

PLANNING COMMISSION REPORT



Meeting Date: February 23, 2022
General Plan Element: *Land Use*
General Plan Goal: *Create a sense of community through land uses*

ACTION

Rezoning @ 13647 N. 87th Street 10-ZN-2021

Request to consider the following:

1. A recommendation to City Council regarding a request by owner for approval of a Zoning District Map Amendment from Single-family Residential district (R1-35) to Single-family Residential district (R1-10) on a +/-13,020 square-foot site located at 13647 N. 87th Street.

Goal/Purpose of Request

The applicant's request is to rezone to a different single-family residential zoning district with development standards that better align to the size and configuration of the site.

Key Items for Consideration

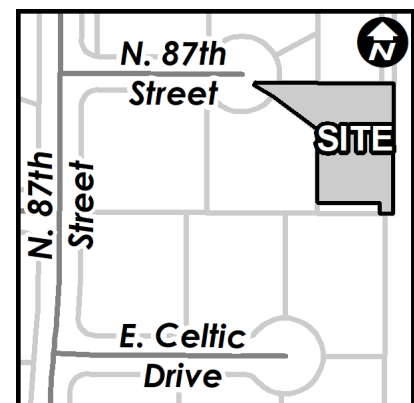
- Portion of a remnant parcel resulting from ADOT freeway acquisition/construction
- Rezoning necessary to pursue land division and build a single-family residence
- Previous Variance requests Denied by the Board of Adjustment
- Public Comment received from applicant's outreach

OWNER

Hoon Koo
(480) 560-2233

APPLICANT CONTACT

David Richert
Richert & Associates
602-908-7647



Action Taken _____

LOCATION

13647 N 87th Street

BACKGROUND

General Plan

The General Plan Land Use Element designates the property as Suburban Neighborhoods. This category includes medium to small lot single-family neighborhoods or subdivisions. Densities in Suburban Neighborhoods are usually more than one dwelling unit per acre, but less than eight dwelling units per acre. This category also includes some townhouses and small-lot single-family homes, such as patio homes. Suburban Neighborhoods may be used as transitions among less intense areas, Urban Neighborhoods, and non-residential uses.

Character Area Plan

The Shea Area Plan contains policies and guidelines that strive to preserve neighborhoods and character in the Shea Boulevard area. The policies and guidelines establish the initial minimum threshold for a project to be considered in the Shea area.

Zoning

This parcel is currently zoned Single-family Residential (R1-35) with a small portion at the front of the site zoned with the Single-family Residential Planned Residential Development (R1-18 PRD) of the subdivision to the west. The R1-35 zoning district is intended to promote and preserve residential development. The minimum lot size of 35,000 square feet, although less than one (1) acre, still results in a low density of population. The principal land use is single-family dwellings and uses incidental or accessory thereto, together with required recreational, religious and educational facilities.

The proposed zoning is Single-family Residential (R1-10). The R1-10 zoning district is intended to promote and preserve residential development. The minimum lot size of 10,000 square feet permits a higher density of population. Land use is composed chiefly of individual homes, together with required recreational, religious and educational facilities as the basic elements of a balanced neighborhood.

Context

The subject property is located south of East Thunderbird Road, along the western boundary of the Loop 101 freeway. Please refer to context graphics attached.

Adjacent Uses and Zoning

- North: Vacant remnant parcels; zoned Single-family Residential (R1-35) and McDowell Shadow Estates III, residential subdivision; zoned Single-family Residential Planned Residential Development (R1-18 PRD).
- South: McDowell Shadow Estates II, residential subdivision; zoned Single-family Residential Planned Residential Development (R1-18 PRD).
- East: Loop 101 Freeway

- West: McDowell Shadow Estates IV, residential subdivision; zoned Single-family Residential Planned Residential Development (R1-18 PRD).

History

This area was annexed into the City of Scottsdale in 1963 under Ordinance 168. The subject property is a remnant parcel that was originally part of a larger lot adjacent to the old Pima Road alignment, that had a house constructed in 1978. The original lot was approximately 87,463 square feet in area and zoned Single Family Residential district (R1-35).

That property was acquired by Arizona Department of Transportation (ADOT) as a construction staging area to build the Loop 101 freeway. ADOT demolished the house and the majority of the original lot became right-of-way for the Loop 101. At the end of construction, ADOT sold off the remaining portion of that lot, which was reduced to approximately 30,907 square feet with substandard dimensions for the existing R1-35 property development standards. The ADOT split of this property was not submitted to the City of Scottsdale for land division approval, but as a ADOT's governing function, the City acknowledged the remnant portion of the lot from the freeway acquisition is a legal, non-conforming lot.

This remnant portion of the parent property was then further split into 5 smaller properties by a private entity as fee title deeds recorded through Maricopa County (see parcel numbers 1,2,3,4,7,8 on Attachment #7). This subsequent split was also not submitted to the City of Scottsdale for approval, and the 5 smaller properties are further substandard in the context of the R1-35 property development standards. Because it was done by a private entity without the right-sized zoning or other city approval, the city does not recognize these 5 smaller properties as legal non-conforming lots. A rezoning and land division platting process through the city is necessary to recognize the 5 smaller properties.

The subject site is one of the 5 smaller properties (see parcel number 7 on Attachment #7). The abutting wedge-shaped parcel to the west was part of Tract C of the McDowell Shadow Estates IV subdivision, which was platted in 1995. Tract C was sold off and split in two, and the southern half is part of the subject site and serves as the access frontage to the adjacent cul-de-sac (see parcel number 6 on Attachment #7).

In 2013 a variance application (2-BA-2012) was taken to the Board of Adjustment seeking reductions from the R1-35 property development standards for lot area, lot dimensions, and building setbacks to attempt to make this site developable under the existing zoning. Those requests were denied by that Board.

Other Related Policies, References:

Scottsdale General Plan 2035
Shea Character Area Plan
Zoning Ordinance

APPLICANT’S PROPOSAL

The applicant is proposing to rezone the R1-35 portion of the property to R1-10, which would allow for reduced property development standards as outlined in the comparison table below:

Development Standard	R1-35	R1-10
Minimum lot area	35,000 sq. ft.	10,000 sq. ft.
Minimum lot width	135 feet	80 feet
Front yard setback	40 feet	30 feet
Side yard setback	15 feet	7 feet
Rear yard setback	35 feet	25 feet
Max. Building Height	30 feet	30 feet

IMPACT ANALYSIS

Land Use

The applicant is requesting to rezone from the existing single-family residential zoning district to a “smaller-lot” single-family residential zoning district, to achieve property development standards that better align to the size and configuration of the site. The existing R1-35 zoning district anticipates larger lot size, like that of the original parent parcel from which the lot was split.

With the rezoning to R1-10 to allow a smaller lot size (10,000 square feet), the applicant may then pursue city approval of a subsequent land division and build a single-family residence. The disposition of the other 4 non-conforming lots depends on those property owner intentions and is uncertain.

Transportation/Trails

Access to this site is provided by the existing cul-de-sac and street right-of-way, from N. 87th Street.

Water/Sewer

This site can be served by existing infrastructure in place within the adjacent street right-of-way.

Fire/Police

The nearest fire station is within 2 miles of the site and located at E. Raintree Drive and N. 78th Way. The subject site is served by Police District 4, Beat 16. As with any project that contributes to growth, the fire department and police department continually anticipate and evaluate resource needs for the city’s budget process.

Housing Cost

Approval of the zoning district map amendment proposed by the applicant enables the construction of a new single-family residence. In conjunction with state law, staff has considered the scope of the

zoning district map amendment and development plan, as well as aspects which would affect the cost of construction. Staff has not identified any factors that would substantially impact the cost to construct housing for sale or rent.

Community Involvement

The applicant held neighborhood outreach sessions on May 4, 2021 and June 7, 2021 regarding the proposed rezoning of this site. As a result of the applicant’s open houses and outreach, many of the surrounding residents expressed concerns regarding the developability of the lot, the size and configuration of a home on that lot, and the potential impacts to their properties as a result. Those received comments are included in the attachments to this report.

