

Correspondence Between
Staff and Applicant
Approval Letter

Petition to Oppose Construction of Kerry's Car Care -Pre-Application #485-PA-2019

Petition from:	Residents of the neighboring community
Action petitioned for:	We the undersigned, are concerned citizens who urge our city leaders to act now to repeal <u>repeal</u> SB 10 <u>SB 10</u> PA 2011

[illegible]

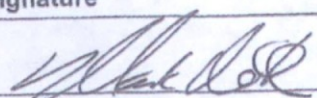
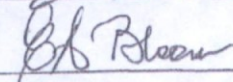
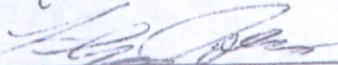
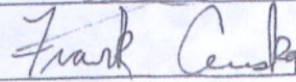
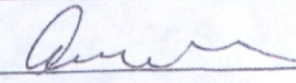
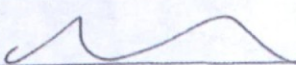
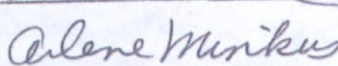
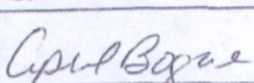
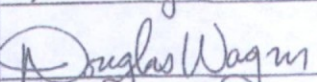
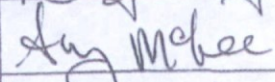
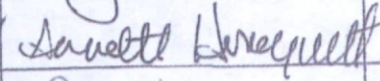
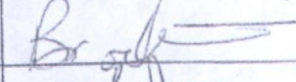

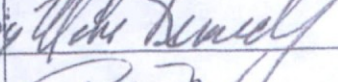
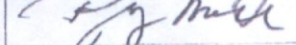
Petition to Oppose Construction of Kerry's Car Care -Pre-Application #485-PA-2019

Petition from:	Residents of the neighboring community
Action petitioned for:	We the undersigned, are concerned citizens who urge our city leaders to act now to oppose #485-PA-201.

[illegible]

Petition to oppose Construction of Kerry's Car Care #485-PA-2019

Petition from	Scottsdale Adobe Ranch
Action petitioned for	We, the undersigned, are concerned citizens who urge our city leaders to act now to oppose 485-PA-2019.

Printed Name	Signature	Address	Date
MARK P. ROTHMAN		10770 N. 117 th PL SCOTTSDALE AZ 85259	10/24/19
ESTELLE BLOOM		10750 N. 117 th Place SCOTTSDALE	10/25/19
THOMAS JOHNSON		10740 N. 117 th PL SCOTTSDALE	10-25-19
FRANK CERESKA		10780 N. 117 th PL	10-25-19
AMY TROPP		10770 N. 117 th PL	10/25/19
DELORES TOMASEK		10720 N. 117 th PL	10/25/19
ARLENE MINKUS		10690 N. 117 th pl	10/25/19
APRIL BOGUE		10680 N. 117 th PL	10/25/19
DOUGLAS WAGNER		10790 N. 117 th PL	10/26/19
AMY MCILEE		10760 N. 117 th PL	10/28/19
ANNETTE HUNTER		11761 E. Clinton St.	10/28/19
BRUCE MARTIN		11768 E. Clinton St.	10/29/19
CLIVE MARTIN		11768 E. CLINTON ST	10/29/19
MIKE KENDRICK		11773 Clinton ST	10/29/19
ROSEMARY MOHR		11780 E. Clinton St	10/30/19

Petition to oppose Construction of Kerry's Car Care #485-PA-2019

Petition from	Scottsdale Adobe Ranch
Action petitioned for	We, the undersigned, are concerned citizens who urge our city leaders to act now to oppose - 485-PA-2019.

Printed Name	Signature	Address	Date
JOHN HOLMGREN	<i>John Holmgren</i>	117 ⁵⁴ E. BECKER LANE	10/24/19
TRICIA TITMAN	<i>Tricia Titman</i>	11759 E Becker Ave.	10/25/19
Marcia Brown	<i>Marcia Brown</i>	11754 E Becker Ln	10/25/19
Paul Brown	<i>Paul Brown</i>	11747 E Becker Ln	10/26/19
CHRISTINE HOLMGREN	<i>Christine Holmgren</i>	11454 E. Becker Ln.	10/26/19
SUSAN KING	<i>Susan King</i>	11750 E Becker	10/26/19
JEFF GEISER	<i>Jeff Geiser</i>	11750 E BECKER	10/27/19
Nick Candelaria	<i>Nick Candelaria</i>	11771 E Becker	10/27/19
Linda G. Hembler	<i>Linda G. Hembler</i>	11767 E Becker Ln	10/27/19
Cyndi Street	<i>Cyndi Street</i>	11788 E Clinton	10/30/19
LINDA GELT	<i>Linda G. Gelt</i>	10735 N 117 th Hwy	10/31/19
GREG HARRIS	<i>Greg Harris</i>	11762 E Becker Ln	10-31-19
Claude Miller	<i>Claude Miller</i>	11750 E. Clinton	10/30/2019
Mary Beth Ann	<i>Mary Beth Ann</i>	11753 E Clinton	10/30/19

Petition to oppose Construction of Kerry's Car Care #485-PA-2019

Petition from	Scottsdale Adobe Ranch
Action petitioned for	We, the undersigned, are concerned citizens who urge our city leaders to act now to oppose 485-PA-2019.

Printed Name	Signature	Address	Date
Ron Williams	Ron Williams	10812 N. 117th Pl.	10/27/19
Dana Vero	D Vero	10836 N 117 th Pl.	10/27/19
Vito Vero	Vito Vero	" " " "	10/27/19
T HORSELL	T HORSELL	10872 N. 117 th Pl	10/27/19
Paul J. Jurek	Paul J. Jurek	11754 E. Avera	10/27/19
John Jurek	John Jurek	11766 E Mercer Lane	10/27/19
Sharon Wapet Hill	Sharon Wapet Hill	11770 E Mercer Lane	10/27/19
Kelli Sax-Pahl	Kelli Sax-Pahl	10860 N. 117th Way	10/27/19
Ken Pahl	Ken Pahl	10860 N. 117th Way	10/27/19
Rich MERCURE	Rich MERCURE	10839 N 117TH PL	10/29/19
Marge MERCURE	Marge MERCURE	10839 N 117TH PL	10/29/19
Mary Weed	Mary Weed	10899 W 117th Pl	10/29/19
Paula Jared	Paula Jared	11774 E Mercer Lane	10/29/19
PAOLA FRATANTEM	PAOLA FRATANTEM	10825 N. 117 WAY	10-24-18

Petition to oppose Construction of Kerry's Car Care #485-PA-2019

Petition from	Scottsdale Adobe Ranch
Action petitioned for	We, the undersigned, are concerned citizens who urge our city leaders to act now to oppose 485-PA-2019.

