grade will be at ELEV 30.0 (we are not building any pad)
  - a. Office/Storage building
    - i. RKAA site plan drawing RKAA# 17189.50 clearly dimensions the clear space to the adjacent R-18 tract G as 26'-5", yet, the table says the Building setback on the South is a minimum of 55' (markup attached)
      - ii. **The Development Standards Table is wrong. Per the Developers own drawing, the minimum setback on the South side is 26'-5".**
    - ii. East & West Building Setbacks
      - i. Between the R-18 Tract 1 on the West and Drainage Easement 2012-0775408 on the East, there is at most, 250 ft. of available width, and, at least, 110 ft. of available width (markup attached)
        1. Building "A" ranges from 211 ft. wide to 93 ft. wide in this dimension (markup attached)
        2. These max and min values roughly coincide in location
        3. Total clear space (i.e. combined East AND West setback distances) ranges from 39 ft. to 17ft
        4. However, on Page 13 on the Lot Development Standards, the PUD is lists the setback on the West as a minimum of 77 ft., and the setback on the East a minimum of 20 ft., or, a total of 97 ft. of clears space.
        5. **Either the setbacks on Page 13 are incorrect, a substantial amount of Building "A" is constructed over an established Easement, or, some combination of both.**
2. Inconsistencies in the Lot Development Standards (narrative page 13)
  - a. Office/Storage building
    - i. RKAA site plan drawing RKAA# 17189.50 clearly dimensions the clear space to the adjacent R-18 tract G as 26'-5", yet, the table says the Building setback on the South is a minimum of 55' (markup attached)
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        5. **Either the setbacks on Page 13 are incorrect, a substantial amount of Building "A" is constructed over an established Easement, or, some combination of both.**

- a. Developer should continue to submit information like the Alliance survey drawing to clearly illustrate Easements in effect.
- c. Per the Developers narrative
  - 1. Per RKAA # 17189.50, Site Data, Max Height = 25'-4"
  - 2. All renderings show a roof line of 25'-4" above finished grade.
  - 3. Update table to the Developers commitments of Finished Grade at ELEV 30.0, Max height of 25 ft. 4 in, Max building ELEV = 55.3
  - 4. Developer has committed to relocating roof mounted equipment to NE corner of Bldg. A to reduce height of parapet wall on West and South sides of Bldg.
    - a. Parapet walls on the West and South sides of Bldg A should be limited to 1 ft.

At some point in the future I will provide an "all in" summary of all challenges, questions, concerns, etc. posed to date in regards to the narrative to PUD Z-22-18 to capture everything in one document.

Wade [REDACTED]  
[REDACTED]

**From:** cynthia floe  
**To:** [PDD Desert View VPC](#)  
**Subject:** Procedure  
**Date:** Thursday, June 28, 2018 9:41:37 AM

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I am concerned that PUD Z-22-18 is not following the PUD procedures outline that is required by A.R.S. 9-836. I am asking the City to add clarity by responding to the questions below as soon as possible.

1. Pre-application Meeting. The PUD procedures outline says this meeting “must” be held. We’ve been told the meeting was waived and then we were told the meeting did occur and that we would need to file a public records request to obtain the notes from this meeting. A public records request was initiated and no record of this meeting or notes from this meeting can be found. Was the meeting held? Where are the notes? If the meeting wasn’t held, why wasn’t the process followed? Holding this meeting certainly appears to be a legal requirement that was not met.

2. Fact Finding Summary. We were told the Developer submitted this form although it appears to be a City generated document. We were told to file a public records request to obtain this information which we initiated. No documents were found. The production of this summary can be waived by the Director of planning or his designee. When we asked if the requirement for this form was waived, we were told it was not waived. So, was the form completed? If so, where is it? If it wasn’t completed, was it waived per the process? If it wasn’t completed and it wasn’t waived, why can’t the form be found? Questions that this document would answer are still open issues with the Developer. This summary would have been completed before the application was submitted on March 27. This appears to be another legal requirement that was not met.

3. Neighborhood Meeting summaries shall be submitted to City Staff within 5 business days of the Neighborhood meeting. This has not happened. The summary from the meeting on 5/3 was not available until June 1 (again via public records request). The summary from the meeting on 5/31 is still not available. Why isn’t the Developer meeting these requirements? Why is the Developer holding a second meeting on 5/31 when they haven’t even posted the summary from the 5/3 meeting? The community is in the dark about the questions the Developers actually noted and what their potential resolution would be. This appears to be yet another legal requirement that is not being met.

As an impacted citizen, it has been frustrating see a process continuously ignored. As a taxpayer I am concerned that the City of Phoenix and this Developer are openly deviating from a legal process required by A.R.S. 9-836. Will my tax dollars be wasted on court costs from a legal issue that should have been avoided?

I respectfully request the answers to these questions which have remained unanswered for weeks. I also request to know what remedies are proposed.

Cynthia Floe  
Diamond Creek Homeowner  


**From:** cynthia floe  
**To:** [PDD Desert View VPC](#)  
**Subject:** village planning  
**Date:** Thursday, June 28, 2018 3:45:17 PM

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After reviewing the Village Planning Handbook, I have some questions that I would like the City to answer.

1. "Points to consider in reviewing rezoning requests", page 7
  1. "Does the request support the General Plan's goals?"
    1. Can the City provide any examples of how a self storage warehouse would meet more goals or exceed ANY goals more than a business allowed under standard C1 zoning?
    2. Wouldn't allowing a self storage warehouse on this parcel simply be a knee jerk reaction to putting "any" business on this parcel instead of the "right" business on this parcel?
    3. Is anyone in such a rush to develop this parcel that ANYTHING within ANY zoning is on the table? A 3 story warehouse with a cell tower? Is it not the role of the Village Planners to have long term vision to protect against this very sort of short term thinking?
2. "What are the impacts on adjacent land uses?" - page 8
  1. Height, Character, lifestyle. How can this PUD be in alignment with ANY of these goals or requirements? Please help me understand.
3. "Does this request promote speculation and over zoning?" - page 8
  1. This PUD is nothing more than spot zoning to allow a single, national developer to suck the mountain views out of a community through corporate greed.
4. "Does the proposal reduce traffic or traffic conflicts?" - page 8
  1. No circulation plan has been provided as required. Per the verbage, how can allowing left and right turns, in and out along both Tatum and Dynamite, so close to the intersection, not increase the likelihood of traffic incidents (with other cars, bikes and pedestrians)? Can you help me understand this issue?
5. "Have or can the concerns, if any, of the area residents be addressed or mitigated?" - page 8
  1. I guess the answers to this email and the answers to the other questions the community has posed to the City will determine the answer to this question. Will you meet with us and walk us through the answers to our questions? I know the Village Planners are busy. Unfortunately, if the wrong decisions are made, our community will have to live with the results FOREVER.
6. "Role of the Village Planner" - pages 8-9
  1. Attend formal rezoning pre-application meetings.
    1. Public records requests show this did not happen. Can the City show otherwise?

2. Responsible for ensuring the process complies with applicable laws and established procedures
  1. Per my other email, it is obvious the PUD procedure has NOT been followed.
    1. What is the City's plan to remediate?
    2. Will the applicant have to start over?
    3. What will the accountability be to City employees who have continued to allow the process to not be followed, even after peaceful, helpful inquiries by the community?
    4. In several instances the 2015 Phoenix General Plan states a key responsibility of village planning is to "protect" the community. Will the City protect the community by at least holding the Developer and City employees accountable to follow the process?

Please respond at your earliest convenience.

Cynthia Floe  
Diamond Creek Homeowner





**From:** cynthia floe  
**To:** [Kaelee Wilson](#)  
**Subject:** PUD Z-22-18  
**Date:** Friday, June 29, 2018 11:47:48 AM

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Good afternoon;

I currently reside at [REDACTED], in Cave Creek, Arizona. Along with other local residents, I have been actively engaged in trying to understand the proposed rezoning at Tatum and Dynamite included in **Proposal PUD Z-22-18**.

After reviewing PUD Z-22-18, resubmitted on June 13, 2018, several key concerns arise. Two of the most significant concerns are as follows:

- 1) **Number of stories:** by City of Phoenix definition, this is a 3 story facility, NOT a “basement plus two story” facility. The difference has an impact on setbacks as well as public perception. In this submission, the finished floor has been raised several feet, the main building is again larger, and the largest floor is the 3<sup>rd</sup> floor. These factors further remove and restrict residents’ mountain views.
- 2) **Hours of operations/access:** since January, the community has asked for certain stipulations and definitions around hours of operations and access. These have not been addressed.

Detailed questions and concerns based on a review of **PUD Z-22-18** are listed below with key items in red font for clarity. **We ask for your assistance to determine when these questions and requests can be addressed for our community.**

- 1) Page 5: The proposal states: “...for the development of a new secured and climate-controlled Self-Service Warehouse...” (emphasis added)
  - a) While the proposal states that the building is secure, the site will not be secure.
  - b) **We request that the Developer provide a plan to secure the site, not just the building itself.**
- 2) Page 7: The proposal states in the 2<sup>nd</sup> paragraph “...the building will include one basement level and two stories above grade...”
  - a) Based on the definition of a story and basement, the description included in the submission is incorrect.
    - i) Definition of a basement, as determined by finished floor and natural grade, is listed on the attachment.
    - ii) Finished Floor is now listed at ELEV 41 for the entire floor.
    - iii) Natural grade is between ELEV 30.5 and 35 under this main building
    - iv) These differences exceed the 4.5 ft. delta and the definition of a basement.
  - b) **We request that the Developer correct all references in this proposal to reflect a 3-story building instead of a basement plus 2 stories.**
  - c) **We request that the Developer update and correct all required setbacks to reflect a 3-story building instead of a 2-story building.**
- 3) Page 7: The proposal states in the 4<sup>th</sup> paragraph “In response to neighborhood input, the internal loading garage has been reoriented to face West.”
  - a) This is incorrect according to the drawings at Exhibit C – Conceptual Site Plan, the internal loading garage does not face west.
  - b) **We request that the Developer correct this error and clarify where the internal loading garage will**

**be located.**

- 4) Page 7: The proposal states in the 4<sup>th</sup> paragraph "...although the Site will be monitored for security purposes throughout the day and overnight, the storage units will only be accessible during the day..."
  - a) The term "day" is quite ambiguous and undefined. The residents have requested a definition for "day" since January.
  - b) In April, the community proposed the following definition (for access during the) "day" to the Developer:
    - i) The facility would only be accessible for deliveries and patrons, between 8:00AM and 4:30 PM, Monday through Friday. The facility would only be accessible between 9:00AM and 4:30 PM, Saturday and Sunday. No access would be allowed on Holidays observed by the City of Phoenix.
    - ii) **We request that the Developer incorporate these definitions to replace the term "day".**
- 5) Page 9 "General Plan Conformance"
  - a) Community members believe developing this parcel within standard C1 zoning would be far superior to this PUD.
  - b) Community members have shared and will continue to share this viewpoint with you.
- 6) Page 13: The proposal states "...building height shall be measured from the finish floor elevation to the top of roofline..."
  - a) Zoning standards require building height to be calculated from finished grade, not finished floor.
  - b) **We request that the Developer calculate and provide finished grades and building heights calculated from finished grades to allow for accurate comparison to zoning standards referenced.**
- 7) Page 15: With respect to the "Wireless Communication Facilities" ("WCF") discussion:
  - a) The WCF discussion provides NO location, height or setbacks.
  - b) **We request that the Developer provide WCF location, height and setbacks in a table and/or in drawings.**
- 8) Page 17 "Sustainability" – We have several requests:
  - a) **We request that the Developer add Stipulation that the Developer will complete baseline studies on light, noise and odor at property lines prior to construction and the Developer will not exceed these values during construction or operations.**
  - b) **We request that the Developer add Stipulation that the residents will be provided a simple way to measure compliance with baseline light, noise and odor levels and receive monetary remedy if these baseline values are exceeded. Include a table to clearly identify increments over baseline and corresponding fines due to the community. Measure compliance on a weekly basis.**
  - c) **We request that the Developer add Stipulation that the Developer will provide actual traffic counts from other storage facilities this Developer owns and operates, equate these values to this proposed SF and number of units to provide an anticipated traffic count based on actual traffic counts instead of theoretical values.**
  - d) **We request that the Developer add Stipulation that the community will be provided data on the actual traffic counts during operations; and, if these traffic counts exceed those proposed, the community receives monetary remedy. Include a table to clearly identify increments over anticipated traffic count and corresponding fines due to the community. Measure compliance on a weekly basis.**
- 9) Page 18: The proposal states "...a cross-access easement between the Site, the Primrose parcel and the CVS parcel allows for circulation throughout the commercial center..." This easement discussion is new to the proposal.

- a) **We are pleased to see that the perimeter road around the main building has been removed.**
- b) **We request that the Developer confirm whether this also indicates that the paved surface behind Primrose will be eliminated.**

10) Exhibit C – Conceptual Site Plan; RKAA# 17189.50, SP-1

- a) Note J states “ALL ROOFTOP EQUIPMENT AND SATELLITES DISHES SHALL BE SCREENED TO THE HEIGHT OF THE TALLEST EQUIPMENT”
  - i) **We request that the Developer confirm whether the equipment will be relocated to the NE corner of the building to mitigate view impacts.**
  - ii) **We request that the Developer confirm whether the parapet wall can be minimized in height on the South and West sides, at a minimum, and ideally on the East and North sides as well.**
  - iii) **We request that the Developer confirm whether the screening height can be customized to each individual piece of equipment to adequately shield the equipment without unnecessarily blocking view lines (in areas of smaller equipment).**
  
- b) Note K states “ALL SERVICE AREAS SHALL BE SCREENED TO CONCEAL TRASH CONTAINERS, LOADING DOCKS, TRANSFORMERS, BACKFLOW PREVENTERS AND OTHER MECHANICAL OR ELECTRICAL EQUIPMENT FROM EYE LEVEL ADJACENT TO ALL PUBLIC STREETS.”
  - i) **We request that the Developer revise this note to also state these same items shall be shielded from the view of the neighborhood.**
  
- c) Note P states “AVERAGE NOISE LEVEL, MEASURED AT THE PROPERTY LINE, SHALL NOT EXCEED 55dB (1dn) WHEN MEASURED ON AN "A WEIGHTED" SOUND LEVEL METER AND ACCORDING TO THE PROCEDURES OF THE ENVIRONMENTAL PROTECTION AGENCY.
  - i) **We request that the Developer revise this note to state, no noise increase will be allowed at the property lines, and, not to exceed 55 dB in any circumstance.**
  
- d) The drawing states the main building finished floor is now ELEV 41.0.
  - i) Height is such a contentious issue; why was the finished floor elevation raised so drastically?
    - (1) **Average finished floor in the March proposal was “4 ft. below” the Primrose finished floor. We request that the Developer address why the finished floor was RAISED 4 feet.**
    - (2) Helix drawing from the March proposal lists finished floor at the following elevations:
      - (a) 33.5 (1 ft. above outfall in SW corner)
      - (b) 36.5 (1 ft. above high grade NE corner)
      - (c) **We request that the Developer address why the finished floor is now at 41, 6.5 feet higher in the SW corner and 3.5 feet higher in the NE corner.**
  - ii) **This is a foot per foot reduction of the mountain views that Desert View Village aims to protect.**
  
- e) Building size is now proposed to be 117,285 square feet. Why has the building gotten larger with every submittal?
  - i) **We request that the Developer address why the SF in the main building has increased from 105k SF, to 115k SF to now 117k SF?**
  - ii) **We request that the Developer address why the largest floor, now at 42k SF, is on top?**
  - iii) **This is a SF by SF reduction of mountain views that Desert View Village aims to protect.**
  
- f) **We are pleased with the improvement of the location of the parking and office.**

- g) Building B and adjacent office/storage.
- i) No heights were provided.
- ii) **We request that the Developer provide the heights of these buildings.**

11) Exhibit E – Conceptual Elevations vs. Exhibit K – Comparative Standards Zoning Table

- a) Height is a very significant concern of the residents.
  - i) **We request that the Developer address why the elevations (Exhibit E) show a roof height of 25'-4" but the tables (Exhibit K) reserve the right to to have a maximum height of 28 ft.**
  - ii) **We request that the Developer address whether the height will be increased to 28 ft., and, if so, we ask the Phoenix City Council whether this will require resubmittal and require the Developer to go through the process again.**

12) Overall Comment: We believe the proposal is missing Exhibits required per PUD Procedures, page 16/54)

- a) Exhibit 12 – Thematic Street Cross Sections
- b) Exhibit 13 – Circulation Plan
- c) Exhibit 14 – Sign Plan
- d) Other PUD proposals that have been reviewed by Desert View Planning have had these submittals.
- e) **We request that the Developer resubmit the proposal with these Exhibits.**

Respectfully,

Cynthia Floe

Diamond Creek Home Owner



**From:** Cynthia Macluskie  
**To:** [Kaelee Wilson](#)  
**Subject:** Fwd: Storage Facility at Tatum and Dynamite  
**Date:** Wednesday, August 15, 2018 9:59:05 AM

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Cynthia Macluskie  
Licensed Agent  
Specialising in health care designed for seniors and the dually eligible



Begin forwarded message:

**From:** Cynthia Macluskie <[REDACTED]>  
**Date:** August 7, 2018 at 9:35:31 PM MST  
**To:** Jim Waring <[jim.waring@phoenix.gov](mailto:jim.waring@phoenix.gov)>  
**Subject:** Storage Facility at Tatum and Dynamite

Hi Jim,

I hope you are well. Did your family have a nice summer? Are the boys back to school?

I attended the meeting tonight and I wanted to touch base with you. I am very against the re-zoning of Tatum and Dynamite and against the storage facility. I found the lawyer and the developer's presentation and facts to be misleading at best. The community provided an organized, well researched and respectful presentation that demonstrates why this project should not go forward. The committee of citizens did a great job and I was very impressed. I spoke too and my issues were just odds and ends that I thought were missed. They are as follows:

1. A storage facility does not add value to our community. We need more community gathering places and small business to build a framework of neighborhood and connection.
2. I do not believe that the drainage issues are adequately addressed. I find the addition of a basement to be concerning.
3. Because of the history of behavior of the lawyer and developer there is no trust between them and our community. I do not believe the numbers and found their presentation to be less than truthful. I am especially concerned with how they are calculating height. For example, they are not calculating height from dirt to ceiling like a normal person would but using some non definitive language about grading.
4. Over 250 people showed up tonight. These are regular citizens who are not lawyers, lobbyists or developers. They used their own money, time and resources to craft and present an articulate argument and there should be more weight given to the community than a lawyer and a developer. There have been several meetings and all have been attended in large numbers which is hard as we all have

jobs and families.

5. Finally, it is not our fault or our problem that the land owner parceled and sold his land in the configuration that he did. We should not have to re-zone to accommodate his poor planning.

I am concerned that the planning committee is split and might consider passing this change. This would be horrible for our community. I wish you were able to attend as you would see how strongly our community feels about this issue. We do not need more storage facilities in our area. I would be interested in speaking with you or meeting with you to discuss this further. I know you are incredibly busy. I appreciate it if you would consider my concerns and would be very grateful if you could find a few minutes to discuss this.

Thanks for taking my opinions into consideration. I value you and your time!

Warmly,

Cynthia Macluskie

Licensed Agent

Specialising in health care designed for seniors and the dually eligible



**From:** cynthia floe  
**To:** [Kaelee Wilson](#)  
**Subject:** Re: Procedure  
**Date:** Monday, July 02, 2018 2:52:03 PM

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While I appreciate your response, my questions were not answered. We keep being told the process is being followed yet we have been unable to obtain any information that supports those statements. Will the City provide the notes from the pre activity meeting? Will the City provide the fact finding summary? Will the City provide the summary from the Neighborhood Meeting on 5/31? Has the Developer even submitted the notes from the 5/31 meeting as required?

We believe in "trust but verify". Unfortunately, we have been unable to obtain any information as requested to substantiate that the process has been followed. We've asked the City for this information directly. We've filed public information requests. We keep getting led on wild goose chases that don't provide any backup. Will my questions be answered? Please read the questions posed in detail.

On Mon, Jul 2, 2018 at 10:14 AM, Kaelee Wilson <[kaelee.wilson@phoenix.gov](mailto:kaelee.wilson@phoenix.gov)> wrote:

Cynthia,

Thank you for your comments regarding the Tatum and Dynamite PUD request. Staff is still analyzing the request and the full land use analysis will be provided within the staff report, which will be provided prior to the case going to the Desert View VPC for action. Staff has deemed the application complete and the applicant has complied with the PUD process guidelines thus far. As a point of clarification, the applicant is not proposing a cell tower. Cell towers are currently allowed in the C-1 zoning district and staff asked the applicant to provide additional design guidelines to better camouflage any potential cell tower.

The case is on schedule to be heard at the August 7, 2018 Desert View VPC meeting. **This is for information only, no action will take place at this meeting.**

Your email will be added to the case file, attached to the staff report, and will follow the case through the public hearing process. In addition, staff is compiling a list of email addresses of residents to inform via email once a public hearing date is solidified.

Please don't hesitate to contact me with any further questions,

Thanks,

Kaelee Wilson

Village Planner – Deer Valley, North Gateway, Desert View and Rio Vista

City of Phoenix

Planning and Development Department

[200 West Washington Street](#), 3<sup>rd</sup> Floor

Phoenix, Arizona 85003

Office: (602) 534-7696

**From:** cynthia floe [mailto: ]  
**Sent:** Thursday, June 28, 2018 9:42 AM  
**To:** PDD Desert View VPC <[desertviewvpc@phoenix.gov](mailto:desertviewvpc@phoenix.gov)>  
**Subject:** Procedure

I am concerned that PUD Z-22-18 is not following the PUD procedures outline that is required by A.R.S. 9-836. I am asking the City to add clarity by responding to the questions below as soon as possible.

1. Pre-application Meeting. The PUD procedures outline says this meeting “must” be held. We’ve been told the meeting was waived and then we were told the meeting did occur and that we would need to file a public records request to obtain the notes from this meeting. A public records request was initiated and no record of this meeting or notes from this meeting can be found. Was the meeting held? Where are the notes? If the meeting wasn’t held, why wasn’t the process followed? Holding this meeting certainly appears to be a legal requirement that was not met.
2. Fact Finding Summary. We were told the Developer submitted this form although it appears to be a City generated document. We were told to file a public records request to obtain this information which we initiated. No documents were found. The production of this summary can be waived by the Director of planning or his designee. When we asked if the requirement for this form was waived, we were told it was not waived. So, was the form completed? If so, where is it? If it wasn’t completed, was it waived per the process? If it wasn’t completed and it wasn’t waived, why can’t the form be found? Questions that this document would answer are still open issues with the Developer. This summary would have been completed before the application was submitted on March 27. This appears to be another legal requirement that was not met.



3. Neighborhood Meeting summaries shall be submitted to City Staff within 5 business days of the Neighborhood meeting. This has not happened. The summary from the meeting on 5/3 was not available until June 1 (again via public records request). The summary from the meeting on 5/31 is still not available. Why isn't the Developer meeting these requirements? Why is the Developer holding a second meeting on 5/31 when they haven't even posted the summary from the 5/3 meeting? The community is in the dark about the questions the Developers actually noted and what their potential resolution would be. This appears to be yet another legal requirement that is not being met.

As an impacted citizen, it has been frustrating see a process continuously ignored. As a taxpayer I am concerned that the City of Phoenix and this Developer are openly deviating from a legal process required by A.R.S. 9-836. Will my tax dollars be wasted on court costs from a legal issue that should have been avoided?

I respectfully request the answers to these questions which have remained unanswered for weeks. I also request to know what remedies are proposed.

Cynthia Floe

Diamond Creek Homeowner



**From:** Danny Jenkins  
**To:** [REDACTED]  
**Cc:** [Joshua Bednarek](#); [Alan Stephenson](#); [PDD Desert View VPC](#); [Council District 2 PCC](#); [Kaelee Wilson](#); [REDACTED]  
**Subject:** Re: Storage Unit, PUD Z-22-18 - Will not strengthen our local economy  
**Date:** Friday, June 29, 2018 12:09:31 PM

---

Got it.

On Fri, Jun 29, 2018, 11:49 AM Neysa Morrissey <[REDACTED]> wrote:

Good afternoon Mr. Waring,

I currently reside at [REDACTED] in Cave Creek, Arizona. Along with other local residents, I have been actively engaged in trying to understand the proposed rezoning at Tatum and Dynamite included in **Proposal PUD Z-22-18**.

After reviewing PUD Z-22-18, resubmitted on June 13, 2018, several key concerns arise. Two of the most significant concerns are as follows:

- 1) **Number of stories:** by City of Phoenix definition, this is a 3 story facility, NOT a "basement plus two story" facility. The difference has an impact on setbacks as well as public perception. In this submission, the finished floor has been raised several feet, the main building is again larger, and the largest floor is the 3<sup>rd</sup> floor. These factors further remove and restrict residents' mountain views.
- 2) **Hours of operations/access:** since January, the community has asked for certain stipulations and definitions around hours of operations and access. These have not been addressed.

Detailed questions and concerns based on a review of **PUD Z-22-18** are listed below with key items in red font for clarity. **We ask for your assistance to determine when these questions and requests can be addressed for our community.**

- 1) **Page 5:** The proposal states: "...for the development of a new **secured** and climate-controlled Self-Service Warehouse..." (emphasis added)
  - a) While the proposal states that the building is secure, the site will not be secure.
  - b) **We request that the Developer provide a plan to secure the site, not just the building itself.**

2) Page 7: The proposal states in the 2<sup>nd</sup> paragraph "...the building will include one basement level and two stories above grade..."

a) Based on the definition of a story and basement, the description included in the submission is incorrect.

i) Definition of a basement, as determined by finished floor and natural grade, is listed on the attachment.

ii) Finished Floor is now listed at ELEV 41 for the entire floor.

iii) Natural grade is between ELEV 30.5 and 35 under this main building

iv) These differences exceed the 4.5 ft. delta and the definition of a basement.

b) **We request that the Developer correct all references in this proposal to reflect a 3-story building instead of a basement plus 2 stories.**

c) **We request that the Developer update and correct all required setbacks to reflect a 3-story building instead of a 2-story building.**

3) Page 7: The proposal states in the 4<sup>th</sup> paragraph "In response to neighborhood input, the internal loading garage has been reoriented to face West."

a) This is incorrect according to the drawings at Exhibit C – Conceptual Site Plan, the internal loading garage does not face west.

b) **We request that the Developer correct this error and clarify where the internal loading garage will be located.**

4) Page 7: The proposal states in the 4<sup>th</sup> paragraph "...although the Site will be monitored for security purposes throughout the day and overnight, the storage units will only be accessible during the day..."

a) The term "day" is quite ambiguous and undefined. The residents have requested a definition for "day" since January.

b) In April, the community proposed the following definition (for access during the) "day" to the Developer:

i) The facility would only be accessible for deliveries and patrons, between 8:00AM and 4:30 PM, Monday through Friday. The facility would only be accessible between 9:00AM and 4:30 PM, Saturday and Sunday. No access would be allowed on Holidays observed by the City of Phoenix.

ii) **We request that the Developer incorporate these definitions to replace the term "day".**

5) Page 9 "General Plan Conformance"

- a) Community members believe developing this parcel within standard C1 zoning would be far superior to this PUD.
  - b) Community members have shared and will continue to share this viewpoint with you.
- 6) Page 13: The proposal states "...building height shall be measured from the finish floor elevation to the top of roofline..."
- a) Zoning standards require building height to be calculated from finished grade, not finished floor.
  - b) **We request that the Developer calculate and provide finished grades and building heights calculated from finished grades to allow for accurate comparison to zoning standards referenced.**
- 7) Page 15: With respect to the "Wireless Communication Facilities" ("WCF") discussion:
- a) The WCF discussion provides NO location, height or setbacks.
  - b) **We request that the Developer provide WCF location, height and setbacks in a table and/or in drawings.**
- 8) Page 17 "Sustainability" – We have several requests:
- a) **We request that the Developer add Stipulation that the Developer will complete baseline studies on light, noise and odor at property lines prior to construction and the Developer will not exceed these values during construction or operations.**
  - b) **We request that the Developer add Stipulation that the residents will be provided a simple way to measure compliance with baseline light, noise and odor levels and receive monetary remedy if these baseline values are exceeded. Include a table to clearly identify increments over baseline and corresponding fines due to the community. Measure compliance on a weekly basis.**
  - c) **We request that the Developer add Stipulation that the Developer will provide actual traffic counts from other storage facilities this Developer owns and operates, equate these values to this proposed SF and number of units to provide an anticipated traffic count based on actual traffic counts instead of theoretical values.**
  - d) **We request that the Developer add Stipulation that the community will be provided data on the actual traffic counts during operations; and, if these traffic counts exceed those proposed, the community receives monetary remedy. Include a table to clearly identify increments over anticipated traffic count and corresponding fines due to the community. Measure compliance on a weekly basis.**
- 9) Page 18: The proposal states "...a cross-access easement between the Site, the Primrose parcel and the CVS parcel allows for circulation throughout the commercial center..." This easement discussion is new to the proposal.

- a) **We are pleased to see that the perimeter road around the main building has been removed.**
- b) **We request that the Developer confirm whether this also indicates that the paved surface behind Primrose will be eliminated.**

10) Exhibit C – Conceptual Site Plan; RKAA# 17189.50, SP-1

a) Note J states “ALL ROOFTOP EQUIPMENT AND SATELLITES DISHES SHALL BE SCREENED TO THE HEIGHT OF THE TALLEST EQUIPMENT”

- i) **We request that the Developer confirm whether the equipment will be relocated to the NE corner of the building to mitigate view impacts.**
- ii) **We request that the Developer confirm whether the parapet wall can be minimized in height on the South and West sides, at a minimum, and ideally on the East and North sides as well.**
- iii) **We request that the Developer confirm whether the screening height can be customized to each individual piece of equipment to adequately shield the equipment without unnecessarily blocking view lines (in areas of smaller equipment).**

b) Note K states “ALL SERVICE AREAS SHALL BE SCREENED TO CONCEAL TRASH CONTAINERS, LOADING DOCKS, TRANSFORMERS, BACKFLOW PREVENTERS AND OTHER MECHANICAL OR ELECTRICAL EQUIPMENT FROM EYE LEVEL ADJACENT TO ALL PUBLIC STREETS.”

- i) **We request that the Developer revise this note to also state these same items shall be shielded from the view of the neighborhood.**

c) Note P states “AVERAGE NOISE LEVEL, MEASURED AT THE PROPERTY LINE, SHALL NOT EXCEED 55dB (1dn)

WHEN MEASURED ON AN "A WEIGHTED" SOUND LEVEL METER AND ACCORDING TO THE PROCEDURES OF THE ENVIRONMENTAL PROTECTION AGENCY.

- i) **We request that the Developer revise this note to state, no noise increase will be allowed at the property lines, and, not to exceed 55 dB in any circumstance.**

d) The drawing states the main building finished floor is now ELEV 41.0.

- i) Height is such a contentious issue; why was the finished floor elevation raised so drastically?

- (1) **Average finished floor in the March proposal was “4 ft. below” the**

**Primrose finished floor. We request that the Developer address why the finished floor was RAISED 4 feet.**

(2) Helix drawing from the March proposal lists finished floor at the following elevations:

(a) 33.5 (1 ft. above outfall in SW corner)

(b) 36.5 (1 ft. above high grade NE corner)

(c) **We request that the Developer address why the finished floor is now at 41, 6.5 feet higher in the SW corner and 3.5 feet higher in the NE corner.**

ii) **This is a foot per foot reduction of the mountain views that Desert View Village aims to protect.**

e) Building size is now proposed to be 117,285 square feet. Why has the building gotten larger with every submittal?

i) **We request that the Developer address why the SF in the main building has increased from 105k SF, to 115k SF to now 117k SF?**

ii) **We request that the Developer address why the largest floor, now at 42k SF, is on top?**

iii) **This is a SF by SF reduction of mountain views that Desert View Village aims to protect.**

f) **We are pleased with the improvement of the location of the parking and office.**

g) Building B and adjacent office/storage.

i) No heights were provided.

ii) **We request that the Developer provide the heights of these buildings.**

11) Exhibit E – Conceptual Elevations vs. Exhibit K – Comparative Standards Zoning Table

a) Height is a very significant concern of the residents.

i) **We request that the Developer address why the elevations (Exhibit E) show a roof height of 25'-4" but the tables (Exhibit K) reserve the right to have a maximum height of 28 ft.**

ii) **We request that the Developer address whether the height will be increased to 28 ft., and, if so, we ask the Phoenix City Council whether this will require resubmittal and require the Developer to go through the process again.**

12) Overall Comment: We believe the proposal is missing Exhibits required per PUD Procedures, page 16/54)

- a) Exhibit 12 – Thematic Street Cross Sections
- b) Exhibit 13 – Circulation Plan
- c) Exhibit 14 – Sign Plan
- d) Other PUD proposals that have been reviewed by Desert View Planning have had these submittals.
- e) **We request that the Developer resubmit the proposal with these Exhibits.**

Sincerely,

Neysa Morrissey

Diamond Creek Resident

Parent, Small Business Owner and Tax Payer

**From:** David Leshner  
**To:** [Greg Stanton](#); [Jim Waring](#); [Kaelee Wilson](#); [Joel Carrasco](#)  
**Subject:** Tatum & Dynamite Rezoning Issue - May 3rd meeting  
**Date:** Sunday, May 06, 2018 12:57:02 PM  
**Attachments:** [mime-attachment.msg](#)  
[Mayor Stanton Letter 2.docx](#)

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Dear Mayor Greg Stanton and Councilman Jim Waring,

My Uncle, Stephen Leshner provided me your contact info. I'm writing you a second letter from my first back in January on the rezoning issue that is going on in District 2 at the corner of Tatum & Dynamite. The developer (1784 Capital Holdings) dropped their initial proposal and came back with a new one that is a PUD rezone for commercial storage facility. While they have removed the height feature they are still looking to build a 2 story with an additional basement right behind our neighborhood. This facility will be double the size of the CVS that is on the same corner and I'm asking for your assistance to help our community fight this.

My wife and I bought this home in January 2011 with this being the home we would raise our kids in and have them grow up in and if this goes through I don't see us staying. This creates many concerns besides the giant eye sore that we will see each morning from our driveway that I have addressed in this letter.

I'm very concerned of the politics involved on this case. As I mentioned in the first letter 1784 Capitol Holdings who is the developer trying to purchase the land has hired Wendy Riddell as the attorney. Mrs. Riddell also serves for District 2 on the board for the Maricopa County Board of adjustments which I believe is involved with a lot of the rezoning cases in Maricopa County. I feel this is a major conflict of interest in a rezoning case.

**In addition, after the last go around on this rezoning issue, 1784 Capitol Holdings hired Steven Bowser as the engineer for this project. Mr. Bowser also serves as the chair for the *Desert View Village Planning Committee*. The next steps for this rezoning would go to this committee to vote on. While, Mr. Bowser will not vote – it will be his co board members that he has spent a lot of time and he is the chair person for this committee. I don't see how anyone involved with the planning committee should be paid by the developer trying to get approval. That should not be allowed and Mr. Bowser should be removed from this committee immediately.**

Furthermore, 1784 Capitol Holdings has also hired Susan Bitter Smith from Technical Solutions who is running the lead on this. This is a career politician who had to resign back in December 2015 due to conflict of interest as she was the head of Southwest Cable Communications Association and also serving as a corporate commission member.

Our homeowner's association which is directly behind this piece of land will be heavily



affected. We have over 160 homes and when all of us bought into this association we knew the land could be built on, but for C1 zoning only which is geared for residential areas. The rezoning brings in a lot more issues and is not what our association signed up for. We have put together several issues that we have with the project.

1. I feel this will add crime and potential transients that will come into the neighborhood. Everything I have researched has shown this type of zoning has more crime than C1 zoning. The privacy is also a huge issue as this backs up directly to our neighborhood. Across the street on the other side of Dynamite there is C2 zoning, but there is a large wall behind it and then a wash behind that and another wall before the housing starts. There is enough of a buffer where there isn't as much privacy concern. This would allow potential pedophiles to get a storage unit and have access to look into our neighborhood. It presents a lot of opportunities for evil people to have easy access.
2. 1784 Capitol Holdings is promising an 8 am start time to 6 pm close time with people having to be out by 9 pm, but their web site specifically states the goal is to build these and ultimately sell them and this very well could be a 24/7 access facility with the next owner.
3. The noise from the vehicles with the unloading of trucks coming in and out. The architectural plans still have the loading and unloading area directly behind our neighborhood. The plan is to have the front of this facility face our neighborhood vs facing dynamite which Primrose and CVS currently face. The developer put a fact sheet together stating the traffic would be significantly lower, but this brings a much different type of traffic with larger trucks coming to drop off items.
4. The flooding issues. One of the big changes they made to the proposal was adding a basement vs going with a three-story building. That property is in an AO flood zone and they will need to raise the land to build where they are building in my opinion or they risk getting heavily flooded. That excess water is going to come directly down into our neighborhood and we have had major flooding issues on our street and wash area already.
5. Potential for cell phone towers being constructed on the site as many self-storage facilities do and the owner mentioned this as a possibility. I have three young kids that sleep within a football field of where this facility is built and I'm very concerned being this close to cell phone towers and the long term effects that will have on them.
6. Local real Estate agents have already advised that our home values will drop.

7. You are setting precedence for other zoning coming into the area. Their attorney mentioned that this was special zoning for storage, but this opens the door to potentially converting other buildings in that lot to C2. There is no guarantee that Primrose Day Care will stay in business. A Sunrise Preschool nearby is now a drug and alcohol center near Tatum and Cave Creek.
8. Lighting. This would cause lighting to go directly to our neighborhood. Also with the late hour access their would-be lights coming on and off that would be right in front of our community.
9. It takes away from what the 85331-area code offers which is desert living away from the big city environment. The views that our homeowners paid for would be gone. I also feel this is going to create a commercial/industrial look that you see in city areas that are going to really take away from the Diamond Creek and Tatum Ranch area.
10. I'm also concerned with the underground digging for the basement and bringing this to our neighborhood. I feel not only will there be a ton of noise, this is going to bring up dirt and issue that are going to increase chances of valley fever as well as disrupting the underground wildlife of scorpions and rattle snakes that are going to come right into our neighborhood.

One of the other major items that the group also brought up is a need for self-storage in the area and I continue to disagree with this. I have done a lot of research nationally and storage facilities are a big new fad because of the turn in the rental market over the last 10 years after the housing crash and they are popping up everywhere. Certain states have already started putting restrictions on new storage facilities because they are becoming saturated. Florida, New York, Texas, South Carolina and Washington are states within the last couple of years that have put restrictions because they have seen too many being built.

<https://www.sparefoot.com/self-storage/news/4779-restrictions-on-self-storage-development-proposed-in-miami/>

<https://www.nytimes.com/2017/04/13/nyregion/self-storage-new-york-city.html>

I mapped out this area and within 7 miles and we have 12 storage facilities including one right around the corner on Cave Creek Road in between Tatum & Dynamite. To put that in perspective there are more self-storage facilities in that area than there are Starbucks.

1. Tatum Ranch Storage Solutions – located 1.9 miles away
  - a. 29201 N. Cave Creek Road  
Cave Creek, AZ 85331  
480-442-7895

2. Allstate Self Storage – located 2.2 miles away
  - a. 31434 N. Cave Creek Road  
Cave Creek, AZ 85331  
480-630-3003
3. Life Storage – located 6.2 miles away
  - a. 7227 E. Williams Dr.  
Scottsdale, AZ 85255  
480-666-7482
4. Life Storage – located 6.4 miles away
  - a. 7425 E. Williams Dr.  
Scottsdale, AZ 85255  
480-666-7470
5. CubeSmart Self Storage – located 6.6 miles away
  - a. 2680 E. Mohawk Lane  
Phoenix, AZ 85050  
602-206-8688
6. Desert Storage – located 5.7 miles away
  - a. E, Carefree Hwy & N. Cave Creek Road  
Cave Creek, AZ 85331  
480-488-4414
7. UNI Group – located 6.0 miles away
  - a. 1840 E. Deer Valley Road  
Phoenix, AZ 85024  
623-516-4774
8. Life Storage – located 6.3 miles away
  - a. 34215 N. Black Mountain Parkway  
Cave Creek, AZ 85331  
480-666-7429
9. U-Haul Moving & Storage at Cave Creek – located 6.4 miles away
  - a. 20618 N. Cave Creek Road  
Phoenix, AZ 85024  
602-765-9600
10. Public Storage – located 7.2 miles away
  - a. 19215 N. Cave Creek Road  
Phoenix, AZ 85024  
602-842-6139
11. Cave Creek Self Storage LLC – located 7.2 miles away
  - a. 19215 N. Cave Creek Road  
Phoenix, AZ 85024  
602-404-7071
12. Life Storage – located 6.5 miles away
  - a. 18625 N. Tatum Blvd.  
Scottsdale, AZ 85050  
602-971-0333

We did another online petition that went around as well and as I write this letter over 922 people have signed that around the community protesting this storage facility. That is a lot of voters in District 2. Here is the link to the online petition.

