

8 JUL 2021

I have chosen to respond to Mr. Richert's following letter by annotation of the original letter point by point – my comments in red.

Many neighbors met at the relevant property to hear from and interact with the owner and his petitioner. There was not anything that I heard that changed my mind. A rather naive comment was made by Mr. Richter to the effect of well we have to do something with the property. So, basically let us build something on it, even though the property as is was never meant to have a home on it based on current zoning — the property failed in this regard years ago for variance application, and now the parties want a more serious rezoning. Well, frankly it's not my problem or the neighborhood's problem to allow a home to be stuck into a property where it does not belong because it requires a rezoning. A solution was put forward at the neighborhood meeting to help Mr. Koo to allow the 3 neighboring properties to acquire the property for a very low cost, such as \$1 or other low cost from the owner (as the owner also states that since he's bought this property, the neighborhood and the city should allow him to do whatever he can think up to somehow build a home on it).

Mr. Koo could have gone just about anywhere in Scottsdale and found a bigger, appropriately sized lot. It's clear the owner, Mr. Koo, believed that at \$20,000 he would make a conveniently high profit to then build a home on the property and he believed he could ram through variance changes (last time), and now a zoning change. (Obviously he had not researched the development requirements before purchase, because it was only well after purchase that he first applied for variances.) The zoning change is the problem — it sets a precedent that the petitioner and owner failed to recognize. If such a situation can be allowed for this property, then such a rezoning could be allowed for other situations of property division in the neighborhood. That simply is the crux of the situation. The neighborhood has innate characteristics that have attracted homeowners and they need to be maintained. Other smaller lots are available in other areas of Scottsdale. The owner made an investment gamble without realizing what he thought would be an easy result. His miscalculation is not our problem.

Beyond the radical rezoning attempt, practical issues come up, like frontage — the owner would have about 10- 15 feet of frontage — so where do visitors to his home park? — in front of every other home in the cul de sac? Many such related issues are germane here.

Let the record reflect that a hand raise vote was held at the meeting. There was not one person who raised their hand in support of rezoning for this property. I and my family remain in opposition to this rezoning petition. I urge the city planning commission and the city council to deny this radical property zoning alteration.

In summary, Mr. Richert's points avoid the main subjects of requirements for rezoning and do not place the character of the construction within the surrounding neighborhood. At this time nothing has changed with regard to the property – except now the push is for a more serious change to the neighborhood with an attempt to acquire precedent-setting rezoning. This is how neighborhood character gets destroyed.

We moved into the neighborhood for its character including types of homes and lots – this lot was never supposed to be a development lot and was associated with some sort of irregular sale from the previous property owner. Why are we obligated as a neighborhood to go along with a rezoning that could impact every property owner in the area? Hopefully Scottsdale votes to preserve its philosophy of neighborhoods.

Sincerely,

Mark and Karen Preul
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Scottsdale 85260



Richert & Associates

**7525 E. Gainey Ranch Rd. #147
Scottsdale AZ 85258**

6/22/2021

Randy Grant, Director
Planning and Development, City of Scottsdale
7474 E. Indian School Rd.
Scottsdale, AZ 85251

RE: Project Narrative (Rezoning @ 13647 N. 87th Street)

Dear Mr. Grant and Interested Parties:

The purpose of this letter is to inform you of our Project Narrative and proposal to rezone the vacant lot at 13647 N. 87th Street from R-35 zoning to R-10 zoning. This property is a remnant created by the State of Arizona during the construction of the North 101. These parcels were sold off to property owners following their use as marshaling yards for construction materials and vehicle storage during the construction process. Since that time the property has remained unoccupied with an oversized wall along the freeway frontage. Due to the irregular size and shape of the site, the city staff advised prior owners to resolve setbacks, lot dimensions and lot size non-conformities through the Zoning Adjustment process. Previous attempts have failed. According to the City staff, this is the owner's option to preserve his development rights.

With the understanding of the above facts, we believe there are compelling reasons for supporting this application in the General Plan.