Policy Implications

The applicant attempted to involve the other owners of the other 4 remnants of the original home site to join in the rezoning application, but was unsuccessful. The scope of this application is limited to resolving development standard conflicts on just this subject parcel. This will not resolve the similar issues on the other remnants of the original larger parcel, and those owners will likely need to pursue similar applications to change the zoning on their respective sites.

STAFF RECOMMENDATION

Recommended Approach:

Staff recommends that the Planning Commission find that the proposed Zoning District Map Amendment is consistent and conforms with the adopted General Plan, and make a recommendation to City Council for approval, per the attached stipulations.

RESPONSIBLE DEPARTMENT

Planning and Development Services

Current Planning Services

STAFF CONTACT

Jeff Barnes
Senior Planner
480-312-2376
E-mail: jbarnes@ScottsdaleAZ.gov


APPROVED BY



Jeff Barnes, Report Author 1/10/2022
Date



Tim Curtis, AICP, Current Planning Director 1/10/2022
Date
Planning Commission Liaison
Phone: 480-312-4210 Email: tcurtis@scottsdaleaz.gov



Randy Grant, Executive Director 2/15/2022
Date
Planning, Economic Development, and Tourism
Phone: 480-312-2664 Email: rgrant@scottsdaleaz.gov

ATTACHMENTS

- 1. Context Aerial
- 1A. Aerial Close-Up
- 2. Ordinance No. 4531
 - Exhibit 1: Zoning Map
 - Exhibit 2: Stipulations
- 3. Existing General Plan Land Use Map
- 4. Shea Area Character Area Plan
- 5. Existing Zoning Map
- 6. Application Narrative
- 7. Property Split Reference Map
- 8. Site Plan w/Aerial
- 9. Site Plan
- 10. City Notification Map
- 11. Neighborhood Outreach
- 12. Community Involvement



Context Aerial

ATTACHMENT #1

10-ZN-2021



Close-up Aerial

ATTACHMENT #1A

10-ZN-2021

ORDINANCE NO. 4531

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, AMENDING ORDINANCE NO. 455, THE ZONING ORDINANCE OF THE CITY OF SCOTTSDALE, BY AND FOR THE PURPOSE OF CHANGING THE ZONING ON THE "DISTRICT MAP" TO ZONING APPROVED IN CASE NO. 10-ZN-2021 FROM SINGLE-FAMILY RESIDENTIAL DISTRICT (R1-35) TO SINGLE-FAMILY RESIDENTIAL DISTRICT (R1-10) ON A +/-13,020 SQUARE-FOOT SITE LOCATED AT 13647 N. 87TH STREET.

WHEREAS, the Planning Commission held a hearing on January 26, 2022; and

WHEREAS, the City Council has considered the probable impact of Zoning Ordinance No. 4531 on the cost to construct housing for sale or rent; and

WHEREAS, the City Council finds that the proposed development is in substantial harmony with the General Plan of the City of Scottsdale and will be coordinated with existing and planned development; and

WHEREAS, it is now necessary that the comprehensive zoning map of the City of Scottsdale ("District Map") be amended to conform with the decision of the Scottsdale City Council in Case No. 10-ZN-2021.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Scottsdale, as follows:

Section 1. That the "District Map" adopted as a part of the Zoning Ordinance of the City of Scottsdale, showing the zoning district boundaries, is amended by rezoning a +/-13,020 square-foot site located at 13647 N. 87th Street. and marked as "Site" (the Property) on the map attached as **Exhibit 1**, incorporated herein by reference, from Single-family Residential district (R1-35) to Single-family Residential district (R1-10) zoning.

Section 2. That the above rezoning approval is conditioned upon compliance with all stipulations attached hereto as **Exhibit 2** and incorporated herein by reference.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this _____ day of _____, 2022.

ATTEST:

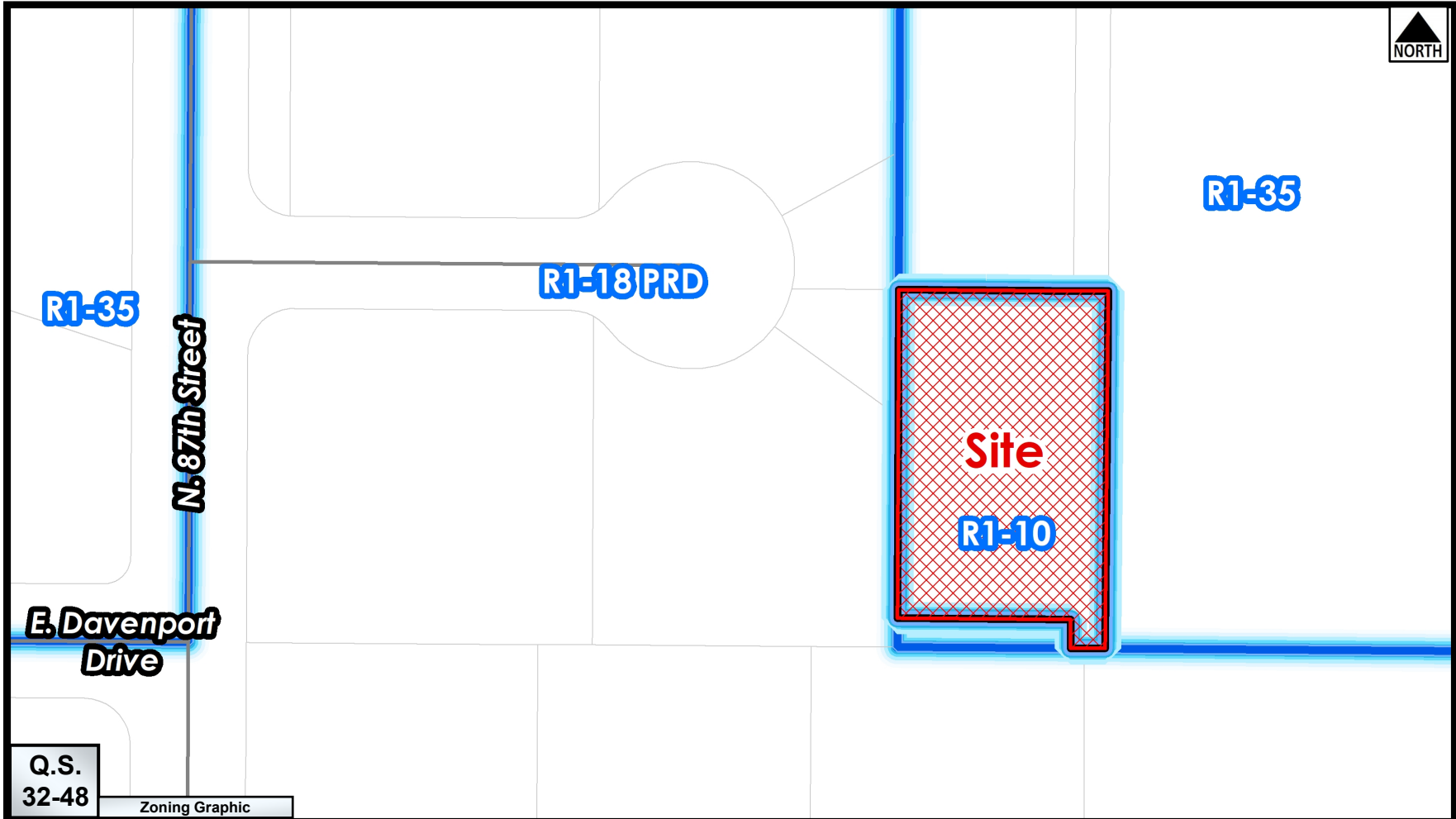
CITY OF SCOTTSDALE, an Arizona municipal corporation

By: _____
Ben Lane
City Clerk

By: _____
David D. Ortega
Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By: _____
Sherry R. Scott, City Attorney
By: Joe Padilla, Deputy City Attorney



Zoning

Ordinance No. 4531
Exhibit 1
Page 1 of 1

10-ZN-2021

**Stipulations for the Zoning Application:
Rezoning @ 13647 N. 87th Street
Case Number: 10-ZN-2021**

These stipulations are in order to protect the public health, safety, welfare, and the City of Scottsdale.