<https://www.thepetitionsite.com/574/767/704/stop-the-storage-facility-at-tatum->

[amp-dynamite/](http://amp-dynamite/)

As I mentioned in my January letter, the shady business handlings of this developer are really concerning to me. We again had signs in our neighborhood that were ripped up this past week and torn down. This happened the last time. Back in January, the part that really concerned me is that after the meeting one of our more vocal residents, Jason Hodge received a death threat on the Next-door app. The police came and investigated and someone created three fake user names from the same IP address. I'm attaching the original letter that has that information.

I know business in business and there are unfair politics, but I'm asking you as the mayor and councilman of District 2 to get involved as I feel we are being forced into this by a very powerful organization that will pay off whoever it needs to make money on this project. I have no doubt that this group builds great storage facilities, but we bought our property knowing that the land was built for C1 use and not to become a large commercial storage facility. Our community should not be forced to have a storage facility right next to our neighborhood where our kids play right outside. We are all hard-working Phoenicians and live in a great neighborhood. My wife and I welcomed our third child in April and love our community and what it brings to our family. This is a place we feel very fortunate to be a part of and feel if this property is rezoned that it is going to take away from what we purchased and force us to move away and take a significant loss from a home owners value.

I feel we are fighting a losing battle against Goliath and I as David am asking for help as I feel dirty politics are playing a major field in this battle and I see this being pushed through against our will.

Sincerely,

David Leshner

[REDACTED]

[REDACTED]

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\*\*\*\*\*

**From:** David Leshner  
**To:** [PDD Desert View VPC](#); [Jim Waring](#)  
**Subject:** Proposed Self Storage - Tatum & Dynamite  
**Date:** Sunday, August 05, 2018 10:13:41 PM  
**Attachments:** [SELF STORAGE FACILITIES IN THE AREA.DOCX](#)  
[20180619171723848.pdf](#)  
[Letter.docx](#)

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Dear Desert Village Planning Committee and Councilman Waring,

I live in the Diamond Creek Homeowners Association and will be attending the meeting on Tuesday, August 7th with my family (my wife and three kids) as your decision for this PUD – Storage Facility will have a great impact on our future in the neighborhood.

I know this is a tough decision and there are a lot of factors involved as you want to promote growth in the area, but I'm very concerned about this land being charged to what is C2 zoning even if you want to call it a PUD rezone for storage facility only.

My biggest concern is that there is no separation between the neighborhood and this building. From the side closest to our home you will have a total of 56 ft. – 9 inches from the fence line to where this builds. To put that in perspective the distance between my house and my neighbor's house next to me is 35 feet (you are only adding a total of 22 feet for the construction of this building in relation to the fence line of the Diamond Creek HOA which is a view fence and not a block wall.

When you look at the commercial developments across the street of Dynamite and on the other side of Tatum you have large walls with washes in between those walls and then the construction – you do not have that with our HOA and this commercial development which is why there should be serious consideration on declining this from being developed.

There are safety concerns as well that this opens up our HOA to potential threats and as a father to three kids under five that will actively be playing outside and in direct site of people using this storage facility that is a major concern. In addition, there are health concerns about the potential risk of the cell phone towers that will be put up as revenue for this developer.

I also wanted to share a list for you with all the self-storage facilities that already exist in our area. I was amazed to find out that there are more self-storage facilities than Starbucks in this area. I'm providing the list to show that there are a lot of storage facilities already in our area and we are potentially building something that could bottom out. There are several other storage facilities also being developed or in consideration in our area. Another one is being done by the same developer at Lone Mountain and Scottsdale Road.

I'm hoping we get a fair shot and vote on Tuesday and I hope you see the concerns on this development as this vacant land is not meant for a large C2 storage facility. I completely understand it will be developed in the future and I will fully support a C1 development, but this is trying to fit something into the neighborhood that doesn't fit and will ruin the beauty, safety and values of our neighborhood.

Thanks for your time,

David & Stacey Leshner

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\*\*\*\*\*

**From:** David Leshner  
**To:** [Kaelee Wilson](#)  
**Subject:** Re: Tatum & Dynamite Rezoning Issue - May 3rd meeting  
**Date:** Wednesday, May 09, 2018 5:11:41 PM

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Hey Kaelee,

I appreciate the response, but I did leave a voicemail last week about Steven Bowser being the chair of the Desert View Village Planning Committee and him being hired as a paid contractor for the developer trying to push through the rezoning. From everything I researched and gathered was that he was brought in after the first proposal was dropped.

This is a major of conflict of interest in my opinion and I don't feel we stand a chance if the chair of this 7 person Committee is being paid by the developer. Whether he removes himself from the voting process - he still would have significant pull with the committee and I feel if he is a paid contractor he should not be serving on this committee.

We are being pushed on this rezoning that is negatively going to effect our home values and ultimately cause my family to relocate in a home all three of my kids have been born in and a home we ultimately want to stay in and raise our kids.

The other C2 type facilities have significant spacing between them and the neighborhoods and this doesn't which is the major concern. Across the street they have big walls and a large wash separating the neighborhood from the development and this land is not zoned for self storage.

I want to file a complaint with the city of Phoenix ethics committee or the attorney general and I'm wondering where I need to file that complaint. As this blatantly looks like a bribe on have Steve Bowser serving on the committee and being paid by the developer.

Please advise at your earliest convenience.

Thank you

David Leshner  


Also can you advise why you copied the developers attorney in the last email? I'm concerned of threats for me and my family as our neighbor down the street received a death threat.

Sent from my iPhone

On May 8, 2018, at 8:47 AM, Kaelee Wilson <[kaelee.wilson@phoenix.gov](mailto:kaelee.wilson@phoenix.gov)> wrote:

Thanks, David. Your email will be added to the case file that will follow the case through the hearing process.

*Kaelee Wilson*

Village Planner – Deer Valley, North Gateway, Desert View and Rio Vista

City of Phoenix

Planning and Development Department  
200 West Washington Street, 3<sup>rd</sup> Floor  
Phoenix, Arizona 85003  
Office: (602) 534-7696

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**From:** David Leshner [REDACTED]  
**Sent:** Friday, May 04, 2018 3:51 PM  
**To:** Greg Stanton <[greg.stanton@phoenix.gov](mailto:greg.stanton@phoenix.gov)>; Jim Waring <[Jim.Waring@phoenix.gov](mailto:Jim.Waring@phoenix.gov)>; Kaelee Wilson <[kaelee.wilson@phoenix.gov](mailto:kaelee.wilson@phoenix.gov)>; Joel Carrasco <[joel.carrasco@phoenix.gov](mailto:joel.carrasco@phoenix.gov)>  
**Subject:** Tatum & Dynamite Rezoning Issue - May 3rd meeting

Dear Mayor Greg Stanton and Councilman Jim Waring,

My Uncle, Stephen Leshner provided me your contact info. I'm writing you a second letter from my first back in January on the rezoning issue that is going on in District 2 at the corner of Tatum & Dynamite. The developer (1784 Capital Holdings) dropped their initial proposal and came back with a new one that is a PUD rezone for commercial storage facility. While they have removed the height feature they are still looking to build a 2 story with an additional basement right behind our neighborhood. This facility will be double the size of the CVS that is on the same corner and I'm asking for your assistance to help our community fight this.

My wife and I bought this home in January 2011 with this being the home we would raise our kids in and have them grow up in and if this goes through I don't see us staying. This creates many concerns besides the giant eye sore that we will see each morning from our driveway that I have addressed in this letter.

I'm very concerned of the politics involved on this case. As I mentioned in the first letter 1784 Capitol Holdings who is the developer trying to purchase the land has hired Wendy Riddell as the attorney. Mrs. Riddell also serves for District 2 on the board for the Maricopa County Board of adjustments which I believe is involved with a lot of the rezoning cases in Maricopa County. I feel this is a major conflict of interest in a rezoning case.

**In addition, after the last go around on this rezoning issue, 1784 Capitol Holdings hired Steven Bowser as the engineer for this project. Mr. Bowser also serves as the chair for the *Desert View Village Planning Committee*. The next steps for this rezoning would go to this committee to vote on. While, Mr. Bowser will not vote – it will be his co board members that he has spent a lot of time and he is the chair person for this committee. I don't see how anyone involved with the planning committee should be paid by the developer trying to get approval. That should not be allowed**



**and Mr. Bowser should be removed from this committee immediately.**

Furthermore, 1784 Capitol Holdings has also hired Susan Bitter Smith from Technical Solutions who is running the lead on this. This is a career politician who had to resign back in December 2015 due to conflict of interest as she was the head of Southwest Cable Communications Association and also serving as a corporate commission member.

Our homeowner's association which is directly behind this piece of land will be heavily affected. We have over 160 homes and when all of us bought into this association we knew the land could be built on, but for C1 zoning only which is geared for residential areas. The rezoning brings in a lot more issues and is not what our association signed up for. We have put together several issues that we have with the project.

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We are all hard-working Phoenicians and live in a great neighborhood. My wife and I welcomed our third child in April and love our community and what it brings to our family. This is a place we feel very fortunate to be a part of and feel if this property is rezoned that it is going to take away from what we purchased and force us to move away and take a significant loss from a home owners value.

I feel we are fighting a losing battle against Goliath and I as David am asking for help as I feel dirty politics are playing a major field in this battle and I see this being pushed through against our will.

Sincerely,

David Leshner

[REDACTED]  
[REDACTED]

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you have received this communication in error, please notify us immediately by replying to the message and deleting it from your computer.

\*\*\*\*\*

**From:** David Leshner  
**To:** [Kaelee Wilson](#)  
**Subject:** Re: Tatum & Dynamite Rezoning Issue - May 3rd meeting  
**Date:** Tuesday, May 15, 2018 9:26:10 AM

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Hey Kaelee,

Thanks for the email. I still want to know where I can file a complaint for this with the city of Phoenix ethics committee.

Mr Bowser gains financially if the developer gets the rezoning approved. If it doesn't get approved, he loses out financially by losing the job.

That's a conflict of interest and he shouldn't be serving on this committee at all if situations like this can occur for him.

This is a big deal. Please let me know where I can file the complaint.

Thanks,

David Leshner

Sent from my iPhone

On May 14, 2018, at 1:30 PM, Kaelee Wilson <[kaelee.wilson@phoenix.gov](mailto:kaelee.wilson@phoenix.gov)> wrote:

David,  
Below is a link to the webpage "Role of the VPC". There you can find the VPC Handbook and the Ethics Handbook. I can assure you that Chair Bowser will recuse himself and the committee must abide by these two documents.

Thanks,

*Kaelee Wilson*  
Village Planner – Deer Valley, North Gateway, Desert View and Rio Vista

City of Phoenix  
Planning and Development Department  
200 West Washington Street, 3<sup>rd</sup> Floor  
Phoenix, Arizona 85003  
Office: (602) 534-7696

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**From:** David Leshner [REDACTED]  
**Sent:** Wednesday, May 09, 2018 5:12 PM  
**To:** Kaelee Wilson <[kaelee.wilson@phoenix.gov](mailto:kaelee.wilson@phoenix.gov)>  
**Subject:** Re: Tatum & Dynamite Rezoning Issue - May 3rd meeting

Hey Kaelee,

I appreciate the response, but I did leave a voicemail last week about Steven Bowser being the chair of the Desert View Village Planning Committee and him being hired as a paid contractor for the developer trying to push through the rezoning. From everything I

researched and gathered was that he was brought in after the first proposal was dropped.

This is a major of conflict of interest in my opinion and I don't feel we stand a chance if the chair of this 7 person Committee is being paid by the developer. Whether he removes himself from the voting process - he still would have significant pull with the committee and I feel if he is a paid contractor he should not be serving on this committee.

We are being pushed on this rezoning that is negatively going to effect our home values and ultimately cause my family to relocate in a home all three of my kids have been born in and a home we ultimately want to stay in and raise our kids.

The other C2 type facilities have significant spacing between them and the neighborhoods and this doesn't which is the major concern. Across the street they have big walls and a large wash separating the neighborhood from the development and this land is not zoned for self storage.

I want to file a complaint with the city of Phoenix ethics committee or the attorney general and I'm wondering where I need to file that complaint. As this blatantly looks like a bribe on have Steve Bowser serving on the committee and being paid by the developer.

Please advise at your earliest convenience.

Thank you

David Leshner  
[REDACTED]

Also can you advise why you copied the developers attorney in the last email? I'm concerned of threats for me and my family as our neighbor down the street received a death threat.

Sent from my iPhone

On May 8, 2018, at 8:47 AM, Kaelee Wilson <[kaelee.wilson@phoenix.gov](mailto:kaelee.wilson@phoenix.gov)> wrote:

Thanks, David. Your email will be added to the case file that will follow the case through the hearing process.

*Kaelee Wilson*

Village Planner – Deer Valley, North Gateway, Desert View and Rio Vista

City of Phoenix  
Planning and Development Department  
200 West Washington Street, 3<sup>rd</sup> Floor  
Phoenix, Arizona 85003  
Office: (602) 534-7696

---

**From:** David Leshner [REDACTED]

**Sent:** Friday, May 04, 2018 3:51 PM

**To:** Greg Stanton <[greg.stanton@phoenix.gov](mailto:greg.stanton@phoenix.gov)>; Jim Waring <[Jim.Waring@phoenix.gov](mailto:Jim.Waring@phoenix.gov)>; Kaelee Wilson <[kaelee.wilson@phoenix.gov](mailto:kaelee.wilson@phoenix.gov)>; Joel



Carrasco <[joel.carrasco@phoenix.gov](mailto:joel.carrasco@phoenix.gov)>

**Subject:** Tatum & Dynamite Rezoning Issue - May 3rd meeting

Dear Mayor Greg Stanton and Councilman Jim Waring,

My Uncle, Stephen Leshner provided me your contact info. I'm writing you a second letter from my first back in January on the rezoning issue that is going on in District 2 at the corner of Tatum & Dynamite. The developer (1784 Capital Holdings) dropped their initial proposal and came back with a new one that is a PUD rezone for commercial storage facility. While they have removed the height feature they are still looking to build a 2 story with an additional basement right behind our neighborhood. This facility will be double the size of the CVS that is on the same corner and I'm asking for your assistance to help our community fight this.

My wife and I bought this home in January 2011 with this being the home we would raise our kids in and have them grow up in and if this goes through I don't see us staying. This creates many concerns besides the giant eye sore that we will see each morning from our driveway that I have addressed in this letter.

I'm very concerned of the politics involved on this case. As I mentioned in the first letter 1784 Capitol Holdings who is the developer trying to purchase the land has hired Wendy Riddell as the attorney. Mrs. Riddell also serves for District 2 on the board for the Maricopa County Board of adjustments which I believe is involved with a lot of the rezoning cases in Maricopa County. I feel this is a major conflict of interest in a rezoning case.

**In addition, after the last go around on this rezoning issue, 1784 Capitol Holdings hired Steven Bowser as the engineer for this project. Mr. Bowser also serves as the chair for the *Desert View Village Planning Committee*. The next steps for this rezoning would go to this committee to vote on. While, Mr. Bowser will not vote – it will be his co board members that he has spent a lot of time and he is the chair person for this committee. I don't see how anyone involved with the planning committee should be paid by the developer trying to get approval. That should not be allowed and Mr. Bowser should be removed from this committee immediately.**

Furthermore, 1784 Capitol Holdings has also hired Susan Bitter Smith from Technical Solutions who is running the lead on this. This is a career politician who had to resign back in December 2015 due to conflict of interest as she was the head of Southwest Cable Communications Association and also serving as a corporate commission member.

Our homeowner's association which is directly behind this piece of land will be heavily affected. We have over 160 homes and when all of us bought into this association we knew the land could be built on, but for C1 zoning only which is geared for residential areas. The rezoning brings in a lot more issues and is not what our association signed up for. We have put together several issues that we have with the project.

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Sincerely,

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[REDACTED]  
[REDACTED]

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**From:** Debbie Cremonese  
**To:** [Council District 2 PCC](#); [Alan Stephenson](#); [Joshua Bednarek](#); [PDD Desert View VPC](#)  
**Subject:** Storage Unit behind Diamond Creek - OPPOSITION  
**Date:** Tuesday, August 07, 2018 10:49:12 AM

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Hello Everyone,

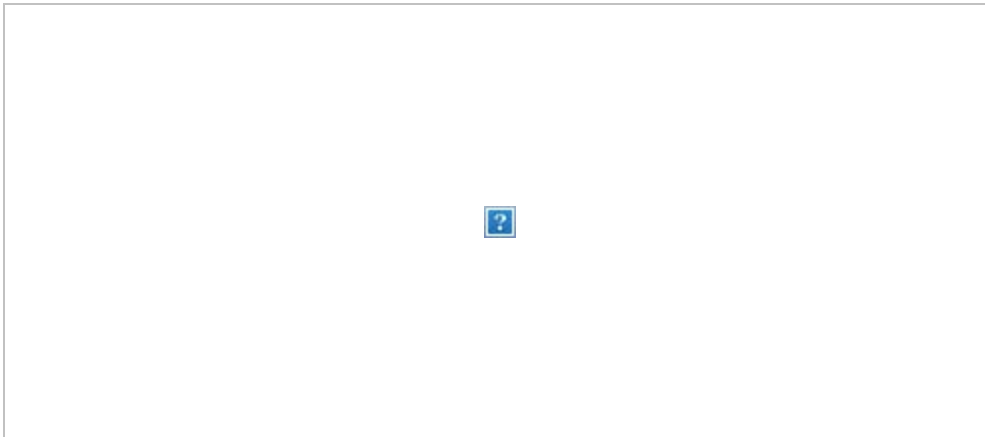
My husband Howard Cyr & I are not able to attend the meeting at PVCC tonight due to a prior commitment. We have attended all other meetings and are vehemently opposed to the storage unit & cell tower proposal adjacent to our subdivision. Not only will this negatively impact our property values (which are finally going up after many years), the cell tower will be an eyesore for the community.

Additionally, the storage building will create an industrial feel in a upscale neighborhood and bring additional unnecessary traffic. This type of business, structure & cell tower is better suited for an area with more more commercial traffic such as Cave Creek Rd where there are many commercial businesses & minimal residential impact.

Please count our votes as we would be there again tonight if we could.

Respectfully,

Debbie Cyr



Debbie Cremonese Cyr | Market Expert

[REDACTED], Scottsdale, AZ 85251

[REDACTED] | [PrivateClientGroupAgents.com](http://PrivateClientGroupAgents.com)

[REDACTED]

**From:** Wade.Tinant  
**To:** [Kaelee Wilson](#)  
**Cc:** [Joel Carrasco](#)  
**Subject:** Definition check - Tatum & Dynamite  
**Date:** Wednesday, May 02, 2018 7:45:32 PM

---

Kaelee,

I have been through the General Plan, North Land Use Plan and the proposal. I have a couple of questions on definitions:

1. The proposal mentions at least 4 times that this is a “corner” lot. Every definition I can find of a corner lot requires a lot to be at the intersection of two streets, with lot lines intersecting at the corner of the lot.
  - a. Can you confirm whether or not this parcel is a corner lot?
2. The proposal mentions at least 4 times that the Phoenix General Plan calls for this parcel to be commercial. When I look at both the Phoenix General Plan and the North Use Plan, I see that the only commercial in this area was to be North of Dynamite and west of Tatum.
  - a. Can you confirm that while this parcel has been zoned C-1, this parcel, per the General Plan and North Land Use Plan was not shown as commercial?
3. The proposal mentions in several locations that the intersection of Tatum & Dynamite is a “core” or “area”. Again, after a thorough review of the both the Phoenix General Plan and the North Land Use Plan, I cannot find a single reference to Tatum & Dynamite being identified as a core, area or corridor.
  - a. Can you confirm that this intersection, per the Phoenix General Plan and North Land Use Plan, is not a core, area or corridor?

Thank you.

Wade



**From:** Wade.Tinant  
**To:** [Kaelee Wilson](#)  
**Subject:** Drainage easement concerns  
**Date:** Wednesday, May 02, 2018 5:09:33 PM  
**Attachments:** [Proposal snip of keeping retention basins.PNG](#)  
[parcel in question survey.pdf](#)

---

Kaelee,

Another concern is in regards to drainage. When the Primrose site was approved, a large drainage easement for retention was dedicated along the western and southern sides of Primrose. (see attachment).

Per the current site plan, only the very north end of this retention easement is scheduled to be maintained (see snip of proposal that discusses drainage).

Was the retention easement a requirement to get permits on Primrose? Eliminating retention basins will only increase the flooding issues the adjacent neighborhood has, in my opinion.

Any insight would be great.

Thank you,  
Wade

**From:** Wade.Tinant  
**To:** [Council District 2 PCC](#); [PDD Desert View VPC](#); [wr@berryriddell.com](mailto:wr@berryriddell.com)  
**Cc:** [Wade.Tinant](#)  
**Subject:** Drainage evaluations,Tatum & Dynamite PUD proposal  
**Date:** Friday, May 11, 2018 8:50:53 AM  
**Attachments:** [image004.png](#)  
[image003.png](#)  
[image002.png](#)

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For transparency, with the Company I work for, the industry I work in, and, the partners I work with, I am fortunate enough to have open access to attorneys and registered engineers well versed in environmental, SWPPP, temporary drainage, permitting and construction law. I am also fortunate to have open access to RLS surveyors and survey crews.

This is not a threat. I just want everyone to understand, ahead of time, the scrutiny that will be applied to decisions, statements, design drawings, site plans and any other concerns of the community going forward.

There will be a new level of accountability and verification of information and compliance. In the development phase. In the permitting phase. In the design phase. In the construction phase. In the operations phase.

I specifically and immediately look forward to receiving and reviewing the following:

1. The study of the sites hydrology, required at the time of rezoning, to determine the density allowed (per North Land Use Plan). This hydrology study must cover both lot coverage scenarios discussed below. I would presume, as professional due diligence, the Developer has performed this analysis before requesting a zoning change and causing other entities to incur expense.

2. The analysis of lot coverage.

- A. The parcel in question has been evaluated/calculated as a stand alone parcel. Total square feet of the lot has differed (may be total vs total less ROW or total less Easements). Show values and calculations used to compute square foot of coverage /impermeable surface and backup information and calls for the total lot area (total, total less row, etc,. I'm curious to see the Developers information, calculations and how they compare to ours.

- B. As suspected earlier and confirmed yesterday with the previous permits and survey,the lot coverage for this parcel must also be figured in congruence with the CVS and Primrose lots (ie the Diamond Creek Plaza subdivision). Due to the very high coverage percentage of the cvs lot and Primrose lots, it is highly suspected that the coverage of the parcel in question will be reduced (or additional retention will be required) to allow adequate drainage and retention for the Diamond Creek Plaza as a whole. Please provide the backup values and calculations for this coverage evaluation as well.

3. The hydraulic parameters and hydraulic study used to size the drainage easement in the parcel in question as well as the sites original hydraulic analysis and discharge parameters. Per the original analysis (include input parameters and discharge values), what are the requirements for the easement? Let us know what software you use and after evaluating inputs

and parameters we can run a similar study.

4. FEMA BFE certs for CVS and Primrose. These are required documents typically found online but these specific certificates are not available on line.

5. As additional due diligence, and to mitigate the City and Community from incurring unnecessary expenses related to this proposal, has written confirmation, from the appropriate City of Phoenix staff, been provided guaranteeing this structure and development, with such a large portion of the building located below the established flood plain, will be able to acquire all necessary building permits? What about the location of the finished grade and road surfaces in relation to the flood plain?

6. The same question applies to being able to procure insurance for the building. Has written verification from an insurance provider been provided that this proposal can be insured?

7. There are a litany of other questions posed that remain open. Many since January 2018.

In my professional opinion, and as a taxpayer in this jurisdiction, asking our City Government and our local community to expend energy and incur cost before the Developer has performed basic due diligence is irresponsible on the part of the Developer. The proof of burden resides with the Developer.

I no longer want to hear that we are “early” in the process. I no longer want to hear “we will address that later”. I don't want to talk about paint schemes and color of brick.

My community is downstream and we experience significant flooding. Before any more time or energy is expended, by the City or community, we demand the facts, the input data, the calculations and backup, the STAMPED hydraulic studies and analysis before we even consider a Developer putting a 38.56 sf building + a 3.6k sf office + “Building B” + thousands of Square feet of paving on the adjacent parcel through a PUD or Zoning change. We demand, for our safety and the occupants of Primrose, that the drainage easement, required and approved by this same City of Phoenix in 2012, be addressed and properly evaluated before discussing a site plan. We demand, for our safety, that the hydraulic analysis, required by this same City of Phoenix as of 2015, be stamped and provided before proceeding in discussions.

This case continues to resemble the old adage about the difference between the ham and the eggs on your plate at breakfast. While the chicken CONTRIBUTED to the breakfast by providing the egg, the pig was COMMITTED by providing the ham. Right now, the Developer is the chicken. What color of egg? We can cook that egg however you want. The Developer will push this proposal and rezoning through and then be off to sell the next egg special. The chicken isn't around, nor does the chicken care if the product was acceptable, if commitments were upheld., etc. After we, as a community, accept the egg, the chicken and the Developer are done. We, however, are like the pig. We are going to live with this outcome forever. Our social fabric, personal investments and way of life will end up right on that plate forever. Is it truly out of line to ask the chicken for a little due diligence before we, as a community, agree to a ham and egg breakfast?

And, not as a threat, but, just in case people's logic or integrity are not providing a clear sense of direction yet, various news outlets, including but not limited to those in attendance at the last neighborhood meeting, are very interested in the response to the questions posed and the resulting path forward. Everyone has seen the flooding videos.

Respectfully,  
Wade Tinant

On May 10, 2018, at 6:33 PM, Wade.Tinant  
<[Wade.Tinant@kiewit.com](mailto:Wade.Tinant@kiewit.com)> wrote:

Please note Cross Retention and Drainage Easement, 2012-0775408, M.C.R. The proposed site plan would require an amendment to and relocation of this Easement. Coupled with the communities extreme concern with flooding, we, as a community, will demand verification of compliance by the Developer and City of Phoenix, to the clear (and previously approved) responsibilities outlined below.

Of particular interest, Primrose's Certificate of Occupancy, as noted below in the excerpt from Issues Permit 1898246 (also attached), requires:

[cid:image002.png@01D3E88D.5EB72510]  
[cid:image002.png@01D3E88D.5EB72510]  
[cid:image003.png@01D3E885.66DBEDA0]

1. This Retention Easement (attached) was recorded and the Certificate of Occupancy was granted. This perpetual retention Easement covers 24,898 sf (0.5716AC).
2. While the owner of what is now the parcel covered by the PUD as well as Primrose can amend the Easement for Retention (with written notice to the owner of CVS), the relocation easement and facility must provide adequate (equivalent) uninterrupted storm runoff capacity.

3. Any amendment of this easement, while allowed, must be recorded by the Maricopa County Register as well as other listed stakeholders.

My questions, concerns and demands are as follows:

1. Has the Developer provided written notice to the owner of Lot 1 (CVS) notifying CVS of their intention to amend the drainage easement?

2. Has the Developer, through hydraulic engineering by a Registered Engineer, determined where and what comparable retention easement will be adequate and provide continuous, uninterrupted storm water runoff?

a. As the downstream community, we demand a copy of this analysis to ensure these conditions will be met.

b. We also demand that this analysis be performed by an independent, 3rd party Registered Engineer with NO ties to the Development team.

3. Has this equivalent cross retention and drainage easement:

a. been given clearance by Floodplain management?

i. Since the Certificate of Occupancy of Primrose was reliant on this clearance, the community would demand that if the current easement was altered, the Certificate of Occupancy for Primrose be suspended until Floodplain management provides clearance for the amended easement.

b. been approved by code consistency coordinator Jim Taschner?

i. Since the Certificate of Occupancy of Primrose was reliant on this approval, the community would demand that if the current easement was altered, the Certificate of Occupancy for Primrose be suspended until code consistency coordinate Jim Taschner (or his replacement) approved the amended easement.

c. been recorded by the Maricopa County Register (and the other required stakeholders)?

i. Since the Certificate of Occupancy of Primrose was reliant on this easement being recorded, the community would demand that if the current easement was altered, the Certificate of Occupancy for Primrose be suspended until the amended easement was recorded by the Maricopa County Register and a copy was provided to the plan reviewer.

Due to the communities grave concern with flooding, and the occupancy of Primrose (and safety of the children), we, as a community, demand meticulous compliance to the requirements previously approved by the City of Phoenix, before any Cross Retention and Drainage Easement is altered in any way.

Wade Tinant

[cid:image004.png@01D3E88A.99ABCB60]

<image003.png>

<Declaration of Easement between Lot 2 and Lot 1(CVS).pdf>

<parcel in question survey.pdf>

<Primrose IssuedPermit1898246.pdf>

<image004.png>

<image002.png>

**From:** secostanzo67  
**To:** [Council District 2 PCC](#); [PDD Desert View VPC](#)  
**Subject:** Dynamite and tatum  
**Date:** Thursday, May 31, 2018 4:48:34 PM

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We are out of town so unable to come vote tonight against the proposed storage unit on Dynamite Blvd. near Tatum intersection. Please no more destroying our neighborhood and overdeveloping. And if you must continue at least make the builders of all housing and commercial spaces comply with eco and environmental friendly guidelines as well as saving water supply. Thank you Mr and Mrs Skjerseth

Sent from my T-Mobile 4G LTE Device



**From:** Wade Tinant  
**To:** PDD\_Desert\_View\_VPC; Joshua Bednarek; Kaelee Wilson; Samantha Keating  
**Cc:** Wade Tinant  
**Subject:** Follow up information - Desert View Planning meeting Aug 7  
**Date:** Thursday, August 09, 2018 12:18:33 PM  
**Attachments:** image001.png  
image002.png  
image003.png  
WTDiplomaScan2.pdf  
TinantWade\_resume.docx  
Site plan-pre mark-up-representing natural grade.pdf

Committee,

I want to provide some additional information that I believe will add value to the discussions held on Tuesday.

1. I am a Civil Engineer. I have attached my diploma, B.S. Civil Engineering, Wyoming 1999
2. I have been in civil construction for 20 years with Kiewit. My resume is attached (as submitted to clients as recently as this week).
3. A majority of my experience has been on design build projects where I am responsible for the both the design and the construction of the project.
4. I am responsible for complying with all applicable codes and standards, in design and construction.
5. I have constructed multiple projects for the City of Phoenix. These projects contained the same definitions we are discussing on this application.
6. The information below will support why I firmly believe this to be a 3 story, 37 feet tall building instead of a 2 story, 28 feet tall building.
7. The elevation values, from the Developers drawings, are as follows:
  - a. Ceiling of the first story / basement elevation 41 feet (aka finished floor as denoted FF on the Developers plan sheets)
  - b. Ceiling of 2<sup>nd</sup> story elevation 56 feet
  - c. Ceiling of 3<sup>rd</sup> story elevation 69 feet (i.e. the "roof" for measuring height)
  - d. Top of parapet wall elevation 76 feet

I don't believe there is any dispute on these numbers.

Please allow me to walk you through why you are being presented with differing height values and a differing number of building stories. I'll be as brief as possible. **I have attached marked up pictures which illustrate the content below as well.**

The differences center on properly identifying Natural Grade.

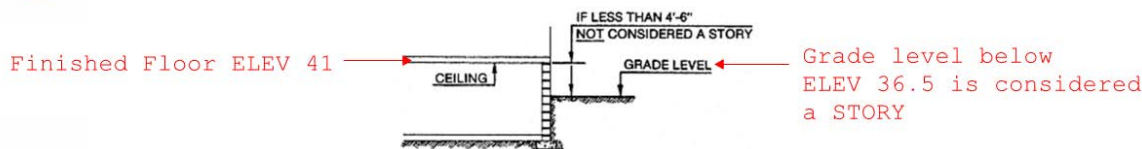
8. Natural Grade, per ordinance, is defined as:

***Natural Grade:** The elevation through any section of a site on an undisturbed lot at the time of adoption of this ordinance by City Council. On lots that have been disturbed previously, the natural grade is the pre-existing grade if it can be determined; otherwise it shall be determined by an average of off-site elevations at points taken around the boundary of the site. +1 \*50*

9. It is CLEAR that the pre-existing grade is still in place and is clearly able to be determined and identified.
  - a. Visit the site. See the attached pictures.
  - b. Natural grade ranges from elevation 30 feet to 34 feet.
  - c. These elevations transition perfectly into the washes and adjacent community. Because they are *natural and pre-existing*.
  - d. The vegetation in this location is mature; mature enough it is obvious this area was not disturbed during the construction of CVS in 2004 or during the construction of Primrose in 2012.
  - e. Natural grade is clearly the natural grade, as it exists today, on site, under the proposed footprint of Warehouse A, at elevations 30 feet to 34 feet
10. The Developer, in my professional opinion, is incorrect in stating the natural grade needs to be determined by an average of off-site elevations at the boundary of the site.
  - a. Natural grade is clearly identifiable on the site.
  - b. Elevations taken at the boundary locations would not be accurate or indicative of natural grade
  - c. Elevations taken at the boundary of the site would be taken at locations where fill has been placed for Dynamite, fill placed for 46<sup>th</sup> St, fill placed for Primrose and fill has been placed for CVS (see attached photo).
  - d. This would produce an incorrect and inflated elevation value for natural grade.
  - e. When calculating building heights, an inflated natural grade elevation would greatly reduce the building height on paper, but, not in the field
  - f. The narrative states the Developer is measuring the 28 feet height from finished floor (elevation 41 feet) to the roof (elevation 69)
    - i. This math works.
  - g. During the meeting, the Developer stated the 28 feet height was being measured from "natural grade".
  - h. Assuming both of these statements are true, and they very well may be, would mean the Developer is using a Natural Grade = Finished Floor = elevation 41 feet.
  - i. **Please see the marked up pictures to see why I challenge this assumption.**
  - j. An incorrectly inflated Natural Grade elevation value would also hinder one's ability to correctly determine whether the basement should, by ordinance, be counted as a building story.
  - k. A finished floor at elevation 41 feet compared to Natural Grade at elevations 30 feet to 34 feet clearly, per ordinance, requires the "basement" to be considered a building story.
    - i. 41 feet less 30 feet = 11 feet and 41 feet less 34 feet = 7 feet, respectively.
    - ii. Per ordinance, if distance between the ceiling/finished floor and natural grade is more than 4'-6", the basement must count as a building story.
    - iii. The basement is a building story.

**Building Height: The vertical distance measured from the higher of the natural grade level or the finished grade level established by the Planning and Development Department pursuant to the Flood-plain or Grading and Drainage Regulations of the City to the highest level of the roof surface of flat roofs; or to the mean height between eaves and ridge of gable, gambrel, or hip roofs. \*47**

*Story:* That portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, then the space between the floor and the ceiling next above it. **A basement, the ceiling of which is less than four feet six inches (4'6") above the natural grade, shall not be considered a story.** A mezzanine floor shall not be considered a story if it is less than thirty-three and one-third percent (33 1/3%) of the area of the floor next below it. \*58



11. In the building heights I provided to the committee, I calculated height from finished grade.
  - a. Finished grades are also provided on the Developers drawings.
  - b. Finished grades are higher in elevation than natural grade elevations.
  - c. Using the higher of the two, per ordinance, results in the following building height:
    - i. Elevation 69 feet less finished grade (elevation 32 feet) results in a building height of 37 feet.
  - d. This is the height I communicated, and, in my professional opinion, this is the correct height of the building per ordinance.

As a Civil Engineer with over 20 years of experience in civil and grading construction, natural grade, as defined by City of Phoenix ordinance, ranges from elevation 30 feet to elevation 34 feet. I have lived adjacent to this site for 11 years. In my professional opinion, this is a 3 story, 37 feet tall building. I stand by the markups I developed and Amber presented. I am open, honest and transparent. I welcome the

opportunity to provide any additional information that will assist in allowing all of us to make an informed decision.

I want to close by thanking you for your sacrifices to support the betterment of the Desert View Village. I respect people taking on a thankless job for the betterment of our community. Your comments and questions have been insightful and impactful.

Thank you.

Wade Tinant

[REDACTED]  
[REDACTED]

**From:** Wade.Tinant  
**To:** [PDD Desert View VPC](#); [Joshua Bednarek](#); [Kaelee Wilson](#); [Samantha Keating](#)  
**Cc:** [Wade.Tinant](#)  
**Subject:** Follow up information - Desert View Planning meeting Aug 7  
**Date:** Thursday, August 09, 2018 12:28:34 PM  
**Attachments:** [Site picture mark ups demonstrating natural grade.pdf](#)

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Marked up pictures for your use and information. These should illustrate what Natural Grade is pretty quickly.

Wade

**From:** Wade.Tinant  
**To:** [Council District 2 PCC](#); [Council District 1 PCC](#); [Council District 3 PCC](#); [Council District 4](#); [Council District 5 PCC](#); [Council District 6 PCC](#); [Council District 7 PCC](#); [Council District 8 PCC](#); [PDD Desert View VPC](#)  
**Cc:** [Wade.Tinant](#)  
**Subject:** Formal notice of 3/4 council vote, call for support in denying PUD Z-22-18 (District 2)  
**Date:** Wednesday, May 09, 2018 9:28:07 AM  
**Attachments:** [Data for parcels within 150 ft of amendment FINAL.pdf](#)  
[Parcels within 150 ft of the proposed amendment.txt](#)  
[Z-TA-4-17.pdf](#)

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All,

As the Village Planners prepare to issue their initial comments to the applicant for PUD Z-22-18 early next week, please be advised of the following opposition to PUD Z-22-18:

1. Per Z-TA-4-17, we have the opposition gathered to force a 3/4 council vote to approve this PUD (information is attached).
2. Over 90% of the homes (143 of 159) in the adjacent residential neighborhood, Diamond Creek are firmly opposed to this PUD (and the percentage is continuing to grow).
  - a. FYI, of the 5% (8 homes) that we did not get signed last time before the Developer withdrew, 4 have already signed this time around, so, we anticipate nearly 100% opposition
  - b. No one has voiced any support for this PUD, we simply haven't been able to reach out to all of the neighbors yet.
3. Opposition petition signatures: 1,300 (and growing)

The opposition data, and the proposal are eerily similar to the zoning amendments that were protested in January 2018 (Z-89-17 & Z-SP-16-17)

1. Per Z-TA-4-17, we had the opposition gathered to force a ¾ council vote to approve the amendments.
2. Over 95% of the homes in Diamond Creek (151 of 159) were opposed to the zoning amendments
3. Opposition petition signatures were at 1,300 when the applicant withdrew their application

We are reasonable people and we are not against development. We are firm believers in following our City Standards and developing within those standards. While the Developer has made a few concessions since the original amendments with the currently proposed PUD, several comments and concerns remain unaddressed since January 2018. Our community has done an in-depth comparison of this proposal to the 2015 Phoenix General Plan, the North Land Use Plan and the PUD process itself. This proposal clearly does not meet the vision of these Standards.

These comparisons are available for your review if you would like to view them. These comparisons have been provided to the Village Planners and the Developer. While my opinion is formed, I have used my 20 years of experience as a Civil Engineer in the construction industry to produce what I believe is an unbiased comparison to our Standards.

Our community is pleading with our elected officials to recognize the overwhelming opposition to PUD Z-22-18 and support the community by saying "No" a second time. While the proposal is a few

meetings away from potentially making it to the Council Agenda, your support and opinions, expressed now, can make all of the difference. Your support and opinion can allow the community and the Developer to focus on more worthwhile matters without being a drain on our City, community, neighborhood and neighbors. All we are asking is that we all live by established zoning standards and not let these standards deteriorate into mere suggestions.

Respectfully,

Wade [REDACTED]

[REDACTED]

Cave Creek, AZ 85331

Cell 602.316.8058

BS Civil Engineering, Wyoming 1999

Kiewit, 1999-current

**From:** Wade.Tinant  
**To:** [PDD Desert View VPC](#)  
**Subject:** FW: Drainage easement concerns  
**Date:** Friday, May 04, 2018 8:46:19 AM  
**Attachments:** [Proposal snip of keeping retention basins.PNG](#)  
[parcel in question survey.pdf](#)

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**From:** Wade.Tinant  
**Sent:** Wednesday, May 02, 2018 5:07 PM  
**To:** Kaelee Wilson (kaelee.wilson@phoenix.gov)  
**Subject:** Drainage easement concerns

Kaelee,

Another concern is in regards to drainage. When the Primrose site was approved, a large drainage easement for retention was dedicated along the western and southern sides of Primrose. (see attachment).