[illegible]

Petition to oppose Construction of Kerry's Car Care #485-PA-2019

Petition from	Scottsdale Adobe Ranch
Action petitioned for	We, the undersigned, are concerned citizens who urge our city leaders to act now to oppose . 485-PA-2019.

[illegible]

McClay, Doris

From: RHONDA RICHARDSON <rrichardsonaz@cox.net>
Sent: Saturday, October 19, 2019 11:48 AM
To: McClay, Doris
Subject: Kerry Car Care Pre-Application# 485-PA-2019

⚠ External Email: Please use caution if opening links or attachments!

October 19, 2019

Doris McClay Senior Planner
City of Scottsdale Planning and Development Services
Kerry's Car Care at Mountainside Plaza (Pre-Application # 485-PA-2019)

Dear Ms McClay,

I'm writing in regard to the proposed Kerry's Car Care location in Mountainside Plaza, near E Shea Blvd and N 116th St, Scottsdale, 85259.

I live directly north across E Sahuaro Dr, at the front of Talavera, from this proposed location. My apprehension of having this business potentially located in the northeast corner of Mountainside Plaza is the proximity to private residential homes, many with young children and vulnerable older citizens. Personally, I have become very sensitive to chemical odors, and toxicity in all forms through the air, food and topically; especially smoke, gasoline, fuel exhaust, cleaning products and aerosols. Therefore, the effects of noise, additional air pollution and chemical exposure to individual citizens and the environment are of my utmost concern.

I chose my home some time ago because of the quiet and peaceful nature of the Talavera community; the green landscaping and trees reinforce the feeling of nature which is vital to our health and well-being. This is also reflected in the home prices and property taxes paid which I trust will remain stable and/or appreciate over time.

Again, It was my choice to live within proximity of the businesses and facilities that were in place between Shea Blvd and E Sahuaro Dr, at that time. My reasoning was the light service, restaurant and office-type businesses presently located in Mountainside Plaza are not the type that produce a noise hazard to the outside community, incur unreasonable and unexpected traffic, nor store or use large quantities of chemical products and solvents whose diffusion adds to the negative air quality impact, especially during the warmer months in The Valley.

Mountainside Plaza is not the right fit nor location to build and operate Kerry's Car Care. This type of business threatens the residential citizens due to the fact that car servicing equipment noise can be quite loud and unsettling. This type business usually operates with open bay doors which allow unfavorable noise, exhaust fumes and solvent emissions into the local air/environment surrounding our homes where the majority of our time is spent.

I choose to not be a passive resident or participant that invites additional environmental harm now or in the future to myself or community when it can be controlled by locating a business of this type to a more suitable location that is not in the midst of nor surrounded by a large residential area.

Thank you for your consideration of my concerns in this matter.

With Best Regards,

Rhonda B Richardson
11680 E Sahuaro Dr #1005
Scottsdale, AZ 85259

(623) 225-5913

McClay, Doris

From: Ruenger, Jeffrey
Sent: Monday, October 21, 2019 9:44 AM
To: McClay, Doris; Castro, Lorraine
Subject: FW: Case #: 10-UP-2019

From: Amy Mckee <amckee@ancalacc.com>
Sent: Saturday, October 19, 2019 2:50 PM
To: Projectinput <Projectinput@Scottsdaleaz.gov>
Subject: Case #: 10-UP-2019

⚠ External Email: Please use caution if opening links or attachments!

Dear Doris, I live directly behind the site of the proposed Auto Repair Service at 11653 E. Sahuaro Dr. I, as well as my neighbors, are highly opposed to this type of business development in that location. I am concerned about the noise level, storage issues, chemical and tire disposal. Signage, lighting on the building and any parking lot lighting would illuminate right into our back yards.

I ask that you deny the use permit for Case Number: 10-UP-2019.

Thank you,

Amy McKee
Director of Private Events
11700 E. Via Linda
Scottsdale, AZ 85259
480-391-3056



McClay, Doris

From: Ruenger, Jeffrey
Sent: Monday, October 14, 2019 9:21 AM
To: McClay, Doris
Cc: Castro, Lorraine
Subject: FW: Case number: 10-UP-2019

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

From: Elaine Ford <elainemovingon@gmail.com>
Sent: Saturday, October 12, 2019 3:00 PM
To: Projectinput <Projectinput@Scottsdaleaz.gov>
Subject: Case number: 10-UP-2019

 External Email: Please use caution if opening links or attachments!

Dear Sir,

I live in the area and do NOT want to see an auto repair service allowed at 11653 E. Sahuaro Drive. It would be noisy for residents who live nearby and the toxic fumes could be detrimental to our health. Please do not allow this business to build in our area. There are already enough auto repairs not far away so it isn't something our community needs.

Thank you,

Elaine Ford

McClay, Doris

From: Ruenger, Jeffrey
Sent: Monday, October 14, 2019 9:21 AM
To: McClay, Doris
Cc: Castro, Lorraine
Subject: FW: Case number 10-up-2019

From: Jennifer Codd <jennifercoddaz@hotmail.com>
Sent: Sunday, October 13, 2019 2:05 PM
To: Projectinput <Projectinput@Scottsdaleaz.gov>
Subject: Case number 10-up-2019

 **External Email: Please use caution if opening links or attachments!**

Ms. McClay,

As a resident who would be living directly across the street from this proposed project, I do not feel this facility is appropriate for this type of area. While I do feel this area would benefit from added smaller businesses, the neighborhood would not benefit from a large automotive repair shop. For one, there is a Pep Boys offering repair services down the street and for another would increase the flow of traffic and noise through the neighborhood. Having an entrance off of Sahuaro would really take away our neighborhood feeling.