- A. The Housing Element supports a variety of housing types and lots because of the scarcity of single-family lots and this is and has been a growing trend since 1951.
There is no scarcity of lots in Scottsdale. Scarcity of lots does not apply in our neighborhood. Is Mr. Richert arguing that we should now carve up established neighborhoods into smaller lots, such as in ours? There are in fact lots available in our neighborhood. The problem here involves what seems to be a windfall financial opportunity to take advantage of unawares construction, or we wouldn't even be discussing this situation.
- B. The Housing Element focuses on seeking creative infill development strategies. This property will support a home of similar value and size to those in the immediate and surrounding area.
Creative infill?! The neighborhood already has a character, there is no need to alter it with a "creative infill" of a lot that has less than 15 feet of frontage, and with structure that is slammed into a diminutive sized lot that is not zoned for appropriate development within the character or lot dimensions of the neighborhood. It will not be similar size – later in this letter Mr. Richert states that he will be "limiting two story elements." I take this to mean that at the neighborhood lot meeting Mr. Richert and Mr. Koo stated that they would not build a 2-story house. Well, then this home will truly be a small structure, even more clearly not within the character of surrounding homes.
- C. The Housing Element encourages where appropriate a variety and diversity of housing.
Neighborhood character deserves to be maintained within its areas with appropriate construction and lot size. Infilling should conform to the neighborhood, not vice versa – that is simply neighborhood custom and the rationale for zoning regulations.
- D. The Public Safety Element encourages elimination of properties that are unattended for purposes of eliminating crime, blight, litter, and areas where activities can't be really observed.
This property has never been a problem, although when first owned by Mr. Koo , he was not caring

for its trimming of weeds, brush, etc. The lot is surrounded by 4 walls within homes on the north and south of it very close, and a very high sound wall to the east. The lot is not now and never has been associated with any opportunity for crime, blight, litter, or unobserved activities.



The Character Area Plan indicates the following:

- A. This property is within the Rural/Desert Character and the request is within the density prescribed for this area
This is a true statement.
- B. This Character Area suggests that a variety of lot sizes can be developed and that there is encouragement if the lot sizes permit to encourage retention of the desert landscaping. In this, in this area most of the homes are large on a variety of lot sizes.
The homes and lots of this neighborhood are conforming to the current zoning. Mr. Koo's lot does not conform.
- C. In general, the General Plan/Character Area Plan supports infill development when considering Housing Element and there are no other uses allowed on this property without a residence being established first.
This statement is irrelevant, as the current zoning did not support variances and would need to be rezoned. The property was sold under a suspect transaction and was not then and is not now zoned for Mr. Koo's purpose.
- D. Neighborhood Preservation is prime objective of this Character Area. Unsecured vacant residential properties (there are others in this similar situation in this immediate area) can lead to lowering of property values, inappropriate actions by intruders in the in the neighborhood including criminal activities.
See response to D above. In fact, Mr. Richert is correct, "Neighborhood Preservation is the prime objective of this Character Area." A rezoning could be neighborhood altering on a fundamental basis. The precedent is that sales of small parcels from existing large properties to develop could occur with reference to this particular situation with requests for rezoning – producing a fundamental potential severe alteration to neighborhood character.

The Architectural Character

- A. The architectural elements tend towards a modern structure utilizing Green Building Design. The property owner would also consider the local design language that are culturally prevalent in the vicinity
I do not understand the relevancy here, or what is proposed in the second sentence.
- B. Privacy will be afforded adjoining neighbors with setbacks and limiting two story elements.
The setbacks are almost nil on this lot. Structural components will be only a few feet from walls, severely and distinctly out of character of surrounding homes. There is less than 15 feet of frontage. Limiting two story elements would make the house absolutely diminutive. The house would appear "slammed" into the lot.

Site Development Character

- A. Repurposing treatment of oversized wall along East property line
An extremely high sound wall – but this is irrelevant.
- B. Resolution of drainage conditions through the front portion of the lot
This was a major point of problem the last time Mr. Koo sought variance.
- C. Limit direct visual access to the neighbors to the west and southwest direction

Thank you for your consideration in advance

Sincerely,

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