Per the current site plan, only the very north end of this retention easement is scheduled to be maintained (see snip of proposal that discusses drainage).

Was the retention easement a requirement to get permits on Primrose? Eliminating retention basins will only increase the flooding issues the adjacent neighborhood has, in my opinion.

Any insight would be great.

Thank you,  
Wade

**From:** Wade.Tinant  
**To:** [PDD Desert View VPC](#)  
**Subject:** FW: Drainage easement concerns  
**Date:** Friday, May 04, 2018 8:46:19 AM  
**Attachments:** [Proposal snip of keeping retention basins.PNG](#)  
[parcel in question survey.pdf](#)

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**From:** Wade.Tinant  
**Sent:** Wednesday, May 02, 2018 5:07 PM  
**To:** Kaelee Wilson (kaelee.wilson@phoenix.gov)  
**Subject:** Drainage easement concerns

Kaelee,

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Was the retention easement a requirement to get permits on Primrose? Eliminating retention basins will only increase the flooding issues the adjacent neighborhood has, in my opinion.

Any insight would be great.

Thank you,  
Wade

**From:** Wade Tinant  
**To:** [Mayor Williams](#); [jim@jimwaring.com](mailto:jim@jimwaring.com); [Council District 2 PCC](#); [Joshua Bednarek](#); [Angie Holdsworth](#); [PDD Desert View VPC](#); [NSD NSD](#); [investigators@abc15.com](mailto:investigators@abc15.com); [3boys@azfamily.com](mailto:3boys@azfamily.com); [FoxPhoenixPress@foxtv.com](mailto:FoxPhoenixPress@foxtv.com); [wes@sonorannews.com](mailto:wes@sonorannews.com); [news@ktar.com](mailto:news@ktar.com); [JALLEN@azleg.gov](mailto:JALLEN@azleg.gov); [HCARTER@azleg.gov](mailto:HCARTER@azleg.gov); [NBARTO@azleg.gov](mailto:NBARTO@azleg.gov); [Wade Tinant](#)  
**Subject:** Fw: INTIMIDATION- this is not ok  
**Date:** Thursday, August 23, 2018 11:53:25 AM  
**Attachments:** [Outlook-Inline ima.png](#)  
[Intimidation.pdf](#)  
[COP complaints.pdf](#)  
[Developer conduct.pdf](#)

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I am Amber's next-door neighbor. I can vouch for her statements. My wife and I, as well as others, are experiencing the same harassment as Amber outlined. This situation is escalating out of control.

We've endured death threats, vandalism, intimidation and now, bogus inspections from the City. I was even called by my corporate attorneys because of accusations made by the Developer. I had done nothing wrong and our corporate attorneys responded accordingly. But why? All because the Developer wants to re-zone the adjacent parcel for a storage warehouse and the adjacent community is against this proposal. Our community has taken the high road through the past 9 months of this rezoning application. We have followed the democratic process and have behaved professionally. I am at a loss for what to do.

We moved into our home in 2007 and haven't touched our back wall. No issues until this last month. We get one random City inspection and a notice in July 2018. After following up with the inspector, he closes the "case". No issues or violations were found. Yesterday, we get an additional notice that yet another City department is coming out to inspect the same back fence today as well as inspect our property against the blighted property checklist.

I work out of town. My wife and daughter are home alone during the week. Our community, Diamond Creek, is asking for your support in making this Developer behave. Quit wasting City resources and taxpayer money on frivolous and bogus inspections. Quit intimidating people from our community. I'm sorry that we don't agree on the zoning application. Let's use the democratic process that is in place to resolve this difference. The extra curriculums have gone on long enough and they need to stop. PLEASE-Contact the Developer and get them, and the current property owner, in line.

**PROPERTY OWNER/DEVELOPER**

**1784 Capital Holdings, LLC**  
Kelly McKone  
8777 N Gainey Center Drive, Suite 191  
Scottsdale, Arizona 85258

Sincerely,

Wade Tinant

[REDACTED]

[REDACTED] AZ 85331



----- Forwarded message -----

From: **Amber** [REDACTED] [gmail.com](mailto:[REDACTED]@gmail.com)>

Date: Wed, Aug 22, 2018 at 5:40 PM

Subject: INTIMIDATION- this is not ok

To: <[mayor.williams@phoenix.gov](mailto:mayor.williams@phoenix.gov)>, <[jim@jimwaring.com](mailto:jim@jimwaring.com)>, <[council.district.2@phoenix.gov](mailto:council.district.2@phoenix.gov)>, <[joshua.bednarek@phoenix.gov](mailto:joshua.bednarek@phoenix.gov)>, <[kaelee.wilson@phoenix.gov](mailto:kaelee.wilson@phoenix.gov)>, <[angie.holdsworth@phoenix.gov](mailto:angie.holdsworth@phoenix.gov)>, <[DesertViewVPC@phoenix.gov](mailto:DesertViewVPC@phoenix.gov)>, <[nsd@phoenix.gov](mailto:nsd@phoenix.gov)>  
Cc: <[investigators@abc15.com](mailto:investigators@abc15.com)>, <[3oys@azfamily.com](mailto:3oys@azfamily.com)>, <[FoxPhoenixPress@foxtv.com](mailto:FoxPhoenixPress@foxtv.com)>, <[wes@sonorannews.com](mailto:wes@sonorannews.com)>, <[news@ktar.com](mailto:news@ktar.com)>

City Officials and Commission Members,

I am absolutely outraged by whom ever is literally trying to HURT my family because we are in opposition of the re-zoning case in the property behind us. PUD Z -22-18 We moved in to our home just over two years ago, and have made no structural changes. Yet, I keep getting City of Phoenix officials at my door or COP letters in the mail stating that a complaint has been received, in addition to multiple other incidents that have transpired.

1. COP Water Department - Complaint that we were dumping chemicals over our fence, backwashing our pool over the fence, had drainage holes in fence to the property. Inspector noted there was no sign of chemicals being dumped over, no sign of pool being backwashed over (we have a drain for backwash), and there are no holes in our fence. These were all complete lies.
2. City of Phoenix Planning and Development Department - Code Violation - Complaint that we are currently raising our fence without a permit. We are NOT in construction, have no holes at the bottom of the fence. I spoke to the inspector Bob and explained that if the fence was raised we did not raise it. He was very understanding, noted that I was correct, there are no holes in the bottom of our fence either. He closed the case. I called and confirmed that with him again today after receiving yet another violation.
3. City of Phoenix Neighborhood Services Department - Complaint received that our rear fence is over 6' high. They are sending an inspector out and if it is over 6' high we will be responsible for bringing it down or for getting a permit and going through zoning. I told her that we purchased the home the way it is. She also confirmed that this complaint was in no way related to the complaint from the Planning and Development Department. This was a direct complaint from someone but of course that is anonymous.

The neighbors on our street have never had any problems or complaints from anyone. This did not start until our opposition for the proposed development started. The developer and property owner are trying to hurt us financially and cause even more stress to our families. In addition to these city complaints, we have also had signs torn up in our neighborhood right before a community meeting was about to take place, there is no one in our neighborhood that is NOT in opposition of this development, it was not someone from Diamond Creek. The owner of the property has come to our HOUSE!!! We were not home, so we do not know what he wanted. The owner of the property has also had words over our fence with my husband where he proceeded to threaten to SHOOT him. A police report was made, the number included, we have never pulled it. The officer that spoke to him said he was very aggressive and advised my husband to put a restraining order on him. He did not..... The property owner had words with another neighbor and was belligerent to him as well, he is a senior citizen. He AND his father on two different instances called the employer of our neighbor and tried to get him fired because he was using his work e-mail in regards to the opposition. That neighbor

happens to be a civil engineer and another directly impacted community member. Any time he is seen walking on his property he is wearing a Smith and Wesson t-shirt, no this is not illegal by any means, but it does show you exactly what his feelings towards our community are, and makes it painfully obvious this is yet another intimidation tactic. In addition to all of this, he also had a community member served with two cease and desist letters after speaking out about his safety concerns pertaining to the proposed storage facility.

There have been multiple actions of the developer to make it difficult for community members to voice their opinions etc. I will attach a doc that compiles them.

The above incidents have not been mentioned at meetings or publicly because we feel that it is fighting very dirty, and we didn't want any part of it. We have used our voices in a legal and professional way to voice our opposition to the re-zoning of this parcel, which is our right as citizens. But this is enough, I have had it, it makes me feel unsafe in my own home. With my animals in my back yard or my children playing alone in the back yard. Someone is literally trying to hurt us in every way they can think of. What's next?! This is not an appropriate way to fight a zoning battle, it is down right WRONG!!!! Not only are they hurting us, they are wasting tax payer money with these frivolous and ridiculous inspections. What more do we have to expect from the developer and property owner? They are supposed to be working WITH the community, not against the community. I am done leaving these nasty, dirty actions out of the argument. We have taken the high road, but we have had enough. Our community has had enough.

Is someone going to address this??? Surely this type of behavior is not tolerated during this process by the City of Phoenix.

Thank you for your prompt attention,

Amber [REDACTED]  
[REDACTED]  
[REDACTED] 85331  
4 [REDACTED] - [REDACTED]

**From:** Wade.Tinant  
**To:** Council District 2 PCC; PDD\_Desert\_View\_VPC; wr@berryriddell.com  
**Cc:** Wade.Tinant  
**Subject:** FW: legal review of Cross Retention and Drainage easement requirements; Tatum & Dynamite PUD proposal  
**Date:** Thursday, May 10, 2018 6:37:43 PM  
**Attachments:** image003.png  
image004.png  
image002.png  
Declaration of Easement between Lot 2 and Lot 1(CVS).pdf  
Primrose\_IssuedPermit1898246.pdf

Same content but I deleted one of the large attachments (the plat map) due to file size and duplicate information that could be found in other locations in the attachment.

**From:** Wade.Tinant  
**Sent:** Thursday, May 10, 2018 6:33 PM  
**To:** Jim Waring (council.district.2@phoenix.gov); Desert View Planning Group (DesertViewVPC@phoenix.gov); wr@berryriddell.com  
**Cc:** Wade.Tinant  
**Subject:** legal review of Cross Retention and Drainage easement requirements; Tatum & Dynamite PUD proposal

Please note Cross Retention and Drainage Easement, 2012-0775408, M.C.R. The proposed site plan would require an amendment to and relocation of this Easement. Coupled with the communities extreme concern with flooding, we, as a community, will demand verification of compliance by the Developer and City of Phoenix, to the clear (and previously approved) responsibilities outlined below.

Of particular interest, Primrose's Certificate of Occupancy, as noted below in the excerpt from Issues Permit 1898246 (also attached), requires:

**CONDITIONS FOR BUILDING PERMIT (PRIOR TO GOING VERTICAL):**

1. ELEVATION CERTIFICATE (FEMA FORM 81-31) BASED ON BUILDING UNDER CONSTRUCTION MUST BE RECEIVED AND APPROVED BY FLOODPLAIN MANAGEMENT PRIOR TO GOING VERTICAL.
2. FIELD SOIL DENSITY TEST RESULTING IN 95% COMPACTION OR GREATER FOR BUILDING PADS.

**CONDITIONS FOR CERTIFICATE OF OCCUPANCY (C O F O):**

1. ELEVATION CERTIFICATE (FEMA FORM 81-31) BASED ON FINISHED CONSTRUCTION MUST BE RECEIVED AND APPROVED BY FLOODPLAIN MANAGEMENT PRIOR TO C O F O ISSUANCE.

DO NOT ISSUE A CERTIFICATE OF OCCUPANCY UNTIL THE ABOVE HAVE BEEN MET AND FINAL CLEARANCE HAS BEEN GIVEN BY FLOODPLAIN MANAGEMENT.

DO NOT RELEASE C O F O AND THIS PERMIT UNTIL CROSS RETENTION AND DRAINAGE EASEMENT HAS BEEN APPROVED BY CITY OF PHOENIX CODE CONSISTENCY COORDINATOR JIM TASCHNER THE EASEMENT HAS BEEN RECORDED AND COPY OF RECORDED EASEMENT IS GIVEN TO PLAN REVIEWER.

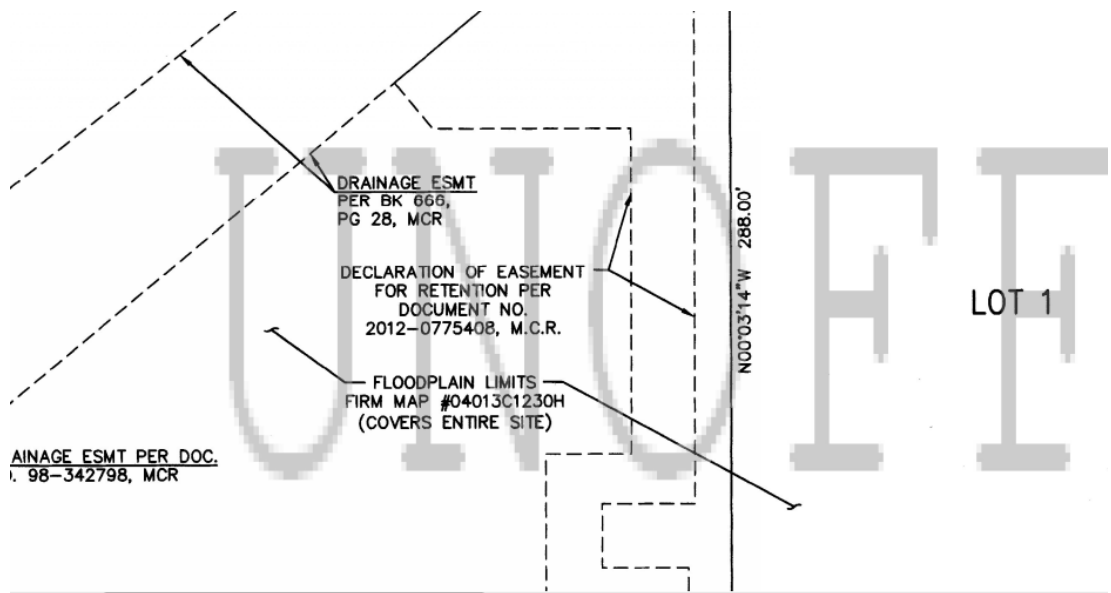
1. This Retention Easement (attached) was recorded and the Certificate of Occupancy was granted. This perpetual retention Easement covers 24,898 sf (0.5716AC).
2. While the owner of what is now the parcel covered by the PUD as well as Primrose can amend the Easement for Retention (with written notice to the owner of CVS), the relocation easement and facility must provide adequate (equivalent) uninterrupted storm runoff capacity.
3. **Any amendment of this easement, while allowed, must be recorded by the Maricopa County Register as well as other listed stakeholders.**

**My questions, concerns and demands are as follows:**

1. Has the Developer provided written notice to the owner of Lot 1 (CVS) notifying CVS of their intention to amend the drainage easement?
2. Has the Developer, through hydraulic engineering by a Registered Engineer, determined where and what comparable retention easement will be adequate and provide continuous, uninterrupted storm water runoff?
  - a. As the downstream community, we demand a copy of this analysis to ensure these conditions will be met.
  - b. We also demand that this analysis be performed by an independent, 3<sup>rd</sup> party Registered Engineer with NO ties to the Development team.
3. Has this equivalent cross retention and drainage easement:
  - a. been given clearance by Floodplain management?
    - i. Since the Certificate of Occupancy of Primrose was reliant on this clearance, the community would demand that if the current easement was altered, the Certificate of Occupancy for Primrose be suspended until Floodplain management provides clearance for the amended easement.
  - b. been approved by code consistency coordinator Jim Taschner?
    - i. Since the Certificate of Occupancy of Primrose was reliant on this approval, the community would demand that if the current easement was altered, the Certificate of Occupancy for Primrose be suspended until code consistency coordinate Jim Taschner (or his replacement) approved the amended easement.
  - c. been recorded by the Maricopa County Register (and the other required stakeholders)?
    - i. Since the Certificate of Occupancy of Primrose was reliant on this easement being recorded, the community would demand that if the current easement was altered, the Certificate of Occupancy for Primrose be suspended until the amended easement was recorded by the Maricopa County Register and a copy was provided to the plan reviewer.

Due to the communities grave concern with flooding, and the occupancy of Primrose (and safety of the children), we, as a community, demand meticulous compliance to the requirements previously approved by the City of Phoenix, before any Cross Retention and Drainage Easement is altered in any way.

Wade Tinant



**From:** Wade.Tinant  
**To:** [PDD Desert View VPC](#)  
**Subject:** FW: PUD Z-22-18 - Comments from a General Plan perspective  
**Date:** Friday, May 04, 2018 8:47:26 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[2015 PlanPhx Draft General Plan - Cores, Centers.pdf](#)  
[2015 PlanPhx Draft General Plan-Certainty & Character.pdf](#)  
[2015 PlanPhx Draft General Plan-Opportunity Sites.pdf](#)

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**From:** Wade.Tinant  
**Sent:** Monday, April 30, 2018 11:56 PM  
**To:** Kaelee Wilson (kaelee.wilson@phoenix.gov); Jim Waring (council.district.2@phoenix.gov)  
**Cc:** Wade.Tinant  
**Subject:** PUD Z-22-18 - Comments from a General Plan perspective

Kaelee Wilson & Councilman Waring,

For simplicity, I wanted to group comments on how I believe this PUD proposal is in conflict with the 2015 Phoenix General Plan (PGP) into a single email.

Unlike the PUD proposal, my comments will address all of the principles of a section, not just those convenient to support my own point of view. My comments pertain to Opportunity Sites, Certainty & Character as well as the Cores, Centers and Corridors portion of the 2015 PGP as these sections are referenced in the proposal. I have attached these excerpts for your reference.

The proposal sites conformance with six Land Use & Design Principles in these 3 portions of the 2015 PGP. I elected to take a broader approach to analyze compliance with the 2015 PGP. I compared the proposal against all 27 of the Land Use & Design Principles pertaining to these same 3 portions of the 2015 PGP. As a Civil Engineer with over 20 years in the design build industry, in my opinion, the proposal was in conflict with 18 of these principles, 7 principles were NA, the site plan has not been developed to the point to confirm or deny compliance with 1 principle, and, I do agree that the proposal met one of the 27 principles.

Here is an in depth look at each section and its corresponding Land Use & Design Principles.

#### **Opportunity Sites**

The Developer implies that this PUD would support this section of the Phoenix General Plan. I don't agree. While this proposal would develop 5.6 AC of currently vacant property near existing services, the Land Use and Design Principles are not met.

#### **Land Use & Design Principle #1**

Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.

Shoehorning a C2 business up into an R-18 neighborhood instead of allowing a C1 business to occupy this parcel is NOT respectful of local conditions or respectful of the surrounding neighborhood. Over 95% (and growing) of the adjacent neighborhood does not want this facility as well over 1,000 from the local community. This staggering opposition is even after the Developer "listened" and "implemented" requested changes from the previous proposal (Z-89—17 & Z-SP-16-17) that was withdrawn.

Allowing a C2 business on this parcel does not support a gradual transition from commercial to residential. This structure would absolutely dominate our skyline and our community. This facility would be taller than CVS, have over seven times the floor SF of CVS and occupy the footprint of 2.5 CVS buildings stacked together.

There is already more commercial zoning at this intersection that outlined in the General Plan due to rezoning case Z-71-03 which established commercial zoning on the NE corner of Tatum & Dynamite.

I challenge that the proposal is respectful of local conditions and surrounding neighborhoods.

#### **Land Use & Design Principle #2**

Encourage development of the taller and larger buildings in Areas of Change away from single-family and low-rise, multifamily housing.

This parcel is NOT located in an Area of Change. This development would certainly not be "away" from single-family housing.

This proposal violates every part of Land Use & Design Principle #2.

#### **Land Use & Design Principle #3**

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.

This principle is not applicable in this situation.

#### **Tools: Policies and Actions**

Is this site truly ranked at the top of the priority list for development? Is this area truly a place where greater intensity is warranted?

#### **Certainty & Character**

The Goal: Every neighborhood and community should have a level of **certainty**. Ensure that development, redevelopment and infrastructure supports and reinforces the character and identity of each unique community and neighborhood.

This proposal is in direct conflict with this Core Value subsection of the 2015 GDP. This parcel already rezoned once, in 1999, per Z-125-99. Our homes were built at this same time. We purchased our homes based on the adjacent zoning being C1. We based the selection of our home, our largest single investment, based on being adjacent to C1 zoning. We were **certain** that the zoning on the adjacent parcel would not change. Approving this PUD would be in direct conflict with this core value and would undermine constituents confidence in future real estate transactions based on adjacent zoning.

This Core Value is even further undermined when considering the character of Desert View, as stated in the North Land Use plan. Conflicts with the North Use Plan will be contained in a separate communication.

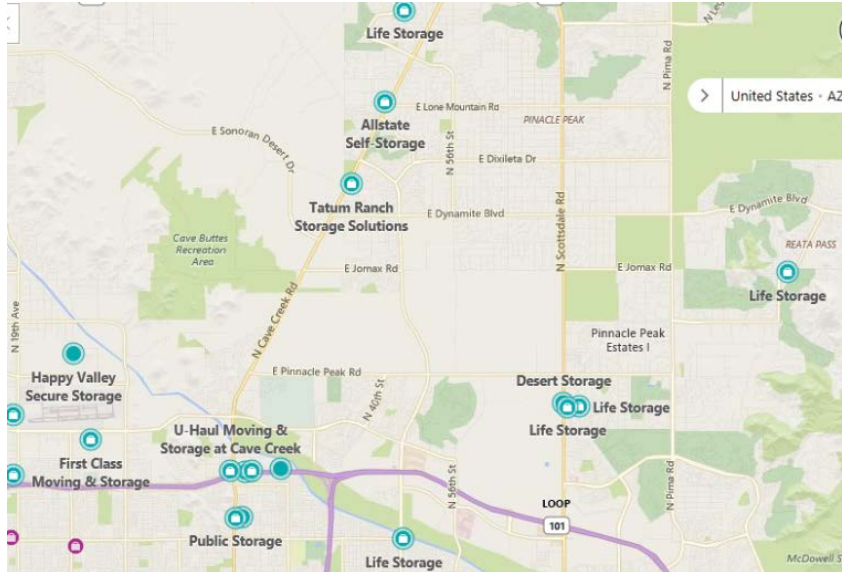
#### **Land Use & Design Principle #1**

Located land uses with the greatest height and most intense uses within the limits based on village character, land use needs, infrastructure and transportation system capacity.

The core areas for Desert View are located at Desert Ridge and I-17 and Carefree Highway. A core at Cave Creek Rd and Dynamite was considered, but, with the evaporation of the

planned freeway north of the 101 loop, it was determined that this location would not support the definition of a core. There is a commercial core at Cave Creek Rd and Pinnacle Peak. **Nowhere is Tatum and Dynamite mentioned as a place sited for increased intensity.** This intersection has already experienced an increased intensity due to the rezoning case Z-71-03 which established commercial zoning on the NE corner of Tatum & Dynamite. More commercial development in this area would render the “standards” as mere “suggestions”, and, not even strong suggestions at that.

Even though the financial outlook is the responsibility of the Developer, from an land use needs standpoint, how can more storage units be needed? Especially if the rule of thumb that says 90% of the business for a storage unit comes from within a 5 mile radius. When a 5 mile radius is drawn around each of these existing storage units, the overlap coupled with the strength of opposition, would **indicate that we do NOT need another storage facility.**



#### **Land Use & Design Principle #2**

**Protect residential areas from concentrations of incompatible land uses that could change their character or destabilize land values.**

Although the burden of proof is on the Developer in zoning amendments, the citizens have reached out and solicited independent, 3<sup>rd</sup> party real estate experts. Over 25 local, independent, 3<sup>rd</sup> party experts have clearly stated that this development would impact local land and housing values. I don't know how to more clearly illustrate the financial impact this proposal would have on local real estate. This proposal has already been shown to be in direct conflict with the “change in character” portion of this principle and will not be reiterated here.

#### **Land Use & Design Principle #3**

**New development and expansion or redevelopment of existing development in or near residential areas should be compatible with existing uses and consistent with adopted plans.**

With the aforementioned saturation of storage facilities in the immediate area, **I would struggle to say that this proposal would be “compatible”.** I would also say that **cramming a C2 business in between C1 zoning and R-18 zoning would be in direct conflict with adopted plans.**

#### **Land Use & Design Principle #4**

**Disperse group homes and homeless shelters throughout the city in locations where they are compatible with surrounding densities. They should not be concentrated in any one neighborhood or urban village.**

This proposal is not applicable to this principle, and, with some of the lowest densities in the valley, the north portion of Desert View is not compatible with this type of development.

#### **Land Use & Design Principle #5**

**Residential Conversion Policy: Encourage properties and neighborhoods planned for residential use to continue as residential uses rather than being assembled for nonresidential development.**

NA

#### **Land Use & Design Principle #6**

**Protect and enhance the character of each neighborhood and its various housing lifestyles through new development that is compatible in scale, design and appearance.**

**This proposal would violate any sense of compatibility in scale.** Taller than CVS? Seven times the floor space of CVS? 2.5 times the footprint of CVS? We will need to change the name of our local high school from Cactus Shadows to Storage Unit Shadows.

#### **Land Use & Design Principle #7**

**Provide high quality urban design and amenities that reflect the best of urban living at an appropriate village scale.**

The disproportionate scale has been discussed. The forthcoming analysis of the North Land Use Plan will further challenge the “amenities of the best urban living” portion of this principle.

#### **Land Use & Design Principle #8**

**Create new development or redevelopment that is sensitive to the scale and character of the surrounding neighborhood and incorporate adequate development standards to prevent negative impact(s) on the residential properties.**

The manner in which this proposal is not consistent with the scale or character of the surrounding neighborhood has already been communicated. The negative impacts on the residential properties has also been communicated in previous sections. These points will not be reiterated here.

#### **Land Use & Design Principle #9**

**All housing should be developed and constructed in a quality manner.**

NA

#### Land Use & Design Principle #9

Enhance the compatibility of residential infill projects by carefully designing the edges of the development to be sensitive to adjacent housing. Create landscape buffers and other amenities to link new and existing development.

If this project were to be considered an infill project, it is not sensitive to adjacent housing. The erosion of economic value, the elimination of mountain views, the spot zoning for a C2 business are not sensitive to the adjacent, existing housing. This lot has already been subdivided twice. At what point do we say the parcel has been adequately developed?

#### Land Use & Design Principle #10

Design neighborhood retail to be compatible in scale and character and orientated towards the residential areas it serves. In terms of both design and pedestrian linkages. Traffic, noise or other factors should not negatively impact adjacent residential areas.

The proposal is in complete conflict with this principle. If the zoning were left at C1, neighborhood retail could be implemented. Local, small businesses could be located on this parcel. With the aforementioned saturation and vacancy in existing storage units, combined with the overwhelming opposition to this proposal, this proposal is absolutely NOT orientated towards the residential area it would serve. Traffic, noise, visibility, light and open space would absolutely have a negative impact on adjacent residential areas.

#### Land Use & Design Principle #11

Protect the neighborhoods views of open space, mountains and man-made or natural landmarks.

Review the attached pictures with the building perimeter outlined on the picture from adjacent residences. This proposal would completely eliminate these views. The improvements residents have made on their properties to enjoy the annual average temperature of 74.2 degrees and 334 days of sunshine per year would be for not if this out of scale development were to be approved.

#### Land Use & Design Principle #12

When making changes and improvements near residential areas, avoid any alteration or destruction of points of reference (such as prominent natural features or historical buildings), focal points, and place names important to the area's identity.

Our mountain views will be gone. Not altered. GONE.

#### Land Use & Design Principle #13

Promote neighborhood identity through planning that reinforces the existing landscaping and character of the area. Each new development should contribute to the character identified for the village.

## Desert View

### VILLAGE PLANNING COMMITTEE

Villages Home & Map

Role of the VPC

Urban Planning 101

Contact



## Desert View

In the **Desert View Village**, the scenic Sonoran Desert is the unifying element across diverse landscapes and mountain vistas. The Desert View Village ranges from an urban core with higher densities along the Loop 101 freeway, within and adjacent to Desert Ridge area, to more equestrian, low-density, horse properties and rural land uses.

Near the core, Desert View offers high-end retail and office space as well as condominiums and master planned communities. These land uses compliment the equestrian ranch properties, with vast amounts of open space and large lot single-family residences located throughout dark sky areas located further north in the village. The Village has natural washes that generally flow from the northeast to southwest. The Village also has many biking, walking, equestrian and multi-use trails that provide an abundance of opportunities for recreation in the lower density areas.

The Desert View Village is unique in character, assets and opportunities, and continues to remain one of the more desirable places to live in Phoenix.



## Annual Report

The information above was copied directly from the Desert View Village home page. How would allowing a zoning change to insert an intermediate commercial business up against a residential neighborhood (in the north part of the village with "vast amounts of open space and large lot single family residences located throughout dark sky areas") even be contemplated as contributing to the character identified above?

#### Land Use & Design Principle #14

Create or maintain spacing requirements for small-scale incompatible land uses such as adult businesses, homeless shelters, residential treatment facilities and other group facilities, to avoid concentration that change the character of the area.

I will say the revised proposal has mitigated the risk of these types of C2 businesses being placed on the parcel as compared to the full rezoning to C2 called for in the initial proposal.

#### Land Use & Design Principle #15

Provide impact-mitigating features (such as extra width or depth, single story units, or landscape buffering) when new residential lots abut existing non-residential uses or are adjacent to arterial streets or freeway corridors. Dissimilar land uses often require additional separation or other measures to achieve compatibility.

NA-applies to new residential.

#### Land Use & Design Principle #16

Require appropriate transitions/buffers between neighborhoods and adjacent uses.

Allowing a zoning change that would inject a C2 business in between existing C1 businesses and zoning and existing R-18 zoning would contradict any sort of transition. An appropriate transition would be C2 adjacent to C1 adjacent to R-18 zoning, not C1 adjacent to C2 adjacent to R-18 zoning.

#### Land Use & Design Principle #17

Integrate into the development design natural features such as washes, canals, significant topography and existing vegetation, which are important in providing character to new subdivisions.

NA-applies to new subdivisions

#### Land Use & Design Principle #18

Encourage a streetscape that is not dominated by garage doors, by improving and varying home design or increasing or varying lot sizes.

NA-residential

#### Land Use & Design Principle #19

Encourage public and private utilities, including high-tension wires, to be located underground to enhance the overall appearance of neighborhoods. If high tension wires cannot be placed underground, they should not be placed along local neighborhood streets.

Site plan has not evaluated where or how power will be brought into the site. Power needs to come from Dynamite (wet utilities are coming in from Tatum per the current site plan).

#### Land Use & Design Principle #20

Freeways and parkways within the city should be designed or mitigated to be sensitive to adjacent neighborhoods.

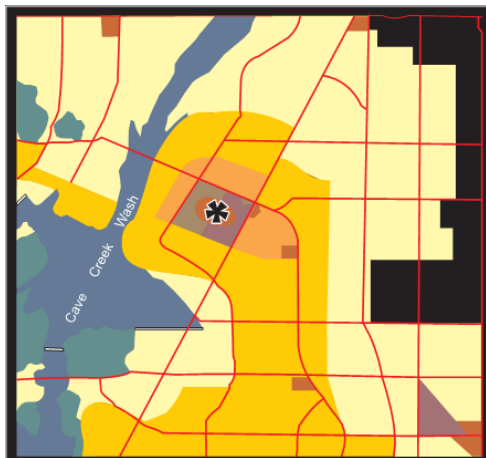
NA

#### Cores, Centers and Corridors

##### Land Use & Design Principle #1

Locate land uses with the greatest height and most intense uses within village cores, centers and corridors based on village character, land use needs and transportation system capacity.

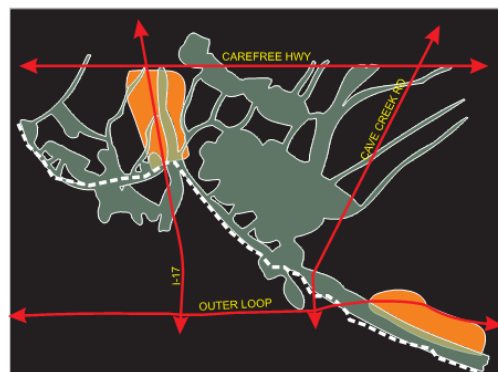
**Figure 3**



Prior to this plan, the General Plan included a land use and residential density map, with most of the area designated 0-2, shown in pale yellow on Figure 3. The exception was a corridor along Cave Creek Road and Tatum Boulevard that extends from Pinnacle Peak Road to Tatum Ranch. This corridor included densities from 2-5, shown in orange, to 10 plus dwelling units per acre, shown in brown. This plan also included a commercial core, noted by an asterisk at Dynamite and Cave Creek Road.

This excerpt from the North Land Use Plan references a commercial core at Dynamite and Cave Creek Road.

Opportunities to develop employment centers are critical to the health of the city's economy. In this area, the city has two key regional employment corridors shown in orange on Figure 9. One is along the Outer Loop freeway near Tatum Boulevard and one is along the upper I-17 in the vicinity of Carefree Highway. Located on freeways, these areas have access to a very large, future labor pool.

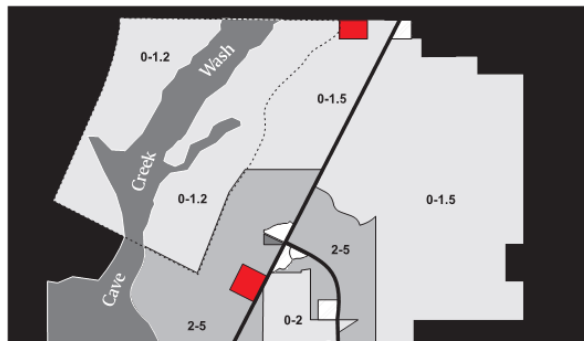


**Figure 9**

This excerpt from the North Area Land Plan pinpoints the employment centers in the village.



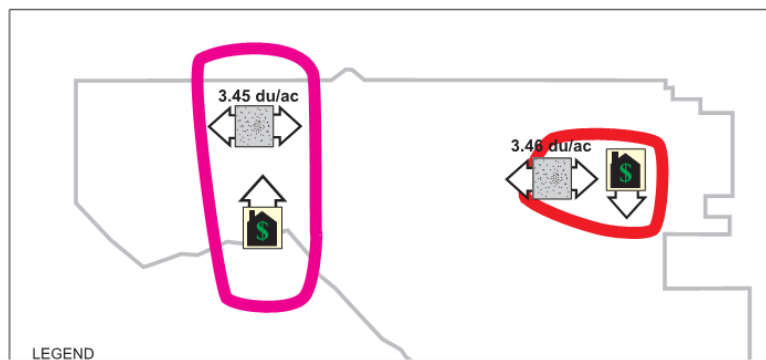
In response, the plan reduces the size of the core to 100 acres of commercial to function as a community service area shown as the middle red square on Figure 17. Two other community service areas are added: one at Carefree Highway and 48th Street in the north and the second at Cave Creek Road and Pinnacle Peak Road in the south.



This excerpt illustrates the community service areas in Desert View.

## Growth Corridor/Core

The General Plan currently reflects this development pattern in the I-17 Corridor and the Northeast Core area; therefore, this pattern was not analyzed in other sub-areas.



After reviewing the 2015 PGP and the North Land Use Plan, I can find no mention of Tatum and Dynamite being any type of core, area or corridor. The proposal references Tatum and Dynamite as being a core area in a couple of locations. **Tatum and Dynamite is NOT identified as a core area.**

### Land Use & Design Principle #2

Plan cores, centers and corridors to include a variety of land uses: office, shopping, retail, entertainment and cultural, housing, hotel and resort, and where appropriate, some types of industry.

**Tatum and Dynamite is NOT identified as a core, center or corridor.**

### Land Use & Design Principle #3

Encourage centers to provide a pedestrian environment with plazas, common open space, shaded walkways, separation of pedestrian and vehicular traffic, bicycle parking and vehicle parking, in architecturally disguised structures or underground where possible.

**Tatum and Dynamite is NOT identified as a center.**

### Land Use & Design Principle #4

Promote development in compact cores, centers and corridors that are connected by roads, roads and transit and are designed to encourage walking and bicycling.

**Tatum and Dynamite is NOT identified as a core, center or corridor.**



**From:** Wade.Tinant  
**To:** [wr@bettyriddell.com](mailto:wr@bettyriddell.com)  
**Cc:** [EGD\\_Desert\\_View\\_VFC](#)  
**Subject:** PW: PUD Z-22-18 - Comments from a General Plan perspective  
**Date:** Tuesday, May 08, 2018 2:36:11 PM  
**Attachments:** [image001.png](#)  
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[image006.png](#)  
[2015 PlanPhx Draft General Plan - Cores, Centers.pdf](#)  
[2015 PlanPhx Draft General Plan-Certainty & Character.pdf](#)  
[2015 PlanPhx Draft General Plan-Opportunity Sites.pdf](#)

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Wendy,

I wanted to share some challenges I have found in regards to the current proposal in comparison to the 2015 Phoenix General Plan. I'm sure we will discuss as we proceed.

Wade

---

**From:** Wade.Tinant  
**Sent:** Monday, April 30, 2018 11:56 PM  
**To:** Kaelee Wilson ([kaelee.wilson@phoenix.gov](mailto:kaelee.wilson@phoenix.gov)); Jim Waring ([council.district.2@phoenix.gov](mailto:council.district.2@phoenix.gov))  
**Cc:** Wade.Tinant  
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Shoehorning a C2 business up into an R-18 neighborhood instead of allowing a C1 business to occupy this parcel is NOT respectful of local conditions or respectful of the surrounding neighborhood. Over 95% (and growing) of the adjacent neighborhood does not want this facility as well over 1,000 from the local community. This staggering opposition is even after the Developer "listened" and "implemented" requested changes from the previous proposal (Z-89—17 & Z-SP-16-17) that was withdrawn.

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This proposal violates every part of Land Use & Design Principle #2.

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This principle is not applicable in this situation.

#### **Tools: Policies and Actions**

Is this site truly ranked at the top of the priority list for development? Is this area truly a place where greater intensity is warranted?

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The Goal: Every neighborhood and community should have a level of **certainty**. Ensure that development, redevelopment and infrastructure supports and reinforces the character and identity of each unique community and neighborhood.

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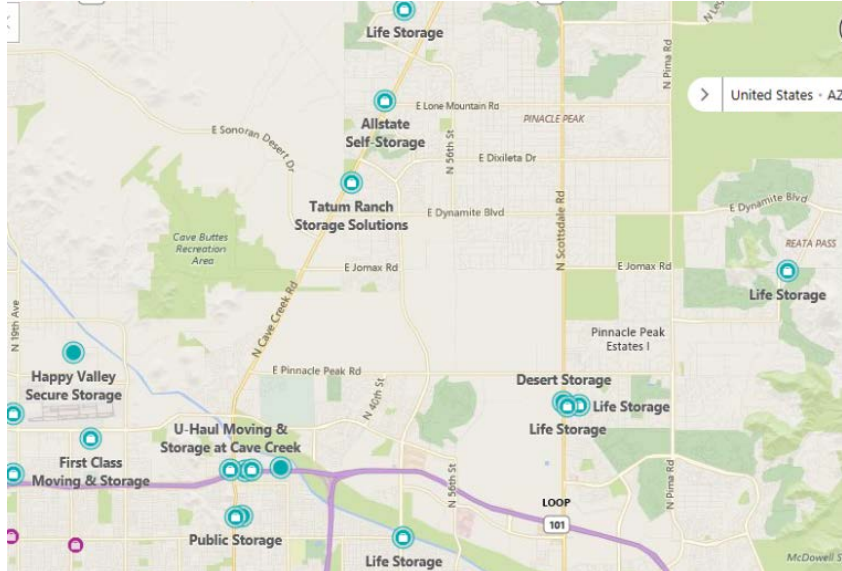
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#### **Land Use & Design Principle #7**

**Provide high quality urban design and amenities that reflect the best of urban living at an appropriate village scale.**

The disproportionate scale has been discussed. The forthcoming analysis of the North Land Use Plan will further challenge the “amenities of the best urban living” portion of this principle.

#### **Land Use & Design Principle #8**

**Create new development or redevelopment that is sensitive to the scale and character of the surrounding neighborhood and incorporate adequate development standards to prevent negative impact(s) on the residential properties.**

The manner in which this proposal is not consistent with the scale or character of the surrounding neighborhood has already been communicated. The negative impacts on the residential properties has also been communicated in previous sections. These points will not be reiterated here.