Regards,

Jennifer Codd
Talavera resident

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McClay, Doris

From: Ruenger, Jeffrey
Sent: Friday, October 11, 2019 12:42 PM
To: McClay, Doris
Subject: FW: Case Number: 10-UP-2019

From: Gallagher Jack <jackbgallagher@gmail.com>
Sent: Friday, October 11, 2019 11:29 AM
To: Projectinput <Projectinput@Scottsdaleaz.gov>
Subject: Case Number: 10-UP-2019

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To whom it may concern:

The following is an email dated 9/17/19 that I sent to the architectural firm associated with the proposed project. Please consider these comments when evaluating their request for a conditional use permit.

Thank you,
John B. Gallagher

Dear Mr. Meinhold:

Thank you for your letter dated September 9, 2019 detailing your firms' application for a Conditional Use Permit at 11653 E. Saguaro Drive, Scottsdale, AZ 85259. As a resident of Scottsdale Adobe Ranch, the residential development directly to the east of your proposed construction site for Kerry's Car Care, I wish to register my opposition to said project.

My objection is based primarily upon the unspecified use of areas 22 as detailed on your enclosed site plan with keynotes. Your keynotes indicate these "open space areas are to be prepared for future building pad and future parking lot areas." As the eastern most boundary of these areas butts up against the western most boundary of Scottsdale Adobe Ranch, my concern is that with no detailed indication as to what type and/or number of structures may be constructed on these "future building pad and parking lot areas", there is no assurance that future proposed construction would not adversely effect the aforementioned residences and their existing sight lines.

Until more precise indications as to what type, size, and number of structures may be constructed on these areas I must withhold my support of your proposed plan. I have copied Scottsdale Adobe Ranch's HOA representative, Michael Farnsworth, on this email in the hopes that my concerns will be addressed at the upcoming neighborhood meeting on September 23, 2019. Again, I thank you for your letter and for your solicitation of comments from local residents. I shall await any future correspondence related to your proposal.

Sincerely,
John B. Gallagher
11776 E. Clinton Street
Scottsdale, AZ 85259

McClay, Doris

From: Sharon Fassett <sharrycna@icloud.com>
Sent: Friday, October 11, 2019 5:15 PM
To: McClay, Doris
Subject: Kerry's Car Care

⚠ External Email: Please use caution if opening links or attachments!

Doris,

I would like to register my personal objection to the development of a Kerry's Car Care in the Location between Shea and Sahuaro off 116th.

This is clearly bordering on two residential communities and to put an open door garage (noise) in the close proximity to housing is not appropriate.

We already have issues with traffic overload on Sahuaro Dr and 116th - which people use to access Mountainside Fitness & cold Beer & Cheeseburgers.

Please help this business find a more suitable location.

Thank you,

Sharry Fassett
11680 E Sahuaro Dr #1011
Scottsdale, AZ 85259
480-707-2733

Sent from my iPad

McClay, Doris

From: Zimmer, Christopher
Sent: Monday, October 07, 2019 12:49 PM
To: McClay, Doris
Cc: Castro, Lorraine
Subject: FW: Case 10-UP-2019 Auto Repair Service

Hey Doris,

This came into the LL review inbox.. Not sure why but here it is.

Thanks,

Chris Z

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

From: Kelli Pahl <kellis@me.com>
Sent: Friday, October 4, 2019 3:54 PM
To: Projectinput <Projectinput@Scottsdaleaz.gov>
Subject: Case 10-UP-2019 Auto Repair Service

 External Email: Please use caution if opening links or attachments!

Hello,
I have owned my home and lived at Scottsdale Adobe Ranch for 22 years. I am totally opposed to this project. The noise and smell that would come out of a facility like this would have a negative impact on our property values and ruin the aesthetic of our neighborhood. There was a Pep Boys down the street and the fumes/smell of burning tires was awful. We walk ourselves and our pets in the area in question and this would ruin that. The businesses that are that close by do not create visual, olfactory, and auditory pollution. I am greatly opposed to this project! This is a nice and clean and quiet area and I hope we can keep it that way.

Kelli
Kelli Sax- Pahl, LCSW
(480)861-0855

McClay, Doris

From: Mark Rothman <mrothman3@gmail.com>
Sent: Tuesday, October 01, 2019 12:54 PM
To: McClay, Doris
Subject: Fwd: Kerry's Car Care #485-PA-2019

 **External Email: Please use caution if opening links or attachments!**

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

From: Mark Rothman <mrothman3@gmail.com>
Date: Mon, Sep 30, 2019 at 4:38 PM
Subject: Kerry's Car Care #485-PA-2019
To: <lmeinhold@larson-architects.com>

I am contacting you today regarding the proposed construction of this this development at 11652 E. Saguaro Dr. Scottsdale, AZ. 85259. Your letter states that you are applying for a Conditional Use Permit for this property which is a C-3 zoning district. I am extremely concerned about the health concerns for our neighboring Scottsdale Adobe Ranch home owners. The vast majority of people in the neighborhood are senior citizens. My property which directly faces this proposed project is the third house down from Saguaro Dr. My significant other has a compromised immune system as well as COPD. The chemical fumes that could float into our backyard would be extremely detrimental to her well being. I plan to reach out to her pulmonary doctor as well as her internist and provide them with this planned development and get their opinions. I would be interested in finding out all the chemicals that will be used by Kerry's Car Care and proof from the EPA that these chemicals and fumes are not detrimental to the neighboring home owners. I am also concerned about the noise level that will be coming from Kerry's Car Care from the hours of 7:00am-7:00pm. The fact that we already have a PEP Boys car facility just down the street on Saguaro Dr. which does not back up to any residential properties. It appears to make no sense to have a second car care facility within walking distance to PEP Boys. Your project will also have a negative affect on the home values for Scottsdale Adobe Ranch. If the City of Scottsdale loses tax revenue because property values decline, this does not sound like a wise financial decision for the city planners. I am not opposed to the development of the land using commercial ventures that do not pose health, environmental, or noise levels to the surrounding community. I would like to request that the proposed Conditional Use Permit for Kerry's Car Care be denied. Thank you.

Sincerely,
Mark P. Rothman

McClay, Doris

From: Pat Bannochie <pbannochie@comcast.net>
Sent: Monday, September 30, 2019 4:25 PM
To: McClay, Doris
Subject: Petition to Oppose Conditional Use Permit for Kerry's Car Care, #485-PA-2019
Attachments: AZ Petition - #485-PA-2019-1.pdf; AZ Petition - #485-PA-2019-2.pdf; AZ Petition - #485-PA-2019-3.pdf; video for Petition #485-PA-2019.htm

 **External Email: Please use caution if opening links or attachments!**

Dear Doris:

As residents of Talavera Condominium Complex, 11680 E. Sahuaro Drive, adjacent to the proposed permit to build Kerry's Car Care at 11653 E. Sahuaro Drive, we want to express our opposition to building this business in our quiet neighborhood. The businesses currently in the Mountainside Plaza are services that are beneficial to the neighboring community, and do not create air, noise and toxic pollution that this auto shop will generate. This type of business is not conducive to a residential community environment. There are many other properties down Shea Boulevard and Frank Lloyd Wright Boulevard that would be more logical for this type of business where other industrial-type businesses are located.