SITE DESIGN

1. PROTECTION OF ARCHAEOLOGICAL RESOURCES. Any development on the property is subject to the requirements of Scottsdale Revised Code, Chapter 46, Article VI, Protection of Archaeological Resources, Section 46-134 - Discoveries of archaeological resources during construction.

DEDICATIONS

2. AVIGATION EASEMENT. Prior to the issuance of any permit for the development project, the property owner shall dedicate an Avigation Easement to the City of Scottsdale, in a form acceptable to the City Attorney, or designee.

INFRASTRUCTURE

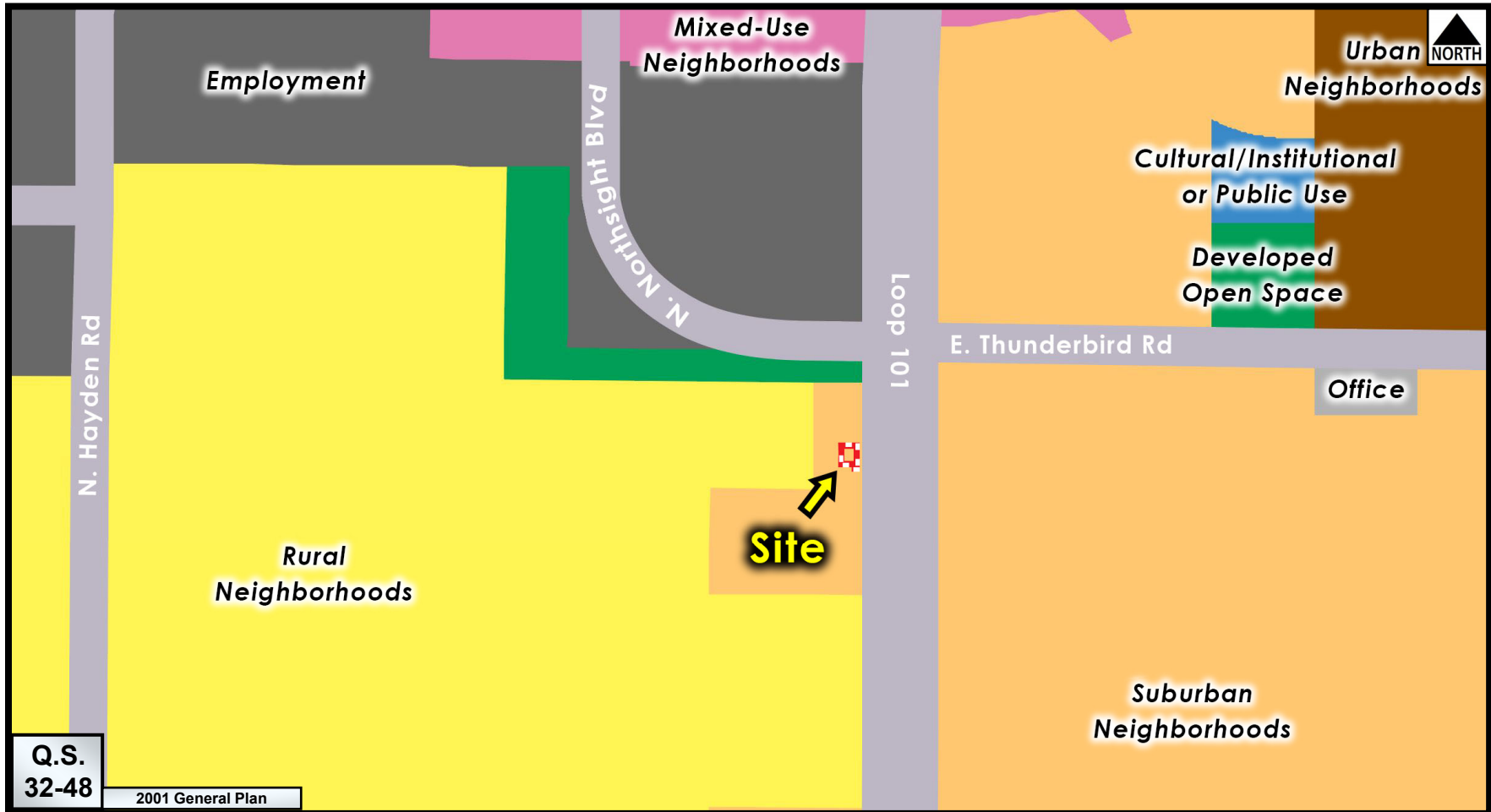
3. CONSTRUCTION COMPLETED. Prior to issuance of any Certificate of Occupancy, for the development project, the property owner shall complete all the infrastructure and improvements required by the Scottsdale Revised Code and these stipulations.
4. STANDARDS OF IMPROVEMENTS. All improvements (curb, gutter, sidewalk, curb ramps, driveways, pavement, concrete, water, wastewater, etc.) shall be constructed in accordance with the applicable City of Scottsdale Supplements to the Maricopa Association of Governments (MAG) Uniform Standard Specifications and Details for Public Works Construction, Maricopa Association of Governments (MAG) Uniform Standard Specifications and Details for Public Works Construction, the Design Standards and Policies Manual (DSPM), and all other applicable city codes and policies.
5. WATER AND WASTEWATER IMPROVEMENTS. The property owner shall provide all water and wastewater infrastructure improvements, including any new service lines, connection, fire-hydrants, and man-holes, necessary to serve the development.

REPORTS AND STUDIES

6. DRAINAGE REPORT. With the construction documents submittal, the property owner shall submit a Drainage report in accordance with the Design Standards and Policies Manual for the development project.

PROPERTY DIVISION/ASSEMBLAGE

7. LAND DIVISION/ASSEMBLAGE. Prior to the issuance of any permit for the development project, the property owner shall submit the appropriate application materials to the City of Scottsdale for the platting and land assemblage of the south half of Tract C McDowell Shadow Estates IV and the subject area within the boundary of this zoning request.