#### Land Use & Design Principle #9

All housing should be developed and constructed in a quality manner.

NA

#### Land Use & Design Principle #9

Enhance the compatibility of residential infill projects by carefully designing the edges of the development to be sensitive to adjacent housing. Create landscape buffers and other amenities to link new and existing development.

If this project were to be considered an infill project, it is not sensitive to adjacent housing. The erosion of economic value, the elimination of mountain views, the spot zoning for a C2 business are not sensitive to the adjacent, existing housing. This lot has already been subdivided twice. At what point do we say the parcel has been adequately developed?

#### Land Use & Design Principle #10

Design neighborhood retail to be compatible in scale and character and orientated towards the residential areas it serves. In terms of both design and pedestrian linkages. Traffic, noise or other factors should not negatively impact adjacent residential areas.

The proposal is in complete conflict with this principle. If the zoning were left at C1, neighborhood retail could be implemented. Local, small businesses could be located on this parcel. With the aforementioned saturation and vacancy in existing storage units, combined with the overwhelming opposition to this proposal, this proposal is absolutely NOT orientated towards the residential area it would serve. Traffic, noise, visibility, light and open space would absolutely have a negative impact on adjacent residential areas.

#### Land Use & Design Principle #11

Protect the neighborhoods views of open space, mountains and man-made or natural landmarks.

Review the attached pictures with the building perimeter outlined on the picture from adjacent residences. This proposal would completely eliminate these views. The improvements residents have made on their properties to enjoy the annual average temperature of 74.2 degrees and 334 days of sunshine per year would be for not if this out of scale development were to be approved.

#### Land Use & Design Principle #12

When making changes and improvements near residential areas, avoid any alteration or destruction of points of reference (such as prominent natural features or historical buildings), focal points, and place names important to the area's identity.

Our mountain views will be gone. Not altered. GONE.

#### Land Use & Design Principle #13

Promote neighborhood identity through planning that reinforces the existing landscaping and character of the area. Each new development should contribute to the character identified for the village.

## Desert View

### VILLAGE PLANNING COMMITTEE

Villages Home & Map

Role of the VPC

Urban Planning 101

Contact



## Desert View

In the **Desert View Village**, the scenic Sonoran Desert is the unifying element across diverse landscapes and mountain vistas. The Desert View Village ranges from an urban core with higher densities along the Loop 101 freeway, within and adjacent to Desert Ridge area, to more equestrian, low-density, horse properties and rural land uses.

Near the core, Desert View offers high-end retail and office space as well as condominiums and master planned communities. These land uses compliment the equestrian ranch properties, with vast amounts of open space and large lot single-family residences located throughout dark sky areas located further north in the village. The Village has natural washes that generally flow from the northeast to southwest. The Village also has many biking, walking, equestrian and multi-use trails that provide an abundance of opportunities for recreation in the lower density areas.

The Desert View Village is unique in character, assets and opportunities, and continues to remain one of the more desirable places to live in Phoenix.



## Annual Report

The information above was copied directly from the Desert View Village home page. How would allowing a zoning change to insert an intermediate commercial business up against a residential neighborhood (in the north part of the village with "vast amounts of open space and large lot single family residences located throughout dark sky areas") even be contemplated as contributing to the character identified above?

#### Land Use & Design Principle #14

Create or maintain spacing requirements for small-scale incompatible land uses such as adult businesses, homeless shelters, residential treatment facilities and other group facilities, to avoid concentration that change the character of the area.

I will say the revised proposal has mitigated the risk of these types of C2 businesses being placed on the parcel as compared to the full rezoning to C2 called for in the initial proposal.

#### Land Use & Design Principle #15

Provide impact-mitigating features (such as extra width or depth, single story units, or landscape buffering) when new residential lots abut existing non-residential uses or are adjacent to arterial streets or freeway corridors. Dissimilar land uses often require additional separation or other measures to achieve compatibility.

NA-applies to new residential.

#### Land Use & Design Principle #16

Require appropriate transitions/buffers between neighborhoods and adjacent uses.

Allowing a zoning change that would inject a C2 business in between existing C1 businesses and zoning and existing R-18 zoning would **contradict any sort of transition**. An appropriate transition would be C2 adjacent to C1 adjacent to R-18 zoning, not C1 adjacent to C2 adjacent to R-18 zoning.

#### Land Use & Design Principle #17

**Integrate into the development design natural features such as washes, canals, significant topography and existing vegetation, which are important in providing character to new subdivisions.**

NA-applies to new subdivisions

#### Land Use & Design Principle #18

**Encourage a streetscape that is not dominated by garage doors, by improving and varying home design or increasing or varying lot sizes.**

NA-residential

#### Land Use & Design Principle #19

**Encourage public and private utilities, including high-tension wires, to be located underground to enhance the overall appearance of neighborhoods. If high tension wires cannot be placed underground, they should not be placed along local neighborhood streets.**

Site plan has not evaluated where or how power will be brought into the site. Power needs to come from Dynamite (wet utilities are coming in from Tatum per the current site plan).

#### Land Use & Design Principle #20

**Freeways and parkways within the city should be designed or mitigated to be sensitive to adjacent neighborhoods.**

NA

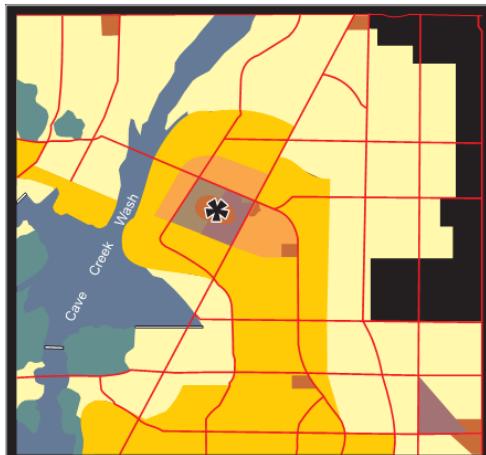
#### Cores, Centers and Corridors

-

#### Land Use & Design Principle #1

**Locate land uses with the greatest height and most intense uses within village cores, centers and corridors based on village character, land use needs and transportation system capacity.**

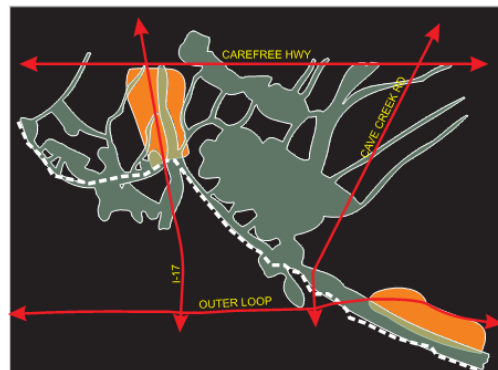
**Figure 3**



Prior to this plan, the General Plan included a land use and residential density map, with most of the area designated 0-2, shown in pale yellow on Figure 3. The exception was a corridor along Cave Creek Road and Tatum Boulevard that extends from Pinnacle Peak Road to Tatum Ranch. This corridor included densities from 2-5, shown in orange, to 10 plus dwelling units per acre, shown in brown. This plan also included a commercial core, noted by an asterisk at Dynamite and Cave Creek Road.

This excerpt from the North Land Use Plan references a commercial core at Dynamite and Cave Creek Road.

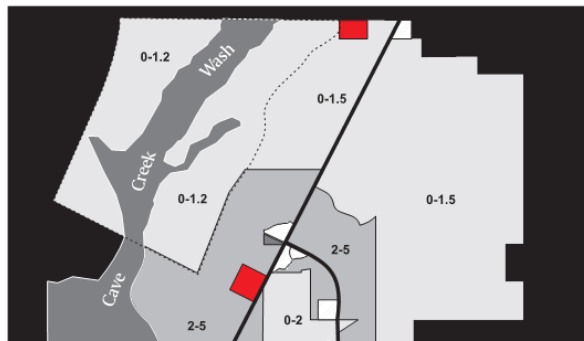
Opportunities to develop employment centers are critical to the health of the city's economy. In this area, the city has two key regional employment corridors shown in orange on Figure 9. One is along the Outer Loop freeway near Tatum Boulevard and one is along the upper I-17 in the vicinity of Carefree Highway. Located on freeways, these areas have access to a very large, future labor pool.



**Figure 9**

This excerpt from the North Area Land Plan pinpoints the employment centers in the village.

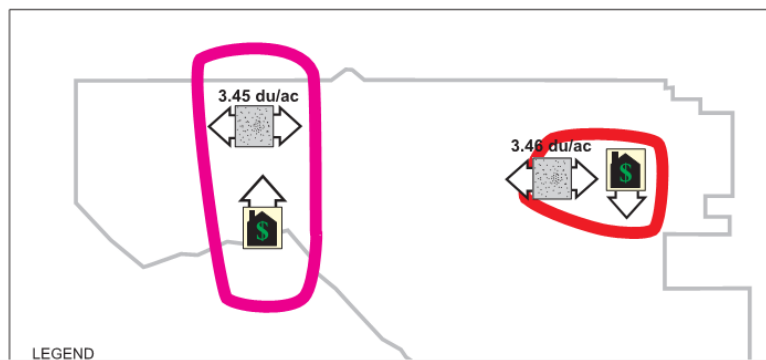
In response, the plan reduces the size of the core to 100 acres of commercial to function as a community service area shown as the middle red square on Figure 17. Two other community service areas are added: one at Carefree Highway and 48th Street in the north and the second at Cave Creek Road and Pinnacle Peak Road in the south.



This excerpt illustrates the community service areas in Desert View.

## Growth Corridor/Core

The General Plan currently reflects this development pattern in the I-17 Corridor and the Northeast Core area; therefore, this pattern was not analyzed in other sub-areas.



After reviewing the 2015 PGP and the North Land Use Plan, I can find no mention of Tatum and Dynamite being any type of core, area or corridor. The proposal references Tatum and Dynamite as being a core area in a couple of locations. **Tatum and Dynamite is NOT identified as a core area.**

### Land Use & Design Principle #2

Plan cores, centers and corridors to include a variety of land uses: office, shopping, retail, entertainment and cultural, housing, hotel and resort, and where appropriate, some types of industry.

**Tatum and Dynamite is NOT identified as a core, center or corridor.**

### Land Use & Design Principle #3

Encourage centers to provide a pedestrian environment with plazas, common open space, shaded walkways, separation of pedestrian and vehicular traffic, bicycle parking and vehicle parking, in architecturally disguised structures or underground where possible.

**Tatum and Dynamite is NOT identified as a center.**

### Land Use & Design Principle #4

Promote development in compact cores, centers and corridors that are connected by roads, roads and transit and are designed to encourage walking and bicycling.

**Tatum and Dynamite is NOT identified as a core, center or corridor.**





**From:** Wade.Tinant  
**To:** [PDD Desert View VPC](#)  
**Subject:** FW: PUD Z-22-18 compare to the PUD Procedures outline  
**Date:** Friday, May 04, 2018 8:46:29 AM

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**From:** Wade.Tinant  
**Sent:** Tuesday, May 01, 2018 12:44 PM  
**To:** Kaelee Wilson (kaelee.wilson@phoenix.gov); Jim Waring (council.district.2@phoenix.gov)  
**Subject:** PUD Z-22-18 compare to the PUD Procedures outline

I wanted to share my thoughts in regards to this PUD application and the PUD Procedures Outline (a City of Phoenix planning document).

### **Procedure**

Page 2 of the Process says that “The applicant is required to make all changes or provide documentation on why changes were not incorporated into the draft”. While the application for the PUD was recently submitted, it is similar enough in nature to the application dated 10/27/17 that the City elected to waive the PUD pre-application meeting. I don’t have heartburn with this and I believe this simply eliminated an unnecessary meeting. My point is this. If the proposal was similar enough in nature to waive this meeting (which I agree with and support), then I would say it is also logical that comments provided to the Developer on the initial proposal should have been addressed or documentation provided as to why the changes weren’t incorporated.

There were several changes requested in early January. Some changes were addressed by the most recent application, but most were not. **The following concerns were communicated to the Developer on January 11, 2018:**

1. Zoning amendment would allow ANY C-2 business; **Status: Developer has addressed this comment** as best they can by limiting the only allowable C-2 business to a storage unit. (+)
2. Requested a traffic study. Has the aggregate impact on local traffic been considered in conjunction with all of the other recent developments? It seems Tatum and Dynamite are at capacity now without further strain from additional development. **Status:** The Developer states the traffic generated by the storage unit doesn’t warrant a study. The community disagrees. In regards to traffic, the community drives through the aggregate of all traffic and each development needs to be analyzed as an individual, but also in aggregate with the other existing and anticipated traffic conditions. **(Developer has deferred to City)**
3. Increased activity – Currently our neighborhood enjoys quiet and private evenings, mornings and weekends. An intermediate commercial business would shatter this tranquility. This traffic would consist of patrons driving in and out of the (with headlights at night), patrons within the building (with windows facing the neighborhood), delivery trucks delivering to storage units (with back up alarms, etc.). **Status: The location of the office, lobby, loading bay, parking have not been addressed in the site plan, nor have the windows. (-)**
4. Hours of operation – The hours of operation of businesses in a C-2 district would be greater than those hours of operation experienced by businesses in a C-1 district. For reasons described in the next section, this would greatly inhibit the neighborhood’s ability to enjoy our current lifestyle. This is especially concerning in regards to allowable loading times of 6 AM to 10 PM in C-2 zones, in

addition the operating hours themselves. **Status: No office hours or hours of operation access have been provided to date. Community has proposed operation hours with no response. (-)**

5. Increased activity + Increased hours of operation = Increased security risk, increase in exposure to crime; The developer has only addressed security getting into the main building. Gates were originally located adjacent to the neighborhood and we requested that the security gates be relocated away from the neighborhood. **Status: The Developer has simply deleted the security gates allowing 24x7 traffic around the back fence of our neighborhood. (-)**
6. Neighbors purchased their residences based on C-1 zoning. The Desert View Village and Diamond Creek are some of the most sought after places to live in the metro area. Altering adjacent zoning would create undo financial and lifestyle harm to an otherwise model neighborhood. Due to the way housing comps are utilized in residential real estate, this impact would cause ripple effects to all neighbors, not just those within six hundred (600) feet of the development. **Status: Developer is still pursuing a C-2 business. (-)**
7. Recreational impacts: These parcels are adjacent to Dynamite Park which attracts visitors from all over. Technical Solutions Proposed Self-Storage will negatively impact the experience of visitors to Dynamite Park by degrading the valley's view during the day, creating significant light pollution at night, and generating increased traffic in the area at peak recreation times between 4 and 8 PM on weekdays and on Weekends. The hours of operation of Self-Storage would be in direct conflict with recreation users. **Status: Developer has not provided any hours of operation and has ELIMINATED mountain views.** Peak hours of business would coincide with peak hours of neighbors trying to access the park across Dynamite. **No responses. (-)**
8. Economic impacts: The proposed use is likely to generate fewer higher paying jobs for the local economy. **Status: Not addressed. Why eliminate the potential for a small or local business? (-)**
9. Impacts to the local community: The Diamond Creek Community and surrounding area is a highly sought after location due to its unique character and access to natural areas. The proposed rezoning offers little to no benefit to the local community. However it is expected to impact quality of life for the reasons state above. Any economic benefits could be negated by a reduction in local property values, especially for homes in close proximity such as ours in Diamond Creek. **Status: Developer states it won't affect mountain views (see pictures with building outlines). Developer is trying to locate a C-2 business outside of commercial areas/cores. No benefits to the community have been provided other than the highly vague "community needs this". The fact is, we don't need this (why we moved here) and the area is saturated with storage units with vacancy. No response. (-)**
10. Site access – In multiple locations in the Zoning standards, access to sites is to be from an arterial or collector street. The proposed development proposed not one but TWO points of ingress and egress. The access off of Tatum would put a substantial amount of traffic directly adjacent to residences. Access to a commercial facility, on the proposed parcel, should be limited to ingress and egress from

Dynamite only. Other than corner lots, no other properties in the vicinity allow for this sort of access to two different adjacent streets and around other properties. **No access off Tatum!** Status: The Developer remains dead set on having access and egress off both Tatum & Dynamite. This would put a street right behind our back walls, with no regulation, and, at an elevation where the neighbors and vehicle drivers would clearly see each other. The “need” for this access was recently stated as being required for fire protection. As a civil engineer with over 20 years of experience in the industry, the dual points of access/egress is NOT needed. The fire protection for the south side of Primrose could easily be provided from the proposed access of Tatum and, if we really wanted to go overboard, a gravel pad to the south of Primrose that would only be used by Emergency Response Vehicles in an emergency. I also struggle to believe that the City of Phoenix would have approved the construction and operation of Primrose without adequate access for Emergency Response Vehicles. Would the City really allow a preschool to open and operate, since 2004, with required access for emergency vehicles not being adequate until a future development, which may never come, is constructed? This was a major hot button of the community in January 2018 and to this date, the Developer simply responds with “we have to for fire truck access to Primrose”. My daughter went to Primrose and I certainly wouldn’t have allowed her to be in a facility without adequate fire or emergency access. I would presume many current parents would feel the same. (-)

11. Utilities – the plan does not clearly show where utilities would be brought into the site. Would there be overhead utilities? Status: location of wet utilities has been identified. Location of power tie location and type still not identified. (-)

12. Location of the proposed building on the property – the proposed building is located in such a manner that the open space on the parcel is adjacent to Dynamite instead of the nearby neighborhood. With minor drainage improvements the location of this building could be easily altered to create open space between this building and the neighborhood instead of wasting open space near a busy street. This would reduce privacy invasion, visual impairment and noise levels to the neighborhood. The proposed site plan shows constructing a road over the wash near Tatum. This wash certainly appears to have a greater flow capacity than the drainage channel near Dynamite so alternate means seem very reasonable. Status: Building has gotten larger, and, setbacks between the building and neighborhood have been reduced. It is assumed, and this could be wrong, that to justify cramming a C-2 business onto this parcel, every SF of flat, contiguous space must be covered by the building to generate adequate SF and adequate revenue, regardless of how the neighborhood is affected. (-)

13. Location of the loading area-The loading area is placed such that delivery trucks will be facing the neighborhood while backing up and pulling out of the loading area. Again, this area should face the adjacent street, not the adjacent neighborhood. Status: loading area in the same location, just closer to the adjacent neighbors now. (-)

14. Some other concerns are clearly labelled as restrictions in both C-1 and C-2 zoning districts. ‘Any lighting shall be placed so as to reflect the light away from adjacent residential districts. No noise, odor or vibration shall be emitted so that it exceeds the general level of noise, odor or vibration emitted by uses outside the site. Such comparison shall be made at the boundary of the site’. The current

landscaping does not give the neighborhood any confidence that we will not be impacted by additional light and noise due to the location of the building on the property and the proposed, amended building height. **Status:** The neighbors have simply requested a way to measure and enforce compliance in exchange for the zoning change. Providing means to ensure and enforce compliance with these general standards has continued to be met with resistance. **Why would a Developer shy away from being accountable to compliance to a common standard? (-)**

15. Obstructed view from residences-Neighbors currently enjoy viewing open skies over the adjacent property. Any building height above the allowable height of thirty (30) feet would impede this view to an unacceptable level. **Status:** While the Developer has reduced the effective height of the building to 28 ft from finished grade, the mountain views we had when we purchased our homes will be completely eliminated. The maximum allowable height for the parapet walls is still incorporated into the design, and, back in January the suggestion to location the roof mounted equipment as far to the NE as possible, to be able to limit the height of the parapet wall adjacent to the neighborhood to reduce line of sight reduction was made. No response other than the revised proposal says mountain views and open skies will not be impacted. This is simply not true. We don't own the adjacent land. We don't have a say in what is constructed so long as the business meets established zoning standards. Where is the benefit to the community to allow a Developer to increase profit while we suffer from a larger building that is only 2 ft. short of the absolute maximum height? This doesn't even take into the consideration relative grade of finished grade to existing grade to the floodplain elevation (-).

16. Invasion of privacy-The elevation of the proposed development will allow patrons from this business to have a direct line of sight into the yards and patios of all adjacent neighbors. This is in direct conflict with the purpose of R1-18 zoning which promotes, among other things, outdoor living. As the 2015 General Plan also notes, the average temperature in Phoenix is 74 degrees and we average 334 days of sunshine per year. Being able to enjoy these benefits, in the privacy of our own homes, yards and patios would be ruined. This loss of privacy is not acceptable. **Status:** The building got bigger, closer and a little bit shorter (potentially). Elevations of existing site, finished grade and building floors still not provided so we can verify. (-)

17. Greatly reducing the view of Black Mountain-One of the great things about our neighborhood is the view of Black Mountain. This view would be unnecessarily impacted if additional building height were to be allowed. This view is enjoyed not only by residents on Running Deer Trail, but also by any neighbor walking along Running Deer Trail to the mailbox, to the nearby park or to a neighbor's house. **Status:** View will be eliminated. Still a 3 floor business (with a proposed "basement" under a floodplain). The term "basement" was added, but, if the entire first story/floor is now below grade, why did the mean roof height only drop from 34 ft. to 28 ft.? The math doesn't add up and the community is very wary of this concept without elevations to prove otherwise. (-)

18. Eliminate all development south of CVS and south of Primrose. **Status:** Developer has not addressed. (-)

19. How will this development handle drainage into our neighborhood? **Status:** Developer has not

agreed to analyze the flow at the discharge point to our neighborhood, but has deflected responses with limiting drainage analysis to this specific site. Why can't this Developer do a drainage analysis on all 3 of the parcels (CVS, Primrose and the current lot) to ensure all of these lots, in aggregate, meet the drainage standards? Why won't the Developer be proactive in addressing a real concern and threat to the downstream neighborhood? (-).

20. Signage plan – confirm signage will not extend past the building outline and that the signs (or light from the signs) will not be visible to adjacent neighborhood. **Status:** No commitment. (-)

**So, of the 20 concerns I personally voiced on January 11<sup>th</sup>, ONE has been adequately addressed or incorporated, one has been deferred to the City, and, EIGHTEEN (90%) have not been addressed or incorporated. This is not collaboration or listening. This is defective, non-responsive stalling.**

### **Neighborhood Meetings and Notification Procedures**

Pretty simple. A minimum of 10 business days' notice is required between receiving the notification and the meeting. The Developer never stopped working on this application. On the day the Developer withdrew the previous amendment the Developer indicated a revised application under a PUD was forthcoming. So, why would this simple notification requirement not be met? Please see the email below. **Even with the most liberal interpretation of including the day of receipt and the day of the meeting in the 10 calendar days, the Developer failed.**

-----Original Message-----

From: Wade.Tinant [<mailto:Wade.Tinant@kiewit.com>]

Sent: Sunday, April 22, 2018 2:45 PM

To: [wr@berryriddell.com](mailto:wr@berryriddell.com); Kaelee Wilson <[kaelee.wilson@phoenix.gov](mailto:kaelee.wilson@phoenix.gov)>; Joel Carrasco <[joel.carrasco@phoenix.gov](mailto:joel.carrasco@phoenix.gov)>

Subject: Tatum & Dynamite Initial neighborhood meeting 5/3

The initial notification via mail arrived in peoples mail boxes this past Saturday after being postmarked 4/19 PM. A minimum of 10 business days' notice are required before this meeting. This requirement would mean folks should have received the notification letter no later than this past Friday.

The community has asked for the date of this meeting for weeks and now our community gets less than the required notice?

This is NOT working with the community nor trying to rebuild any trust from the previous proposal.

I am not asking to cancel this meeting at this time, but, I want the record to reflect this noncompliance in notification. Post marked does not mean received and this feels like an attempt to weaken the opportunity for the community to be heard.

<End Email>

There has never been any response, acknowledgement or apology from the Developer. **How can the community have any trust in this Developer?**

### **Fact Finding Summary**

Grading and Drainage #13 – No information has been provided in regards to the Developers responsibility to contact the Floodplain Management on the 5<sup>th</sup> floor. There were very basic floodplain questions that could not be answered. **Can a “basement” even be permitted in this floodplain?** Can a floor or finished grade even be placed below a recognize flood plain? Why no answers? Could the intent be to delay these discussions until the Developer has enough approvals and leverage to just adjust the site as they want later without having to circle back through the entire PUD process?

Additional Requirements # 22 – The Driveway Ordinance prohibits commercial access to alleys that abut residential property. Access may be considered upon appeal to the Driveway Hearing officer. It would seem the hot button of unlimited ingress/egress from both Tatum & Dynamite, connected by a paved surface “that abuts residential property” would fall into this category. **Why hasn’t the Developer been responsive or held accountable?**

### **Submittal Requirements – “J” Sustainability**

Identify practices or techniques for which the applicant/developer will be responsible. **We have had no luck getting the Developer to make any sort of commitment to being responsible or accountable to the neighborhood. All we asking if for a why measure, monitor and ensure compliance.**

### **Submittal Requirements – “K” Infrastructure**

The infrastructure section should discuss and address issues that are identified in the PUD Infrastructure Fact Finding Summary. The following topics should be addressed as appropriate:

Grading and Drainage. Drainage is not adequately addressed nor have the communities reasonable inquiries been addressed.

### **M. Exhibits**

12. Thematic Street cross sections – cross sections have been requested but have not been provided. Numerous requests for information, since January, have been ignored by Susan Bitters Smith. This has been communicated to other Development team members.

### **Site Design / Development**

Minimize visual impact of parking with landscaped medians, islands. – The site plan continues, after nearly 4 months, to be situated as absolutely close as possible to adjacent residences at an elevation that will allow headlights and drivers to look right over our back walls. There is no parking along Tatum, Dynamite, on the shared ingress/egress with Primrose or on the north side of the building. **ALL parking and ALL loading are absolutely as close to the neighborhood as possible, at eye level in elevation, and, orientated perpendicular to the neighborhood to allow full headlight glare and maximize the time back up alarms would be heard will exiting a stall.**





Picture from an adjacent back yard. The new parking will be at the same elevation as the existing parking lot/entrance. However, the parking will be situated directly adjacent to the wash, as close as possible to the neighborhood, in a perpendicular fashion. The location where the White SUV is parked will remain Primrose parking. The area immediately behind the white SUV will be the entrance off Dynamite where EVERY vehicle that enters the site will see directly in this neighbors backyard and kitchen windows. The location where the red car is parked will be the approximate East edge of the building. The building will also extend up from this same elevation.

Grouping of structures in large projects- Similar to above, no answer as to why “Building B” cannot or will not be incorporated into the main structure. **Why can’t Building B be incorporated into the main building?**

### **Design Expectations**

A PUD may modify the requirements set forth in Section 507 Tab A, if the Applicant can demonstrate how a given design guideline is inappropriate to achieve the project’s vision, and an alternative provision is more suitable. Deviations of design guidelines and a rationale must be provided in the Development Narrative. **I believe previous communications in regards to the 2015 Phoenix General Plan and the North Land Use Plan show several deviations.** However, the Development Narrative only cherry picks a few random guidelines the Developer believes they have met. I firmly disagree that many of the guidelines have been met. **Why has**

the Developer not addressed ALL of the guidelines, like I did, and asked for deviations? The Narrative paints a very limited and nonobjective review of meeting the guidelines.

### **Definitions**

Compatibility- I struggle to see how site planning has been incorporated into the context of the surrounding area. I also struggle to see how the proposal is sensitive to maintaining the character of the existing development.

Land Use Compatibility – One word. Scale. This proposal has little to no regard for scale.

Sense of Place – “A feeling of belonging”. This structure, site plan and business inspire a loss of these attributes, not an increase.

### **E. PUD amendments**

An increase in building height, or, in building footprint, less than 5%, may be approved by Development Services Department alone. With the lack of trust between the community and the Developer, the lack of elevations (and confusing height reductions with the “basement”) and the increase from 106k SF to 115k SF of floor space since the original proposal, myself and the community are very leery of what might transpire after any approvals. Due to this heightened sensitivity, the community formally requests that, in this specific PUD, NO increase be allowed in height, finished grade, footprint SF or floor space SF without completely going through the entire PUD process again. The Developer and their designer are obligated to provide design, details and information with a level of care that should make this a moot point.

PUD Frequently Asked Questions – Can an approved PUD be amended?

“Significant amendments to the conceptual Site Plans and/or elevations will be determined by the Planning Hearing Officer through the Public Hearing Process.

Similar to the comments above, due to the lack of trust between the Developer and the community, the community formally requests that, in this specific PUD, NO amendments to the conceptual or actual site plan, nor any amendments to any elevations, be allowed without going through the entire PUD process again. The Developer and their designer are obligated to provide design, details and information with a level of care that should make this a moot point.

In conclusion, I (and we) have tried every attempt at being reasonable and listening. As the statistics and results show, we have not been rewarded with responses. The Developer has miss-lead our community since the very beginning (see Susan Bitter Smith, on multiple videos, stating the previous proposal would only allow storage as a C-2 business, which, was not true).

The Developer is PAID to produce conforming plans. The Developer is PAID to respond to questions. Yet, it is the local residents, in their “spare” time, that have been forced to cipher through the details, ask questions and attempt to hold the Developer to accountable to well established standards. In zoning amendments, the proof of burden is supposed to be on the Developer, yet, this Developer seems content to



cherry pick standards, withhold information, not respond with any sense of urgency, if at all and simply try to give vague responses “like we’ve listened” or “we’ve heard your concerns” with little to no tangible results. Our community has spoken clearly and loudly. Twice.

It is this combination of circumstances that compels me to directly ask that our Village Planner, Kaelee Wilson, or, our Councilman, Jim Waring, step in and DENY this PUD application immediately.

Wade Tinant

**From:** Wade.Tinant  
**To:** [wr@berryriddell.com](mailto:wr@berryriddell.com)  
**Cc:** [PDD Desert View VPC](#)  
**Subject:** FW: PUD Z-22-18 compare to the PUD Procedures outline  
**Date:** Tuesday, May 08, 2018 2:37:57 PM

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Wendy,

I also wanted to share what I believe are some inconsistencies between the proposal and the PUD process itself.

Wade

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**From:** Wade.Tinant  
**Sent:** Tuesday, May 01, 2018 12:44 PM  
**To:** Kaelee Wilson ([kaelee.wilson@phoenix.gov](mailto:kaelee.wilson@phoenix.gov)); Jim Waring ([council.district.2@phoenix.gov](mailto:council.district.2@phoenix.gov))  
**Subject:** PUD Z-22-18 compare to the PUD Procedures outline

I wanted to share my thoughts in regards to this PUD application and the PUD Procedures Outline (a City of Phoenix planning document).

### **Procedure**

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those hours of operation experienced by businesses in a C-1 district. For reasons described in the next section, this would greatly inhibit the neighborhoods ability to enjoy our current lifestyle. This is especially concerning in regards to allowable loading times of 6 AM to 10 PM in C-2 zones, in addition the operating hours themselves. **Status: No office hours or hours of operation access have been provided to date. Community has proposed operation hours with no response. (-)**

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13. Location of the loading area-The loading area is placed such that delivery trucks will be facing the neighborhood while backing up and pulling out of the loading area. Again, this area should face the adjacent street, not the adjacent neighborhood. Status: loading area in the same location, just closer to the adjacent neighbors now. (-)

14. Some other concerns are clearly labelled as restrictions in both C-1 and C-2 zoning districts. ‘Any

lighting shall be placed so as to reflect the light away from adjacent residential districts. No noise, odor or vibration shall be emitted so that it exceeds the general level of noise, odor or vibration emitted by uses outside the site. Such comparison shall be made at the boundary of the site". The current landscaping does not give the neighborhood any confidence that we will not be impacted by additional light and noise due to the location of the building on the property and the proposed, amended building height. **Status:** The neighbors have simply requested a way to measure and enforce compliance in exchange for the zoning change. Providing means to ensure and enforce compliance with these general standards has continued to be met with resistance. **Why would a Developer shy away from being accountable to compliance to a common standard? (-)**

15. Obstructed view from residences-Neighbors currently enjoy viewing open skies over the adjacent property. Any building height above the allowable height of thirty (30) feet would impede this view to an unacceptable level. **Status:** While the Developer has reduced the effective height of the building to 28 ft from finished grade, the mountain views we had when we purchased our homes will be completely eliminated. The maximum allowable height for the parapet walls is still incorporated into the design, and, back in January the suggestion to location the roof mounted equipment as far to the NE as possible, to be able to limit the height of the parapet wall adjacent to the neighborhood to reduce line of sight reduction was made. No response other than the revised proposal says mountain views and open skies will not be impacted. This is simply not true. We don't own the adjacent land. We don't have a say in what is constructed so long as the business meets established zoning standards. Where is the benefit to the community to allow a Developer to increase profit while we suffer from a larger building that is only 2 ft. short of the absolute maximum height? This doesn't even take into the consideration relative grade of finished grade to existing grade to the floodplain elevation **(-)**.

16. Invasion of privacy-The elevation of the proposed development will allow patrons from this business to have a direct line of sight into the yards and patios of all adjacent neighbors. This is in direct conflict with the purpose of R1-18 zoning which promotes, among other things, outdoor living. As the 2015 General Plan also notes, the average temperature in Phoenix is 74 degrees and we average 334 days of sunshine per year. Being able to enjoy these benefits, in the privacy of our own homes, yards and patios would be ruined. This loss of privacy is not acceptable. **Status:** The building got bigger, closer and a little bit shorter (potentially). Elevations of existing site, finished grade and building floors still not provided so we can verify. **(-)**

17. Greatly reducing the view of Black Mountain-One of the great things about our neighborhood is the view of Black Mountain. This view would be unnecessarily impacted if additional building height were to be allowed. This view is enjoyed not only by residents on Running Deer Trail, but also by any neighbor walking along Running Deer Trail to the mailbox, to the nearby park or to a neighbor's house. **Status:** View will be eliminated. Still a 3 floor business (with a proposed "basement" under a floodplain). The term "basement" was added, but, if the entire first story/floor is now below grade, why did the mean roof height only drop from 34 ft. to 28 ft.? The math doesn't add up and the community is very wary of this concept without elevations to prove otherwise. **(-)**

18. Eliminate all development south of CVS and south of Primrose. **Status:** Developer has not addressed.

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19. How will this development handle drainage into our neighborhood? **Status:** Developer has not agreed to analyze the flow at the discharge point to our neighborhood, but has deflected responses with limiting drainage analysis to this specific site. Why can't this Developer do a drainage analysis on all 3 of the parcels (CVS, Primrose and the current lot) to ensure all of these lots, in aggregate, meet the drainage standards? Why won't the Developer be proactive in addressing a real concern and threat to the downstream neighborhood? (-).
20. Signage plan – confirm signage will not extend past the building outline and that the signs (or light from the signs) will not be visible to adjacent neighborhood. **Status:** No commitment. (-)

**So, of the 20 concerns I personally voiced on January 11<sup>th</sup>, ONE has been adequately addressed or incorporated, one has been deferred to the City, and, EIGHTEEN (90%) have not been addressed or incorporated. This is not collaboration or listening. This is defective, non-responsive stalling.**

#### **Neighborhood Meetings and Notification Procedures**

Pretty simple. A minimum of 10 business days' notice is required between receiving the notification and the meeting. The Developer never stopped working on this application. On the day the Developer withdrew the previous amendment the Developer indicated a revised application under a PUD was forthcoming. So, why would this simple notification requirement not be met? Please see the email below. **Even with the most liberal interpretation of including the day of receipt and the day of the meeting in the 10 calendar days, the Developer failed.**

-----Original Message-----

From: Wade.Tinant [<mailto:Wade.Tinant@kiewit.com>]

Sent: Sunday, April 22, 2018 2:45 PM

To: [wr@berryriddell.com](mailto:wr@berryriddell.com); Kaelee Wilson <[kaelee.wilson@phoenix.gov](mailto:kaelee.wilson@phoenix.gov)>; Joel Carrasco <[joel.carrasco@phoenix.gov](mailto:joel.carrasco@phoenix.gov)>

Subject: Tatum & Dynamite Initial neighborhood meeting 5/3

The initial notification via mail arrived in peoples mail boxes this past Saturday after being postmarked 4/19 PM. A minimum of 10 business days' notice are required before this meeting. This requirement would mean folks should have received the notification letter no later than this past Friday.

The community has asked for the date of this meeting for weeks and now our community gets less than the required notice?

This is NOT working with the community nor trying to rebuild any trust from the previous proposal.

I am not asking to cancel this meeting at this time, but, I want the record to reflect this noncompliance in notification. Post marked does not mean received and this feels like an attempt to weaken the opportunity for the community to be heard.

<End Email>

There has never been any response, acknowledgement or apology from the Developer. **How can the**

community have any trust in this Developer?

### **Fact Finding Summary**

Grading and Drainage #13 – No information has been provided in regards to the Developers responsibility to contact the Floodplain Management on the 5<sup>th</sup> floor. There were very basic floodplain questions that could not be answered. Can a “basement” even be permitted in this floodplain? Can a floor or finished grade even be placed below a recognize flood plain? Why no answers? Could the intent be to delay these discussions until the Developer has enough approvals and leverage to just adjust the site as they want later without having to circle back through the entire PUD process?

Additional Requirements # 22 – The Driveway Ordinance prohibits commercial access to alleys that abut residential property. Access may be considered upon appeal to the Driveway Hearing officer. It would seem the hot button of unlimited ingress/egress from both Tatum & Dynamite, connected by a paved surface “that abuts residential property” would fall into this category. Why hasn’t the Developer been responsive or held accountable?

### **Submittal Requirements – “J” Sustainability**

Identify practices or techniques for which the applicant/developer will be responsible. We have had no luck getting the Developer to make any sort of commitment to being responsible or accountable to the neighborhood. All we asking if for a why measure, monitor and ensure compliance.

### **Submittal Requirements – “K” Infrastructure**

The infrastructure section should discuss and address issues that are identified in the PUD Infrastructure Fact Finding Summary. The following topics should be addressed as appropriate:

Grading and Drainage. Drainage is not adequately addressed nor have the communities reasonable inquiries been addressed.

### **M. Exhibits**

12. Thematic Street cross sections – cross sections have been requested but have not been provided. Numerous requests for information, since January, have been ignored by Susan Bitters Smith. This has been communicated to other Development team members.

### **Site Design / Development**

Minimize visual impact of parking with landscaped medians, islands. – The site plan continues, after nearly 4 months, to be situated as absolutely close as possible to adjacent residences at an elevation that will allow headlights and drivers to look right over our back walls. There is no parking along Tatum, Dynamite, on the shared ingress/egress with Primrose or on the north side of the building. ALL parking and ALL loading are absolutely as close to the neighborhood as possible, at eye level in elevation, and, orientated perpendicular to the neighborhood to allow full headlight glare and maximize the time back up alarms



would be heard will exiting a stall.



Picture from an adjacent back yard. The new parking will be at the same elevation as the existing parking lot/entrance. However, the parking will be situated directly adjacent to the wash, as close as possible to the neighborhood, in a perpendicular fashion. The location where the White SUV is parked will remain Primrose parking. The area immediately behind the white SUV will be the entrance off Dynamite where EVERY vehicle that enters the site will see directly in this neighbors backyard and kitchen windows. The location where the red car is parked will be the approximate East edge of the building. The building will also extend up from this same elevation.

Grouping of structures in large projects- Similar to above, no answer as to why “Building B” cannot or will not be incorporated into the main structure. **Why can’t Building B be incorporated into the main building?**

### **Design Expectations**

A PUD may modify the requirements set forth in Section 507 Tab A, if the Applicant can demonstrate how a given design guideline is inappropriate to achieve the project’s vision, and an alternative provision is more suitable. Deviations of design guidelines and a rationale must be provided in the Development Narrative. **I believe previous communications in regards to the 2015 Phoenix General Plan and the North Land Use Plan**



show several deviations. However, the Development Narrative only cherry picks a few random guidelines the Developer believes they have met. I firmly disagree that many of the guidelines have been met. Why has the Developer not addressed ALL of the guidelines, like I did, and asked for deviations? The Narrative paints a very limited and nonobjective review of meeting the guidelines.

### **Definitions**

Compatibility- I struggle to see how site planning has been incorporated into the context of the surrounding area. I also struggle to see how the proposal is sensitive to maintaining the character of the existing development.

Land Use Compatibility – One word. Scale. This proposal has little to no regard for scale.

Sense of Place – “A feeling of belonging”. This structure, site plan and business inspire a loss of these attributes, not an increase.

### **E. PUD amendments**

An increase in building height, or, in building footprint, less than 5%, may be approved by Development Services Department alone. With the lack of trust between the community and the Developer, the lack of elevations (and confusing height reductions with the “basement”) and the increase from 106k SF to 115k SF of floor space since the original proposal, myself and the community are very leery of what might transpire after any approvals. Due to this heightened sensitivity, the community formally requests that, in this specific PUD, NO increase be allowed in height, finished grade, footprint SF or floor space SF without completely going through the entire PUD process again. The Developer and their designer are obligated to provide design, details and information with a level of care that should make this a moot point.

