



January 15, 2010

Mr. Tim Curtis, AICP  
Principal Planner  
City of Scottsdale  
7447 East Indian School Road, Suite 150  
Scottsdale, AZ 85251

**RE: LGE Property/91<sup>st</sup> Street and Palo Brea**

Dear Tim;

As you are aware, the property generally located at the southeast corner of 91<sup>st</sup> Street and Palo Brea is within the DC Ranch master planned community and is zoned I-1 PC and is owned by HRCF-Biltmore LGE ("LGE"). DC Ranch, LLC, an Arizona limited liability company ("DMB"), is the original owner of the property and still has significant interests in the continuing development of the DC Ranch development.

We understand LGE has requested and received an interpretation from the City of Scottsdale to confirm that a transition rehabilitation center use is analogous to a professional/medical office use and therefore permitted in the I-1 district in accordance with a letter dated September 4, 2009 (attached). The purpose of this letter is to acknowledge that DMB understands this interpretation will apply to the Amended Development Standards for the I-1 PC zoning district and will be applicable to relevant properties within the boundaries of the DC Ranch community. Furthermore, DMB does not object to such interpretation.

Additionally, it should be noted that in accordance with the design requirements of the DC Ranch community, approval of the building architecture and site design is required by the DC Ranch Covenant Commission. Please let me know if you need any other information.

Sincerely,

Jill Kusy Hegardt, AICP  
Vice President of Entitlements

cc: Lynne LaGarde, Esq., Earl, Curley & LaGarde  
Steve Loken, DMB Associates



Planning & Development Services

7447 E. Indian School Road, Suite 105  
Scottsdale, AZ 85251

September 4, 2009

Earl, Curley & Lagarde, P.C.  
c/o Lynne Lagarde  
3101 N. Central Ave. Ste. 1000  
Phoenix, Arizona 85012

Re: Zoning Confirmation for a Transitional Rehabilitation Center.

Dear Ms. Lagarde:

I am in receipt of your letter dated 8/31/09, requesting confirmation that a Transitional Rehabilitation Center is an allowed use in I-1 (Industrial Park District).

I-1 is an employment district that encourages uses that create a strong employment base, such as professional offices and light manufacturing, to establish an industrial park-like setting. The proposed use will require a substantial staff to provide the necessary services on a 24-hour basis. With the exception of the potential for extended stays by patients, this use is likely to have similar land use impacts to a professional office use. There are services offered that are consistent with a medical clinic or hospital, such as surgical suites, overnight and short-term stays, and large-scale diagnostic equipment; however, these services are ancillary to the primary use, which is rehabilitation and physical therapy. Other services offered by clinics and hospitals, such as emergency room service for walk-ins and emergency ambulance service, will not be offered as part of this use. Patients recovering at the facility would, in most cases, be dropped off and not arriving in their own vehicles, so parking impacts should be negligible. No negative impacts from noise or vehicular traffic are anticipated.

Therefore, by way of this letter, it is determined that the proposed Transitional Rehabilitation Center is analogous to a professional office use and is allowed in the I-1 zoning district.

If you have any questions or concerns, feel free to contact me via e-mail at [lgalav@scottsdaleaz.gov](mailto:lgalav@scottsdaleaz.gov), or you can reach me by phone at 480-312-2506.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lusie Galav".

Lusia Galav, AICP  
Current Planning Director/Zoning Administrator  
City of Scottsdale

cc: David Richert  
Division Executive Managing Director