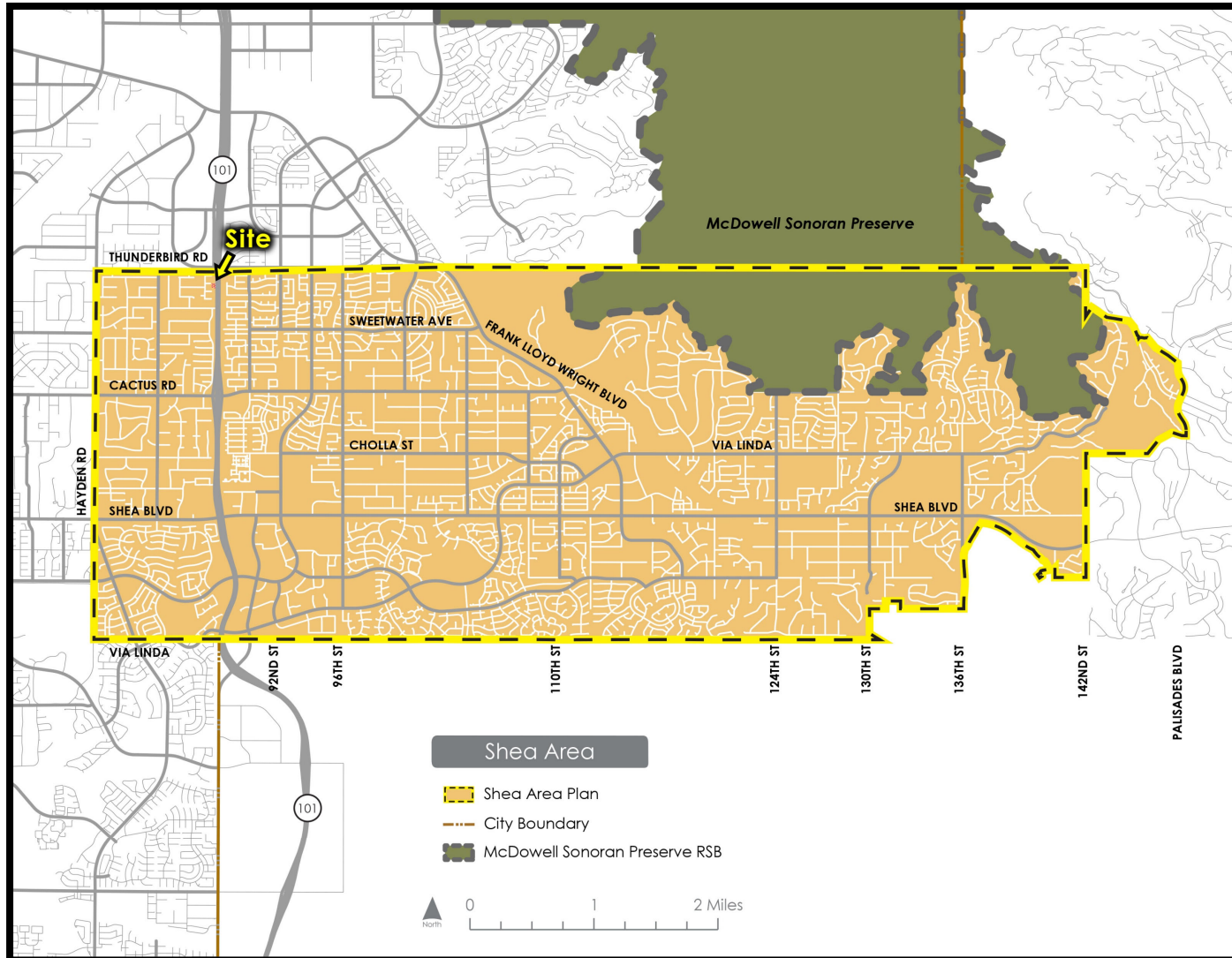
Q.S.
32-48

2001 General Plan

Existing General Plan Land Use (2035)
Suburban Neighborhoods

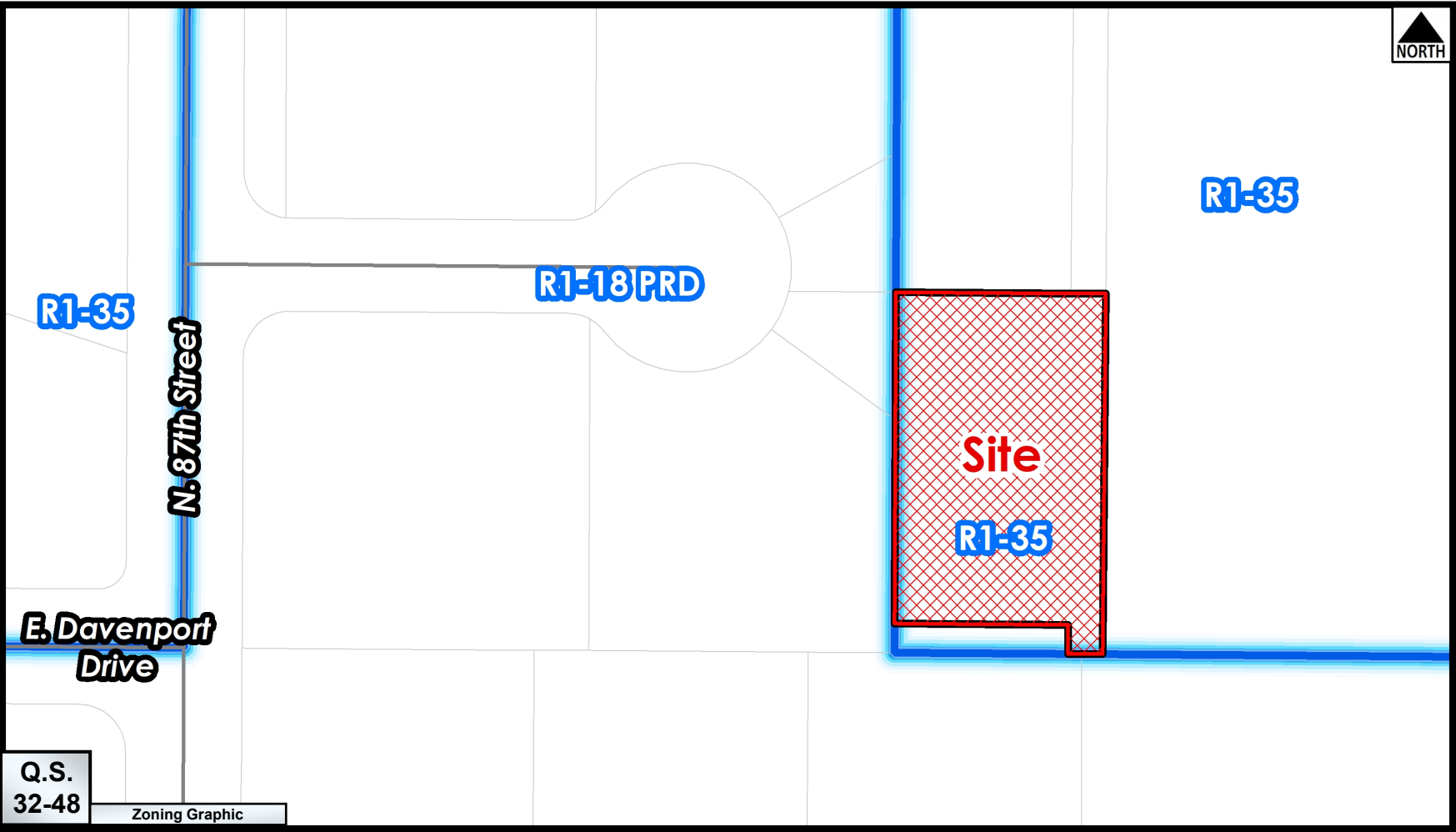
ATTACHMENT #3

10-ZN-2021



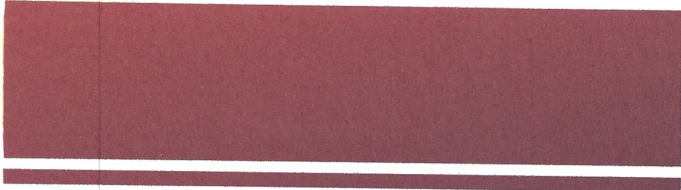
Shea Area Character Area

10-ZN-2021



Existing Zoning

10-ZN-2021



**Richert & Associates 7525 E. Gainey Ranch Rd. #147,
Scottsdale AZ 85258**

6/22/2021

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

RE: Project Narrative, Revised 8/23/2021

Dear Mr. Grant and Interested Parties:

The purpose of this letter is to inform you of our Project Narrative and proposal to rezone 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 remains vacant with an over sized wall along the freeway frontage. Due to the irregular size and shape of the site, the City advised prior owners to resolve setbacks, lot dimensions and lot size non-conformities through the Zoning Adjustment process. Previous attempts have failed. According to staff, this is the owner's option to preserve his development rights.

With the understanding of the above facts, we believe there are excellent reasons for supporting this application in the General Plan and are as follows:

LAND USE

Goal 3: Encourage the transition of land uses from more intense regional and citywide activity areas to less intense activity areas within local neighborhoods.

Bullet 1: Ensure the neighborhood edges transition to one another by considering appropriate land uses, development patterns, character elements and access to various mobility networks.

Response: This rezoning application is providing the necessary development options between a very intense land use (a freeway, 101) and a single family neighborhood. One home was allowed by the existing zoning < RE-35 and we are proposing one home with the approval of the R-10 zoning.

Goal 7: Sensitive integrate land uses into surrounding physical and natural environments, the neighborhood setting and the neighborhood itself.

Bullet 2: Incorporate appropriate land use transition to integrate into surrounding neighborhoods.

Response: This rezoning application is an appropriate transition of land use next to the Pima Freeway and the existing neighborhood. The approval of the application reduces the development standard but only one home is proposed and the property owner is willing to design the home with the neighborhood representatives to establish appropriate height, lot coverage and setbacks reflected in the adjoining neighborhood.

COMMUNITY INVOLVEMENT

Goal 1: Seek early and ongoing involvement in project/policy-making discussion

Bullet 5: Ensure project developer/owner is able to demonstrate citizen involvement and how comments were

PHONE
602-908-7647

WEB
David.richert@gmail.com

ATTACHMENT #6

incorporated into proposal/issue recommendations.