PUD Frequently Asked Questions – Can an approved PUD be amended?

“Significant amendments to the conceptual Site Plans and/or elevations will be determined by the Planning Hearing Officer through the Public Hearing Process.

Similar to the comments above, due to the lack of trust between the Developer and the community, the community formally requests that, in this specific PUD, NO amendments to the conceptual or actual site plan, nor any amendments to any elevations, be allowed without going through the entire PUD process again. The Developer and their designer are obligated to provide design, details and information with a level of care that should make this a moot point.

In conclusion, I (and we) have tried every attempt at being reasonable and listening. As the statistics and results show, we have not been rewarded with responses. The Developer has miss-lead our community since the very beginning (see Susan Bitter Smith, on multiple videos, stating the previous proposal would only allow storage as a C-2 business, which, was not true).

The Developer is PAID to produce conforming plans. The Developer is PAID to respond to questions. Yet, it is the local residents, in their “spare” time, that have been forced to cipher through the details, ask

questions and attempt to hold the Developer to accountable to well established standards. In zoning amendments, the proof of burden is supposed to be on the Developer, yet, this Developer seems content to cherry pick standards, withhold information, not respond with any sense of urgency, if at all and simply try to give vague responses “like we’ve listened” or “we’ve heard your concerns” with little to no tangible results. Our community has spoken clearly and loudly. Twice.

It is this combination of circumstances that compels me to directly ask that our Village Planner, Kaelee Wilson, or, our Councilman, Jim Waring, step in and DENY this PUD application immediately.

Wade Tinant

**From:** Wade.Tinant  
**To:** [PDD Desert View VPC](#)  
**Subject:** FW: PUD Z-22-18 compare to the PUD Procedures outline  
**Date:** Friday, May 04, 2018 8:46:29 AM

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**From:** Wade.Tinant  
**Sent:** Tuesday, May 01, 2018 12:44 PM  
**To:** Kaelee Wilson (kaelee.wilson@phoenix.gov); Jim Waring (council.district.2@phoenix.gov)  
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**So, of the 20 concerns I personally voiced on January 11<sup>th</sup>, ONE has been adequately addressed or incorporated, one has been deferred to the City, and, EIGHTEEN (90%) have not been addressed or incorporated. This is not collaboration or listening. This is defective, non-responsive stalling.**

### **Neighborhood Meetings and Notification Procedures**

Pretty simple. A minimum of 10 business days' notice is required between receiving the notification and the meeting. The Developer never stopped working on this application. On the day the Developer withdrew the previous amendment the Developer indicated a revised application under a PUD was forthcoming. So, why would this simple notification requirement not be met? Please see the email below. **Even with the most liberal interpretation of including the day of receipt and the day of the meeting in the 10 calendar days, the Developer failed.**

-----Original Message-----

From: Wade.Tinant [REDACTED]

Sent: Sunday, April 22, 2018 2:45 PM

To: [wr@berryriddell.com](mailto:wr@berryriddell.com); Kaelee Wilson <[kaelee.wilson@phoenix.gov](mailto:kaelee.wilson@phoenix.gov)>; Joel Carrasco <[joel.carrasco@phoenix.gov](mailto:joel.carrasco@phoenix.gov)>

Subject: Tatum & Dynamite Initial neighborhood meeting 5/3

The initial notification via mail arrived in peoples mail boxes this past Saturday after being postmarked 4/19 PM. A minimum of 10 business days' notice are required before this meeting. This requirement would mean folks should have received the notification letter no later than this past Friday.

The community has asked for the date of this meeting for weeks and now our community gets less than the required notice?

This is NOT working with the community nor trying to rebuild any trust from the previous proposal.

I am not asking to cancel this meeting at this time, but, I want the record to reflect this noncompliance in notification. Post marked does not mean received and this feels like an attempt to weaken the opportunity for the community to be heard.

<End Email>

There has never been any response, acknowledgement or apology from the Developer. **How can the community have any trust in this Developer?**

### **Fact Finding Summary**

Grading and Drainage #13 – No information has been provided in regards to the Developers responsibility to contact the Floodplain Management on the 5<sup>th</sup> floor. There were very basic floodplain questions that could not be answered. **Can a “basement” even be permitted in this floodplain?** Can a floor or finished grade even be placed below a recognize flood plain? Why no answers? Could the intent be to delay these discussions until the Developer has enough approvals and leverage to just adjust the site as they want later without having to circle back through the entire PUD process?

Additional Requirements # 22 – The Driveway Ordinance prohibits commercial access to alleys that abut residential property. Access may be considered upon appeal to the Driveway Hearing officer. It would seem the hot button of unlimited ingress/egress from both Tatum & Dynamite, connected by a paved surface “that abuts residential property” would fall into this category. **Why hasn’t the Developer been responsive or held accountable?**

### **Submittal Requirements – “J” Sustainability**

Identify practices or techniques for which the applicant/developer will be responsible. **We have had no luck getting the Developer to make any sort of commitment to being responsible or accountable to the neighborhood. All we asking if for a why measure, monitor and ensure compliance.**

### **Submittal Requirements – “K” Infrastructure**

The infrastructure section should discuss and address issues that are identified in the PUD Infrastructure Fact Finding Summary. The following topics should be addressed as appropriate:

Grading and Drainage. Drainage is not adequately addressed nor have the communities reasonable inquiries been addressed.

### **M. Exhibits**

12. Thematic Street cross sections – cross sections have been requested but have not been provided. Numerous requests for information, since January, have been ignored by Susan Bitters Smith. This has been communicated to other Development team members.

### **Site Design / Development**

Minimize visual impact of parking with landscaped medians, islands. – The site plan continues, after nearly 4 months, to be situated as absolutely close as possible to adjacent residences at an elevation that will allow headlights and drivers to look right over our back walls. There is no parking along Tatum, Dynamite, on the shared ingress/egress with Primrose or on the north side of the building. **ALL parking and ALL loading are absolutely as close to the neighborhood as possible, at eye level in elevation, and, orientated perpendicular to the neighborhood to allow full headlight glare and maximize the time back up alarms would be heard will exiting a stall.**





Picture from an adjacent back yard. The new parking will be at the same elevation as the existing parking lot/entrance. However, the parking will be situated directly adjacent to the wash, as close as possible to the neighborhood, in a perpendicular fashion. The location where the White SUV is parked will remain Primrose parking. The area immediately behind the white SUV will be the entrance off Dynamite where EVERY vehicle that enters the site will see directly in this neighbors backyard and kitchen windows. The location where the red car is parked will be the approximate East edge of the building. The building will also extend up from this same elevation.

Grouping of structures in large projects- Similar to above, no answer as to why “Building B” cannot or will not be incorporated into the main structure. **Why can’t Building B be incorporated into the main building?**

### **Design Expectations**

A PUD may modify the requirements set forth in Section 507 Tab A, if the Applicant can demonstrate how a given design guideline is inappropriate to achieve the project’s vision, and an alternative provision is more suitable. Deviations of design guidelines and a rationale must be provided in the Development Narrative. **I believe previous communications in regards to the 2015 Phoenix General Plan and the North Land Use Plan show several deviations.** However, the Development Narrative only cherry picks a few random guidelines the Developer believes they have met. I firmly disagree that many of the guidelines have been met. **Why has**

the Developer not addressed ALL of the guidelines, like I did, and asked for deviations? The Narrative paints a very limited and nonobjective review of meeting the guidelines.

### **Definitions**

Compatibility- I struggle to see how site planning has been incorporated into the context of the surrounding area. I also struggle to see how the proposal is sensitive to maintaining the character of the existing development.

Land Use Compatibility – One word. Scale. This proposal has little to no regard for scale.

Sense of Place – “A feeling of belonging”. This structure, site plan and business inspire a loss of these attributes, not an increase.

### **E. PUD amendments**

An increase in building height, or, in building footprint, less than 5%, may be approved by Development Services Department alone. With the lack of trust between the community and the Developer, the lack of elevations (and confusing height reductions with the “basement”) and the increase from 106k SF to 115k SF of floor space since the original proposal, myself and the community are very leery of what might transpire after any approvals. Due to this heightened sensitivity, the community formally requests that, in this specific PUD, NO increase be allowed in height, finished grade, footprint SF or floor space SF without completely going through the entire PUD process again. The Developer and their designer are obligated to provide design, details and information with a level of care that should make this a moot point.

PUD Frequently Asked Questions – Can an approved PUD be amended?

“Significant amendments to the conceptual Site Plans and/or elevations will be determined by the Planning Hearing Officer through the Public Hearing Process.

Similar to the comments above, due to the lack of trust between the Developer and the community, the community formally requests that, in this specific PUD, NO amendments to the conceptual or actual site plan, nor any amendments to any elevations, be allowed without going through the entire PUD process again. The Developer and their designer are obligated to provide design, details and information with a level of care that should make this a moot point.

In conclusion, I (and we) have tried every attempt at being reasonable and listening. As the statistics and results show, we have not been rewarded with responses. The Developer has miss-lead our community since the very beginning (see Susan Bitter Smith, on multiple videos, stating the previous proposal would only allow storage as a C-2 business, which, was not true).

The Developer is PAID to produce conforming plans. The Developer is PAID to respond to questions. Yet, it is the local residents, in their “spare” time, that have been forced to cipher through the details, ask questions and attempt to hold the Developer to accountable to well established standards. In zoning amendments, the proof of burden is supposed to be on the Developer, yet, this Developer seems content to

cherry pick standards, withhold information, not respond with any sense of urgency, if at all and simply try to give vague responses “like we’ve listened” or “we’ve heard your concerns” with little to no tangible results. Our community has spoken clearly and loudly. Twice.

It is this combination of circumstances that compels me to directly ask that our Village Planner, Kaelee Wilson, or, our Councilman, Jim Waring, step in and DENY this PUD application immediately.

Wade Tinant

**From:** Wade.Tinant  
**To:** [PDD Desert View VPC](#)  
**Subject:** FW: PUD Z-22-18 comparison to North Land Use Plan  
**Date:** Friday, May 04, 2018 8:46:39 AM  
**Attachments:** [image001.png](#)  
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  2. Identification of Growth Corridors
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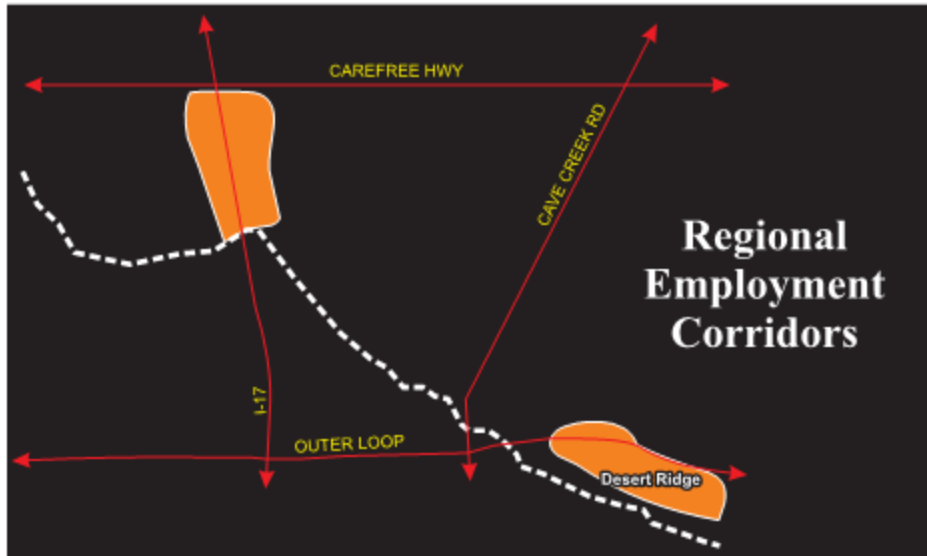
#### Rural Character

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To take this a step further, Diamond Creek and Desert Ridge both began operating in 1999. Nearly everyone I have spoken to that lives near Tatum & Dynamite has strongly voiced that they moved “North” to get away from the commercialization of Desert Ridge. People that wanted to live adjacent to commercial zoning moved near Desert Ridge and Carefree Highway and I-17. Those of that did not want to live near commercialization moved to our current community. Much like the residents near Desert Ridge might not appreciate a horse farm moving in, we do not appreciate additional commercialization above the current zoning standards. We are not against development. We are staunch supporters of following the established zoning.

I have also had the pleasure of meeting with a former City of Phoenix Planner who helped develop the North Land Use Plan. We have talked about the area in general, and, twice this gentleman and I have walked the proposed site and talked. He is firm in his belief that approving this proposal would not meet the intent of the North Use Plan.

2. The Growth corridors (employment and community service areas):



**Figure 16**

In response, the plan reduces the size of the core to 100 acres of commercial to function as a community service area shown as the middle red square on Figure 17. Two other community service areas are added: one at Carefree Highway and 48th Street in the north and the second at Cave Creek Road and Pinnacle Peak Road in the south.



**Figure 17**

There is no mention of Tatum & Dynamite being a Core, Center, Area or Corridor. The proposal would lead one to believe Tatum & Dynamite is a Core or a Center. We avoided moving near a core for a reason. We are not against development; we are firm believers in following the standards and the plan that has been established. We purchased our homes and invested our financial and personal resources based on this zoning plan. The lack of intent of Tatum & Dynamite being any sort of core, Center or Area was confirmed by the former planner who helped assemble the North Land Use Plan.

3. Another key part of the plan was the identification of key washes and local hydrology.



### General Location of Primary Washes

Third, the plan recognizes the importance the washes play in determining appropriate land use densities. The amendment added the general location of primary washes to the General Plan Land Use Map to emphasize that development will need to preserve these washes and their alignments.



4

#### Residential Changes based on Hydrology

The transition of hydrology from distinct washes in the north to sheet flow in the south guided revisions to residential densities. The northern densities are limited to 1.5 where the washes can be used in their current natural condition to drain the properties during rains. In these areas, a study of a site's hydrology will be required at the time of rezoning and density will be determined based on the hydrology.

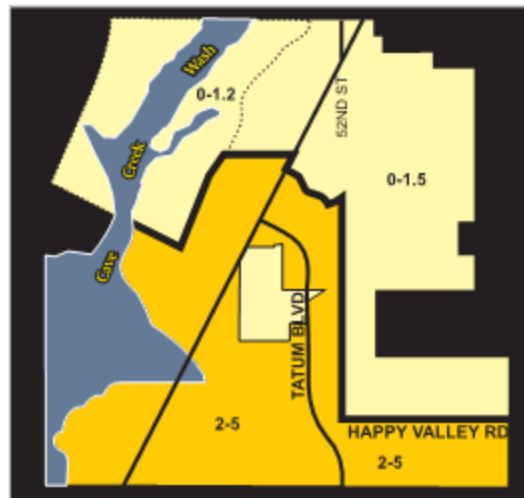


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The requirement for a study of a sites hydrology at the time of rezoning makes very good sense for the area covered by the proposal. The areas downstream of the parcel in question experience severe flooding after rain events and neighborhood safety is in jeopardy. [A hydrology study, reviewed by the appropriate jurisdictions, before rezoning makes good sense.](#)

4. More information on the Tatum & Dynamite are per the North Land Use Plan. Low density and adequate infrastructure.

Figure 21



The plan establishes two density limits for land designated 0-2: a 1.2 limit for those areas near Cave Creek Wash and a 1.5 limit for the remaining areas. Through the zoning process, discussion can focus on how these density limits can be achieved using the natural washes for drainage.

Figure 22

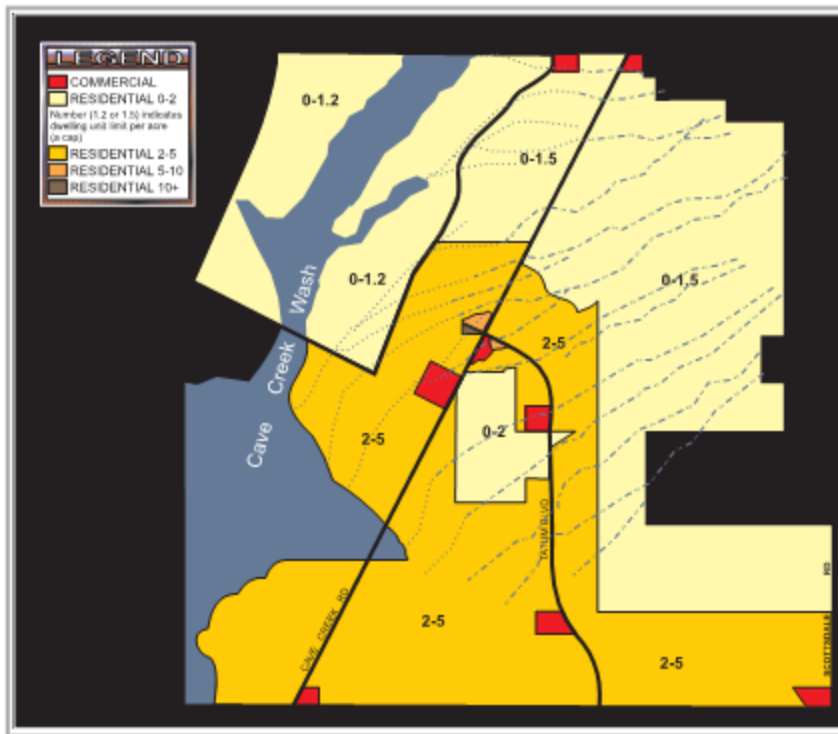


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#### Infrastructure Efficiency

The fifth feature is improved cost effectiveness of infrastructure. Three areas for potential improved efficiency were identified which provided the opportunity to move density from areas inefficiently served in the north to areas in the south where existing capacity was underutilized.

The North Land Use Map is illustrated below.



**NORTH LAND USE MAP**  
Approved by City Council June 1996  
#SA/DTV-03-94-2

Of particular interest is the additional commercialization near Tatum & Dynamite since this map was approved by City Council in 1996. In the map above, the commercial zoning was limited to North of Dynamite and West of Tatum.

Z-125-99 (attached)– Zoning amendment approves the transition of 9.94 AC from S-1 to C1 zoning, South of Dynamite, West of Tatum

These 9.94 AC included what is now CVS, Primrose, and the 5.6 AC parcel described in the proposal

Z-71-03 – zoning amendment approves the transition to C-1 zoning for parcels 211-42-985 (79,913 SF), 211-984A (42,022 SF) and 211-42-984B (37,924 SF)

These 3.7AC are on the NE corner of Tatum & Dynamite

These additional commercial zoning amendments are not called out on the map included in the proposal.

Also of interest, the Diamond Creek subdivision began selling homes in 1999 bases on the adjacent zoning being C-1.

5. In conclusion, after an in depth review, combined with over 20 years in the design build



industry, coupled with the meetings with a former City of Phoenix planner who helped assemble the North Land Use Plan, this proposal does not meet the goals or requirements of the plan. However, due to the flooding of the neighborhood downstream from the parcel, a hydrology study on this site and its tributary basins is requested by the residents of Diamond Creek.

We are not opposed to development. We are firm believers in following established zoning standards. We've based our financial and social wellbeing on the adjacent zoning remaining C-1. **I firmly request PUD Z-22-18 be denied as soon as possible.** In January, well over 1,000 folks signed the petition against the storage facility and 95% of Diamond Creek opposed the storage facility. Even after the Developer made some concessions, well over 1,000 people and well over 95% of the homes in Diamond Creek are against this storage facility. **How many times must we say no?**

Wade

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**To:** [wr@berryriddell.com](mailto:wr@berryriddell.com)  
**Cc:** [PDD Desert View VPC](#)  
**Subject:** FW: PUD Z-22-18 comparision to North Land Use Plan  
**Date:** Tuesday, May 08, 2018 2:37:29 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
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[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
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[Z-125-99\\_approval.pdf](#)

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Wendy,

Below are some discrepancies between the current proposal and the North Land Use Plan. Again, I'd like to discuss these as we move forward.

Wade

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**From:** Wade.Tinant  
**Sent:** Tuesday, May 01, 2018 1:45 AM  
**To:** Kaelee Wilson ([kaelee.wilson@phoenix.gov](mailto:kaelee.wilson@phoenix.gov)); Jim Waring ([council.district.2@phoenix.gov](mailto:council.district.2@phoenix.gov))  
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#### Rural Character

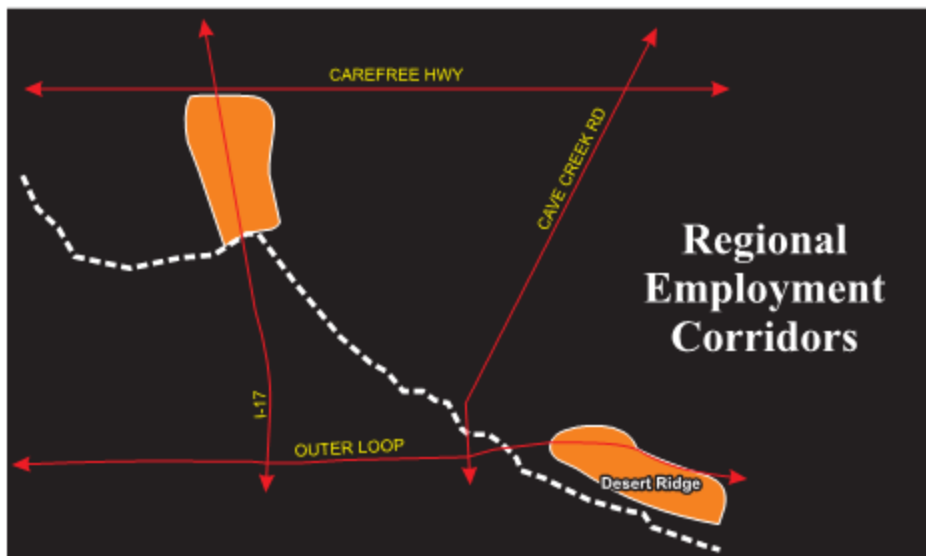
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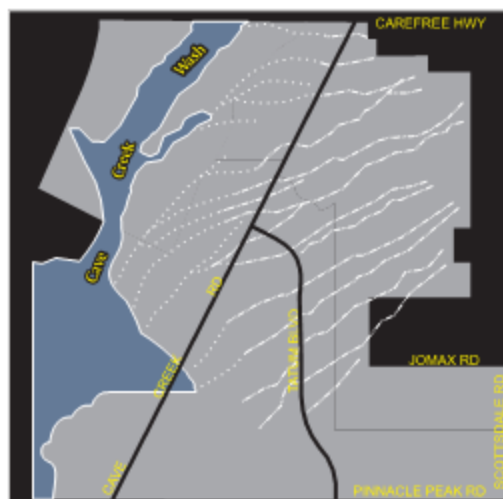
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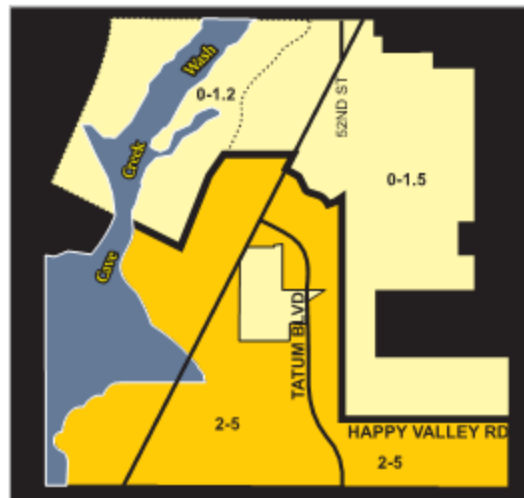


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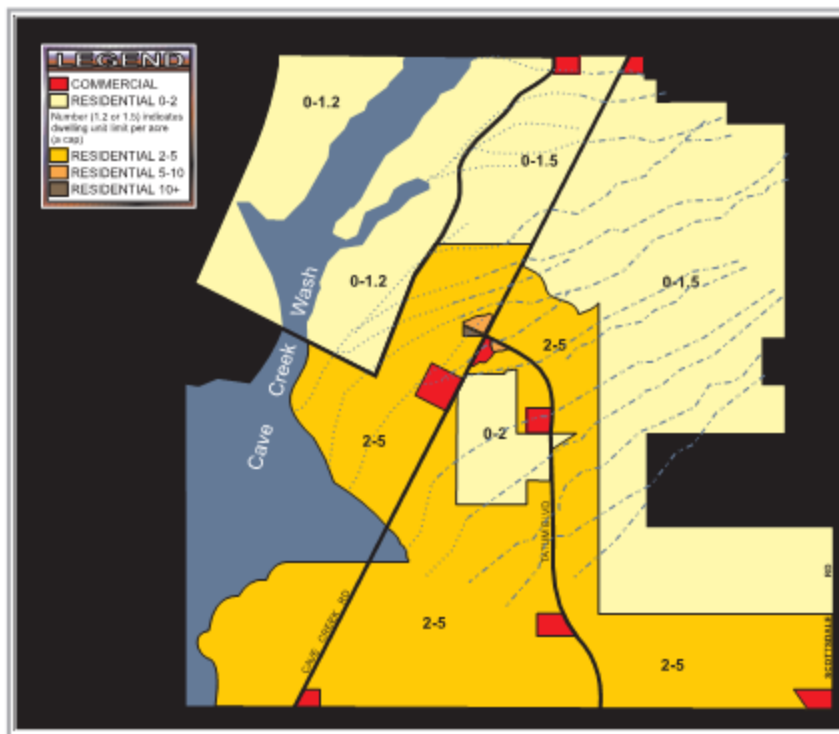


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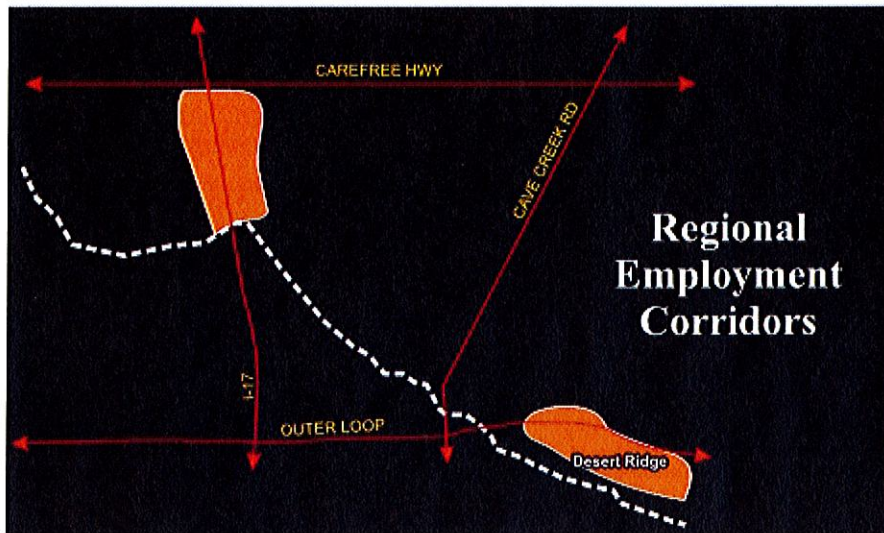
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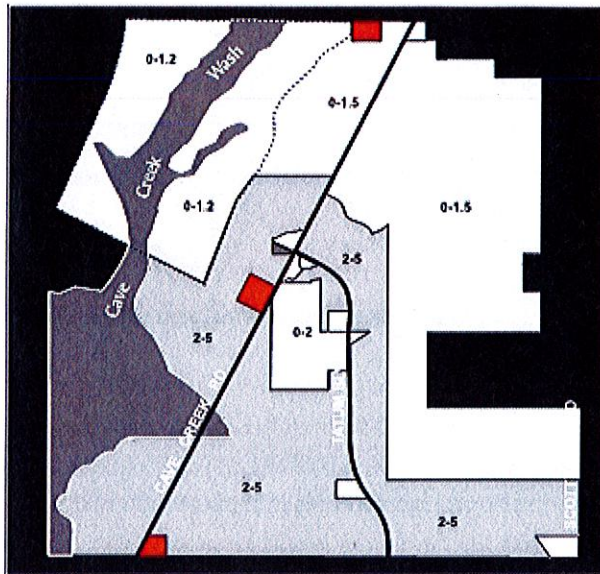
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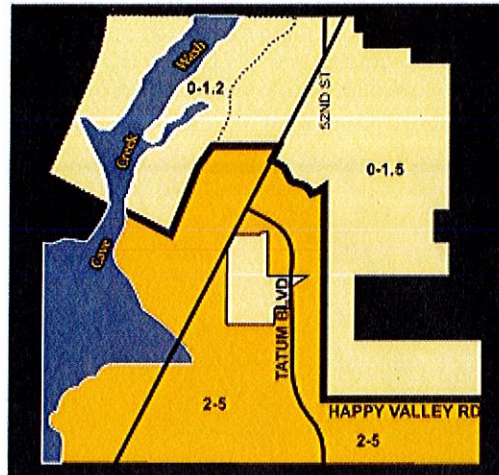
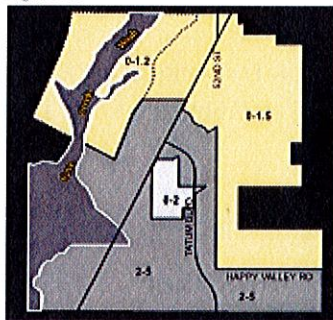


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The plan establishes two density limits for land designated 0-2: a 1.2 limit for those areas near Cave Creek Wash and a 1.5 limit for the remaining areas. Through the zoning process, discussion can focus on how these density limits can be achieved using the natural washes for drainage.

Figure 22

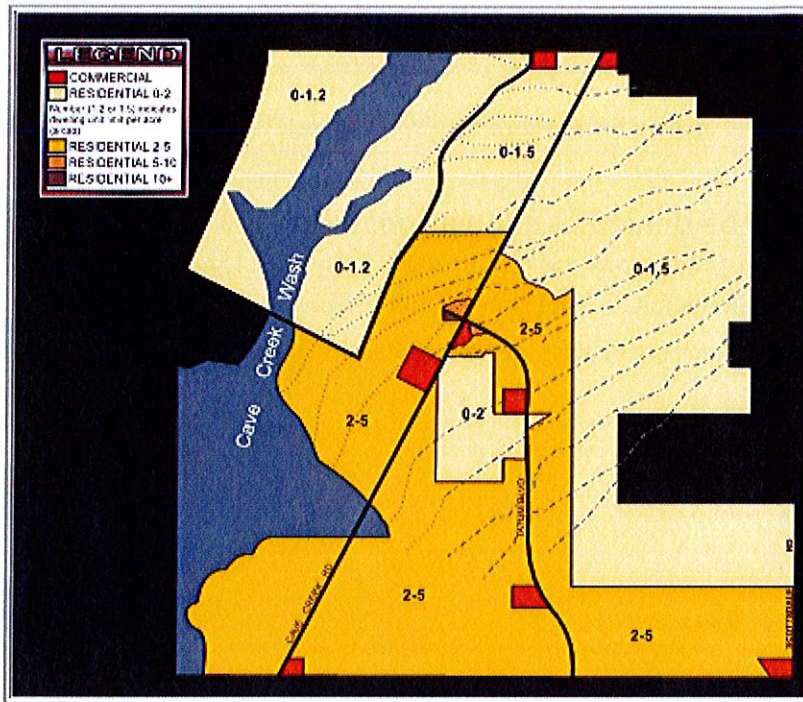


15

#### Infrastructure Efficiency

The fifth feature is improved cost effectiveness of infrastructure. Three areas for potential improved efficiency were identified which provided the opportunity to move density from areas inefficiently served in the north to areas in the south where existing capacity was underutilized.

The North Land Use Map is illustrated below.



**NORTH LAND USE MAP**  
 Approved by City Council June 1996  
 ASANDTV-03-94-2

Of particular interest is the additional commercialization near Tatum & Dynamite since this map was approved by City Council in 1996. In the map above, the commercial zoning was limited to North of Dynamite and West of Tatum.

Z-125-99 (attached)– Zoning amendment approves the transition of 9.94 AC from S-1 to C1 zoning, South of Dynamite, West of Tatum

These 9.94 AC included what is now CVS, Primrose, and the 5.6 AC parcel described in the proposal

Z-71-03 – zoning amendment approves the transition to C-1 zoning for parcels 211-42-985 (79,913 SF), 211-984A (42,022 SF) and 211-42-984B (37,924 SF)

These 3.7AC are on the NE corner of Tatum & Dynamite

These additional commercial zoning amendments are not called out on the map included in the proposal.

Also of interest, the Diamond Creek subdivision began selling homes in 1999 bases on the adjacent zoning being C-1.

5. In conclusion, after an in depth review, combined with over 20 years in the design build

industry, coupled with the meetings with a former City of Phoenix planner who helped assemble the North Land Use Plan, this proposal does not meet the goals or requirements of the plan. However, due to the flooding of the neighborhood downstream from the parcel, a hydrology study on this site and its tributary basins is requested by the residents of Diamond Creek.

We are not opposed to development. We are firm believers in following established zoning standards. We've based our financial and social wellbeing on the adjacent zoning remaining C-1. **I firmly request PUD Z-22-18 be denied as soon as possible.** In January, well over 1,000 folks signed the petition against the storage facility and 95% of Diamond Creek opposed the storage facility. Even after the Developer made some concessions, well over 1,000 people and well over 95% of the homes in Diamond Creek are against this storage facility. **How many times must we say no?**

Wade

**From:** Wade.Tinant  
**To:** [PDD Desert View VPC](#)  
**Subject:** FW: Storage Unit at Tatum & Dynamite - Unique shape & coverage  
**Date:** Friday, May 04, 2018 8:45:35 AM

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**From:** Wade.Tinant  
**Sent:** Wednesday, May 02, 2018 4:46 PM  
**To:** Kaelee Wilson (kaelee.wilson@phoenix.gov)  
**Cc:** Wade.Tinant  
**Subject:** Storage Unit at Tatum & Dynamite - Unique shape & coverage

Kaelee,

Nice speaking with you this morning. I wanted to get a couple other specific concerns on the table.

1. Lot coverage
  - a. Since the same landowner has subdivided off the CVS and Primrose portion of the original parcel, and, since these two buildings have 100% ( or very near 100% ) coverage, I firmly believe that the coverage for this proposal needs to be evaluated in 2 separate ways:
    - i. As a standalone parcel (as the Developer has done)
    - ii. As an aggregate with CVS, Primrose and the new proposed facility.
    - iii. SF wise, CVS is 76,275, Primrose = 61,373 SF and the parcel in the proposal is 244,264 SF
      1. Of the total of the 3 lots above, CVS covers 20%, Primrose covers 16% and the parcel in question is 64% of the total area.
2. I really struggle with the Developer using the term “unique” site as a justification for a zoning amendment. The owner bought 9.95 AC in 1999 and promptly rezoned the property.
  - a. In 2004, the landowner willfully sets the boundaries of the CVS lot and sells off this prime, hard corner portion of the original 9.95 AC.
  - b. In 2012, the landowner willfully sets the boundaries of the Primrose lot and sells of the next more prime portion of the lot.
  - c. So, the land owner has 100% created any “uniqueness” to this lot. There is NO reason why the community should have to allow this landowner ANOTHER zoning change on this parcel because he carved the heart out of it.
3. Is this lot truly “vacant” and is this lot at the top of the list of vacant properties in Desert View to develop? With the lot already being subdivided twice, and, with CVS and Primrose covering 36% of the land area, I struggle to see how this parcel fits into “vacant”. Can the density of coverage be increased? Sure. But, I think vacant and opportunity sites are a stretch.
- 4.

**From:** Wade.Tinant  
**To:** [PDD Desert View VPC](#)  
**Subject:** FW: Storage Unit at Tatum & Dynamite - Unique shape & coverage  
**Date:** Wednesday, May 09, 2018 10:59:06 AM

---

I don't believe I forwarded the requests for the dual evaluation of lot coverage, or, the comments on the "unique" shaped parcel, or, definition check on the term "vacant".

Thank you.  
Wade

---

**From:** Wade.Tinant  
**Sent:** Wednesday, May 02, 2018 4:46 PM  
**To:** Kaelee Wilson (kaelee.wilson@phoenix.gov)  
**Cc:** Wade.Tinant  
**Subject:** Storage Unit at Tatum & Dynamite - Unique shape & coverage

Kaelee,  
Nice speaking with you this morning. I wanted to get a couple other specific concerns on the table.

1. Lot coverage
  - a. Since the same landowner has subdivided off the CVS and Primrose portion of the original parcel, and, since these two buildings have 100% ( or very near 100% ) coverage, I firmly believe that the coverage for this proposal needs to be evaluated in 2 separate ways:
    - i. As a standalone parcel (as the Developer has done)
    - ii. As an aggregate with CVS, Primrose and the new proposed facility.
    - iii. SF wise, CVS is 76,275, Primrose = 61,373 SF and the parcel in the proposal is 244,264 SF
      1. Of the total of the 3 lots above, CVS covers 20%, Primrose covers 16% and the parcel in question is 64% of the total area.
2. I really struggle with the Developer using the term "unique" site as a justification for a zoning amendment. The owner bought 9.95 AC in 1999 and promptly rezoned the property.
  - a. In 2004, the landowner willfully sets the boundaries of the CVS lot and sells off this prime, hard corner portion of the original 9.95 AC.
  - b. In 2012, the landowner willfully sets the boundaries of the Primrose lot and sells of the next more prime portion of the lot.
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- 4.



**From:** [Joshua Bednarek](#)  
**To:** [Kaelee Wilson](#)  
**Cc:** [Samantha Keating](#)  
**Subject:** FW: Subject Storage Unit, PUD Z-22-18  
**Date:** Thursday, August 02, 2018 2:21:01 PM

---

I responded to Todd but forgot to copy you. Please add the e-mail to the case file and add Todd to the list of residents to keep informed.

Joshua Bednarek  
City of Phoenix Planning and Development Department  
Deputy Director, Planning Division  
P: 602-256-3555

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**From:** Todd [REDACTED] [mailto:t[REDACTED]@craltd.com]  
**Sent:** Tuesday, June 26, 2018 8:41 AM  
**To:** Joshua Bednarek <joshua.bednarek@phoenix.gov>  
**Subject:** Subject Storage Unit, PUD Z-22-18

Jousha,

I currently reside at 4519 E Running Deer Trail, Cave Creek AZ 85331. I am not happy with a zoning change from C1 to a PUD that would allow a self-storage warehouse/Cell Phone Tower. I purchased my home based on a friendly gated community adjacent to C1 zoning. Developing the parcel with any of the C1 uses will foster small and local business development on this parcel. The 2015 Phoenix General Plan explicitly states that small and local businesses drive our economy. Why would we want to remove an opportunity for these types of businesses and allow a national corporation to install a Self -Storage/Cell Phone Tower? Developing this parcel within C1 zoning would meet community expectations, bolster our local economy and "fit" in our community. The list of C1 businesses would also not have the size nor height of this proposed Self Storage/Cell Phone Tower.

I request that Village Planning Committee to reject Zoning Case number, PUD Z-22-18 and keep the existing zoning of C-1.

Thank you,

Todd [REDACTED]  
[REDACTED]  
[REDACTED], AZ 85331



**From:** Wade.Tinant  
**To:** [PDD Desert View VPC](#)  
**Subject:** FW: Tatum & Dynamite mark ups  
**Date:** Friday, May 04, 2018 8:47:07 AM  
**Attachments:** [IMG\\_2381.PNG](#)  
[ATT00001.txt](#)  
[IMG\\_2382.PNG](#)  
[ATT00002.txt](#)  
[IMG\\_2383.PNG](#)  
[ATT00003.txt](#)  
[IMG\\_2384.PNG](#)  
[ATT00004.txt](#)

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-----Original Message-----

From: Wade.Tinant  
Sent: Wednesday, May 02, 2018 5:55 AM  
To: Jim Waring  
Cc: Kaelee Wilson  
Subject: Tatum & Dynamite mark ups

**From:** Wade.Tinant  
**To:** [Kaelee Wilson](#); [PDD Desert View VPC](#)  
**Subject:** FW: Tatum & Dynamite Site Plan  
**Date:** Tuesday, May 08, 2018 2:46:54 PM  
**Attachments:** [image001.png](#)  
[17189.5 View 1 \(11-30-17\) \(1\).pdf](#)  
[Colored La \(01-04-18\).pdf](#)

---

Attached is a site plan I marked up and sent to the Developer on January 11<sup>th</sup>. Most items are still applicable to the current site plan. These are certainly neighborhood issues that need to be resolved and issues that have been open for some time.