Attached are signed documents that support our opposition to this business.

Doris, we thank you for your consideration of our concerns.

Would you confirm receipt of our documents by responding to this email?

Thank you.

Peter and Patrice Bannochie

Residents of the Talavera Community

Unit 1041

Pat Bannochie
612-251-3307

September 29, 2019

Doris McClay
Senior Planner
City of Scottsdale
dmcclay@scottsdaleaz.gov

RE: Petition to Oppose Conditional Use Permit for Kerry's Car Care, #485-PA-2019

We, neighbors near the proposed project, are writing to you to express our concern for the construction of a large auto repair garage in the midst of a quiet residential community. We understand the property at 11653 E. Sahuaro Drive in the Mountainside Plaza is within the C-3 Zoning District and they are requesting a CUP (Conditional Use Permit) due to its close proximity to residential neighborhoods.

We do not reject the idea of bringing new business to Scottsdale which would be an asset; however, we feel a large auto repair garage is not one which would fit well within our community. We would greatly appreciate your serious consideration of our concerns.

We are opposing the proposed project for several reasons:

1. Large 8-Bay Auto Repair Garage will present a noise nuisance to residents of the Talavera Condominium complex to the North directly across Sahuaro Drive, and on the East side of the bay area within 150 feet of the Adobe Ranch properties.

A group of homeowners attended the neighborhood meeting to learn about the project from Larson Associates Architects, Inc. where they shared all the services which would be provided. It was also shared they would follow the City of Scottsdale Zoning Ordinance for required landscape buffers; however, the side lots would not have a buffer for the noise.

Mountainside Plaza has several types of retail businesses which have been embraced by the residential community. Residents enjoy using the fitness center, bank, restaurants, salon and other services which contribute to the peaceful enjoyment of living in our neighborhood.

We were told the bays would be open for all repairs during normal working hours, which we believe will be 7:00 a.m. to 7:00 p.m. This will be a larger auto shop than Discount Tire, which creates high noise levels with just doing tires. We were informed they would be providing additional services like mufflers, which also could be very noisy. (Please see attached video.)

2. Large 8-Bay Auto Repair Garage will be using hazardous materials which may present potential health issues to our residents. We asked if an Environmental Study could be provided for the residents to see how all the chemicals could cause additional health risks for residents in near proximity to the garage. The chemical odors would become a nuisance and a health hazard to local residents who want to enjoy their patios or walk their dogs. Additionally, the toxic waste produced by this business could create a health hazard to our water and sewer systems.

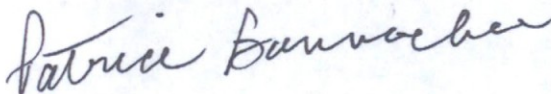
3. Large 8-Bay Auto Repair Garage directly across the street from Talavera and adjacent to Adobe Ranch may significantly reduce the value for current homeowners and discourage potential Buyers from purchasing these properties. Sellers will also lose money when selling their homes. With property values increasing and the housing market finally making positive gains, we do not want our property values to be negatively affected by this type of business. Our residential communities would benefit from retail businesses that increase home values by providing services which promote health and well-being, thus attracting new residents to the area, and providing vitality to our community.
4. Large 8-Bay Auto Repair Garage directly across the street from Talavera and adjacent to Adobe Ranch will significantly increase traffic in the area, creating a safety hazard for school children who walk to their bus stops in the morning, and from the bus stop to their homes in the afternoon. An additional safety hazard will be created by the mechanics making test drives throughout the neighborhood.

Please consider how this type of a business would impact the quality of life for all the families who live in the area. We implore you to deny the application for this Conditional Use Permit so that we can retain the quality of life for families in this peaceful residential community.

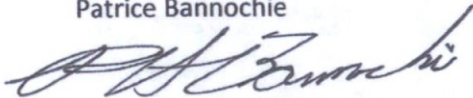
Thank you for your consideration.

Respectfully,

Residents of Talavera Condo HOA



Patrice Bannochie



Peter Bannochie

Attachments:

*Signed petition

*Video

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Petition from:	Residents of the neighboring community
Action petitioned for:	We the undersigned, are concerned citizens who urge our city leaders to act now to appose #485-PA-201.

[illegible]

McClay, Doris

From: Bonni Bostian <bonnibostian@cox.net>
Sent: Monday, September 30, 2019 3:02 PM
To: McClay, Doris
Cc: cherylllawrence@msn.com; pbannochie@comcast.net
Subject: Petition to Oppose Conditional Use Permit for Kerry's Car Care - #485-PA-2019

 **External Email: Please use caution if opening links or attachments!**

[Download full resolution images](#)
[Available until Oct 30, 2019](#)

September 29, 2019

Doris McClay
Senior Planner
City of Scottsdale
dmcclay@scottsdaleaz.gov

RE: Petition to Oppose Conditional Use Permit for Kerry's Car Care #485-PA-2019

We, the neighbors near the proposed project, are writing to express our concern for the construction of a large auto shop in the midst of a quiet residential community.

We understand the property at 11653 E Sahuaro Drive in the Mountainside Plaza is within the C-3 Zoning District and the developer is requesting a CUP due to close proximity to residential neighborhoods.

We do not reject the idea of bringing new business to Scottsdale which would be an asset. However, we feel a large auto repair garage is not one which would fit well within our community and appreciate your cooperation in strongly considering our concerns.

We are opposing the proposed project for several reasons:

1. Large 8-Bay Auto Repair Garage will present a Noise Nuisance to residents of Talavera to the North directly across Sahuaro Drive and on the East side of the bay are within 150 feet of the Adobe Ranch properties.

A group of homeowners attended the neighborhood meeting to learn about the project from Larson Associates Architects, Inc. where they shared all the services which would be provided. The developer stated they would

follow the City of Scottsdale Zoning Ordinance for required landscape buffers; however, the side lots would not have a buffer for the noise.