Response: The property owner has engaged his neighbors with proposals to work together in resolving all the irregularities in the immediate neighborhood. He has attempted on three or four occasions to organize just the remnant parcels and no one responds. Recently, we held a Zoom/Virtual meeting and an on-site meeting and 40-50 people attended including a couple City Council members and a previous City Council member. They voiced concerns with the height of the structure, access and starting a trend of lot splitting properties to create tear down properties and building two homes where one exists today. The property owner actually is combining property to increase lot size and only building one home. He will commit to the existing CC&Rs and encourage neighborhood comments to design the future home.

HOUSING

Goal 2: Seek a variety of housing options that blend with the character of the surrounding community.

Bullet 1: Maintain Scottsdale's quality-driven development review standards for new housing development.

Response: The property owner is an architect and is committed to all the advanced housing building techniques to attempt create an efficient energy driven home.

Bullet: 2 Encourage physical design, building structure and lot layout relationships between existing and new construction to help the new developments-complement the surrounding neighborhoods.

Response: The owner is committed to proper transitioning to the existing homes.

PUBLIC SERVICES AND FACILITIES, PUBLIC SAFETY

Goal 7: Provide a safe environment for all Scottsdale citizens, visitors and private interests by alleviating physical risks that may be encountered in the normal operation and development of the community.

Bullet: 1 Encourage, supplement and support the care that the general public must exercise continually while at home, work or play.

Response: This property is a public safety liability where portions of the lot are not visible from 87th Street and without the construction of a home on the lot anything mischief to crime activities could potentially happen. Also, because the drainage areas along the frontage of the lots are not appropriately maintain there is often a mosquito problem and a public safety issues which the neighbors directly to the west have complained without response or resolution of the problem.

Bullet 8: Encourage the use of crime prevention strategies in design and redevelopment of all areas of the city.

Response: Approving the rezoning application and allow building of a home would solve the public liability issues and encourage others to do the same on the other remnants along the Pima Freeway, 101.

1993 SHEA CHARACTER AREA PLAN

GOAL-ENHANCE AND PROTECT EXISTING NEIGHBORHOODS.

POLICY 1, GUIDELINES 1 and 2 encourage new development to blend and provide transition to existing neighborhoods.

Response: The existing and adjacent development, McDowell Shadow Estates 1V has approved and amended development standards that include limitations to building height (21'). This property owner is intending to follow the approved amende standards where logically implemented and provide not windows on the west upper story of the new home. 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.

In addition to the above General Plan compliance the following is offered to create a quality residence and resolve the drainage and public safety issues:

The Architectural Character

- A. The architectural elements tend towards a modern structure utilizing Green Building Design but would consider southwestern elements to represent the character of many of the structures in the general vicinity.
- B. The building will use a combination of Board Formed Concrete
- C. Shading canopies will be use to lessen western exposure
- D. Privacy will be afforded adjoining neighbors with setbacks and limiting two story elements

Environmental Response

- A. Substantial north light where possible
- B. Use of construction materials to enable thermal loading winter and summer

Design Principles

- A. Natural light in all directions
- B. Creations od outdoor spaces reflecting structure and covered
- C. Xeric and low consumption foliage
- D. Considerable and ample open space

Site Development Character

- A. Repurposing treatment of over sized wall along East property line
- B. Resolution of drainage conditions through the front portion of the lot
- C. Limit direct visual access to the neighbors to the west and southwest direction

We are aware that the City Council adopted a new General Plan for Scottsdale on June 8, 2021 (General Plan 2035) and the voters in November of 2021 will vote on this document to ratify the City Council June 8, 2021 action. We have reviewed it and many of the General Plan 2001 Goals and Policies mirror the 2035 plan and we believe firmly supports this rezoning application.

See the following:

LAND USE

GOAL LU 2 Sensitively transition and integrate land uses with the surrounding natural and built environments.

Response: The construction of the Pima Freeway, 101 caused an unresolved lot pattern which staff believes the configuration is a legal non-conforming lot(s). The applicant is recombining as much of the property to what was sold by to the public by Arizona Transportation Department. Also, the freeway is a difficult edge to transition to from the RE-35 Zoning District. This application provides a viable alternative.

GOAL LU 3 Engage the community in all land use discussions.

Response: The property owner has been engaging the adjoining neighborhood the last 3-4 years and this the last option to allow the home to be built and he has encourage them numerous times to be apart of the solution.

HOUSING

GOAL H.1 Support diverse, safe, resource-efficient, and high-quality housing options.

H 1.1 Maintain Scottsdale's quality-driven development review standards for new development.

Response: Same as 2001 General Plan Housing Goal 2 Bullet 1

H 1.3 Ensure community dialogue during zoning and the development review processes to encourage context-appropriate development designs.

Response: Discussions have been on going since 2012 and for the past 6 months with existing owner who is an architect and can and proposes to design and build ONE home appropriate as a transition be the existing neighborhood and the Pima Freeway.

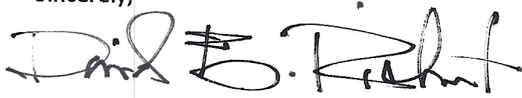
SAFETY

Goal S Maintain Scottsdale as a safe community through crime prevention.

Response: Same as Goal 7 of General Plan 2001 listed above in Bullet 1 and 8. This lot is not visible from the public street and the crime element can easily operate within these conditions and the standing water is a health hazard.

We believe there is more than sufficient support through the two General Plan documents to approve the requested R1-10 zoning and preserve the property owners right to build a home on the subject property.

Sincerely,

A handwritten signature in black ink, appearing to read "David B. Richert". The signature is fluid and cursive, with a large initial "D" and "R".

David Richert
CEO and President of Richert and Associates

Cc:

Attachments



Lot #6
Mike Loughrey

Lot #7
Walid Almiti

Walid Almiti

N 87th St

64'-11"

63'-6"

30'

25'

Lot #9
Debbie Lentine

Lot #10
Mary Alton

15,700 sf. (combined lot)
6,500 sf. (developable)