Wade

**From:** Emily Rose  
[mailto:[erose@technicalsolutionsaz.com](mailto:erose@technicalsolutionsaz.com)]  
**Sent:** Thursday, January 11, 2018 9:48 AM  
**To:** Wade.Tinant  
**Cc:** Susan Smith  
**Subject:** [EXTERNAL] Tatum & Dynamite Site Plan

Hi Mr. Tinant,

I have attached the site plan and rendering for the project on Tatum Blvd and Dynamite Blvd.

Thank you,

**Emily Rose**  
**Technical Solutions**  
4350 E. Camelback Rd. Suite G-200  
Phoenix, AZ 85018  
(602) 957-3434

**From:** Wade.Tinant  
**To:** [PDD Desert View VPC](#)  
**Subject:** Fwd: [EXTERNAL] meeting follow up for Tatum and Dynamite  
**Date:** Monday, May 14, 2018 7:58:06 AM

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I provided this response to Wendy and Michelle this morning. Early on, I had suggested that the Developer take pictures from neighbors' yards, balconies, etc and outline the building envelope so residents could see what their view would be like. However, in the meantime, the trust in the Developer's competence and integrity have made this option useless at this point. Per the email below, as yet ANOTHER example of cherry picking elements and weaving stories together, the Developer handed out what was labeled as a fact sheet at the last neighborhood meeting that compared the mean roof height of the proposed building vs the top of parapet wall on the adjacent cvs. Fortunately our residents were already versed in the facts and proper definitions and measurements. But, nothing can be trusted from this Developer. As such, the willingness to work with this Developer has eroded and the trust in what this Developer produces is completely gone.

Regardless, i do want to recognize Wendy for acting on a neighborhood suggestion.

Wade

Begin forwarded message:

**From:** Wade.Tinant <[Wade.Tinant@kiewit.com](mailto:Wade.Tinant@kiewit.com)>  
**Date:** May 14, 2018 at 7:48:52 AM PDT  
**To:** Michelle Bach <[mbach@rkaa.com](mailto:mbach@rkaa.com)>  
**Cc:** Wendy Riddell <[wr@berryriddell.com](mailto:wr@berryriddell.com)>  
**Subject:** Re: [EXTERNAL] meeting follow up for Tatum and Dynamite

Michelle and Wendy,

I appreciate your offer and follow up. At this time, due to some underlying factors, there is not interest in exploring this option within the neighborhood. I will keep my finger on the pulse and advise if sentiment changes. Right now there is such a lack of trust in the deliverables provided (ie the "fact" sheet provided at neighborhood meeting comparing mean roof height of proposed building to top of parapet wall at cvs, etc) that the neighborhood is not receptive.

On May 10, 2018, at 10:37 AM, Michelle Bach <[mbach@rkaa.com](mailto:mbach@rkaa.com)> wrote:

Good Morning Wade,

I received your contact information from Wendy Riddell. I would like to find a time that works for you and I to meet at your home so I can take a few photographs from your backyard. This will help aid me in creating a line of sight exhibit of our proposed self storage project. Can you send me some available dates next week in the morning or afternoon that we can meet?

Thank you,  
Michelle Bach

## **RKAA Architects, Inc.**

### ***Arizona Office***

*2233 East Thomas Road - Phoenix, AZ 85016*

*Office: (602) 955-3900 ext. 124*

### ***California Office***

*26591 La Roda - Mission Viejo, CA 92691*

*Office: (949) 954-8785*

<image003.jpg>

**[rkaa.com](http://rkaa.com)**

**From:** Wade.Tinant  
**To:** [PDD Desert View VPC](#); [Kaelee Wilson](#)  
**Subject:** Fwd: Definition check - Tatum & Dynamite  
**Date:** Tuesday, May 08, 2018 9:24:58 PM

---

I don't believe I forwarded this request for clarification from zoning.

Begin forwarded message:

**From:** Wade.Tinant <[Wade.Tinant@kiewit.com](mailto:Wade.Tinant@kiewit.com)>  
**Date:** May 2, 2018 at 7:45:25 PM PDT  
**To:** "Kaelee Wilson ([kaelee.wilson@phoenix.gov](mailto:kaelee.wilson@phoenix.gov))" <[kaelee.wilson@phoenix.gov](mailto:kaelee.wilson@phoenix.gov)>  
**Cc:** "[joel.carrasco@phoenix.gov](mailto:joel.carrasco@phoenix.gov)" <[joel.carrasco@phoenix.gov](mailto:joel.carrasco@phoenix.gov)>  
**Subject:** Definition check - Tatum & Dynamite

Kaelee,

I have been through the General Plan, North Land Use Plan and the proposal. I have a couple of questions on definitions:

<!--[if !supportLists]-->1. <!--[endif]-->The proposal mentions at least 4 times that this is a "corner" lot. Every definition I can find of a corner lot requires a lot to be at the intersection of two streets, with lot lines intersecting at the corner of the lot.

<!--[if !supportLists]-->a. <!--[endif]-->Can you confirm whether or not this parcel is a corner lot?

<!--[if !supportLists]-->2. <!--[endif]-->The proposal mentions at least 4 times that the Phoenix General Plan calls for this parcel to be commercial. When I look at both the Phoenix General Plan and the North Use Plan, I see that the only commercial in this area was to be North of Dynamite and west of Tatum.

<!--[if !supportLists]-->a. <!--[endif]-->Can you confirm that while this parcel has been zoned C-1, this parcel, per the General Plan and North Land Use Plan was not shown as commercial?

<!--[if !supportLists]-->3. <!--[endif]-->The proposal mentions in several locations that the intersection of Tatum & Dynamite is a "core" or "area". Again, after a thorough review of the both the Phoenix General Plan and the North Land Use Plan, I cannot find a single reference to Tatum & Dynamite being identified as a core, area or corridor.

<!--[if !supportLists]-->a. <!--[endif]-->Can you confirm that this intersection, per the Phoenix General Plan and North Land Use Plan, is not a core, area or corridor?

Thank you.

Wade

**From:** Wade.Tinant  
**To:** [PDD Desert View VPC](#)  
**Subject:** Historical opposition to zoning amendments at Tatum and Dynamite  
**Date:** Wednesday, May 09, 2018 6:55:36 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image009.png](#)  
[Z-SP-16-17-A.pdf](#)

Well, after WEEKS of asking the Developer for the proposal information that had to be submitted with the initial application (see COP submittal checklist provided below), I was forced to do a formal records request to obtain the information the Developer had all along (permit dated 10/27/17 and narrative dated 12/21/18). I will save you the blow by blow of the complete lack of respect I received, but, if you want a taste of what this Developer is like, read the email chain.

Interesting how the "need" for storage units because there were only 2 units within 6 miles is now omitted (and wildly inaccurate) from the current proposal. Pretty poor market study for a report dated Dec 21 and a big change to May the following year. Although I would prefer the traffic and noise associated with a vacant building, to wreck our community and drive down housing values for a huge, vacant building would be a complete disgrace.

The initial proposal is an interesting read. The links to both applications are provided below for your use and I attached the narrative section for ease of review.

You have received access to a City of Phoenix Planning & Development File Share from Evelyn Naranjo. The link to transfer your file(s) will expire on Friday, June 01, 2018 10:09 AM.

[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_pdssftp.phoenix.gov\\_-3FShareToken-3D6B1D5B4E9C50AB9A1BA563C962EF1EDFC3F9195A&d=DwIFaQ&c=wn3mZQLuIuh2ClcJ0\\_DIA&r=U1PNIAfAlgkbbT6CL0rbXjPo3Iac47uX-yQGClqNL7U&m=DZ5aG0AfKcmbp-zZysIveWhdGpta5yZf2lDeB4-GxtY&s=NHsQqWX35MBXXvE3EWGPeStLsjdBC5NeAeQHtr3ceA&e=](https://urldefense.proofpoint.com/v2/url?u=https-3A__pdssftp.phoenix.gov_-3FShareToken-3D6B1D5B4E9C50AB9A1BA563C962EF1EDFC3F9195A&d=DwIFaQ&c=wn3mZQLuIuh2ClcJ0_DIA&r=U1PNIAfAlgkbbT6CL0rbXjPo3Iac47uX-yQGClqNL7U&m=DZ5aG0AfKcmbp-zZysIveWhdGpta5yZf2lDeB4-GxtY&s=NHsQqWX35MBXXvE3EWGPeStLsjdBC5NeAeQHtr3ceA&e=)

**From:** Susan Bitter Smith [mailto:sbsmith@technicalsolutionsaz.com]  
**Sent:** Sunday, January 28, 2018 1:04 PM  
**To:** Wade.Tinant  
**Cc:** [wr@berryriddell.com](mailto:wr@berryriddell.com); [joel.carrasco@phoenix.gov](mailto:joel.carrasco@phoenix.gov)  
**Subject:** [EXTERNAL] Re: Additional opposition to zoning amendments at Tatum and Dynamite

Wade, our client, as he promised he would, has listened and reviewed the issues and concerns raised by you and other residents and is going to revise his proposal. Stay tuned, I will circle back once we know what his plan is. Thanks. Susan

On Sat, Jan 27, 2018 at 11:44 AM, Wade.Tinant <[Wade.Tinant@kiewit.com](mailto:Wade.Tinant@kiewit.com)> wrote:

Susan,

I wanted to follow up with you on some of the information requests. I haven't gotten any response. The lack of response is not cultivating a partnering atmosphere with the community and is eroding what little trust the community has in the developer.

For the final time, please at least commit to sending (or not sending) the information requested. If you agree to supply the information, please provide a date for the ETA. If I don't hear from you by Monday, January 29<sup>th</sup>, I will take time off of work in Las Vegas and go to the Phoenix planning office to retrieve the information myself.

The information I am requesting is as follows:

1. The information that has already been submitted electronically (see notes below and attached).
2. The sign in sheets from the Neighborhood meeting. I'm not asking for all of the notes, I'm just asking for copies of the sign in sheets. I think this is a very reasonable request.

| Rezoning/Special Permit Submittal Checklist<br>and Notification Requirements                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <small>For additional information, please call the Planning and Development Department, Zoning Section at 602-262-3131, option 86.</small>                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| The following information outlines the required information needed to submit a Rezoning or Special Permit request to the City of Phoenix. All information needs to be submitted electronically in individual files as further discussed on <a href="#">Page 18</a> . |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>REQUIRED</b>                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <input type="checkbox"/>                                                                                                                                                                                                                                             | <a href="#">Application Information Form</a> ( <a href="#">Page 11</a> )                                                                                                                                                                                                                                                                                                                                                                                                         |
| <input type="checkbox"/>                                                                                                                                                                                                                                             | <a href="#">Project Information Form</a> ( <a href="#">Pages 15-17</a> )                                                                                                                                                                                                                                                                                                                                                                                                         |
| <input type="checkbox"/>                                                                                                                                                                                                                                             | <a href="#">Site Plan</a> (FOLDED INDIVIDUALLY, NOT ROLLED) ( <a href="#">Page 18</a> )                                                                                                                                                                                                                                                                                                                                                                                          |
| <input type="checkbox"/>                                                                                                                                                                                                                                             | <a href="#">Elevations</a> (FOLDED INDIVIDUALLY, NOT ROLLED) (four sided)                                                                                                                                                                                                                                                                                                                                                                                                        |
| <input type="checkbox"/>                                                                                                                                                                                                                                             | <a href="#">Landscaping Plan</a> ( <a href="#">Page 19</a> )                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <input type="checkbox"/>                                                                                                                                                                                                                                             | <a href="#">Ownership Verification Form</a> ( <a href="#">Page 20</a> )                                                                                                                                                                                                                                                                                                                                                                                                          |
| <input type="checkbox"/>                                                                                                                                                                                                                                             | <ul style="list-style-type: none"><li>• <a href="#">Legal Description</a> (<a href="#">Page 12</a>)</li><li>• <a href="#">Assessors Tax parcel numbers</a></li><li>• <a href="#">Gross Acreage</a></li><li>• <a href="#">Ownership Authorization Letter</a></li></ul>                                                                                                                                                                                                            |
| <input type="checkbox"/>                                                                                                                                                                                                                                             | <a href="#">Preliminary Development Team</a> ( <a href="#">Page 21</a> )                                                                                                                                                                                                                                                                                                                                                                                                         |
| <input type="checkbox"/>                                                                                                                                                                                                                                             | <a href="#">Electronic Submittal of Initial Application</a> ( <a href="#">Page 18</a> )                                                                                                                                                                                                                                                                                                                                                                                          |
| <input type="checkbox"/>                                                                                                                                                                                                                                             | Pre-application meeting notes, aerial, and parcel zoning map (provided at pre-application meeting)                                                                                                                                                                                                                                                                                                                                                                               |
| <input type="checkbox"/>                                                                                                                                                                                                                                             | <a href="#">School District's Notification Information for Residential Requests</a> ( <a href="#">Pages 30-33</a> )                                                                                                                                                                                                                                                                                                                                                              |
| <input type="checkbox"/>                                                                                                                                                                                                                                             | <ul style="list-style-type: none"><li>• <a href="#">School District Notification Consent Letter</a> (<a href="#">Page 34</a>)</li><li>• <a href="#">School District Response Form</a> (<a href="#">Page 35</a>)</li></ul>                                                                                                                                                                                                                                                        |
| <input type="checkbox"/>                                                                                                                                                                                                                                             | <a href="#">Fees</a> (See Zoning Fee Schedule, <a href="#">Pages 44-60</a> )                                                                                                                                                                                                                                                                                                                                                                                                     |
| <input type="checkbox"/>                                                                                                                                                                                                                                             | <ul style="list-style-type: none"><li>• The filing fee is based on gross acreage and portion thereof. Separate fees are calculated for multiple district requests that are outside general zoning classifications of single family, multifamily, and commercial or industrial. Separate applications and fees are taken for all special permit applications.</li><li>• Base Fee = (Acreage x Per Acreage Fee) + Application Fee (fees are rounded up, e.g., 2.1 = 3.0)</li></ul> |
| <input type="checkbox"/>                                                                                                                                                                                                                                             | <a href="#">Recorded Proposition 2017 Tabular Waiver</a> ( <a href="#">Pages 13-14</a> ) (Shall be submitted after application has been accepted)                                                                                                                                                                                                                                                                                                                                |
| <b>CONDITIONAL REQUIREMENTS</b>                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Depending on the location/type of request, the below materials may also be required. Please check with Planning and Development Department staff at the pre-application meeting.                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <input type="checkbox"/>                                                                                                                                                                                                                                             | <a href="#">Aviation</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <input type="checkbox"/>                                                                                                                                                                                                                                             | <ul style="list-style-type: none"><li>• <a href="#">Notice of Airport in Vicinity</a> form (<a href="#">Pages 36-38</a>)</li></ul>                                                                                                                                                                                                                                                                                                                                               |

**From:** Wade.Tinant  
**Sent:** Sunday, January 21, 2018 12:39 PM  
**To:** Susan Bitter Smith ([sbsmith@technicalsolutionsaz.com](mailto:sbsmith@technicalsolutionsaz.com)); [wr@berryriddell.com](mailto:wr@berryriddell.com); [joel.carrasco@phoenix.gov](mailto:joel.carrasco@phoenix.gov); Jim Waring ([council.district.2@phoenix.gov](mailto:council.district.2@phoenix.gov)); [barbara.gonzales@phoenix.gov](mailto:barbara.gonzales@phoenix.gov)  
**Cc:** Wade.Tinant  
**Subject:** Additional opposition to zoning amendments at Tatum and Dynamite

In addition to the formal letter I wrote I want to also communicate the following requests and opposition to the proposed zoning amendments. A brief summary of the specific actions requested:

1. City of Phoenix (Joel)- please confirm that the public meeting will not be held in advance of the regularly scheduled Desert View Village Planning Meeting on March 6, 2018.
2. I am formally requesting all of the information the developer submitted, electronic and hard copy, with their application per the "Zoning Process Guide, rezoning and special permit procedures outline" which is attached. If the Developer does not wish to accommodate sharing this electronic information and would rather require neighborhood residents to make a special trip to the planning office to gather this same information, please clearly state that in response. There are also requests for the supplemental information noted below (in relation to traffic and parking).
  1. This request is very reasonable to allow the neighborhood to properly vet any conflict of interest with our representation.
3. Additional information requested of the developer.
4. If the Developer has not provided this information, as requested above and detailed below, we formally request that Desert View Planning require this information as a stipulation to the application.
5. I have provided a markup of the current site plan. By commenting on this site plan I am in no way withdrawing my stern opposition to the proposed zoning amendments and height waiver. Most of these comments have been communicated previously.
6. Once comment that I don't recall coming up previously - What is the purpose of "Building B" and what zoning requirements will this building fall under? What are the dimensions of this building? What would happen if this parcel was subdivided in the future (specifically in regards to the zoning of the Building B portion of the parcel)? The developer is requesting a waiver for not only the number of stories but also the height of the building. WHY WOULD THESE SORTS OF OUTBUILDINGS BE ALLOWED OR REQUIRED? The outbuildings need to be incorporated into the footprint of the major building, regardless of the waiver being allowed or not.
  1. Building B removes unnecessary desert landscape, greatly increases traffic along the neighborhood, greatly increases the density of the proposed development, and does not fit with the adjacent R-18 zoning standards.

The substantiation for the requests summarized above is listed below.

#### Public meeting schedule & confirmation requested

The post application meeting is scheduled for Monday, February 5<sup>th</sup>.

The next Village Planning meeting is scheduled for Tuesday, February 6<sup>th</sup>.

Theoretically, the initial public hearing could take place at this Village Planning meeting on Tuesday, February 6<sup>th</sup>. I (and others) formally request that the initial public hearing be no earlier than the Village Planning meeting on Tuesday, March 6<sup>th</sup>.

A public meeting before March 6<sup>th</sup> will not allow the residents and community adequate time to review the staff report and stipulations to be prepared for a productive discussion before the March 6<sup>th</sup> meeting.

While there is not a set duration to post information, the sign in sheets and information from the meeting Wednesday have not even been posted yet. This fact validates that a public meeting on February 6<sup>th</sup> would truly not allow the neighbors or community to be prepared for a reasonable discussion.

Our community anticipates strong attendance at this meeting.

Please confirm that the public meeting will not be held in advance of March 6<sup>th</sup>.

#### Information requested from the application from the Developer:

The following information is required to be electronically submitted with the application (dated 10/27/17).

Application information form (pg. 11), Project Information form (pg. 15-17), site plan (pg. 18), elevations, context plan (pg. 19), ownership verification form (pg. 28), legal description (pg. 12), principal & development team (pg. 26), pre-application meeting notes, aerial and parcel zoning map.

We also request the following supplemental information – traffic study & the required traffic generation statement; parking study and parking statement.

#### Additional information requested of the developer:

i. A baseline study on the current light, noise, odor and vibration at the boundary of the property near each residence before this project is approved.

ii. A monitoring plan to ensure the baseline values of the studies above do not increase during the construction or operation of this proposed facility.

1. These requirements are noted in both C-1 and C-2 zoning and are very reasonable requests spelled out in the standards.
2. How will the business respond to violations of these studies, in the sense of time and/or money?
3. How would residents be able to follow this monitoring and file complaints?
4. How would the developer request (and gain approval) for permits to exceed baseline values?
5. Being in the construction industry for over 20 years (including the O&M portions of projects) I have been involved in multiple projects that involved exactly these kinds of baseline testing and ongoing monitoring. In multiple cases residents were offered off site accommodations when any of the sensitive values being monitored were exceeded. What is the plan for this development?

iii. Provide examples in local villages where height waivers have been approved and disapproved.

iv. Provide a rendering that shows flood plain elevation and top of building, roof and sign elevations (and sign locations).

v. install temporary poles at the proposed building corners, erected to the height of the building to show the view impact. Maybe neighbors would be ok?

vi. provide other examples where R-18 residential zoning is abutted by C2 zoning.

--

**Susan Bitter Smith**

Vice President

Technical Solutions

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**From:** Wade.Tinant  
**To:** [Council District 2 PCC](#); [PDD Desert View VPC](#); [Joshua Bednarek](#); [Alan Stephenson](#)  
**Cc:** [Wade.Tinant](#)  
**Subject:** Insufficient 5/31 meeting summary for PUD Z-22-18  
**Date:** Thursday, July 12, 2018 11:30:46 AM  
**Attachments:** [image030.png](#)  
[image031.png](#)  
[image032.png](#)  
[image033.png](#)  
[image034.png](#)  
[image035.png](#)  
[image036.png](#)  
[image037.png](#)  
[image038.png](#)  
[image040.png](#)  
[Boiled down Questions for the 5-31 Neighborhood Meeting.docx](#)

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The meeting summary for the Neighborhood meeting on 5/31/18 for PUD Z-22-18, just obtained via public records request, does not capture several specific questions brought up at the meeting on 5/31. The community has video, pictures of comment cards and/or copies of written information attached to comment cards to support the statements below.

Questions posed by the community on 5/31 that do not appear in the summary:

1. Clarification and requests for backup that a drug rehab facility could be put on this parcel under current zoning.
  - a. This statement was made on a Developer provided hand out at the 5/3 meeting (attached).
  - b. Developer agreed to provide the information that the Developer was using to support this statement so that the community could understand their opinion.
  - c. Information has not been provided to date.
2. Clarification and requests for backup that the Developer does not have to submit a meeting summary within 5 business days of the neighborhood meeting.
  - a. Developer agreed to provide the information that the Developer was using to support this statement so that the community could understand their opinion.
  - b. Information has not been provided to date.
3. Drawings dated 5/22 show the main building rotated. However, at the 5/31 meeting, over 100 community members were told these details were not available and were still being worked out.
  - a. Why waste our time and not provide current information?
4. In addition, below are written questions were attached to a comment card and provided at the 5/31 meeting. A copy of this document is also attached. These questions do not appear in the Developers summary of the 5/31 meeting.
  - a. **PLEASE NOTE, THIS IS NOT A COMPLETE LIST OF QUESTIONS MISSING FROM THE SUMMARY PROVIDED BY THE DEVELOPER. RATHER, THIS IS SIMPLY A LIST THAT I COULD COME UP WITH OFF THE TOP OF MY HEAD, A MONTH AND A HALF AFTER THE MEETING AND WITHOUT MUCH RESEARCH.**
5. Unfortunately, these discrepancies are not surprising. As captured on video, when the community asked anyone taking notes for the Developer to raise their hand, no hands were raised.
6. I firmly request that the following occur:
  - a. Developer resubmits their meeting summary to reflect specific questions asked, or
  - b. These notes be attached to the meeting summary so that a more accurate recording of the meeting is made for those not in attendance.
  - c. If the Developer will not answer the questions below, I request the City answer these questions for the community.

Wade Tinant

Written questions provided with comment card at the 5/31 meeting:

1. Has Steve Bowser disqualified himself?
2. Steve Bowser presented information at the First Neighborhood Meeting on May 3<sup>rd</sup>, is this a conflict of interest?

4. The City employee or member of a City board, commission, committee or the City Council (or a relative) is a developer who files an application for approval of a project. Not only must the City employee or member disqualify himself from consideration of the application, the member also may not participate in the matter by personally presenting the application to the public body. (However, someone else may present the application on behalf of City

\* 19 \*

Excerpt from page 19 of the City of Phoenix Ethics Handbook.

3. How many existing storage facilities (# of each and SF/each) are within 6 miles of Tatum & Dynamite?
4. How many proposed storage facilities (# of ea. and SF) are within 6 miles of Tatum & Dynamite as of 5/31/18 (includes the City of Phoenix, Unincorporated Maricopa County, City of Scottsdale, Cave Creek and Carefree).
5. What is the postal count population within 6 miles of Tatum & Dynamite?
6. Studies list data for storage unit customers as 90% of tenants live within 5 miles of a self-storage unit to 75% of the tenants living within 2 miles of the self-storage unit. What are the populations within 5 miles and 2 miles of Tatum & Dynamite?
7. What is the true demand for self-storage within 6 miles of Tatum & Dynamite?
8. Will the Developer agree to demolish the structure to allow sight lines and open desert to return if the building sits vacant for more than 6 months?
9. Alternate uses for a former storage unit seem to be limited. Are there any typical alternate uses for these types of facilities in the event the self-storage business fails?
10. Why is rezoning required when nearly 3 C1 businesses the size of CVS could occupy the same footprint as the proposed structure?
11. Why is rezoning required when nearly 4 C1 businesses the size of Primrose could occupy the same footprint as the proposed structure?
12. Why should the community suffer when the parcel owner meticulously created this “unique” parcel under his own free will?
13. The proposal states that this structure would have the look and feel of a C1 business.
  - a. The adjacent C1 businesses are 1 floor/story, not 3 floors/stories.

- b. The adjacent C1 businesses are less than 1/3 of the footprint of the main building by itself, let alone the outlying buildings.
  - c. How do these statistics give the “look and feel” or “theme” of a C1 business?
- 14. The City of Phoenix went to great lengths to distinguish what businesses fit into C1 and C2 zoning.
  - a. The C1 ordinance specifically lists 147 allowable businesses.
  - b. The C2 ordinance specifically lists 212 allowable businesses.
  - c. Why would the City go through such meticulous listing if there weren’t some significant reasons for producing such specific lists? Why would the City list 359 very specific “suggestions”?
  - d. Even more concerning:
    - i. The C1 ordinance states that “no large scale commercial retail uses are permitted”.
    - ii. The Developer specifically lists a retail component within the proposed uses.
    - iii. By definition, a “large scale commercial retail use” is defined as a development with a primary building of more than 100,000 SF of gross business area.
    - iv. The proposed main building is 115,680 SF.
    - v. Furthermore, a special permit is required to even allow a self-storage unit to be included in C2 zoned parcels.
    - vi. How much further apart could a self-storage unit be from a C1 business? Similar colors of brick can’t align this diverse of uses.**

Let’s call a spade a spade.

- e. Rezoning of this parcel isn’t required because of any site constraints.
  - f. Multiple successful C1 businesses could EASILY occupy this same parcel within the same footprint.
  - g. The owner meticulously created this EXACT parcel!
  - h. The City meticulously created very specific lists of businesses that are acceptable in each commercial zoning ordinance.
  - i. This PUD is nothing more than a guise to slip a monstrous self-storage unit up against our community because self-storage is all the rage as an investment right now.
- 14. Why destroy mountain views, consume vast open space for a gigantic building with a chance of becoming vacant, only to prevent local, small businesses that the community would support from moving in? Why?
- 15. The Developer needs to explicitly address whether the requirements of Section 647 will or will not be implemented and whether retail sales as an accessory will be allowed.
- 16. Multiple requests, dating back to January 2018, have been made in regards to rotating the building so the office, lobby and loading area, as well trash receptacles and parking, not be located directly adjacent to the R18 residential neighborhood. Developer – will you comply with these requests?

17. The Developer has hinted at potential WCF facilities on site (section 715).
  - a. The community is strongly against any WCF facilities on this parcel.
  - b. There are multiple transmission and distribution powerlines in the immediate vicinity as well as multiple WCF facilities on nearby self-storage units.
  - c. The Developer has not provided any sort of design standards or setback enhancements for a WCF facility.
  - d. The community will never support any sort of WCF on this parcel.

Per RKAA drawing # 17189.50:

19. Note “f” states that the light at the property line will not exceed one foot candle.
20. Note “f” also states “no noise, odor or vibration will be emitted at any level exceeding the general level of noise, odor or vibration emitted by uses in the area outside of the site.”
  - a. The C1 standard is worded very similarly but slightly different: “no noise, odor or vibration **shall** be emitted so that it exceeds the general level of noise, odor or vibration emitted by uses outside the site. Such comparison shall be made at the boundary of the site.
  - b. Use the verbiage from the C1 Standard in lieu of Note “f”.
21. Note “J” states that all equipment and satellite dishes be screened to the height of the tallest equipment.
  - a. Community requests that all equipment and satellite dishes be screened from view. Community also requests the designer relocate these items to the NE corner of the building. This allows the equipment and satellite dishes to be screened, but, also allows a reduction in line of sight obstruction for adjacent neighbors.
22. Note “k” states that all service areas (including loading docks); be screened from eye level adjacent to all public streets. Community requests this same restriction apply to the adjacent neighborhood as well.
23. Note “P” states that the average noise level, measured at the property line, shall not exceed 55 dB when measured on a “weighted” sound level meter and according to the procedures of the EPA.
  - a. This Note is not restrictive enough to comply with the C1 standard that states, “No noise, odor or vibration shall be emitted so that it exceeds the general level of noise, odor or vibration emitted by uses outside the site. Such comparison shall be made at the boundary of the site.”
  - b. Reword Note “P” as follows: “no noise, odor or vibration shall be emitted so that it exceeds the general level of noise, odor or vibration emitted by uses outside the site, **but never to exceed 55dB.** Such comparison shall be made at the boundary of the site.”
24. The concerns above are driven by the conversation with Village Planning, where the drawings and notes are not enforceable, only the tables are enforceable. Will the Developer put this information in a table?
25. Parking stalls required is listed as 25 stalls.

- a. If the trips generated are so light and all activity happens inside the building, why are 29 parking stalls provided?
- 26. The setback from the Office/Storage building to the south property line is clearly dimensioned as 26'-5", yet the table in the Development Standards lists the minimum setback to the south property line as 55 ft.
  - a. Developer to correct the table.
- 27. No dimensions, heights or elevations are provided for Building B. Developer to provide this information.
- 28. No heights or elevations are provided for the office building adjacent to Building B. Developer to provide this information.
- 29. Why can't these buildings be incorporated into the main building?
- 30. A major hard spot with the community is the proposed paved surface connecting the main building to the Office Building/Building B.
  - a. Co-location of all of these facilities in the main building would resolve this issue.
  - b. If these structures cannot be relocated, why can't the Developer enter into an access agreement with CVS to have patrons drive around the North side of CVS to get to these buildings?
    - i. I'm sure CVS would appreciate the traffic.
    - ii. The neighborhood wouldn't be exposed to "through traffic" right behind our back walls.
    - iii. Seems like a "win win" solution.
    - iv. Will the Developer implement this idea?
- 31. Developer to provide the hour retention, confirm compliance with the Driveway Ordinance and list Gate Controlled Access requirements (fact finding summary)
- 32. The proposal says it won't inhibit the neighborhoods view of adjacent mountains. Interestingly enough, the mountain views this community is trying so hard to protect are a part of the Sonoran Preserve. Why can't the Developer keep the basement concept and simply go up one story above ground?



32. Per the Fact Finding Summary, a discussion with Floodplain Management on the 5<sup>th</sup> Floor was to be conducted. What information is available from this discussion?
33. The Declaration of Easement for Retention per Document No. 2012-0775408, M.C.R.  
 The community has provided a copy of this Easement and the document is very prescriptive.  
 The Occupancy Permit for Primrose was based on this Easement.  
 The current site plan has the main building being constructed over a significant portion of this Easement.  
 What is the Developers plan to maintain the capacity of this Easement and where will the adjusted easement be located?

## **General Plan**

The comments in this section are based on comparing the proposed storage unit with a typical C1 business.

### **Cores, Centers & Corridors**

34. Per the 2015 Phoenix General Plan maps, this parcel is not identified as a core, center or corridor. These terms are littered throughout the narrative and have caused confusion. Please use zoning terms accurately.

**LAND USE** Locate land uses with the greatest height and most intense uses within village cores, centers and corridors based on village character, land use needs, and transportation system capacity.

35. This proposal appears to violate this Principle in its entirety. Am I missing something?

**PLANS** Update or develop core, center or corridor plans to be incorporated into the General Plan or adopted as specific plans. The plans should provide the desired mixture of uses, with separate vehicular and pedestrian traffic, reduce through-traffic when practical and

36. The current site plan encourages through traffic. Eliminate the paved surface between the main building and the Office/Building B.

### Opportunity Sites

**LAND USE** Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.

**LAND USE** Encourage development of the taller and larger buildings in Areas of Change away from single-family and low-rise, multifamily housing.

37. This proposal has a building that is so out of scale that the local conditions and surrounding neighborhoods are not respected. This proposal puts a taller and larger building directly adjacent to single family housing.

**PLANS** In conjunction with the village planning committees, create an inventory of previously developed sites ranked by priority for development or redevelopment.

38. Is this parcel truly at the top of the list for Desert View?

### Complete Streets

**DESIGN** Locate parking to the rear of a site to create a more pedestrian environment, when adequate shielding from noise and light can be provided to adjacent established neighborhoods. On-street parking in some areas may also promote a pedestrian environment.

39. Parking needs to be relocated to the North side of the main Building. This is where the largest set backs are and this location would best shield the neighborhood.

### Parks

## PARKS

The Phoenix Parks and Recreation system **offers a unique experience for Phoenix residents**, and visitors through a varied and extensive collection of recreational facilities. The system is home to a range of facilities from small pocket parks and neighborhood community centers, to large regional parks and sports facilities. During the community outreach portion of this project, Phoenix community members responded that **parks are the number one asset they treasure in Phoenix**. It is important to build off past successes and improve and expand the system for generations to come.

40. Our community echoes the sentiment towards our local Dynamite Park. This is a driving reason to verify, with actual field data, the traffic expected to be generated on Dynamite Blvd. which separates Diamond Creek from Dynamite Park.

### Local & Small business

## LOCAL & SMALL BUSINESS

**Local and small businesses are the fabric of our community.** These local and small businesses provide tens of thousands of jobs to Phoenix residents and have a huge economic impact on our community. According to Local First Arizona, (a local, non-profit network of local, independently owned Arizona businesses and supporters) for every \$100 spent in a locally owned business, roughly \$42 remains right here in Arizona, while for the same \$100 spent in a national chain store, only \$13 remains here. **Our community's success depends on local and small businesses**, and the city should work hard to support them.

**LAND USE** Facilitate adaptive reuse of older, underutilized properties to create mechanisms for new local and small businesses to operate, thrive and grow.

41. This proposal would eliminate the possibility of supporting local and small businesses on the adjacent parcel. The storage unit would be one enormous building with one, menial level job



generated. The community does not want the storage facility. Let the community get behind a local and or small business and give our people somewhere to work.

#### Entrepreneurs Emerging Enterprises

## ENTREPRENEURS EMERGING ENTERPRISES

Our community's **creative entrepreneurs and emerging enterprises** drive our city's small businesses. The world's largest companies started with an innovative vision, a drive, and a lot of hard work from an entrepreneur. To assist entrepreneurs, access to other small businesses, suppliers and support facilities are crucial to their success. **New businesses need support** to increase the likelihood of their sustained success.

**LAND USE** Encourage land uses that promote the growth of entrepreneurs or new businesses in Phoenix in appropriate locations.

42. This proposal would eliminate the possibility of supporting emerging enterprises on the adjacent parcel. The storage unit would be one enormous building with one, menial level job generated. The community does not want the storage facility. Let the community get behind an emerging enterprise and give our people somewhere to work.

#### Highly Skilled Workforce

## HIGHLY SKILLED WORKFORCE (EDUCATION/TRAINING FACILITIES)

The success of our **local economy** stems from access to a robust and qualified workforce. Our education and training institutions provide the pipeline **to sustain a highly skilled workforce**. As our local economy continues to expand its labor sectors to produce quality jobs, talent development must be based on a skill match economy.

#### THE GOAL

Align and leverage education and workforce development resources to **develop a skilled and qualified talent pipeline** that meets industry and business workforce needs through customized non-traditional training programs

Increase the number of individuals attaining industry recognized credentials and certifications in occupational sectors to meet local business' talent acquisition needs.

**LAND USE** Evaluate the current land use designations on the General Plan Land Use Map surrounding education and training facilities in each of the urban villages and determine if updates to the land use mix would be appropriate.

**LAND USE** Support the expansion of education and training facilities where appropriate.

43. I can't think of any C1 business that would not support this core value more than a self-storage unit.



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## CERTAINTY & CHARACTER

What makes a city a great place to live are its robust vibrant neighborhoods. There is a level of certainty one expects to have and quality of life one expects to maintain while living in a great city. The goals and policies that are outlined in the General Plan were created so residents have a reasonable expectation and level of certainty while living in our great city; certainty in regards to quality of life and compatibility. The success, stability and certainty our neighborhoods can provide only strengthen our city and region's vitality and prosperity.

A city's identity is not only created by unique places and spaces, but by the residents who live within its borders. The cultural diversity, rich architectural style and truly unique neighborhoods (from large lot rural communities to suburban and urban neighborhoods) help define its character.

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### THE GOAL

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Every neighborhood and community should have a level of **certainty**.

Ensure that development, redevelopment and infrastructure supports and reinforces the character and identity of each unique community and neighborhood.

### Land Use and Design Principles

- LAND USE** Locate land uses with the greatest height and most intense uses within limits based on village character, land use needs, infrastructure and transportation system capacity.
- LAND USE** Protect residential areas from concentrations of incompatible land uses that could change their character or destabilize land values.
- LAND USE** New development and expansion or redevelopment of existing development in or near residential areas should be compatible with existing uses and consistent with adopted plans.
- LAND USE** Disperse group homes and homeless shelters throughout the city in locations where they are compatible with surrounding densities. They should not be concentrated in any one neighborhood or urban village.
- LAND USE** Residential Conversion Policy: Encourage properties and neighborhoods planned for residential use to continue as residential uses rather than being assembled for nonresidential development.
- DESIGN** Protect and enhance the character of each neighborhood and its various housing lifestyles through new development that is compatible in scale, design, and appearance.

|               |                                                                                                                                                                                                                                                                                                                                           |
|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>DESIGN</b> | Provide high quality urban design and amenities that reflect the best of urban living at an appropriate village scale.                                                                                                                                                                                                                    |
| <b>DESIGN</b> | 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.                                                                                                        |
| <b>DESIGN</b> | All housing should be developed and constructed in a quality manner.                                                                                                                                                                                                                                                                      |
| <b>DESIGN</b> | Enhance the compatibility of residential infill projects by carefully designing the edges of the development to be sensitive to adjacent existing housing. Create landscape buffers and other amenities to link new and existing development.                                                                                             |
| <b>DESIGN</b> | Design neighborhood retail to be compatible in scale and character and oriented towards the residential areas that it serves, in terms of both design and pedestrian linkages. Traffic, noise or other factors should not negatively impact adjacent residential areas.                                                                   |
| <b>DESIGN</b> | Protect the neighborhood's views of open space, mountains, and man-made or natural landmarks.                                                                                                                                                                                                                                             |
| <b>DESIGN</b> | When making changes and improvements near residential areas, avoid any alteration or destruction of points of reference (such as prominent natural features or historic buildings), focal points, and place names important to the area's identity.                                                                                       |
| <b>DESIGN</b> | Promote neighborhood identity through planning that reinforces the existing landscaping and character of the area. Each new development should contribute to the character identified for the village.                                                                                                                                    |
| <b>DESIGN</b> | Create or maintain spacing requirements for small-scale incompatible land uses such as adult businesses, homeless shelters, residential treatment facilities and other group facilities, to avoid concentrations that change the character of an area.                                                                                    |
| <b>DESIGN</b> | Provide impact-mitigating features (such as extra width or depth, single story units, or landscape buffering) when new residential lots abut existing non-residential uses or are adjacent to arterial streets or freeway corridors. Dissimilar land uses often require additional separation or other measures to achieve compatibility. |
| <b>DESIGN</b> | Require appropriate transitions/buffers between neighborhoods and adjacent uses.                                                                                                                                                                                                                                                          |
| <b>DESIGN</b> | Integrate into the development design natural features such as washes, canals, significant topography and existing vegetation, which are important in providing character to new subdivisions.                                                                                                                                            |
| <b>DESIGN</b> | Encourage a streetscape that is not dominated by garage doors, by improving and varying home design or increasing or varying lots sizes.                                                                                                                                                                                                  |
| <b>DESIGN</b> | Encourage public and private utilities, including high-tension wires, to be located underground to enhance the overall appearance of neighborhoods. If high tension wires cannot be placed underground, they should not be placed along local neighborhood streets.                                                                       |
| <b>DESIGN</b> | Freeways and parkways within the city should be designed or mitigated to be sensitive to adjacent neighborhoods.                                                                                                                                                                                                                          |
| <b>CODES</b>  | Utilize Zoning Ordinance design review standards and any adopted plans or guidelines for planning compatible new development in existing neighborhoods.                                                                                                                                                                                   |

44. How does this proposal support any part of this core value in the Phoenix General Plan?

### Desert Landscape

| MEASURE FOR SUCCESS |                                                                     |
|---------------------|---------------------------------------------------------------------|
| <b>Increase</b>     | the size of the Phoenix Sonoran Preserve <b>by 20%</b> in 10 years. |

|                 |                                                                                                                                                                                                                                   |
|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>LAND USE</b> | Promote land uses that preserve Phoenix's natural open spaces.                                                                                                                                                                    |
| <b>DESIGN</b>   | Propose new design standards that address drainage, use of native plants, edge treatment, and access – both visual and physical – for private and public development adjacent to public preserves, parks, washes and open spaces. |

45. We are very close to the Sonoran Preserve. In what direction will the 20% expansion go? This proposal is not in line with this core value.