Additionally, the architect for the project stated he didn't know of any noise insulation material that would be used inside the car bays.

Mountainside Plaza has had several types of retail businesses which have been embraced by the residential community. Residents enjoy using the fitness center, bank, restaurants, salon and other services which contribute to the peaceful enjoyment of living in our neighborhood.

We were told the bays would be open during all repairs during normal working hours, 7:00 a.m. to 7:00 p.m. This will be a larger auto shop than Discount Tire and we have all heard how noisy it is just doing tires. We were informed they would be providing additional services like mufflers which could also be very noisy. (Please see attached videos of Kerry's auto repair bays; and air tools used to change a tire.)

2. Large 8-Bay Auto Repair Garage will be using hazardous materials which could present potential health issues to Seniors and other residents who may be at high health risks. We asked if an Environmental Study could be provided for the residents to see how all the chemicals/fumes/exhaust could cause additional health risks for residents in close proximity to the garage. The chemicals/fumes/exhaust would be a Nuisance to local residents who want to enjoy their patios, exercise in their neighborhood and walk their dogs.

3. Large 8-Bay Auto Repair Garage directly across the street from Talavera and adjacent to Adobe Ranch could significantly reduce the perceived value for potential Buyers and drive them away from these properties. It may also cause Sellers to lose money upon selling their homes. The residential communities would benefit from retail businesses which increase home values by providing services which promote health and well-being by attracting new residents to the area and providing vitality for our community.

Kerry's Car Care has an existing Scottsdale location just 5.8 miles from our neighborhood. While we certainly respect an independent business owner's expansion efforts and entrepreneurship; strong consideration should be made for the impact the business would have on the quality of residents' lives in such close proximity to the business.

Kerry's Car Care could capture community loyalty if a different location in Scottsdale - away from quiet neighborhoods- was selected instead of the proposed Sahuaro Drive location.

Please consider how this type of business would impact the quality of life for all the families who live in the area. We implore you to deny the application for the Conditional Use Permit f #485-PA-2019 for the residents of our peaceful residential community.

Thank you for your consideration.

Respectfully,

Residents of Talavera Condo HOA

Bonni Bostian

Cheryl Lawrence

Pat & Peter Bannochie

Signed petition e-mail to follow

[Click to Download](#)

IMG_9190.MOV
63.7 MB



[Click to Download](#)

IMG_9289.MOV
22.2 MB

Sent from my iPhone

McClay, Doris

From: Anar & Hanif <anar.hanif@gmail.com>
Sent: Monday, September 30, 2019 8:57 AM
To: McClay, Doris
Subject: Letter & Petition opposing Use Permit for Scottsdale Autobody Shop Kerry's Car Care #485-PA-2019
Attachments: Letter & Signed Petition opposing #485-PA-2019.pdf; Video to accompany petition Sept 30.mov

 **External Email: Please use caution if opening links or attachments!**

Dear Doris McClay,

Thank-you for providing us the opportunity to voice our concerns regarding the proposed business in our neighborhood, and directly across our condominium complex.

Please find attached a letter and signed petition, along with a video, which we hope will convey our serious concerns about having such an addition. While we appreciate the value that different businesses bring to neighborhood communities, this type of commercial businesses will negatively impact us and the quality of life in our neighborhood.

Thank-you for your consideration,

Anar & Hanif Shamji
#2041 - 11680 E. Sahuaro Drive
Scottsdale, AZ 85259

September 30, 2019

Doris McClay
Senior Planner
City of Scottsdale
dmcclay@scottsdaleaz.gov

RE: Petition to Oppose Conditional Use Permit for Kerry's Car Care, #485-PA-2019

We, neighbors near the proposed project, are writing to you to express our concern for the construction of a large auto repair garage in the midst of a quiet residential community. We understand the property at 11653 E. Sahuaro Drive in the Mountainside Plaza is within the C-3 Zoning District and they are requesting a CUP (Conditional Use Permit) due to its close proximity to residential neighborhoods.

We do not reject the idea of bringing new business to Scottsdale which would be an asset; however, we feel a large auto repair garage is not one which would fit well within our community. We would greatly appreciate your serious consideration of our concerns.

We are opposing the proposed project for several reasons:

1. Large 8-Bay Auto Repair Garage will present a noise nuisance to residents of the Talavera Condominium complex to the North directly across Sahuaro Drive, and on the East side of the bay area within 150 feet of the Adobe Ranch properties.

A group of homeowners attended the neighborhood meeting to learn about the project from Larson Associates Architects, Inc. where they shared all the services which would be provided. It was also shared they would follow the City of Scottsdale Zoning Ordinance for required landscape buffers; however, the side lots would not have a buffer for the noise.

Mountainside Plaza has several types of retail businesses which have been embraced by the residential community. Residents enjoy using the fitness center, bank, restaurants, salon and other services which contribute to the peaceful enjoyment of living in our neighborhood.

We were told the bays would be open for all repairs during normal working hours, which we believe will be 7:00 a.m. to 7:00 p.m. This will be a larger auto shop than Discount Tire, which creates high noise levels with just doing tires. We were informed they would be providing additional services like mufflers, which also could be very noisy. (Please see attached video.)

2. Large 8-Bay Auto Repair Garage will be using hazardous materials which may present potential health issues to our residents. We asked if an Environmental Study could be provided for the residents to see how all the chemicals could cause additional health risks for residents in near proximity to the garage. The chemical odors would become a nuisance and a health hazard to local residents who want to enjoy their patios or walk their dogs. Additionally, the toxic waste produced by this business could create a health hazard to our water and sewer systems.


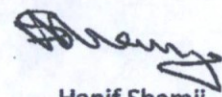
3. Large 8-Bay Auto Repair Garage directly across the street from Talavera and adjacent to Adobe Ranch may significantly reduce the value for current homeowners and discourage potential Buyers from purchasing these properties. Sellers will also lose money when selling their homes. With property values increasing and the housing market finally making positive gains, we do not want our property values to be negatively affected by this type of business. Our residential communities would benefit from retail businesses that increase home values by providing services which promote health and well-being, thus attracting new residents to the area, and providing vitality to our community.
4. Large 8-Bay Auto Repair Garage directly across the street from Talavera and adjacent to Adobe Ranch will significantly increase traffic in the area, creating a safety hazard for school children who walk to their bus stops in the morning, and from the bus stop to their homes in the afternoon. An additional safety hazard will be created by the mechanics making test drives throughout the neighborhood.