Bernie Zahn



Lot #6
Mike Loughrey

Lot #7
Walid Almiti

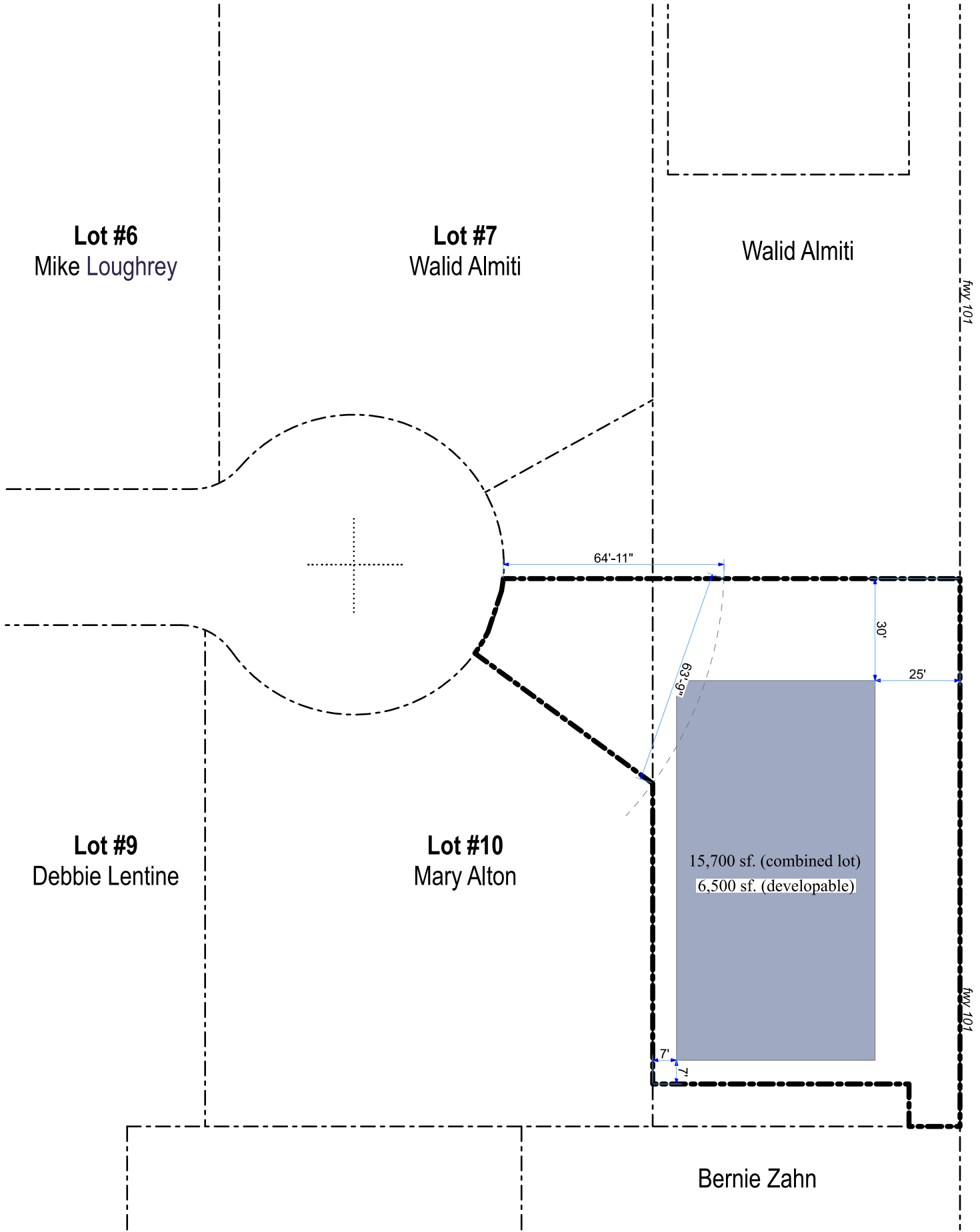
Walid Almiti

Lot #9
Debbie Lentine

Lot #10
Mary Alton

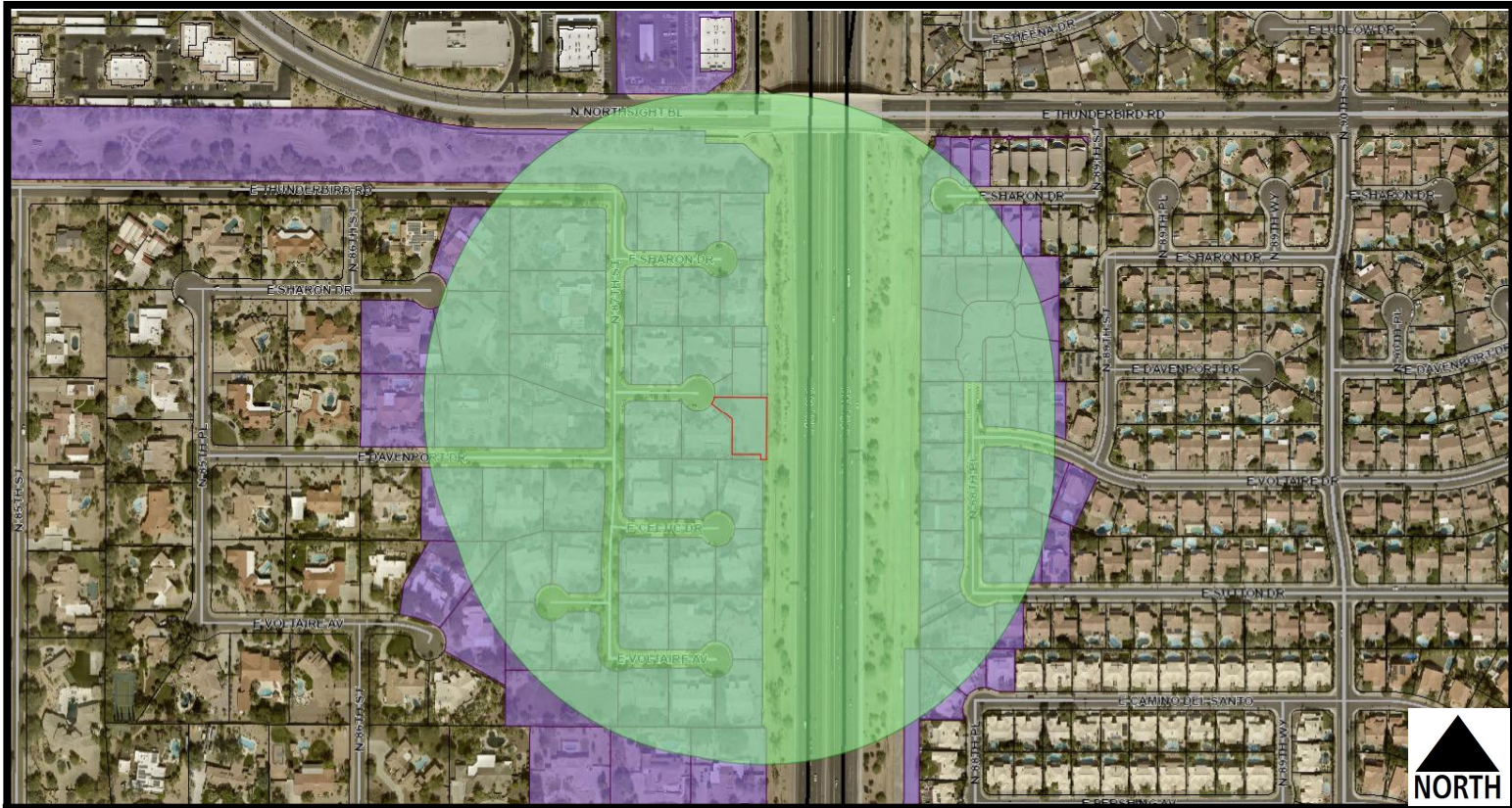
15,700 sf. (combined lot)
6,500 sf. (developable)

Bernie Zahn



City Notifications – Mailing List Selection Map

Rezoning @ 13647 N. 87th Street


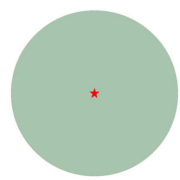


Additional Notifications:

- Interested Parties List
- Adjacent HOA's
- P&Z E-Newsletter
- Facebook
- Nextdoor.com
- City Website-Projects in the hearing process

Labels Pulled
June 29, 2021

Map Legend:

-  Site Boundary
-  Properties within 750-feet

Postcards: 220

10-ZN-2021

Hoon Koo

(480) 560-2233 | hoonHkoo@iCloud.com

Date: 6/10/2021

Doris McClay, Senior Planner
7447 E. Indian School Road
Scottsdale, AZ 85251
(480) 312-4214

RE: Rezoning Case #544-PA-2020 (13647 N. 87th Street)

Ms. McClay,

By complying with the prerequisites, I am applying for the Petition for Re-zoning. The Neighborhood Open House Meetings were hosted by following dates:

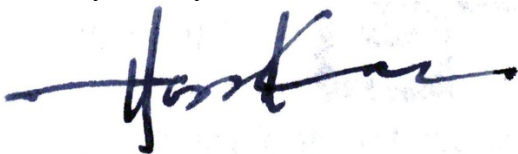
1st Early Notification of Project Under Consideration: posted on 04/21/2021

- Invitation letter was sent out to 58 addresses on 04/24/2021
- Neighborhood Open House Meeting was hosted by online Zoom discussion on 05/04/2021 @ 5:30pm

2nd Early Notification of Project Under Consideration: posted on 05/21/2021

- Invitation letter was sent out to 149 addresses on 05/21/2021
- Neighborhood Open House Meeting was hosted by online Zoom discussion on 06/07/2021 @ 5:30pm

Thank you for your consideration and supports in advance,



Hoon Koo, Property Owner

Attachments:

- 1) 1st Mailing Lists – 58 addresses
- 2) 1st Invitation letter
- 3) 1st Notification Signage on-site
- 4) 1st Open House Meeting comments
- 5) 2nd Mailing Lists – 149 addresses
- 6) 2nd Invitation letter
- 7) 2nd Notification Signage on-site
- 8) 2nd Open House Meeting comments



Richert & Associates

May 29, 2021

RE: Neighborhood Open House (2nd Meeting)

- Rezoning Case (544-PA-2020)
- Address: 13647 N. 87th St., Scottsdale, AZ

Dear Interested Parties:

The purpose of this letter is to inform you that we are hosting a meeting 2nd time required by the City of Scottsdale prior to filing a rezoning application for 13647 N. 87th Street on behalf of the property owner from R-35 zoning to R-10 zoning. We have posted the property with the required sign on April 21, 2021. We are inviting you to participate and learn of the family's plans to build their future home on this vacant lot.