## Trees and Shade

- DESIGN** Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.
- DESIGN** Plant drought tolerant vegetation and preserve existing mature trees in new development and redevelopment.
- DESIGN** New development should minimize surface parking areas and provide an abundance of shade through either trees or structures on any planned parking areas.

46. The site plan is covered with the main building and surfaced streets/parking. A C1 business would very likely meet this core value more adequately.

## Healthy Food System

THE GOAL

**Promote the growth** of a healthy, affordable, secure and sustainable food system that makes **healthy food** available to all Phoenix residents.

MEASURE FOR SUCCESS

**Increase** the number of residents within ¼ mile of a **farmers market, community garden or urban agriculture.**

**Increase** the number of residents within ¼ mile of a **grocery store.**

## Land Use and Design Principles

- LAND USE** Support the growth of land uses that contribute to a healthy and sustainable food system (i.e. grocery stores, community gardens, urban farms and other urban agriculture elements).
- LAND USE** Encourage the development of agricultural land as a buffer between incompatible land uses as a means of enhancing the function of landscape setbacks throughout Phoenix.
- LAND USE** Explore the utilization of city of Phoenix-owned parcels as opportunities for urban agriculture.
- DESIGN** Encourage neighborhood designs that incorporate community gardens, urban farms and other urban agriculture elements.

47. Several C1 businesses would align much more closely with this core value as opposed to a storage unit.

## Storm water

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## STORMWATER

Proper stormwater management can reduce flooding and prevent pollutants from entering our surface waters. With over 100 years of experience in managing our water resources, Phoenix is dedicated to providing efficient and economical management of our stormwater. Living in a desert necessitates sensitivity and long-range planning for the use, conservation and protection of the water supply. Only through the efforts of the entire community can this be accomplished.

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### THE GOAL

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**Manage** our stormwater efficiently and economically,  
**while minimizing** stormwater pollution.

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### MEASURE FOR SUCCESS

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**Ensure** that all applicable National Pollutant Discharge Elimination System (NPDES) or Arizona Pollutant Discharge Elimination System (AZPDES) permits have been obtained **prior to discharging stormwater.**

## Land Use and Design Principles

- DESIGN** Pursue creative, innovative, and environmentally-sound methods to capture and use stormwater and urban runoff for beneficial purposes.
- DESIGN** Minimize the impact of urban activities on the quality of stormwater and surface water.
- DESIGN** Encourage stormwater management through innovative solutions such as the use of permeable surfaces, protecting vegetative surfaces, and implementing surface water buffers.
- DESIGN** Encourage construction plans that reflect a systematic and integrated approach to building design, civil engineering, and landscape architecture in order to maximize the potential for rainwater harvesting and stormwater retention for landscape watering.

48. This issue isn't really even addressed in the proposal. There is a simple statement made, but, for a site with a basement in an AO floodplain it would seem that more due diligence would be happening.

The Developer needs to re-issue their meeting summary, or, these specific questions need to be added to the meeting summary. Please note, these are ONLY the questions that

**From:** Amber Gutierrez  
**To:** [Mayor Williams](#); [jim@jimwaring.com](mailto:jim@jimwaring.com); [Council District 2 PCC](#); [Joshua Bednarek](#); [Kaelee Wilson](#); [Angie Holdsworth](#); [PDD Desert View VPC](#); [NSD NSD](#)  
**Cc:** [investigators@abc15.com](mailto:investigators@abc15.com); [3oys@azfamily.com](mailto:3oys@azfamily.com); [FoxPhoenixPress@foxtv.com](mailto:FoxPhoenixPress@foxtv.com); [wes@sonorannews.com](mailto:wes@sonorannews.com); [news@ktar.com](mailto:news@ktar.com)  
**Subject:** INTIMIDATION- this is not ok  
**Date:** Wednesday, August 22, 2018 5:41:10 PM  
**Attachments:** [Intimidation.pdf](#)  
[COP complaints.pdf](#)  
[Developer conduct.pdf](#)

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City Officials and Commission Members,

I am absolutely outraged by whom ever is literally trying to HURT my family because we are in opposition of the re-zoning case in the property behind us. PUD Z -22-18 We moved in to our home just over two years ago, and have made no structural changes. Yet, I keep getting City of Phoenix officials at my door or COP letters in the mail stating that a complaint has been received, in addition to multiple other incidents that have transpired.

1. COP Water Department - Complaint that we were dumping chemicals over our fence, backwashing our pool over the fence, had drainage holes in fence to the property. Inspector noted there was no sign of chemicals being dumped over, no sign of pool being backwashed over (we have a drain for backwash), and there are no holes in our fence. These were all complete lies.
2. City of Phoenix Planning and Development Department - Code Violation - Complaint that we are currently raising our fence without a permit. We are NOT in construction, have no holes at the bottom of the fence. I spoke to the inspector Bob and explained that if the fence was raised we did not raise it. He was very understanding, noted that I was correct, there are no holes in the bottom of our fence either. He closed the case. I called and confirmed that with him again today after receiving yet another violation.
3. City of Phoenix Neighborhood Services Department - Complaint received that our rear fence is over 6' high. They are sending an inspector out and if it is over 6' high we will be responsible for bringing it down or for getting a permit and going through zoning. I told her that we purchased the home the way it is. She also confirmed that this complaint was in no way related to the complaint from the Planning and Development Department. This was a direct complaint from someone but of course that is anonymous.

The neighbors on our street have never had any problems or complaints from anyone. This did not start until our opposition for the proposed development started. The developer and property owner are trying to hurt us financially and cause even more stress to our families. In addition to these city complaints, we have also had signs torn up in our neighborhood right before a community meeting was about to take place, there is no one in our neighborhood that is NOT in opposition of this development, it was not someone from Diamond Creek. The owner of the property has come to our HOUSE!!! We were not home, so we do not know what he wanted. The owner of the property has also had words over our fence with my husband where he proceeded to threaten to SHOOT him. A police report was made, the number included, we have never pulled it. The officer that spoke to him said he was very aggressive and advised my husband to put a restraining order on him. He did not..... The property owner had words with another neighbor and was belligerent to him as well, he is a senior citizen. He AND his father on two different instances called the employer of our

neighbor and tried to get him fired because he was using his work e-mail in regards to the opposition. That neighbor happens to be a civil engineer and another directly impacted community member. Any time he is seen walking on his property he is wearing a Smith and Wesson t-shirt, no this is not illegal by any means, but it does show you exactly what his feelings towards our community are, and makes it painfully obvious this is yet another intimidation tactic. In addition to all of this, he also had a community member served with two cease and decist letters after speaking out about his safety concerns pertaining to the proposed storage facility.

There have been multiple actions of the developer to make it difficult for community members to voice their opinions etc. I will attach a doc that compiles them.

The above incidents have not been mentioned at meetings or publicly because we feel that it is fighting very dirty, and we didn't want any part of it. We have used our voices in a legal and professional way to voice our opposition to the re-zoning of this parcel, which is our right as citizens. But this is enough, I have had it, it makes me feel unsafe in my own home. With my animals in my back yard or my children playing alone in the back yard. Someone is literally trying to hurt us in every way they can think of. Whats next?! This is not an appropriate way to fight a zoning battle, it is down right WRONG!!!! Not only are they hurting us, they are wasting tax payer money with these frivolous and ridiculous inspections. What more do we have to expect from the developer and property owner? They are supposed to be working WITH the community, not against the community. I am done leaving these nasty, dirty actions out of the argument. We have taken the high road, but we have had enough. Our community has had enough.

Is someone going to address this??? Surely this type of behavior is not tolerated during this process by the City of phoenix.

Thank you for your prompt attention,

Amber



**From:** jean brady  
**To:** [Kaelee Wilson](#)  
**Subject:** Storage facility at Tatum & Dynamite  
**Date:** Wednesday, April 11, 2018 7:27:02 PM

---

The owner of the parcel has carved the heart of this lot out by subdividing to CVS and Primrose. Now, for one last payday, a developer wants a zoning change to be able to cram in an intermediate commercial business right up next to our neighborhood. Increase in traffic, noise, light. Loss of quiet evenings and weekends with an adjacent desert. Loss of property value. Increase in traffic between the neighborhood and Dynamite Park.

Jean Brady

[REDACTED]

Cave Creek AZ

**From:** Jill Robinson  
**To:** [Kaelee Wilson](#)  
**Subject:** Tatum and Dynamite storage facility proposal  
**Date:** Friday, April 13, 2018 7:10:02 AM

---

We do not wish to allow a developer to change the zoning of the property at Tatum and Dynamite. We are not interested in having a large 2 story storage facility built so close to our wonderful community. We are concerned for our home values and safety.

Thank you.

Jill and Jon Robinson  
Diamond Creek residents



**From:** Wade.Tinant  
**To:** Council District 2 PCC; PDD.Desert.View.VPC; wr@berryriddell.com  
**Cc:** Wade.Tinant  
**Subject:** legal review of Cross Retention and Drainage easement requirements; Tatum & Dynamite PUD proposal  
**Date:** Thursday, May 10, 2018 6:35:38 PM  
**Attachments:** image003.png  
image004.png  
image002.png  
Declaration of Easement between Lot 2 and Lot 1(CVS).pdf  
parcel\_in\_question\_survey.pdf  
Primrose\_IssuedPermit1898246.pdf

Please note Cross Retention and Drainage Easement, 2012-0775408, M.C.R. The proposed site plan would require an amendment to and relocation of this Easement. Coupled with the communities extreme concern with flooding, we, as a community, will demand verification of compliance by the Developer and City of Phoenix, to the clear (and previously approved) responsibilities outlined below.

Of particular interest, Primrose's Certificate of Occupancy, as noted below in the excerpt from Issues Permit 1898246 (also attached), requires:

**CONDITIONS FOR BUILDING PERMIT (PRIOR TO GOING VERTICAL):**

1. ELEVATION CERTIFICATE (FEMA FORM 81-31) BASED ON BUILDING UNDER CONSTRUCTION MUST BE RECEIVED AND APPROVED BY FLOODPLAIN MANAGEMENT PRIOR TO GOING VERTICAL.
2. FIELD SOIL DENSITY TEST RESULTING IN 95% COMPACTION OR GREATER FOR BUILDING PADS.

**CONDITIONS FOR CERTIFICATE OF OCCUPANCY (C O F O):**

1. ELEVATION CERTIFICATE (FEMA FORM 81-31) BASED ON FINISHED CONSTRUCTION MUST BE RECEIVED AND APPROVED BY FLOODPLAIN MANAGEMENT PRIOR TO C O F O ISSUANCE.

DO NOT ISSUE A CERTIFICATE OF OCCUPANCY UNTIL THE ABOVE HAVE BEEN MET AND FINAL CLEARANCE HAS BEEN GIVEN BY FLOODPLAIN MANAGEMENT.

DO NOT RELEASE C O F O AND THIS PERMIT UNTIL CROSS RETENTION AND DRAINAGE EASEMENT HAS BEEN APPROVED BY CITY OF PHOENIX CODE CONSISTENCY COORDINATOR JIM TASCHNER THE EASEMENT HAS BEEN RECORDED AND COPY OF RECORDED EASEMENT IS GIVEN TO PLAN REVIEWER.

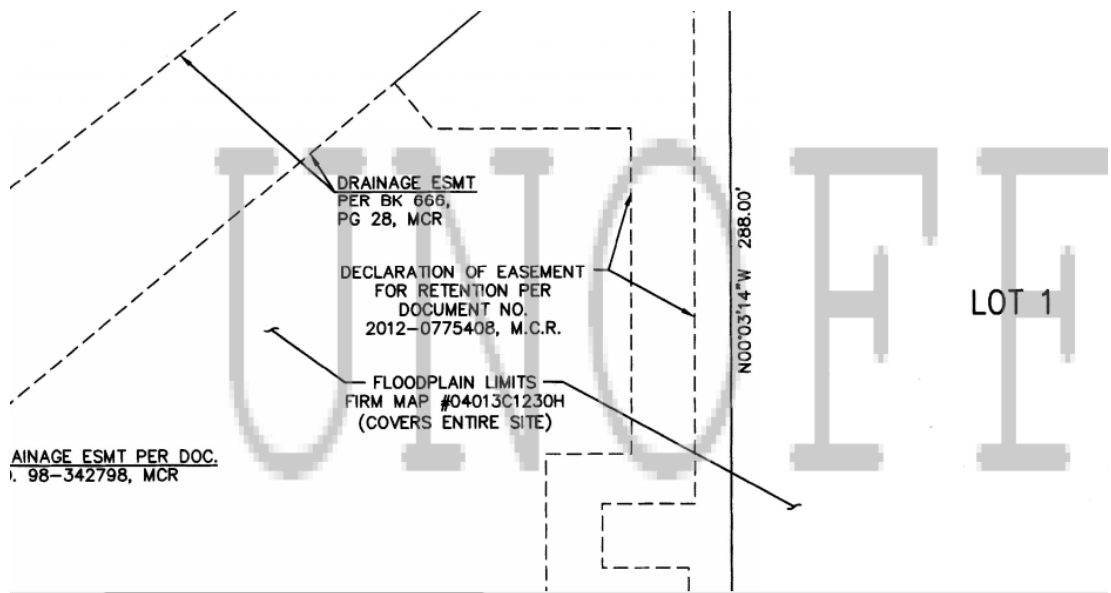
1. This Retention Easement (attached) was recorded and the Certificate of Occupancy was granted. This perpetual retention Easement covers 24,898 sf (0.5716AC).
2. While the owner of what is now the parcel covered by the PUD as well as Primrose can amend the Easement for Retention (with written notice to the owner of CVS), the relocation easement and facility must provide adequate (equivalent) uninterrupted storm runoff capacity.
3. **Any amendment of this easement, while allowed, must be recorded by the Maricopa County Register as well as other listed stakeholders.**

**My questions, concerns and demands are as follows:**

1. Has the Developer provided written notice to the owner of Lot 1 (CVS) notifying CVS of their intention to amend the drainage easement?
2. Has the Developer, through hydraulic engineering by a Registered Engineer, determined where and what comparable retention easement will be adequate and provide continuous, uninterrupted storm water runoff?
  - a. As the downstream community, we demand a copy of this analysis to ensure these conditions will be met.
  - b. We also demand that this analysis be performed by an independent, 3<sup>rd</sup> party Registered Engineer with NO ties to the Development team.
3. Has this equivalent cross retention and drainage easement:
  - a. been given clearance by Floodplain management?
    - i. Since the Certificate of Occupancy of Primrose was reliant on this clearance, the community would demand that if the current easement was altered, the Certificate of Occupancy for Primrose be suspended until Floodplain management provides clearance for the amended easement.
  - b. been approved by code consistency coordinator Jim Taschner?
    - i. Since the Certificate of Occupancy of Primrose was reliant on this approval, the community would demand that if the current easement was altered, the Certificate of Occupancy for Primrose be suspended until code consistency coordinate Jim Taschner (or his replacement) approved the amended easement.
  - c. been recorded by the Maricopa County Register (and the other required stakeholders)?
    - i. Since the Certificate of Occupancy of Primrose was reliant on this easement being recorded, the community would demand that if the current easement was altered, the Certificate of Occupancy for Primrose be suspended until the amended easement was recorded by the Maricopa County Register and a copy was provided to the plan reviewer.

Due to the communities grave concern with flooding, and the occupancy of Primrose (and safety of the children), we, as a community, demand meticulous compliance to the requirements previously approved by the City of Phoenix, before any Cross Retention and Drainage Easement is altered in any way.

Wade Tinant



April 18, 2018

To Whom It May Concern:

Re: **Tatum & Dynamite Self-Storage Planned Unit Development**

Dear Sir/Madam:

Please note that the undersigned has recently become aware of the Planned Unit Development in the Tatum & Dynamite Road vicinity. As we are looking to purchase a second home in that immediate vicinity we would like to express our significant concerns regarding this planned unit development.

We were attracted to the area given the restrictions of commercial development in a largely residential community.

We would like to express our significant concerns regarding this planned unit development and that it would detract, in our estimation, from the character of this particular neighborhood.

As we are considering purchasing a home in the very near future we would like to express our profound opposition to this development.

Thank you for your consideration in this matter.

Very truly yours,

Richard Lovernick

**From:** Lucinda Walters  
**To:** [PDD Desert View VPC](#)  
**Subject:** Tatum & Dynamite developer  
**Date:** Wednesday, June 20, 2018 11:28:34 AM

---

I am writing to protest any change in zoning. The developer has misrepresented the neighborhood's protests as few.

The developer changes what they are doing each time they meet with the neighborhood residents. They reassured more than one person that the cell tower would not happen and now the most recent submission includes a cell tower.

Let me be clear - no one in the neighborhoods near this intersection is in favor of cell tower or 3-story storage facility. Nobody!!

Thanks  
Lucinda

**From:** Lucinda Walters  
**To:** [Kaelee Wilson](#)  
**Subject:** NO to C2 zoning  
**Date:** Thursday, April 12, 2018 7:33:33 AM

---

Please know we will fight every time a developer tries to change the commercial zoning at Tatum & Dynamite.

Storage facility is an eyesore and unnecessary light pollution too.

Thank you for considering my thoughts on this topic.

Lucinda

**From:** Lucinda Walters  
**To:** [PDD Desert View VPC](#)  
**Subject:** Tatum & Dynamite developer  
**Date:** Wednesday, June 20, 2018 11:28:34 AM

---

I am writing to protest any change in zoning. The developer has misrepresented the neighborhood's protests as few.

The developer changes what they are doing each time they meet with the neighborhood residents. They reassured more than one person that the cell tower would not happen and now the most recent submission includes a cell tower.

Let me be clear - no one in the neighborhoods near this intersection is in favor of cell tower or 3-story storage facility. Nobody!!

Thanks  
Lucinda

**From:** Wade.Tinant  
**To:** [PDD Desert View VPC](#); [Council District 2 PCC](#); [Kaelee Wilson](#)  
**Cc:** [Wade.Tinant](#)  
**Subject:** Marc Petrine letter against zoning change at Tatum and Dynamite  
**Date:** Tuesday, May 08, 2018 9:40:45 PM

---

Please see the letter Marc forwarded to me to forward on to you all.

- >
- > My name is Marc Petrine. My home is located in the Diamond Creek development at Dynamite and Tatum, just south of the proposed zoning change.
- >
- > I am a Certified Public Accountant and have served as the Treasurer of our homeowners association for almost a decade. This letter is not intended to serve any official position of the board of directors. The board feels it may take no official position as it falls beyond the powers granted to us by the governing documents.
- >
- > I write this letter, simply to state that in the time I have served as treasurer, I have witnessed many changes in the community.
- >
- > I have seen prices skyrocket, bringing extremely affluent homeowners into the neighborhood along with their affluent opinions about how a neighborhood should be managed.
- >
- > I have seen prices plummet, resulting in foreclosures and abandonment; remaining homeowners frustrated at the degraded condition of many of the properties.
- >
- > We have tried to improve our neighborhood, with aesthetic changes requiring a great deal of homeowner input and critique.
- >
- > At no time in the past have I witnessed a more galvanizing and unifying event as the proposed zoning change. I have heard from and spoken with scores of neighbors regarding this, and I have yet to find someone who is even indifferent to the subject, let alone vocal in their support. I would like to say that the objections I have heard are neither unreasonable nor unfounded. The objections are rooted in the notion that both the homeowners and the owners of the vacant land, purchased the property with the understanding that it was zoned C-1 with its existing height limitation. The concern here is over the unknown potential harm that will be done with a change to the zoning and height restrictions.
- >
- > I would suggest in the strongest terms that the this application be denied.

**From:** Wade.Tinant  
**To:** [wr@berryriddell.com](mailto:wr@berryriddell.com); [Kaelee Wilson](#); [PDD Desert View VPC](#); [Council District 2 PCC](#)  
**Cc:** [Wade.Tinant](#)  
**Subject:** May 31st Neighborhood Meeting, PUD Z-22-18  
**Date:** Saturday, May 19, 2018 1:27:38 PM

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The community appreciates the Developer implementing the communities request for more advanced notice for meetings, and, allowing for a 6 PM start instead of a 5 PM start. Thank you.

However, the location of the meeting is once again at Desert Ridge. The community strongly requests, again, that the Developer hold the meeting closer to our community. Please reconsider and hold the meeting at the Desert Broom Library, the separate meeting room at the Creek, or any other venue close to our community. PLEASE. At a minimum, please provide the location of the meeting within the Marriott complex in advance.

As for the timing of the meeting, no one can force the Developer to wait until the community returns from summer vacation or the summer season to hold the next meeting seeking public input. The community had hoped that the Developer would have the patience to wait. Unfortunately, I have ALREADY heard from 5 neighbors that they are out of state and/or out of country on May 31<sup>st</sup>.

As a compromise to the need to push the process along coupled with several members of the community being absent (snowbirds or on family summer vacations), the community requests that the Developer accept comments from those folks out of state or out of the country as if they were at the meeting. This seems to eliminate a hard spot on both sides.

Again, we thank the Developer for the increase in notice and for the time adjustment for the meeting on May 31<sup>st</sup>. Please help us, as a community, remove any other hurdles that could hinder attendance and/or community input so that as the PUD process continues, both the Developer and community can be united in the fact every known obstacle that may hinder public attendance or public input was removed.

Wade [REDACTED]  
[REDACTED]



**From:** Michael Wittmers  
**To:** [Kaelee Wilson](#)  
**Subject:** Storage facility disaster...  
**Date:** Wednesday, June 27, 2018 4:35:19 PM

---

Hello.

I currently reside at [REDACTED], Cave Creek AZ 85331. I am not happy with a zoning change from C1 to a PUD that would allow a self-storage warehouse. I purchased my home based on a friendly gated community adjacent to C1 zoning. Developing the parcel with any of the normal and expected C1 businesses would foster small and local business development on this parcel. The 2015 Phoenix General Plan explicitly states that small and local businesses drive our economy. Why would we want to remove an opportunity for these types of businesses and allow a national corporation to install a HUGE warehouse? Developing this parcel within C1 zoning would meet community expectations, bolster our local economy and “fit” in our community. The list of C1 businesses would also not have the size nor height of this proposed warehouse.

Let’s forget about how a self-storage warehouse could meet a few of the goals of the 2015 Phoenix General Plan and look at the abundance of ways a C1 business on this same parcel would better align with the 2015 Phoenix General Plan.

The proposal of a cell tower also does not make any sense on this parcel. Why not put the tower at Dynamite Park and keep the revenue in city coffers? Why not put the cell tower near black mountain nursery where the nursery can serve as a buffer between the adjacent neighborhood? Or why not put the dish on a be of the multiple APS transmission poles just north and south of us? There is no need for another tower in our community when the APS poles would work and these poles are already installed.

I request that Village Planning present how a cell phone tower would make any sense from a zoning perspective. My house is one of the most affected houses in this nightmare. Our property values will plummet and I cannot see us being able to ever sell our house with this monstrosity within a stones throw away. Just because they *can* doesn't mean they *should*. Nobody will benefit from this disaster in the long run. If approved, the storage facility will eventually fail, and all of our homes will be permanently affected, with no chance of recovery, and a giant waste of a building left in the developer's shady wake. Not to mention that the cell tower is SO unnecessary.

Thank you,

Mike

--

Mike Wittmers  
Owner/Artistic Director  
Adaptive Force Performing Arts



**From:** Michael Wittmers  
**To:** [Kaelee Wilson](#)  
**Subject:** Ridiculous Storage Facility...  
**Date:** Friday, June 01, 2018 11:20:36 AM

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Hello Kaelee.

My name is Mike Wittmers and on behalf of myself and my wife, Amber, we'd like to put in our formal complaint about the obnoxious storage facility proposal at the corner of Tatum and Dynamite.

Our house is located against the wall where the proposed construction would take place. We have ZERO interest in having that space rezoned and turned into a storage facility. What a complete waste of space, at the expense of our Diamond Creek community.

Here's a few things to consider:

1. NOBODY in our town wants this. NOBODY in our town is looking for another storage facility. There's ZERO demand for this.
2. This over-sized facility will provide views into my backyard, without any plan to raise the wall between us.
3. I have no interest in my newborn son starting out the first few years of his life with a construction site for a "Backyard"
4. Now that they've added a cell tower to the mix, the visual gets even worse.

Please understand that our property value is going to take a huge hit if this goes through. When we purchased the house, we had no idea this monstrosity would be a possibility.

We voted no last night and will continue to vote no until the project is shut down.

- Mike

--

Mike Wittmers  
Owner/Artistic Director  
Adaptive Force Performing Arts  


**From:** Wade.Tinant  
**To:** [Kaelee Wilson](#)  
**Cc:** [Wade.Tinant](#)  
**Subject:** Misc. info on the tables we discussed  
**Date:** Wednesday, May 16, 2018 6:55:57 AM

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Kaelee,

I ran through the Development Standards and Design Standards. I have a few comments in addition to the previous email for your consideration.

Thanks again for your time and I look forward to seeing the comments.

Wade

1. Misc. points in regards to Design Expectations and Development Standards
  - a. Design Expectations
    - i. Architectural Design – why aren't varied heights, up to the maximum of 25'-4", considered to help establish a sense of place, and, reduce visual impact?
    - ii. Site Design/Development – minimize visual impact of parking & identifiable building streetscape
      1. Parking is right along neighborhood at Primrose finished grade – no minimization of visual impact.
      2. Largest setbacks are from Dynamite (the major entrance) while the least setbacks are to the neighborhood.
    - iii. Definitions
      1. Compatibility – how does the height, scale and mass of this proposal foster compatibility?
      2. Sense of Place – how does the elimination of mountain views not inhibit and jeopardize sense of place? Development Standards – missing info
  - b. Per the Development Standards and PUD Submittal requirements, pgs. 14- 16, parking (standards and/or calculations are to be provided)
    - i. RKAA # 17189.5, Site Data, parking provided = 29 spaces, parking required = 25 spaces;
    - ii. If all loading and unloading happen inside the facility, and, so few trips are generated, and, parking adjacent to the neighborhood is such a contentious issue, why would the minimum be exceeded?
    - iii. This only contributes to the suspicion that the traffic is truly expected to be greater than communicated, hence the actual traffic count request

**From:** Nancy Homer  
**To:** [PDD Desert View VPC](#)  
**Subject:** Storage Unit, PUD Z-22-18  
**Date:** Wednesday, June 27, 2018 10:53:37 AM

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Desert View PVC,

I am a homeowner at [REDACTED], Cave Creek AZ 85331. I am not happy with a zoning change from C1 to a PUD that would allow a self-storage warehouse. I built my home on a lot I purchased based on a community that did not have C2 or PUD zoning. Attached is a list of all of the businesses allowed within standard C1 zoning which I reviewed before purchasing my home. Developing the parcel with any of the attached C1 businesses would foster small and local business development on this parcel. The 2015 Phoenix General Plan explicitly states that small and local businesses drive our economy. Why would we want to remove an opportunity for these types of businesses and allow a national corporation to install a HUGE warehouse? Developing this parcel within C1 zoning would meet community expectations, bolster our local economy and actually "fit" in our community. The list of C1 businesses would also not have the size nor height of this proposed warehouse.

We should forget about how a self-storage warehouse could meet only a few of the goals of the 2015 Phoenix General Plan and look at the abundance of ways a C1 business on this same parcel would better align with the 2015 Phoenix General Plan.

The proposal of a cell tower also does not make any sense on this parcel. Why not put the tower at Dynamite Park and keep the revenue in city coffers? Why not put the cell tower near black mountain nursery where the nursery can serve as a buffer between the adjacent neighborhood? Or why not put the dish on a be of the multiple APS transmission poles just north and south of us? There is absolutely no need for another tower in our community when the APS poles would work and these poles are already installed.

I request that Village Planning present how a cell phone tower would make any sense from a zoning perspective.

Thank you,

Nancy Homer

**From:** [Alan Stephenson](#)  
**To:** [Nancy Homer](#); [Kaelee Wilson](#)  
**Subject:** Re: Storage Unit, PUD Z-22-18  
**Date:** Monday, July 02, 2018 5:51:22 PM

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Ms. Homer,  
Thank you for the below inquiry. Ms. Wilson is the assigned village planner for the City that is working on this case and she will respond.

Thanks,  
Alan

Kaelee,  
Can you please keep for the file and respond to the below email from Ms. Homer.

Thanks,  
Alan

Sent from my iPhone

On Jun 27, 2018, at 10:52 AM, Nancy Homer <[s\[REDACTED\]](#)> wrote:

**Alan Stephenson:**

I am a homeowner at [REDACTED] [REDACTED] [REDACTED] Cave Creek AZ 85331. I am not happy with a zoning change from C1 to a PUD that would allow a self-storage warehouse. I built my home on a lot I purchased based on a community that did not have C2 or PUD zoning. Attached is a list of all of the businesses allowed within standard C1 zoning which I reviewed before purchasing my home. Developing the parcel with any of the attached C1 businesses would foster small and local business development on this parcel. The 2015 Phoenix General Plan explicitly states that small and local businesses drive our economy. Why would we want to remove an opportunity for these types of businesses and allow a national corporation to install a HUGE warehouse? Developing this parcel within C1 zoning would meet community expectations, bolster our local economy and actually "fit" in our community. The list of C1 businesses would also not have the size nor height of this proposed warehouse.

We should forget about how a self-storage warehouse could meet only a few of the goals of the 2015 Phoenix General Plan and look at the abundance of ways a C1 business on this same parcel would better align with the 2015 Phoenix General Plan.

The proposal of a cell tower also does not make any sense on this parcel. Why not put the tower at Dynamite Park and keep the revenue in city coffers? Why not put the cell tower near black mountain nursery where the nursery can serve as a buffer between the adjacent neighborhood? Or why not put the dish on a be of the multiple APS transmission poles just north and south of us? There is absolutely no need for another tower in

our community when the APS poles would work and these poles are already installed.

I request that Village Planning present how a cell phone tower would make any sense from a zoning perspective.

Thank you,

Nancy Homer

**From:** Nancy Homer  
**To:** [Joshua Bednarek](#); [Alan Stephenson](#); [PDD Desert View VPC](#); [Council District 2 PCC](#); [Kaelee Wilson](#)  
**Subject:** Storage Unit, PUD Z-22-18 - Will not strengthen our local economy  
**Date:** Wednesday, June 27, 2018 11:04:32 AM  
**Attachments:** [Businesses allowed per standard C1 zoning.pdf](#)

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## **Storage Unit, PUD Z-22-18 - Will not strengthen our local economy**

When reading the Core Value of "Strengthen our local Economy" from the 2015 Phoenix General Plan, it becomes glaringly obvious that developing the parcel at Tatum and Dynamite within standard C1 zoning would be far super to approving PUD z-22-18 for several reasons.

1. Job creation. PUDZ-22-18 would employ one single person. The businesses already approved for C1 zoning would create more jobs. In addition to sheer number of jobs, the type and quality of jobs created by these businesses would be superior. Banks, Trust Companies, Bonding Companies, Brokerage Houses, Building and Loan Associations, Contractors/Power/Gas Companies 'Offices, Finance and Loan Companies. These are jobs that align with the 2015 Phoenix General Plan and our community.

2. Local & Small business. Very powerful statements on page 90 of the 2015 Phoenix General Plan. Allowing this parcel to be developed per PUD Z-22-18 would be in complete conflict with this subsection. 1784 Capital Holdings boasts of being a national investment firm. Allowing a C1 businesses on this parcel would be in complete alignment with this goal.

3. Entrepreneurs, Emerging Enterprises. Entrepreneurs need access to small businesses and suppliers. Several C1 businesses would fulfill this need.

4. Highly Skilled Workforce- the storage warehouse would not develop a highly skilled workforce. But look at what some of the allowable C1 businesses could do! Schools for business, data processing and insurance. Libraries. Driving schools. These businesses would help train a work force.

5. Tourism Facilities. How would a storage warehouse support tourism? Yet, an allowable C1 business is a travel bureau. Multiple arts related businesses are already allowed under standard C1 zoning. A 3 story monstrosity would not support tourism, and may motivate people to move away.

6. Review the summary for Prosperity, Health and Environment on page 103 of the Phoenix General Plan. Prosperity- expand education and training; Health - counties with a higher concentration of small, locally owned businesses have healthier populations. Multiple C1 businesses align with these goals. A self-storage warehouse does not.

In conclusion, how can we justify allowing a self-storage warehouse on this parcel? Why would we allow a Developer to prosper at the expense of our community? Developing within standard C1 zoning makes good sense and it's what our community wants and needs.

Thank you,



Nancy Homer

**From:** Neysa Morrissey  
**To:** "[DesertViewVPC@phoenix.gov](mailto:DesertViewVPC@phoenix.gov)"; Kaelee Wilson; [Council District 2 PCC](#); [wr@berryriddell.com](mailto:wr@berryriddell.com)  
**Cc:** [REDACTED]  
**Subject:** Frustrated home owner - regarding the neighborhood meeting - Thursday, May 3, 2018  
**Date:** Friday, May 04, 2018 10:27:51 AM  
**Attachments:** [image011.png](#)  
[image002.png](#)  
[image004.png](#)  
[image006.png](#)  
[image008.png](#)  
[image010.png](#)  
[image012.png](#)

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Good morning,

I am extremely disappointed and personally upset with the Developer and the process of this meeting.

Please understand, the notification letter for the Neighborhood Meeting, postmarked on 4/19 PM, was completely last minute for compliance and directed people to attend the meeting at the Desert Conference Suite at the JW Marriott. (there are multiple Desert Conference Suites at the JW Marriott Desert Ridge – as I walked the entire hall/meeting space area looking for the Developer and the meeting at the designated location that was NOT THERE!

Our neighbor and friend Wade Tinan, took time out of his day to go to the Marriott last Thursday and obtain facility maps to help our community members find their way to the meeting.

I arrived a few minutes late to the 5 PM meeting, looking up and down the area of Desert Conference Suites to find no meeting or signs directing me or anyone else. Unfortunately, I was not as lucky as fellow neighbors who found someone to point them in the right direction. I was informed there was no meeting there.

Wade Tinan has pictures from every entrance and the Desert Conference Suite. No signs or mention of the meeting changing locations. Even with the absolute last second notification, this Developer is unable to accurately communicate a meeting location?

Wade Tinan asked the Developer to help put up signs in the Marriott to direct folks to the NEW meeting location we were dismissed, smirked at and even told "Don't make this into something". No help. No apologies. Just left to fend for ourselves and plead with Marriott events to help us out. Coupled with the absolute minimum notice, we can no longer assume any integrity on the part of the Developer.

The only signage on the main floor or where the meeting was supposed to be was placed by the community. Several folks at the meeting commented on how difficult it was to find the meeting and how many folks they say wandering around looking for the meeting. I was one of the community members who was not fortunate enough to recognize someone from the community to get directed to the meeting. We are a community of hard working, everyday people, everyday families with children. With that, it is difficult for our Community to attend Community meetings when we are working....

For future meetings with our Community we firmly request any/all meetings meet the following requirements:

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3. No more meetings until September. Some of our homeowners have already left for the season and this is a family community. Nearly every family has a week or two vacation planned this summer. Our Councilman and planning leads supported relaxing the timeframe requirements to allow this to happen.

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Our community hopes the Developer will make the reasonable choices listed above..... We thank you for your time and consideration.....



**Neysa Morrissey**

Morrissey & Associates, LLC



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**From:** Neysa Morrissey  
**To:** [Joshua Bednarek](#); [Alan Stephenson](#); [PDD Desert View VPC](#); [Council District 2 PCC](#)  
**Subject:** Storage Unit, PUD Z-22-18  
**Date:** Wednesday, June 27, 2018 11:31:02 AM  
**Attachments:** [Businesses allowed per standard C1 zoning.pdf](#)  
**Importance:** High

---

Good afternoon,

I currently reside at [REDACTED], Cave Creek AZ 85331 and am not happy with a zoning change from C1 to a PUD that would allow a self-storage warehouse.

We purchased our home based on a friendly gated community adjacent to C1 zoning. Attached is a list of all of the businesses allowed within standard C1 zoning which we reviewed before purchasing our home. Developing the parcel with any of the attached C1 businesses would foster small and local business development on this parcel. The 2015 Phoenix General Plan explicitly states that small and local businesses drive our economy. Why would we want to remove an opportunity for these types of businesses and allow a national corporation to install a HUGE warehouse?

Developing this parcel within C1 zoning would meet community expectations, bolster our local economy and "fit" in our community. The list of C1 businesses would also not have the size nor height of this proposed warehouse.

Let's forget about how a self-storage warehouse could meet a few of the goals of the 2015 Phoenix General Plan and look at the abundance of ways a C1 business on this same parcel would better align with the 2015 Phoenix General Plan.

The proposal of a **cell tower** also does not make any sense on this parcel. Why not put the tower at Dynamite Park and keep the revenue in city coffers?  
Why not put the cell tower near black mountain nursery where the nursery can serve as a buffer between the adjacent neighborhood?  
Or why not put the dish on one of the multiple APS transmission poles just north and south of us?

There is no need for another tower in our community when the APS poles would work and these poles are already installed.

May we request Village Planning present how a cell phone tower would make any sense from a zoning perspective.

We thank you for listening to our concerns for our community as well as our surrounding neighbors.

Sincerely,

Neysa Morrissey  
Diamond Creek Resident  
Parent, Small Business Owner and Tax Payer

**From:** Neysa Morrissey  
**To:** "DesertViewVPC@phoenix.gov"; Kaelee Wilson; Council District 2 PCC; wr@berryriddell.com  
**Cc:** [REDACTED]  
**Subject:** RE: Frustrated home owner - regarding the neighborhood meeting - Thursday, May 3, 2018 & Thursday, May 31  
**Date:** Monday, May 21, 2018 3:27:49 PM  
**Attachments:** [image018.png](#)  
[image020.png](#)  
[image021.png](#)  
[image022.png](#)  
[image023.png](#)  
[image024.png](#)  
[image002.png](#)  
[image004.png](#)  
[image006.png](#)  
[image008.png](#)  
[image010.png](#)  
[image011.png](#)  
[image012.png](#)

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Good afternoon,

I am in receipt of the new letter dated May 14, 2018....

The meeting is set for Thursday, May 31, 2018, between 6:00pm – 7:00 at the JW Marriott Desert Ridge Resort....

Previously, myself and multiple residents requested future meetings with our Community regarding this issue:

- Location to be at the Desert Broom Library or The Creek, a community friendly location. The JW Marriott is not convenient or easy for anyone from the community
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Seems our request for a community friendly location is not of importance to anyone other than us, the people who live in the community. Our request was met with deaf ears.

Seems our comments regarding the location of the meeting at the JW Marriott being very difficult to find as well as the location being changed on us at the last minute without adequate signage is also falling on deaf ears.

Seems us asking for a little more time from the date the letter to the community is written (May 14) to the time of the meeting (May 31) is exactly 12 working days from the date the letter was written, not the number of days the letters have been in our hands. The time frame also includes a heavily celebrated family holiday – Memorial Day.

Why? Because it is a heavily celebrated family holiday and the developer doesn't want us to vote against the project so hold the vote when the community is gone?

Seems us asking for a hold on meetings until our community is back to full occupancy was also met with deaf ears. Our family community has vacations, some live here seasonally to get away from the heat and/or like to celebrate Memorial Day, July 4<sup>th</sup> and Labor Day holidays away.

My perception is that every step is being taken to make this a very challenging situation for our

community.

I for one will not be able to make the Thursday, May 31, 2018 meeting to sign in and vote due to the Memorial Day Holiday. So, I am taking the time to write this letter and the opportunity to put on record that:

- I do not approve and vote NO to this project
- I do not approve and vote NO to the re-zoning

Please utilize the correspondence as my vote and be binding. If there is another method that I personally need to make to ensure my vote counts, please inform me at your earliest convenience.

Thank you for your time.

Neysa Morrissey  
Resident - Diamond Creek Community



**Neysa Morrissey**  
Morrissey & Associates, LLC



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

---

**From:** Neysa Morrissey  
**Sent:** Friday, May 04, 2018 10:28 AM  
**To:** 'DesertViewVPC@phoenix.gov'; 'Kaelee Wilson'; 'Jim Waring'; wr@berryriddell.com  
**Cc:** [REDACTED]  
**Subject:** Frustrated home owner - regarding the neighborhood meeting - Thursday, May 3, 2018

Good morning,

I am extremely disappointed and personally upset with the Developer and the process of this meeting.

Please understand, the notification letter for the Neighborhood Meeting, postmarked on 4/19 PM, was completely last minute for compliance and directed people to attend the meeting at the Desert Conference Suite at the JW Marriott. (there are multiple Desert Conference Suites at the JW Marriott Desert Ridge – as I walked the entire hall/meeting space area looking for the Developer and the meeting at the designated location that was NOT THERE!

