

From: [McClay, Doris](#)
To: [David Richert](#); [Hoon Koo](#)
Cc: [Curtis, Tim](#)
Subject: Rezoning and other issues
Date: Thursday, May 06, 2021 10:45:50 AM
Attachments: [FreewayParcels_Owners.jpg](#)
[FreewayParcels_APNs.jpg](#)
[RE KOO Rezone T-Bird+87th 544-PA-2020.msg](#)
[RE Scottsdale Rd and Earll Drive.msg](#)
[image003.png](#)
[image004.png](#)
Importance: High

Hoon and David,

While you are anxious to file the rezoning case, please keep in mind that the proposed rezoning alone won't fix the non-conforming statuses that resulted from the subsequent improper land divisions. The challenges our outlined below, which we discussed many times previously in the past.

Because of improper land divisions that created the smaller sub-parcels did not go through the city process, the city only recognizes the larger remnant parcel left over from the ADOT acquisition (partially shown in the blue zoning outline below that encompasses sub-parcels labeled 2,3,4,7,8 below left). The city also does not recognize the division of McDowell Shadows Estates IV Tract C (labeled as sub-parcels 5,6 below left).





The larger parcel resulting from the ADOT acquisition (sub-parcels labeled 2,3,4,7,8) had a legal non-conforming parcel size of approximately 29,000 square feet in the R1-35 zoning district (35,000 square foot minimum lot size). However, the subsequent improper land divisions exacerbated the zoning non-conformities for each of the sub-parcels labeled 2,3,4,7,8). The proposed rezoning of Hoon's sub-parcels (6,7) to R1-10 will highlight the non-conformities of sub-parcels 2,3,4,8 that continue to be zoned R1-35. There should be a zoning solution for those parcels running concurrently with the proposed Hoon rezoning.

Also, from a proper land division standpoint, to recognize one or all of the sub-parcels, the following should also to occur simultaneously concurrent with the rezoning or soon after:

- Hoon needs to replat south ½ of Tract C (6) into Hoon's other property (7). We may be able to process this without the other 4 lots of McDowell Shadows Estates IV participating, although they may object.
- Walid needs to replat north ½ of Tract C (5) and sub-parcels 3 and 4 into 13667 N 87th Street (Lot 7 of McDowell Shadows Estates IV, Walid property). We may be able to process this without the other 3 lots of McDowell Shadows Estates IV participating, although they may object.
- Zahn needs to replat sub-parcel 8 into 9 (8764 E Celtic Dr., Lot 7 of McDowell Shadows Estates II, Zahn property).
- Banning needs to replat sub-parcel 2 into 1 (8757 E Sharon Dr., Lot 1 of McDowell Shadows

Estates III, Banning property).

These issues will be continued to be outlined in any rezoning proposal, so hopefully cooperative proposals from all properties affected will be submitted soon. Let me know if you have any questions.

Sincerely,

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