- Open House Location: 13647 N. 87th Street, Scottsdale, AZ
- Time: June 07, 2021, 05:30 PM Arizona

The following information is provided for your reference:

- 1) Project request and description: R-10 zoning requested and proposing a new home.
- 2) Pre-application number: 544-PA-2020
- 3) Project location: 13647 N. 87th Street
- 4) Size of lot is approximately 15-16,000 square feet.
- 5) Existing General Plan land use designation graphic for zoning case: Suburban
- 6) Existing and Proposed General Plan land use designations for non-major GP cases: No change.
- 7) Zoning (for ZN cases: existing and proposed graphics). R1-35 zoning to R1-10 zoning.
- 8) Contacts:
 - Applicant: David E. Richert, david.richert@hotmail.com (602) 908-7647
 - City Administrator: Doris McClay, dMcClay@scottsdaleaz.gov (480) 312-4214

You are cordially invited to attend the meeting. We look forward to your input and make your opinions known. Please feel free to reach me by phone (602) 908-7647 or email: david.richert@hotmail.com
Thank you,

Sincerely,
David E. Richert, CEO and President
Richert and Associates

- P.S.: A Site Plan and Elevations are enclosed for your review and comments.

Early Notification of Project Under Consideration

Neighborhood Open House Meeting

Date: June 07, 2021 Time: 5:30pm

Location: 13647 N. 87th St. Scottsdale, AZ 85260

Site Address: 13647 N. 87th Street, Scottsdale, AZ 85260

Project Overview:

Request: Re-Zoning (R1-10)

Description of Project and Proposed Use: Single Family Residence

Site Acreage: 0.36 Acre (15,701 sf. = 13,581 sf. + 2,120 sf.)

Site Zoning (current): R1-35 (& R1-18 Track C)

Applicant/Contact: Dave Richert

Phone Number: (602) 908-7647

e-Mail: david.richert@hotmail.com

City Contact: Doris McClay

Phone Number: (480) 312-4214

e-Mail: dMcClay@scottsdaleaz.gov

Pre-Application #: 544-PA-2020 Available at City of Scottsdale: (480) 312-7000

Posting Date: 04/22/2021 (1st Meeting by Zoom) & 05/21/2021 (2nd Meeting on site)

Penalty for removing or defacing sign prior to posting hearing notification sign

Applicant responsible for sign removal

Early Notification of Project Under Consideration

Neighborhood Open House Meeting

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Applicant/Contact: Dave Richert
Phone Number: (602) 908-7647
e-Mail: david.richert@hotmail.com

City Contact: Doris McClay
Phone Number: (480) 312-4214
e-Mail: dMcClay@scottsdaleaz.gov

Pre-Application #: 544-PA-2020 Available at City of Scottsdale: (480) 312-7000

Posting Date: 04/22/2021 (1st Meeting by Zoom) & 05/21/2021 (2nd Meeting on site)

Penalty for removing or defacing sign prior to posting hearing notification sign

Applicant responsible for sign removal

Attendants Sign-in Sheet Neighborhood Open House (2nd Meeting)

Rezoning Case #544-PA-2020

13647 N. 87th St., Scottsdale, AZ

June 07, 2021, 05:30 PM Arizona

Name	Address	Phone	E-mail
Royce Hirsh	13720 N 87 th St Scottsdale AZ 85260 494	480 363 85260 494	roycehirsh@gmail.com
Prop: Kim MANGINI	8669 E. DAVENPORT DR. SCOTTSDALE AZ	(602) 7570111	Royce MANGINI COMPANIES.COM
LAUREN GREY	7309 E JENAN		LG@ SPRISEMEDIA.COM
AKASH JAUHAR	7402 E CHOLLA		AJAUHART7@ YAHOO.COM
MARK SPENO	8647 E. DAVENPORT DR	480 694-6300	MARK SPENO @ COX.NET
Mike Messor		602-565-1905	Michael R Messor @ gmead.com
Neil Deacon	8576 E. SHARON DR.	602-319-8927	CONCORD NOW @ G4T1.COM

Attendants Sign-in Sheet

Neighborhood Open House (2nd Meeting)

Rezoning Case #544-PA-2020

13647 N. 87th St., Scottsdale, AZ

June 07, 2021, 05:30 PM Arizona

Name	Address	Phone	E-mail
Liz Miller	13620 N. 85th Place Scottsdale, AZ 85260	480 861-8477	styliz1@aol.com
Jack + Lisa Gilday	13720 N 85th Pl Scottsdale, AZ 85260	480-451-0941	Lisa@LisaGilday.com
Robert + Michelle Fitzgerald	5543 E Cotton PO Scottsdale, AZ	480-282-2289	bossy@fitz.net
Eric Sredzinski	2640 E. Voltaire Ave	520-241-7399	eric.sredzinski@gmail.com
Valerie - Bill Glickman	8596 E. DAVENPORT DR SCOTTSDALE 85260	602 492-1991	VALGLICKMAN@GMAIL.COM
Diane Gray	7402 E. Cortez St.	480-948-8485	arizonaladydiane@aol.com
Mel Slater	8576 E Voltaire Ave Scottsdale 85260	602 881 2345	melslater@z yakeo.com
Mitchel Hersh	13720 N 87th	480 216 6262	mhinsh@bigark.com

Against
-
m-dwell

1.com

Attendants Sign-in Sheet

Neighborhood Open House (2nd Meeting)

Rezoning Case #544-PA-2020

13647 N. 87th St., Scottsdale, AZ

June 07, 2021, 05:30 PM Arizona

Name	Address	Phone	E-mail
Art Buck	8501 E. Sutton Dr.	480-510-7689	awb.business@gmail.com
Bernie Zahn	8764 E Celtic	602-321-5778	awz@ie
Nan Currie-White	8618 E. Voltaire Ave	602-451-0723	nanner8618@yahoo.com
Bob + CAROLINE BERRY	8740 E. CELTIC DRIVE	480-250-3953	RLBCAB@AOL.COM
Jeff + LuAnn Grossinger	8739 E. Celtic Drive	602-284-0405	lgbulls@cox.net
Gabrielle Hitchcock	8707 E. San Victor Drive	480 231 2095	gabket89@yahoo.com
Phil + Bern Evans	8595 E Voltaire Ave	602 641 9009	Bernieaevas@gmail.com
Susan + CHARLES Blood	9630 E. Yucca	480 540 4648	samw1222@aol.com

Comments

Neighborhood Open House (2nd Meeting)

Rezoning Case #544-PA-2020

13647 N. 87th St., Scottsdale, AZ

June

07, 2021, 05:30 PM Arizona

Name attended: Mel Slater

Comments, issues and/or concerns.....

Please do not rezone this lot.

It does not help our neighborhood

Comments

Neighborhood Open House (2nd Meeting)

Rezoning Case #544-PA-2020

| 13647 N. 87th St., Scottsdale, AZ

| June

07, 2021, 05:30 PM Arizona

Name attended:

Michael Ben

Comments, issues and/or concerns.....

[Handwritten scribbles and a large loop]

From: dca.mary@gmail.com
Sent: Thursday, May 27, 2021 4:41 PM
To: DMcClay@Scottsdaleaz.gov
Subject: Rezoning Case (544-PA-2020)

RE: 13647 N. 87th St., Scottsdale

We wanted to respond AGAIN to the issues that Mr. Hoon Koo is dealing with at the above address. We had sent an email on May 29th, 2017 stating that as far as we're concerned Mr. Koo and his family would be a nice addition to the neighborhood in lieu of an empty lot. We, AGAIN, don't understand the negative reaction from the other neighbors. They don't seem to be bothered by the fenced storage lot across the street where the previous owners had used as storage for trucks and RV's (visible from the street) for years.