Please consider how this type of a business would impact the quality of life for all the families who live in the area. We implore you to deny the application for this Conditional Use Permit so that we can retain the quality of life for families in this peaceful residential community.

Thank you for your consideration.

Respectfully,

Residents of Talavera Condo HOA

 & 
Anar Shamji & Hanif Shamji

Attachments:

*Signed petition

*Video

Petition to Oppose Construction of Kerry's Car Care -Pre-Application #485-PA-2019

Petition from:	Residents of the neighboring community
Action petitioned for:	We the undersigned, are concerned citizens who urge our city leaders to act now to appose #485-PA-201.

[illegible]

McClay, Doris

From: Kelly Pete <kellyspete@gmail.com>
Sent: Monday, September 30, 2019 7:02 AM
To: McClay, Doris
Subject: Kerry's Car Care at Mountainside Plaza (Pre-Application #485-PA-2019)

⚠ External Email: Please use caution if opening links or attachments!

Dear Ms. McClay,

I am writing you today to express my concern for the proposed construction of Kerry's Car Care Center on Sahuaro Drive in Scottsdale. I'm opposing this project for several reasons. First and foremost, having an 8 bay car center would bring potential health hazards from the use of hazardous air pollutants, dust, and volatile organic compounds. As a homeowner in Talavera, just a few yards from the potential project and living with chronic illness, the project can hinder my health as well as my neighbors.

Another concern is the noise pollution that would result if this project is allowed. This community is calm and quiet and the residents enjoy their right to peaceful and quiet enjoyment in their homes. As an owner of a condominium where my unit sits on the outer edge of the complex, it's very concerning that the residents' quality of life could be infringed upon if this permit is allowed. In addition, there is a concern that the property value of the nearby residences would decrease if this project is approved due to the air and noise pollution it could bring to the neighborhood.

I have signed a petition that is currently in circulation in my community.

It is my request, for the sake of my community, that this permit is denied.

Sincerely,

Kelly Pete

McClay, Doris

From: Margrit Davis <margrit_davis@hotmail.com>
Sent: Sunday, September 29, 2019 1:54 PM
To: McClay, Doris
Subject: Petition to Oppose Conditional Use Permit for Kerry's Car Care, #485-PA-2019

⚠ External Email: Please use caution if opening links or attachments!

Margrit Davis , 11680 E Sahuaro Drive, Scottsdale, AZ 85259, 403 370 5025

29 September 2019

Doris McClay Senior Planner

City of Scottsdale Planning and Development Services

RE: Petition to Oppose Conditional Use Permit for Kerry's Car Care, #485-PA-2019

I am a resident near the proposed project, 11653 E Sahuaro Drive in the Mountainside Plaza. I am writing to express my concern for the construction of a large auto shop in the midst of a quiet residential community.

Please, please consider how this type of a business would impact the quality of life for ALL the families who live in the area. I urge you to deny the application for the Conditional Use Permit for the residents in this peaceful residential community.

My dream is and always has been to live in my retirement years in a quiet peaceful community. I am a single income household and the rezoning of our neighbour would impact my finial situation badly as well.

Thank you for your time and consideration.

Respectfully,

Margrit Davis

Talavera Board of Directors

11680 E Sahuaro Drive

Scottsdale, AZ 85259

Contact: Juliet Speas, Property Manager, City Property Management Company
(602) 437-4777

28 September 2019

Doris McClay

Senior Planner

City of Scottsdale Planning and Development Services

Kerry's Car Care at Mountainside Plaza (Pre-Application # 485-PA-2019)

Dear Ms. McClay:

The Homeowners Association of the Talavera Condominiums had a board meeting on Monday, September 23rd. During our open forum session, the proposed Kerry's Car Care location in Mountainside Plaza, near the intersection of E Shea Boulevard and N 116th Street, was a topic of intense discussion with the members in attendance. In addition, our vice president attended the Open House meeting at SimonCRE with two other homeowners from Talavera to gather more information about the project and discuss concerns with the developer and architect.

Although we have not individually polled the owners of the 119 units in our association, the primary concerns Talavera owners voiced at both meetings that evening include the following:

- 1. Increased Noise Levels** - Chief among our owners' concerns was noise. In our personal conversations with homeowners, they have expressed deep appreciation for how quiet Talavera is. The community around the proposed site for Kerry's is surprisingly quiet considering its proximity to Shea Boulevard and being populated with multifamily, townhome, and medium-density residential developments. Additionally, current businesses in Mountainside Plaza just across the street are naturally quiet and fully enclosed. Kerry's Car Care threatens this quiet nature because car repair centers are known for having loud tools and equipment operating in open garages, presenting an obvious nuisance to the community. While the proposed retaining wall extension and landscaping might help to reduce some noise, our owners fear that these measures will be insufficient to preserve the neighborhood atmosphere we dearly cherish.
- 2. Incompatibility with Existing Zoning** - As previously stated, vehicle repair centers such as Kerry's typically operate with wide open bays. The project falls within the Highway Commercial (C-3) Zoning District whose development standards clearly state that "...all operations and storage shall be conducted within a completely enclosed building or within an area contained by a wall or fence..." (SRC App. B §5.1504.E). The typical operation of a vehicle repair center directly conflicts with this provision of the zoning code. Keeping the bay doors closed would bring the project into compliance with the zoning code as well as significantly reduce possible noise issues. However, at the

Open House at SimonCRE, the developer stated that it would not be possible for Kerry's Car Care to operate with the bay doors closed due to the building using a swamp cooler. Therefore, the project as currently proposed violates the zoning code.

3. **Pollution** - Owners also voiced concerns regarding the project's impact on the air quality in the neighborhood. Kerry's Car Care would undoubtedly attract more vehicle traffic and their unavoidable exhaust fumes and noise to the neighborhood. Additionally, car repair centers utilize a variety of potentially dangerous chemicals. Irresponsible use and storage of these chemicals can lead to their release into the environment, causing harm to nearby residents, permanently damaging the beautiful landscape, degrading air quality, and seeping into groundwater. None of the current businesses at Mountainside Plaza present the same potential impact to the environment.
4. **Property Values** - Another major concern was that allowing a car repair center at this location would devalue the adjacent properties. As Talavera is located directly across Sahuaro Drive from the proposed Kerry's location, Talavera is particularly susceptible to development on the subject parcel that would harm property values, let alone the townhomes that directly abut the parcel Kerry's intends to develop. That said, owners did express support for additional retail development that is widely known to positively impact surrounding home values.