Our neighbor and friend Wade Tinan, took time out of his day to go to the Marriott last Thursday and obtain facility maps to help our community members find their way to the meeting.

I arrived a few minutes late to the 5 PM meeting, looking up and down the area of Desert Conference Suites to find no meeting or signs directing me or anyone else. Unfortunately, I was not as lucky as fellow neighbors who found someone to point them in the right direction. I was informed there was no meeting there.

Wade Tinan has pictures from every entrance and the Desert Conference Suite. No signs or mention of the meeting changing locations. Even with the absolute last second notification, this Developer is unable to accurately communicate a meeting location?

Wade Tinan asked the Developer to help put up signs in the Marriott to direct folks to the NEW meeting location we were dismissed, smirked at and even told “Don’t make this into something”. No help. No

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**From:** Neysa Morrissey  
**To:** "[DesertViewVPC@phoenix.gov](mailto:DesertViewVPC@phoenix.gov)"; [Kaelee Wilson](#); [Council District 2 PCC](#); [wr@berryriddell.com](mailto:wr@berryriddell.com)  
**Cc:** [Wade.Tinant](#) [REDACTED]  
**Subject:** Amendment - Frustrated home owner - regarding the neighborhood meeting - Thursday, May 3, 2018 & Thursday, May 31  
**Date:** Tuesday, May 22, 2018 9:17:05 AM  
**Attachments:** [image014.png](#)  
[image016.png](#)  
[image017.png](#)  
[image018.png](#)  
[image019.png](#)  
[image021.png](#)  
[image022.png](#)  
[image002.png](#)  
[image011.png](#)  
[image012.png](#)  
[image020.png](#)  
[image024.png](#)  
[image025.png](#)  
[image026.png](#)

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Good morning,

Please accept this written notification to amend my original correspondence.

To include the below:

- I do not approve and vote NO to this project
- I do not approve and vote NO to the re-zoning
- **I do not Approve and vote NO of a Cell Towner in any form or fashion – either 1 or multiple with the proposed project**

Thank you for your time.

Neysa Morrissey  
Resident - Diamond Creek Community



**Neysa Morrissey**  
Morrissey & Associates, LLC  
[REDACTED]  
[www.MorrisseyTravel.com](http://www.MorrisseyTravel.com)

---

**From:** Neysa Morrissey  
**Sent:** Monday, May 21, 2018 3:28 PM  
**To:** 'DesertViewVPC@phoenix.gov'; 'Kaelee Wilson'; 'Jim Waring'; [wr@berryriddell.com](mailto:wr@berryriddell.com)  
**Cc:** [Wade.Tinant](#) [REDACTED]  
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**From:** Neysa Morrissey  
**To:** [Joshua Bednarek](#); [Alan Stephenson](#); [PDD Desert View VPC](#); [Council District 2 PCC](#); [Kaelee Wilson](#); [wr@berryriddell.com](mailto:wr@berryriddell.com)  
**Subject:** Storage Unit, PUD Z-22-18 - Will not strengthen our local economy  
**Date:** Friday, June 29, 2018 11:50:08 AM

---

Good afternoon Mr. Waring,

I currently reside at [REDACTED] in Cave Creek, Arizona. Along with other local residents, I have been actively engaged in trying to understand the proposed rezoning at Tatum and Dynamite included in **Proposal PUD Z-22-18**.

After reviewing PUD Z-22-18, resubmitted on June 13, 2018, several key concerns arise. Two of the most significant concerns are as follows:

- 1) **Number of stories:** by City of Phoenix definition, this is a 3 story facility, NOT a "basement plus two story" facility. The difference has an impact on setbacks as well as public perception. In this submission, the finished floor has been raised several feet, the main building is again larger, and the largest floor is the 3<sup>rd</sup> floor. These factors further remove and restrict residents' mountain views.
- 2) **Hours of operations/access:** since January, the community has asked for certain stipulations and definitions around hours of operations and access. These have not been addressed.

Detailed questions and concerns based on a review of **PUD Z-22-18** are listed below with key items in red font for clarity. **We ask for your assistance to determine when these questions and requests can be addressed for our community.**

- 1) Page 5: The proposal states: "...for the development of a new secured and climate-controlled Self-Service Warehouse..." (emphasis added)
  - a) While the proposal states that the building is secure, the site will not be secure.
  - b) **We request that the Developer provide a plan to secure the site, not just the building itself.**
- 2) Page 7: The proposal states in the 2<sup>nd</sup> paragraph "...the building will include one basement level and two stories above grade..."
  - a) Based on the definition of a story and basement, the description included in the submission is incorrect.
    - i) Definition of a basement, as determined by finished floor and natural grade, is listed on the attachment.
    - ii) Finished Floor is now listed at ELEV 41 for the entire floor.
    - iii) Natural grade is between ELEV 30.5 and 35 under this main building
    - iv) These differences exceed the 4.5 ft. delta and the definition of a basement.

- b) **We request that the Developer correct all references in this proposal to reflect a 3-story building instead of a basement plus 2 stories.**
- c) **We request that the Developer update and correct all required setbacks to reflect a 3-story building instead of a 2-story building.**

3) Page 7: The proposal states in the 4<sup>th</sup> paragraph "In response to neighborhood input, the internal loading garage has been reoriented to face West."

- a) This is incorrect according to the drawings at Exhibit C – Conceptual Site Plan, the internal loading garage does not face west.
- b) **We request that the Developer correct this error and clarify where the internal loading garage will be located.**

4) Page 7: The proposal states in the 4<sup>th</sup> paragraph "...although the Site will be monitored for security purposes throughout the day and overnight, the storage units will only be accessible during the day..."

- a) The term "day" is quite ambiguous and undefined. The residents have requested a definition for "day" since January.
- b) In April, the community proposed the following definition (for access during the) "day" to the Developer:
  - i) The facility would only be accessible for deliveries and patrons, between 8:00AM and 4:30 PM, Monday through Friday. The facility would only be accessible between 9:00AM and 4:30 PM, Saturday and Sunday. No access would be allowed on Holidays observed by the City of Phoenix.
  - ii) **We request that the Developer incorporate these definitions to replace the term "day".**

5) Page 9 "General Plan Conformance"

- a) Community members believe developing this parcel within standard C1 zoning would be far superior to this PUD.
- b) Community members have shared and will continue to share this viewpoint with you.

6) Page 13: The proposal states "...building height shall be measured from the finish floor elevation to the top of roofline..."

- a) Zoning standards require building height to be calculated from finished grade, not finished floor.
- b) **We request that the Developer calculate and provide finished grades and building heights calculated from finished grades to allow for accurate comparison to zoning**

**standards referenced.**

- 7) Page 15: With respect to the “Wireless Communication Facilities” (“WCF”) discussion:
- a) The WCF discussion provides NO location, height or setbacks.
  - b) **We request that the Developer provide WCF location, height and setbacks in a table and/or in drawings.**
- 8) Page 17 “Sustainability” – We have several requests:
- a) **We request that the Developer add Stipulation that the Developer will complete baseline studies on light, noise and odor at property lines prior to construction and the Developer will not exceed these values during construction or operations.**
  - b) **We request that the Developer add Stipulation that the residents will be provided a simple way to measure compliance with baseline light, noise and odor levels and receive monetary remedy if these baseline values are exceeded. Include a table to clearly identify increments over baseline and corresponding fines due to the community. Measure compliance on a weekly basis.**
  - c) **We request that the Developer add Stipulation that the Developer will provide actual traffic counts from other storage facilities this Developer owns and operates, equate these values to this proposed SF and number of units to provide an anticipated traffic count based on actual traffic counts instead of theoretical values.**
  - d) **We request that the Developer add Stipulation that the community will be provided data on the actual traffic counts during operations; and, if these traffic counts exceed those proposed, the community receives monetary remedy. Include a table to clearly identify increments over anticipated traffic count and corresponding fines due to the community. Measure compliance on a weekly basis.**
- 9) Page 18: The proposal states “..a cross-access easement between the Site, the Primrose parcel and the CVS parcel allows for circulation throughout the commercial center...” This easement discussion is new to the proposal.
- a) **We are pleased to see that the perimeter road around the main building has been removed.**
  - b) **We request that the Developer confirm whether this also indicates that the paved surface behind Primrose will be eliminated.**
- 10) Exhibit C – Conceptual Site Plan: RKAA# 17189.50, SP-1
- a) Note J states “ALL ROOFTOP EQUIPMENT AND SATELLITES DISHES SHALL BE SCREENED TO THE HEIGHT OF THE TALLEST EQUIPMENT”
    - i) **We request that the Developer confirm whether the equipment will be relocated to the NE corner of the building to mitigate view impacts.**

- ii) **We request that the Developer confirm whether the parapet wall can be minimized in height on the South and West sides, at a minimum, and ideally on the East and North sides as well.**
- iii) **We request that the Developer confirm whether the screening height can be customized to each individual piece of equipment to adequately shield the equipment without unnecessarily blocking view lines (in areas of smaller equipment).**

b) Note K states "ALL SERVICE AREAS SHALL BE SCREENED TO CONCEAL TRASH CONTAINERS, LOADING DOCKS, TRANSFORMERS, BACKFLOW PREVENTERS AND OTHER MECHANICAL OR ELECTRICAL EQUIPMENT FROM EYE LEVEL ADJACENT TO ALL PUBLIC STREETS."

- i) **We request that the Developer revise this note to also state these same items shall be shielded from the view of the neighborhood.**

c) Note P states "AVERAGE NOISE LEVEL, MEASURED AT THE PROPERTY LINE, SHALL NOT EXCEED 55dB (1dn)

WHEN MEASURED ON AN "A WEIGHTED" SOUND LEVEL METER AND ACCORDING TO THE PROCEDURES OF THE ENVIRONMENTAL PROTECTION AGENCY.

- i) **We request that the Developer revise this note to state, no noise increase will be allowed at the property lines, and, not to exceed 55 dB in any circumstance.**

d) The drawing states the main building finished floor is now ELEV 41.0.

- i) Height is such a contentious issue; why was the finished floor elevation raised so drastically?

(1) **Average finished floor in the March proposal was "4 ft. below" the Primrose finished floor. We request that the Developer address why the finished floor was RAISED 4 feet.**

(2) Helix drawing from the March proposal lists finished floor at the following elevations:

(a) 33.5 (1 ft. above outfall in SW corner)

(b) 36.5 (1 ft. above high grade NE corner)

(c) **We request that the Developer address why the finished floor is now at 41, 6.5 feet higher in the SW corner and 3.5 feet higher in the NE corner.**

- ii) **This is a foot per foot reduction of the mountain views that Desert View Village aims to protect.**

- e) Building size is now proposed to be 117,285 square feet. Why has the building gotten larger with every submittal?
  - i) **We request that the Developer address why the SF in the main building has increased from 105k SF, to 115k SF to now 117k SF?**
  - ii) **We request that the Developer address why the largest floor, now at 42k SF, is on top?**
  - iii) **This is a SF by SF reduction of mountain views that Desert View Village aims to protect.**
- f) **We are pleased with the improvement of the location of the parking and office.**
- g) Building B and adjacent office/storage.
  - i) No heights were provided.
  - ii) **We request that the Developer provide the heights of these buildings.**

11) Exhibit E – Conceptual Elevations vs. Exhibit K – Comparative Standards Zoning Table

- a) Height is a very significant concern of the residents.
  - i) **We request that the Developer address why the elevations (Exhibit E) show a roof height of 25'-4" but the tables (Exhibit K) reserve the right to have a maximum height of 28 ft.**
  - ii) **We request that the Developer address whether the height will be increased to 28 ft., and, if so, we ask the Phoenix City Council whether this will require resubmittal and require the Developer to go through the process again.**

12) Overall Comment: We believe the proposal is missing Exhibits required per PUD Procedures, page 16/54)

- a) Exhibit 12 – Thematic Street Cross Sections
- b) Exhibit 13 – Circulation Plan
- c) Exhibit 14 – Sign Plan
- d) Other PUD proposals that have been reviewed by Desert View Planning have had these submittals.
- e) **We request that the Developer resubmit the proposal with these Exhibits.**

Sincerely,

Neysa Morrissey



Diamond Creek Resident  
Parent, Small Business Owner and Tax Payer

**From:** Neysa Morrissey  
**To:** [Joshua Bednarek](#); [Alan Stephenson](#); [PDD Desert View VPC](#); [Council District 2 PCC](#); [Kaelee Wilson](#)  
**Subject:** Storage Unit, PUD Z-22-18 - Will not strengthen our local economy  
**Date:** Wednesday, June 27, 2018 11:10:46 AM  
**Attachments:** [Businesses allowed per standard C1 zoning.pdf](#)  
**Importance:** High

---

Good afternoon,

When reading the Core Value of "Strengthen our local Economy" from the 2015 Phoenix General Plan, it becomes obvious that developing the parcel at Tatum and Dynamite within standard C1 zoning would be superior to approving PUD z-22-18 for several reasons:

1. Job creation. PUDZ-22-18 would employ one single person. The businesses already approved for C1 zoning would create more jobs. In addition to the number of jobs, the type and quality of jobs created by these businesses would be superior. Banks, Trust Companies, Bonding Companies, Brokerage Houses, Building and Loan Associations, Contractors/Power/Gas Companies 'Offices, Finance and Loan Companies. These are jobs that align with the 2015 Phoenix General Plan and our community.
2. Local & Small business. Very powerful statements on page 90 of the 2015 Phoenix General Plan. Allowing this parcel to be developed per PUD Z-22-18 would be in complete conflict with this subsection. 1784 Capital Holdings boasts of being a national investment firm. Allowing a C1 businesses on this parcel would be in complete alignment with this goal.
3. Entrepreneurs, Emerging Enterprises. Entrepreneurs need access to small businesses and suppliers. Several C1 businesses would fulfill this need.
4. Highly Skilled Workforce - the storage warehouse would not develop a highly skilled workforce. But look at what some of the allowable C1 businesses could do! Schools for business, data processing and insurance. Libraries. Driving schools. These businesses would help train a work force.
5. Tourism Facilities. How would a storage warehouse support tourism? Yet, an allowable C1 business is a travel bureau. Multiple arts related businesses are already allowed under standard C1 zoning. A 3 story monstrosity would not support tourism, or may people wanting to move away.
6. Review the summary for prosperity, Health and Environment on page 103 of the Phoenix General Plan. Prosperity - expand education and training; Health - counties with a higher concentration of small, locally owned businesses have healthier populations. Multiple C1 businesses align with these goals. A self-storage warehouse does not.

In conclusion, how can we justify allowing a self-storage warehouse on this parcel? Are we going to allow a Developer to prosper at the expense of our community? Developing within standard C1 zoning makes good sense and it's what the community wants and needs.

Sincerely,

Neysa Morrissey  
Diamond Creek Resident  
Parent and Tax Payer

**From:** Neysa Morrissey  
**To:** "[DesertViewVPC@phoenix.gov](mailto:DesertViewVPC@phoenix.gov)"; [Kaelee Wilson](#); [Council District 2 PCC](#); [wr@berryriddell.com](mailto:wr@berryriddell.com)  
**Cc:** [Wade.Tinant](#) <[REDACTED]>  
**Subject:** RE: Frustrated home owner - regarding the neighborhood meeting - Thursday, May 3, 2018 & Thursday, May 31  
**Date:** Monday, May 21, 2018 3:27:49 PM  
**Attachments:** [image018.png](#)  
[image020.png](#)  
[image021.png](#)  
[image022.png](#)  
[image023.png](#)  
[image024.png](#)  
[image002.png](#)  
[image004.png](#)  
[image006.png](#)  
[image008.png](#)  
[image010.png](#)  
[image011.png](#)  
[image012.png](#)

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Good afternoon,

I am in receipt of the new letter dated May 14, 2018....

The meeting is set for Thursday, May 31, 2018, between 6:00pm – 7:00 at the JW Marriott Desert Ridge Resort....

Previously, myself and multiple residents requested future meetings with our Community regarding this issue:

- Location to be at the Desert Broom Library or The Creek, a community friendly location. The JW Marriott is not convenient or easy for anyone from the community
- Meetings to not be scheduled until September. Some of our homeowners have already left for the season and this is a family community. Nearly every family has a week or two vacation planned this summer. Our Councilman and planning leads supported relaxing the timeframe requirements to allow this to happen.
- A little more than the absolute minimum notice would be appreciated. The habit of doing the absolute minimum only deepens distrust and concern about what the Developer would do if this zoning amendment ever got approved.

Seems our request for a community friendly location is not of importance to anyone other than us, the people who live in the community. Our request was met with deaf ears.

Seems our comments regarding the location of the meeting at the JW Marriott being very difficult to find as well as the location being changed on us at the last minute without adequate signage is also falling on deaf ears.

Seems us asking for a little more time from the date the letter to the community is written (May 14) to the time of the meeting (May 31) is exactly 12 workdays from the date the letter was written, not the number of days the letters have been in our hands. The time frame also includes a heavily celebrated family holiday – Memorial Day.

Why? Because it is a heavily celebrated family holiday and the developer doesn't want us to vote against the project so hold the vote when the community is gone?

Seems us asking for a hold on meetings until our community is back to full occupancy was also met with deaf ears. Our family community has vacations, some live here seasonally to get away from the heat and/or like to celebrate Memorial Day, July 4<sup>th</sup> and Labor Day holidays away.

My perception is that every step is being taken to make this a very challenging situation for our

community.

I for one will not be able to make the Thursday, May 31, 2018 meeting to sign in and vote due to the Memorial Day Holiday. So, I am taking the time to write this letter and the opportunity to put on record that:

- I do not approve and vote NO to this project
- I do not approve and vote NO to the re-zoning

Please utilize the correspondence as my vote and be binding. If there is another method that I personally need to make to ensure my vote counts, please inform me at your earliest convenience.

Thank you for your time.

Neysa Morrissey  
Resident - Diamond Creek Community



**Neysa Morrissey**  
Morrissey & Associates, LLC



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

---

**From:** Neysa Morrissey  
**Sent:** Friday, May 04, 2018 10:28 AM  
**To:** 'DesertViewVPC@phoenix.gov'; 'Kaelee Wilson'; 'Jim Waring'; wr@berryriddell.com  
**Cc:** Wade.Tinant <[REDACTED]>  
**Subject:** Frustrated home owner - regarding the neighborhood meeting - Thursday, May 3, 2018

Good morning,

I am extremely disappointed and personally upset with the Developer and the process of this meeting.

Please understand, the notification letter for the Neighborhood Meeting, postmarked on 4/19 PM, was completely last minute for compliance and directed people to attend the meeting at the Desert Conference Suite at the JW Marriott. (there are multiple Desert Conference Suites at the JW Marriott Desert Ridge – as I walked the entire hall/meeting space area looking for the Developer and the meeting at the designated location that was NOT THERE!

Our neighbor and friend Wade Tinan, took time out of his day to go to the Marriott last Thursday and obtain facility maps to help our community members find their way to the meeting.

I arrived a few minutes late to the 5 PM meeting, looking up and down the area of Desert Conference Suites to find no meeting or signs directing me or anyone else. Unfortunately, I was not as lucky as fellow neighbors who found someone to point them in the right direction. I was informed there was no meeting there.

Wade Tinan has pictures from every entrance and the Desert Conference Suite. No signs or mention of the meeting changing locations. Even with the absolute last second notification, this Developer is unable to accurately communicate a meeting location?

Wade Tinan asked the Developer to help put up signs in the Marriott to direct folks to the NEW meeting location we were dismissed, smirked at and even told “Don’t make this into something”. No help. No

apologies. Just left to fend for ourselves and plead with Marriott events to help us out. Coupled with the absolute minimum notice, we can no longer assume any integrity on the part of the Developer.

The only signage on the main floor or where the meeting was supposed to be was placed by the community. Several folks at the meeting commented on how difficult it was to find the meeting and how many folks they say wandering around looking for the meeting. I was one of the community members who was not fortunate enough to recognize someone from the community to get directed to the meeting. We are a community of hard working, everyday people, everyday families with children. With that, it is difficult for our Community to attend Community meetings when we are working....

For future meetings with our Community we firmly request any/all meetings meet the following requirements:

1. Meetings to start at 6 PM. This is a working community, working until at least 5 PM. The 5 PM start time prevents a majority of our families/communities from attending
2. Location to be at the Desert Broom Library or The Creek. We moved away from commercial areas for a reason. The JW Marriott is not convenient or easy for anyone from the community.
3. No more meetings until September. Some of our homeowners have already left for the season and this is a family community. Nearly every family has a week or two vacation planned this summer. Our Councilman and planning leads supported relaxing the timeframe requirements to allow this to happen.
4. A little more than the absolute minimum notice would be appreciated. The habit of doing the absolute minimum only deepens distrust and concern about what the Developer would do if this zoning amendment ever got approved.

Our community hopes the Developer will make the reasonable choices listed above..... We thank you for your time and consideration.....



**Neysa Morrissey**  
Morrissey & Associates, LLC



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

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**From:** Glenn [REDACTED]  
**To:** [Kaelee Wilson](#)  
**Subject:** NO to Re-Zoning case PUD Z-22-18  
**Date:** Wednesday, May 02, 2018 10:49:57 AM

---

Kaelee Wilson,

I am firmly against the rezoning of the parcel located on the southwest corner of Dynamite and Tatum (PUD Z-22-18).

This application is irresponsible and it violates nearly all of the zoning standards in the area. Residents purchased their homes based on C-1 zoning and the entire community will be directly and negatively impacted by the proposed development. This application is not about serving or improving a community. This application is about a cash grab for a select few at the direct expense of the community it allegedly wants to serve.

Councilman Waring, your constituents, neighbors and friends have spoken for the second time, in overwhelming numbers. A C-2 business does NOT belong on this parcel and we will never support a C-2 business on this parcel.

As the elected official with jurisdiction over of this application, we are requesting your support by demonstrating a swift response to the staggering opposition to this application. We've listened. We ask that you listen and put the inevitable dagger in PUD Z-22-18 so that our community, as well as the Developer, can refocus our energy on other important issues.

Glenn [REDACTED]  
[REDACTED]@lsnk.net

[REDACTED]  
Cave Creek, AZ, Arizona 85331



**From:** Justin [REDACTED]  
**To:** [Kaelee Wilson](#)  
**Subject:** NO to Re-Zoning case PUD Z-22-18  
**Date:** Wednesday, May 02, 2018 10:27:35 AM

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Kaelee Wilson,

I am firmly against the rezoning of the parcel located on the southwest corner of Dynamite and Tatum (PUD Z-22-18).

This application is irresponsible and it violates nearly all of the zoning standards in the area. Residents purchased their homes based on C-1 zoning and the entire community will be directly and negatively impacted by the proposed development. This application is not about serving or improving a community. This application is about a cash grab for a select few at the direct expense of the community it allegedly wants to serve.

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As the elected official with jurisdiction over of this application, we are requesting your support by demonstrating a swift response to the staggering opposition to this application. We've listened. We ask that you listen and put the inevitable dagger in PUD Z-22-18 so that our community, as well as the Developer, can refocus our energy on other important issues.

Justin [REDACTED]  
[REDACTED]@gmail.com

Cave Creek, Arizona 85331





**From:** Sean [REDACTED]  
**To:** [Kaelee Wilson](#)  
**Subject:** NO to Re-Zoning case PUD Z-22-18  
**Date:** Wednesday, May 02, 2018 10:16:41 AM

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Kaelee Wilson,

I am firmly against the rezoning of the parcel located on the southwest corner of Dynamite and Tatum (PUD Z-22-18).

This application is irresponsible and it violates nearly all of the zoning standards in the area. Residents purchased their homes based on C-1 zoning and the entire community will be directly and negatively impacted by the proposed development. This application is not about serving or improving a community. This application is about a cash grab for a select few at the direct expense of the community it allegedly wants to serve.

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As the elected official with jurisdiction over of this application, we are requesting your support by demonstrating a swift response to the staggering opposition to this application. We've listened. We ask that you listen and put the inevitable dagger in PUD Z-22-18 so that our community, as well as the Developer, can refocus our energy on other important issues.

Sean [REDACTED]  
[REDACTED]@gmail.com

Cave Creek, Arizona 85331



**From:** Sean [REDACTED]  
**To:** [Kaelee Wilson](#)  
**Subject:** NO to Re-Zoning case PUD Z-22-18  
**Date:** Wednesday, May 02, 2018 10:15:16 AM

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Kaelee Wilson,

I am firmly against the rezoning of the parcel located on the southwest corner of Dynamite and Tatum (PUD Z-22-18).

This application is irresponsible and it violates nearly all of the zoning standards in the area. Residents purchased their homes based on C-1 zoning and the entire community will be directly and negatively impacted by the proposed development. This application is not about serving or improving a community. This application is about a cash grab for a select few at the direct expense of the community it allegedly wants to serve.

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As the elected official with jurisdiction over of this application, we are requesting your support by demonstrating a swift response to the staggering opposition to this application. We've listened. We ask that you listen and put the inevitable dagger in PUD Z-22-18 so that our community, as well as the Developer, can refocus our energy on other important issues.

Sean [REDACTED]  
[REDACTED]@gmail.com

Cave Creek, Arizona 85331



**From:** Richard [REDACTED]  
**To:** [Kaelee Wilson](#)  
**Subject:** NO to Re-Zoning case PUD Z-22-18  
**Date:** Wednesday, May 02, 2018 9:08:41 AM

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Kaelee Wilson,

I am firmly against the rezoning of the parcel located on the southwest corner of Dynamite and Tatum (PUD Z-22-18).

This application is irresponsible and it violates nearly all of the zoning standards in the area. Residents purchased their homes based on C-1 zoning and the entire community will be directly and negatively impacted by the proposed development. This application is not about serving or improving a community. This application is about a cash grab for a select few at the direct expense of the community it allegedly wants to serve.

Councilman Waring, your constituents, neighbors and friends have spoken for the second time, in overwhelming numbers. A C-2 business does NOT belong on this parcel and we will never support a C-2 business on this parcel.

As the elected official with jurisdiction over of this application, we are requesting your support by demonstrating a swift response to the staggering opposition to this application. We've listened. We ask that you listen and put the inevitable dagger in PUD Z-22-18 so that our community, as well as the Developer, can refocus our energy on other important issues.

Richard [REDACTED]  
[REDACTED]@cox.net

Cave Creek, Arizona 85331



**From:** Jason [REDACTED]  
**To:** [Kaelee Wilson](#)  
**Subject:** NO to Re-Zoning case PUD Z-22-18  
**Date:** Wednesday, May 02, 2018 8:54:33 AM

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Kaelee Wilson,

I am firmly against the rezoning of the parcel located on the southwest corner of Dynamite and Tatum (PUD Z-22-18).

This application is irresponsible and it violates nearly all of the zoning standards in the area. Residents purchased their homes based on C-1 zoning and the entire community will be directly and negatively impacted by the proposed development. This application is not about serving or improving a community. This application is about a cash grab for a select few at the direct expense of the community it allegedly wants to serve.

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As the elected official with jurisdiction over of this application, we are requesting your support by demonstrating a swift response to the staggering opposition to this application. We've listened. We ask that you listen and put the inevitable dagger in PUD Z-22-18 so that our community, as well as the Developer, can refocus our energy on other important issues.

Jason [REDACTED]  
[REDACTED]@gmail.com

Cave Creek, Arizona 85331





**From:** Kathleen [REDACTED]  
**To:** [Kaelee Wilson](#)  
**Subject:** NO to Re-Zoning case PUD Z-22-18  
**Date:** Wednesday, May 02, 2018 8:51:36 AM

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Kaelee Wilson,

I am firmly against the rezoning of the parcel located on the southwest corner of Dynamite and Tatum (PUD Z-22-18).

This application is irresponsible and it violates nearly all of the zoning standards in the area. Residents purchased their homes based on C-1 zoning and the entire community will be directly and negatively impacted by the proposed development. This application is not about serving or improving a community. This application is about a cash grab for a select few at the direct expense of the community it allegedly wants to serve.

Councilman Waring, your constituents, neighbors and friends have spoken for the second time, in overwhelming numbers. A C-2 business does NOT belong on this parcel and we will never support a C-2 business on this parcel.

As the elected official with jurisdiction over of this application, we are requesting your support by demonstrating a swift response to the staggering opposition to this application. We've listened. We ask that you listen and put the inevitable dagger in PUD Z-22-18 so that our community, as well as the Developer, can refocus our energy on other important issues.

Kathleen [REDACTED]  
[REDACTED]@comcast.net

Cave Creek, Arizona 85331



**From:** Cheryl [REDACTED]  
**To:** [Kaelee Wilson](#)  
**Subject:** NO to Re-Zoning case PUD Z-22-18  
**Date:** Wednesday, May 02, 2018 8:39:20 AM

---

Kaelee Wilson,

I am firmly against the rezoning of the parcel located on the southwest corner of Dynamite and Tatum (PUD Z-22-18).

This application is irresponsible and it violates nearly all of the zoning standards in the area. Residents purchased their homes based on C-1 zoning and the entire community will be directly and negatively impacted by the proposed development. This application is not about serving or improving a community. This application is about a cash grab for a select few at the direct expense of the community it allegedly wants to serve.

Councilman Waring, your constituents, neighbors and friends have spoken for the second time, in overwhelming numbers. A C-2 business does NOT belong on this parcel and we will never support a C-2 business on this parcel.

As the elected official with jurisdiction over of this application, we are requesting your support by demonstrating a swift response to the staggering opposition to this application. We've listened. We ask that you listen and put the inevitable dagger in PUD Z-22-18 so that our community, as well as the Developer, can refocus our energy on other important issues.

Cheryl [REDACTED]  
[REDACTED]@cox.net

Cave Creek, Arizona 85331



**From:** Al [REDACTED]  
**To:** [Kaelee Wilson](#)  
**Subject:** NO to Re-Zoning case PUD Z-22-18  
**Date:** Wednesday, May 02, 2018 8:22:34 AM

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Kaelee Wilson,

I am firmly against the rezoning of the parcel located on the southwest corner of Dynamite and Tatum (PUD Z-22-18).

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Al [REDACTED]  
[REDACTED]@gmail.com

Cave Creek, Arizona 85331



**From:** Ruth [REDACTED]  
**To:** [Kaelee Wilson](#)  
**Subject:** NO to Re-Zoning case PUD Z-22-18  
**Date:** Wednesday, May 02, 2018 8:20:29 AM

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Kaelee Wilson,

I am firmly against the rezoning of the parcel located on the southwest corner of Dynamite and Tatum (PUD Z-22-18).

This application is irresponsible and it violates nearly all of the zoning standards in the area. Residents purchased their homes based on C-1 zoning and the entire community will be directly and negatively impacted by the proposed development. This application is not about serving or improving a community. This application is about a cash grab for a select few at the direct expense of the community it allegedly wants to serve.

Councilman Waring, your constituents, neighbors and friends have spoken for the second time, in overwhelming numbers. A C-2 business does NOT belong on this parcel and we will never support a C-2 business on this parcel.

As the elected official with jurisdiction over of this application, we are requesting your support by demonstrating a swift response to the staggering opposition to this application. We've listened. We ask that you listen and put the inevitable dagger in PUD Z-22-18 so that our community, as well as the Developer, can refocus our energy on other important issues.

Ruth [REDACTED]  
[REDACTED]@cox.net

Cave Creek, Arizona 85331





**From:** Ann [REDACTED]  
**To:** [Kaelee Wilson](#)  
**Subject:** NO to Re-Zoning case PUD Z-22-18  
**Date:** Wednesday, May 02, 2018 7:53:41 AM

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Kaelee Wilson,

I am firmly against the rezoning of the parcel located on the southwest corner of Dynamite and Tatum (PUD Z-22-18).

This application is irresponsible and it violates nearly all of the zoning standards in the area. Residents purchased their homes based on C-1 zoning and the entire community will be directly and negatively impacted by the proposed development. This application is not about serving or improving a community. This application is about a cash grab for a select few at the direct expense of the community it allegedly wants to serve.

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Ann [REDACTED]  
[REDACTED]@hotmail.com

Star City, Arkansas 71667



**From:** Howard [REDACTED]  
**To:** [Kaelee Wilson](#)  
**Subject:** NO to Re-Zoning case PUD Z-22-18  
**Date:** Wednesday, May 02, 2018 7:38:30 AM

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Kaelee Wilson,

I am firmly against the rezoning of the parcel located on the southwest corner of Dynamite and Tatum (PUD Z-22-18).

This application is irresponsible and it violates nearly all of the zoning standards in the area. Residents purchased their homes based on C-1 zoning and the entire community will be directly and negatively impacted by the proposed development. This application is not about serving or improving a community. This application is about a cash grab for a select few at the direct expense of the community it allegedly wants to serve.

Councilman Waring, your constituents, neighbors and friends have spoken for the second time, in overwhelming numbers. A C-2 business does NOT belong on this parcel and we will never support a C-2 business on this parcel.

As the elected official with jurisdiction over of this application, we are requesting your support by demonstrating a swift response to the staggering opposition to this application. We've listened. We ask that you listen and put the inevitable dagger in PUD Z-22-18 so that our community, as well as the Developer, can refocus our energy on other important issues.

Howard [REDACTED]  
[REDACTED]@yahoo.com

Cave Creek, Arizona 85331



**From:** Nancy [REDACTED]  
**To:** [Kaelee Wilson](#)  
**Subject:** NO to Re-Zoning case PUD Z-22-18  
**Date:** Wednesday, May 02, 2018 7:30:33 AM

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Kaelee Wilson,

I am firmly against the rezoning of the parcel located on the southwest corner of Dynamite and Tatum (PUD Z-22-18).

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Nancy [REDACTED]  
[REDACTED]@mindspring.com  
[REDACTED]  
Cave Creek, Arizona 85331



**From:** David [REDACTED]  
**To:** [Kaelee Wilson](#)  
**Subject:** NO to Re-Zoning case PUD Z-22-18  
**Date:** Wednesday, May 02, 2018 7:14:14 AM

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Kaelee Wilson,

I am firmly against the rezoning of the parcel located on the southwest corner of Dynamite and Tatum (PUD Z-22-18).

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David [REDACTED]  
[REDACTED]@msn.com

Cave Creek, Arizona 85331





**From:** Sharon [REDACTED]  
**To:** [Kaelee Wilson](#)  
**Subject:** NO to Re-Zoning case PUD Z-22-18  
**Date:** Wednesday, May 02, 2018 7:11:58 AM

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Kaelee Wilson,

I am firmly against the rezoning of the parcel located on the southwest corner of Dynamite and Tatum (PUD Z-22-18).

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Sharon [REDACTED]  
[REDACTED]@cox.net

Cave Creek, Arizona 85331



**From:** Maireen [REDACTED]  
**To:** [Kaelee Wilson](#)  
**Subject:** NO to Re-Zoning case PUD Z-22-18  
**Date:** Wednesday, May 02, 2018 6:59:57 AM

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Kaelee Wilson,

I am firmly against the rezoning of the parcel located on the southwest corner of Dynamite and Tatum (PUD Z-22-18).

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Maireen [REDACTED]  
[REDACTED]@gmail.com

Cave Creek, Arizona 85331



**From:** susan [REDACTED]  
**To:** [Kaelee Wilson](#)  
**Subject:** NO to Re-Zoning case PUD Z-22-18  
**Date:** Wednesday, May 02, 2018 6:57:16 AM

---

Kaelee Wilson,

I am firmly against the rezoning of the parcel located on the southwest corner of Dynamite and Tatum (PUD Z-22-18).

This application is irresponsible and it violates nearly all of the zoning standards in the area. Residents purchased their homes based on C-1 zoning and the entire community will be directly and negatively impacted by the proposed development. This application is not about serving or improving a community. This application is about a cash grab for a select few at the direct expense of the community it allegedly wants to serve.

Councilman Waring, your constituents, neighbors and friends have spoken for the second time, in overwhelming numbers. A C-2 business does NOT belong on this parcel and we will never support a C-2 business on this parcel.

As the elected official with jurisdiction over of this application, we are requesting your support by demonstrating a swift response to the staggering opposition to this application. We've listened. We ask that you listen and put the inevitable dagger in PUD Z-22-18 so that our community, as well as the Developer, can refocus our energy on other important issues.

susan [REDACTED]  
[REDACTED]@me.com

Phoenix, Arizona 85331



**From:** Scott [REDACTED]  
**To:** [Kaelee Wilson](#)  
**Subject:** NO to Re-Zoning case PUD Z-22-18  
**Date:** Wednesday, May 02, 2018 6:42:48 AM

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Kaelee Wilson,

I am firmly against the rezoning of the parcel located on the southwest corner of Dynamite and Tatum (PUD Z-22-18).

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Scott [REDACTED]  
[REDACTED]@gmail.com

Cave Creek, Arizona 85331





**From:** Michael [REDACTED]  
**To:** [Kaelee Wilson](#)  
**Subject:** NO to Re-Zoning case PUD Z-22-18  
**Date:** Wednesday, May 02, 2018 6:41:51 AM

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Kaelee Wilson,

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Michael [REDACTED]  
[REDACTED]@gmail.com

Cave Creek, Arizona 85331



**From:** Renee [REDACTED]  
**To:** [Kaelee Wilson](#)  
**Subject:** NO to Re-Zoning case PUD Z-22-18  
**Date:** Wednesday, May 02, 2018 6:37:39 AM

---

Kaelee Wilson,

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Renee [REDACTED]  
[REDACTED]@yahoo.com

Cave Creek, Arizona 85331



**From:** Amy [REDACTED]  
**To:** [Kaelee Wilson](#)  
**Subject:** NO to Re-Zoning case PUD Z-22-18  
**Date:** Wednesday, May 02, 2018 6:35:50 AM

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Kaelee Wilson,

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Amy [REDACTED]  
[REDACTED]@yahoo.com

Cave Creek, Arizona 85331



**From:** Renee [REDACTED]  
**To:** [Kaelee Wilson](#)  
**Subject:** NO to Re-Zoning case PUD Z-22-18  
**Date:** Wednesday, May 02, 2018 6:34:01 AM

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Kaelee Wilson,

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Renee [REDACTED]  
[REDACTED]@householdergroup.com

Cave Creek, Arizona 85331





**From:** Giovanni [REDACTED]  
**To:** [Kaelee Wilson](#)  
**Subject:** NO to Re-Zoning case PUD Z-22-18  
**Date:** Wednesday, May 02, 2018 2:08:09 AM

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Kaelee Wilson,

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Giovanni [REDACTED]  
[REDACTED]@gmail.com

Cave Creek, Arizona 85331



**From:** Lynn [REDACTED]  
**To:** [Kaelee Wilson](#)  
**Subject:** NO to Re-Zoning case PUD Z-22-18  
**Date:** Wednesday, May 02, 2018 12:39:54 AM

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Kaelee Wilson,

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Lynn [REDACTED]  
[REDACTED]@gmail.com

Cave Creek, Arizona 85331



**From:** Joseph [REDACTED]  
**To:** [Kaelee Wilson](#)  
**Subject:** NO to Re-Zoning case PUD Z-22-18  
**Date:** Wednesday, May 02, 2018 12:33:28 AM

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Kaelee Wilson,

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Joseph [REDACTED]  
[REDACTED]@gmail.com

Cave Creek, Arizona 85331



**From:** Erynn [REDACTED]  
**To:** [Kaelee Wilson](#)  
**Subject:** NO to Re-Zoning case PUD Z-22-18  
**Date:** Wednesday, May 02, 2018 12:23:47 AM

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Erynn [REDACTED]  
[REDACTED]@gmail.com

Cave Creek, Arizona 85331





**From:** Laura [REDACTED]  
**To:** [Kaelee Wilson](#)  
**Subject:** NO to Re-Zoning case PUD Z-22-18  
**Date:** Tuesday, May 01, 2018 11:19:31 PM

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Kaelee Wilson,

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Laura [REDACTED]  
[REDACTED]@gmail.com

Cave Creek, Arizona 85331



**From:** Sharon [REDACTED]  
**To:** [Kaelee Wilson](#)  
**Subject:** NO to Re-Zoning case PUD Z-22-18  
**Date:** Tuesday, May 01, 2018 11:14:39 PM

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Kaelee Wilson,

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Sharon [REDACTED]  
[REDACTED]@cox.net  
[REDACTED]  
Cave Creek, Arizona 85331



**From:** Donna [REDACTED]  
**To:** [Kaelee Wilson](#)  
**Subject:** NO to Re-Zoning case PUD Z-22-18  
**Date:** Tuesday, May 01, 2018 11:13:01 PM

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Kaelee Wilson,

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Donna [REDACTED]  
[REDACTED]@gmail.com

Cave Creek, Arizona 85331