The points outlined above are by no means a complete account of our owners' views on this project. However, it is worth noting that, at the time of writing, no residents of Talavera have communicated their support of Kerry's Car Care to the Board.

We appreciate your consideration in this matter, and on behalf of the homeowners at Talavera we thank you for your service to the community.

Respectfully,

The Talavera Board of Directors
Jay Mulligan, President
Christopher Fellows, Vice President
Doug McCracken, Treasurer
Larry Maurer, Secretary
Sharry Fassett, Member at Large

McClay, Doris

From: Marcia, Kathy <Kathy.Marcia@henryschein.ca>
Sent: Friday, September 27, 2019 10:37 AM
To: McClay, Doris
Subject: Application #485-PA-2019

⚠ External Email: Please use caution if opening links or attachments!

Hello!

I am sending an email to say that we oppose of the construction of the new car repair shop opening on 11653 East Sahuaro Drive in Scottsdale, Arizona.

We live directly across from this location and we will hear much more vehicle traffic and people coming and going all day from 7 am to 7pm. Not to mention the noise of any power tools used, the tow trucks coming and going. As well as the pollution this will cause in the area.

Thank you.
Kathy Marcia

Kathy Marcia



Field Sales Consultant
3350 Westminster Rd
Regina, Saskatchewan
S4V 1C2
Cell # 1-306-537-6059
Fax # 1-306-721-6353
www.henryschein.ca
kathy.marcia@henryschein.ca

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McClay, Doris

From: Peter Krahenbuhl <peter.krahenbuhl@simoncre.com>
Sent: Monday, March 02, 2020 9:12 AM
To: McClay, Doris
Cc: Jim Larson; Jeff Hunt; Ben Millick
Subject: Re: 10-UP-2019 petitions

⚠ External Email: Please use caution if opening links or attachments!

Doris,

Our principal has elected to terminate the 116th & Shea project due to high degree of opposition that we feel would not garner enough support of Planning Commission members for approval of our CUP. Thank you for all your help on this with the numerous meetings and calls and I look forward to working with you again on our next Scottsdale project in the near future.

Thanks,

Peter Krahenbuhl

Vice President of Development



6900 E. 2nd Street
Scottsdale, AZ 85251
D: [480.887.0644](tel:480.887.0644) | M: [602.908.2945](tel:602.908.2945)
O: [480.745.1956](tel:480.745.1956) | F: [480.588.4150](tel:480.588.4150)
[Website](#) | [Email](#) | [LinkedIn](#)

[The Latest News & Views from SimonCRE Insights](#)

On Nov 1, 2019, at 8:37 AM, McClay, Doris <DMcClay@scottsdaleaz.gov> wrote:

Hi Peter

We have received the attached petitions.

Doris McClay
Senior Planner
Current Planning
7447 E. Indian School Road
Scottsdale, AZ 85251
Tele: 480-312-4214
Subscribe to [Scottsdale P & Z](#) Link newsletter
<image001.png>
<image002.png>

<10-UP-2019_TalaveraPetition.pdf><10-UP-2019_AdobeRanchPetition.pdf>

Neighborhood Concerns about the Proposed Kerry's Car Care

Community Meeting, 10/30/19 (Scottsdale Adobe Ranch & Talavera)

The proposed site is a commercially zoned property tucked across and adjacent to residential neighborhoods. Existing businesses are considered neighborhood friendly amenities including a fitness center, coffee shop, nail salon, restaurants, and office spaces. These businesses increase walkability and do not increase noise levels in the area.

Strict, community based zoning decisions along with high design standards are the foundation of Scottsdale's value and upholding these standards is critical to our City's future prosperity.

I believe a conditional use permit, an exception to the allowable use, should only be considered if the proposed use does not degrade quality of life of the existing community or serves a critical need in the community.

NOISE ISSUES:

1. Directly across from and adjacent to two residential neighborhoods.
2. Proposal includes 8 car bays simultaneously working on cars (pneumatic tools, etc)
3. Hours of operation: Mon – Sat, 7 am to 7 pm
4. Bays must remain open due to the dangerous noise and fume levels generated by the business. Exposing neighbors to the noises and fumes.

TRAFFIC CONCERNS:

5. Limited access to the shopping center and the neighborhoods. Improvements would be needed: FLW/Shea intersection, Sahuaro/FLW, Shea/118th all need review.
6. Past limitations on use of existing parking lot: Staff needs to verify that the existing tenants of the center don't have restrictions on the use of the parking lot ingress/egresses. (Residents remember a past applicant in the area being restricted)
7. Sahuaro is a curved road with many communities/kids/school bus stops – pedestrian crossing and traffic calming should be explored to limit traffic increases

DECREASED VALUE:

8. Visual Pollution
9. Making an "exception" on this portion of the vacant lot sets limits the attractiveness to build "resident friendly" businesses on the remaining land.
10. It sets a precedent that makes it difficult to deny other businesses whose operations included high noise levels and the use of hazardous waste
11. It undermines the value of the adjacent community's quality of life & Scottsdale's reputation as an upscale community.

McClay, Doris

From: Kuester, Kelli
Sent: Monday, November 04, 2019 9:04 AM
To: Jennifer Codd
Cc: City Council; McClay, Doris
Subject: RE: Kerry Automotive Center Project

Ms. Codd,

Thank you for emailing Mayor Lane and the City Councilmembers and for taking the time to share your input.

Kelli Kuester

Management Assistant to the Mayor
3939 N. Drinkwater Blvd., Scottsdale, AZ 85251
kkuester@scottsdaleaz.gov
(480) 312-7977

From: Jennifer Codd <jennifercoddaz@hotmail.com>
Sent: Saturday, November 2, 2019 3:10 PM
To: City Council <CityCouncil@scottsdaleaz.gov>
Cc: Dmclary@Scottsdaleaz.gov
Subject: Kerry Automotive Center Project

⚠ External Email: Please use caution if opening links or attachments!

Council Members,

As a resident who would be living directly across the street from this proposed project, I do not feel this facility is appropriate for this type of area. While I do feel this area would benefit from added smaller businesses, the neighborhood would not benefit from a very large automotive repair shop. It doesn't blend in as a neighborhood business in that type of plaza.

There is already a Pep Boys offering repair services down the street (Sahuaro & FLW Blvd.) which is smaller than the proposed project but it fits in with the business in that plaza. It also doesn't back up to any residential homes. It is across the street from some medical plaza and backs up to a storage facility.

This type of business would increase the flow of traffic through the neighborhood. There is already a lot of traffic flowing throughout our community. The traffic would not only enter/exit through a Shea entrance but other existing entrances along 116 St. and along Sahuaro.

There already needs to be a traffic light at 116th St and Shea. The corner of 116th and Sahuaro gets quite busy and as you turn left there is a quick turn to the right onto 115th St, another busy corner. I myself have almost been hit at both of those corners a couple of times. There are a lot of children and buses throughout the area as well.

Another concern is the environmental impact this will have. Where/how will broken parts, liquids, etc. be disposed of.

And the noise pollution a large facility will create (power tools/ music). Hopefully they aren't saying the 8 bay doors will be closed. I'm pretty sure they can't because of the fumes and such. For the preservation of the look and feel of this community, please vote against any permitting and building of this facility.

Thank you,
Jennifer Codd
Talavera resident

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Petition to Oppose Construction of Kerry's Car Care -Pre-Application #485-PA-2019

Petition from:	Residents of the neighboring community
Action petitioned for:	We the undersigned, are concerned citizens who urge our city leaders to act now to appose #485-PA-201.

Printed Name	Signature	Address	Date
Suganya	K. Suganya	11680 E. Sahara Dr 2007 Crestedale AZ 85259	9/27/19
Mike Ely	[Signature]	11680 E Sahara Dr 2011	9/27/19
Rachel Blum	[Signature]	11680 E Sahara Dr 1050	9/27/19
John Boudier	[Signature]	11650 E Sahara Dr 2042	9/27/19
WANE HIRSCHENBERG	[Signature]	11680 E Sahara Dr B. Hirschberg	9/27/19
RANDY HIRSCHENBERG	[Signature]	11680 E. SAHARA DR	9/27/19
Bill Nelson	[Signature]	11680 E Sahara Dr 1029	9/27/2019
Cheryl Lawrence	[Signature]	11680 E Sahara Dr 1049	9/27/2019
Jennifer Codd	[Signature]	11680 E Sahara Dr 2009	9/27/19
GEOFFREY LIN	[Signature]	11680 E. SAHARA DR 2003	9/27/19
Mike [unclear]	[Signature]	11680 E. SAHARA DR 2056	9/27/19
John Saxen	[Signature]	11105 N 115th St #283	9-28-19
Salvatore [unclear]	[Signature]	11105 N 115th St. #1053	9/28/19
Linda Gage	[Signature]	11933 E. Becker Ln	9-28-19
Gordon Gage	[Signature]	11933 E Becker Ln	9-28-19
V. [unclear]	[Signature]	10680 E. Sahara Dr. #1014	9/30/19
Ed Santos	[Signature]	10680 E. SAHARA DR #1013	9/30/19
AMEE SARTO	[Signature]	11680 E. SAHARA DR #1013	9/30/19
Anthony F. Ricci	[Signature]	11680 E SAHARA DR #1015	9/29/19
ELAINE M. RICCI	[Signature]	11680 E SAHARA DR #1015	9/29/19
Mike Bennett	[Signature]	11680 E. Sahara #1015	9/29
Bill [unclear]	[Signature]	11680 E Sahara #2079	10/30/19
SHARON FASSETT	[Signature]	" " " #1011	10/30/19
A. [unclear]	[Signature]	2041- 11680 E. Sahar.	10/29/19

Petition to Oppose Construction of Kerry's Car Care -Pre-Application #485-PA-2019

Petition from:	Residents of the neighboring community
Action petitioned for:	We the undersigned, are concerned citizens who urge our city leaders to act now to oppose #485-PA-201.

Printed Name	Signature	Address	Date
Edi HREGIC	[Signature]	11680 E. SAHUARO DR 2006	09/28/2019
Kelly Pete	[Signature]	11680 E. Sahuaro Dr 1004	9/28/2019
Bonnie Brazant	[Signature]	11680 E. Sahuaro Dr #1005	9-28-19
Diane Sams	[Signature]	11680 E. Sahuaro Dr #1016	9-28-19
Wah Clark	[Signature]	11680 E. Sahuaro Dr #1043	9-27-19
Allen Treva	[Signature]	11680 Sahuaro Dr	9-27-18
Bloom	[Signature]	11680 E SAHUARO #1054	9.27.19
Bonny Bastian	[Signature]	11680 E. Sahuaro Dr #1057	9-27-19
Mr. Cracken	[Signature]	11680 E. Sahuaro Dr #1038	9-27-19
Tim Twinstrom	[Signature]	1168 E SAHUARO #1028	9/27/19
Ethel Twinstrom	[Signature]	1168 E. Sahuaro Dr #1028	9/27/19
Irwin Herman	[Signature]	11680 E Sahuaro Dr #1009	9/27/19
Reg Casar	[Signature]	11680 E SAHUARO DR	9/27/19
Lisa Casar	[Signature]	11680 E SAHUARO DR	9-27-19
Doug M. Cracken	[Signature]	11680 E Sahuaro Dr #1038	9-27-19
Rhonda Richardson	[Signature]	11680 E Sahuaro Dr #1005	9/27/19
FRANK CREDIA	[Signature]	11680 E Sahuaro Dr #1018	9/27/19
Ran Sun	[Signature]	11680 E Sahuaro Dr #1033	10/30/2019
RICK MCCULLOUGH	[Signature]	" " Unit 2029	10/30/19

Petition to Oppose Construction of Kerry's Car Care -Pre-Application #485-PA-2019

Petition from:	Residents of the neighboring community <u>Talavera</u>
Action petitioned for:	We the undersigned, are concerned citizens who urge our city leaders to act now to appose #485-PA-201.

[illegible]

Petition to Oppose Construction of Kerry's Car Care -Pre-Application #485-PA-2019

Petition from:	Residents of the neighboring community
Action petitioned for:	We the undersigned, are concerned citizens who urge our city leaders to act now to appose #485-PA-201.

[illegible]

Petition to Oppose Construction of Kerry's Car Care -Pre-Application #485-PA-2019

Petition from:	Residents of the neighboring community
Action petitioned for:	We the undersigned, are concerned citizens who urge our city leaders to act now to appose #485-PA-201.

[illegible]