The house would be directly next door to us and we have no issue with that. We've seen his plans and it looks like a beautiful home.

You are welcome to contact us if you have any questions.

Sincerely,

Mary and David Alton
949-230-0120 Mary's Cell
Owners – 13637 N. 87th St.,
Scottsdale, AZ

Sent from Mail for Windows 10

**Richert & Associates 7525 E. Gainey Ranch Rd. #147,
Scottsdale AZ 85258**

4/27/2021

Dear Interested Parties:

The purpose of this letter is to inform you that we are hosting a Zoom Meeting required by the City of Scottsdale prior to filing a rezoning application for 13647 N. 87th Street on behalf of Hoon Koo and his family from R-35 zoning to R-10 zoning. We have posted the property with the required sign more than ten days prior to the Zoom Meeting and we are inviting you to participate and learn of Mr. Koo's plans to build a home on this vacant lot. A Site Plan and Elevation is enclosed for your benefit and comment.

The following information is also provided:

- a. Project request and description: R-10 zoning requested and proposing a new home.
- b. Pre-application number is 544-PA-2020
- c. Project location: 13647 N. 87th Street.
- d. Size of lot is approximately 15-16,000 square feet.
- e. Existing General Plan land use designation graphic for zoning case. Suburban
- f. Existing and Proposed General Plan land use designations for non-major GP cases. No change.
- g. Zoning (for ZN cases: exiting and proposed graphics). R1-35 zoning to R1-10 zoning.
- h. Applicants and city contact names, phones and email addresses.
David E. Richert, 602-908-7647 and david.richert@hotmail.com
Doris McClay, 480-312-4214, and DMcClay@scottsdaleaz.gov

i. Zoom Meeting:

Open House @ 13647 N 87th Street Time: May 4, 2021 05:30 PM Arizona

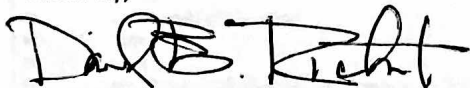
Join Zoom Meeting Link: <https://zoom.us/j/91675191737?pwd=NXV6ek9mNWZtKzcya2tleEdaWlVSUT09>

Meeting ID: 916 7519 1737 Passcode: 8pdQMc

- j. Any associated active cases in the area. None we are aware of at this time.

You are cordially invited to attend the virtual meeting and we look forward to your input and learn about the future application and make your opinions known. My phone number and email are 602-908-7647, david.richert@hotmail.com and Hoon Koo is 480-520-2233, hoonkoo@icloud.com.

Sincerely,



David E. Richert, CEO and President of Richert and Associates, Attachments

Early Notification of Project Under Consideration

Neighborhood Open House Meeting

Date: May 4, 2021 Time: 5:30pm

Location: 13647 N. 87th St. Scottsdale, AZ 85260

Site Address: 13647 N. 87th Street, Scottsdale, AZ 85260

Project Overview:

Request: Re-Zoning (R1-10)

Description of Project and Proposed Use: Single Family Residence

Site Acreage: 0.36 Acre (13,581 sf. + 2,120 sf.)

Site Zoning: R1-35 (& R1-18 Track C)

Applicant/Contact: Dave Rechert

Phone Number: (602) 908-7647

E-Mail: david.richert@hotmail.com

City Contact: Doris McClay

Phone Number: (480) 312-4214

E-Mail: DMcClay@scottsdaleaz.gov

Pre-Application #: 544-PA-2020 Available at City of Scottsdale: (480) 312-7000

Posting Date: 04/22/2021

Penalty for removing or defacing sign prior to posting hearing notification sign

Applicant responsible for sign removal

Early Notification of Project Under Consideration

Neighborhood Open House Meeting
Date: May 4, 2021 Time: 5:30pm
Location: 13647 N 87th St, Scottsdale, AZ 85260

Site Address: 13647 N 87th Street, Scottsdale, AZ 85260

Project Overview:
The proposed project is a 10,000 sq ft building with 10,000 sq ft of parking. The project is located on the east side of the intersection of 136th Street and 87th Street.

Applicant/Contact: Dave Rieker
Phone Number: (602) 988-7847
Email: dave.riecker@nomal.com

City Contact: Dana McClary
Phone Number: (602) 988-7847
Email: Dana.McClary@scottsdale.gov

Pre-Application # 244424-2020 Available at City of Scottsdale (480) 371-7000

Posting Date: 04/22/2021

Application Due: 05/03/2021

Application Fee: \$100

Application Fee Waiver: \$100

Application Fee Waiver: \$100

Application Fee Waiver: \$100

Application Fee Waiver: \$100

Application Fee Waiver: \$100

Application Fee Waiver: \$100

Application Fee Waiver: \$100

Application Fee Waiver: \$100

Application Fee Waiver: \$100

Application Fee Waiver: \$100

Application Fee Waiver: \$100

Application Fee Waiver: \$100

Application Fee Waiver: \$100

Application Fee Waiver: \$100

Application Fee Waiver: \$100

Open House Comments (Rezoning R-10 @ 13647 E 87th St)

- 05/05/2021 @ 5:30pm By Zoom Meeting
 - Hosted by Hoon Koo (Property Owner)
 - Conducted by Dave Richert (Planning Consultant)
-

Debbie Lentine: 13607 N 87TH ST

- 1) The col-de-sac is already too crowded by the existing nursing home.
- 2) The lot size is out of proportion among the neighbors
- 3) The traffic during the construction activity is a concern

Jim Lentine: 13607 N 87TH ST

- 1) The neighbor lots are bigger and open while the subject lot is not proportionally compatible. My lot is 10 – 15% of the building coverage. His lot development is proposed for larger proportion
- 2) The lot owner was already aware of the challenges and objections from the neighbors.

Claudia Alton: 13637 N 87TH ST

- 1) I would rather see a nicely occupied home than vacant lot that may be poorly maintained.

Bernard Zohn: 8764 E CELTIC DR (602) 321-5778

- 1) The lot size is not compatible to surrounding neighbor's lot sizes. Too small to develop
- 2) No two-story building is acceptable.
- 3) Water line is running along the ADOT sound-attenuation wall 8 foot away.

Jeff: Berry: 8740 E CELTIC DR

- 1) The lot was known to be undevelopable lot in the first place. I am unsympathetic to the lot owner when he was aware of the challenges.
- 2) The public service access and visitors parking in the small col-de-sac is problematic.

Ethan Banning: 8757 E SHARON DR

- 1) Two story is not allowed.

Jim:

- 1) Too small lot compared to surrounding neighbors

Mike Messer (602) 565-1905

- 1) No comment

Mark Speno: markspeno@cox.net

- 1) E-mail: The lot owner is developing a rental home. He is a commercial developer for profit.
- 2) E-mail: according to the posted notice, the community meeting was scheduled for 5:30 today but neither the property owner nor his representative showed. Where does this leave us?

From: [Sharon Beaudry](#)
To: [McClay, Doris](#)
Subject: Rezoning Application (pre-application number: 544-PA-2020)
Date: Friday, June 4, 2021 6:50:48 PM

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

Doris,

I would like to provide my input for the rezoning applications (pre-application number: 544-PA-2020) for 13647 N. 87th Street, Scottsdale AZ.

I vote No, on changing this lot from an R1-35 zoning to an R1-10 zoning.

I do not think this rezoning is in the best interest of our community or Scottsdale.

Regards,
Sharon Beaudry

8714 E. Voltaire Avenue
Scottsdale, AZ 85260

Celling 480-980-4454

From: [Schilling, Bethany](#)
To: [McClay, Doris](#)
Cc: [Smetana, Rachel](#)
Subject: FW: Nextdoor Post Re Zoning
Date: Wednesday, June 9, 2021 2:32:55 PM

Good Afternoon Doris,

The email below is regarding the 13647 N 87th St re-zoning (pre App# 544). Please include this with public comment if the formal case is submitted. Thank you!!

Very Respectfully,

Bethany Schilling
Management Assistant to the Mayor and City Council
Office of Mayor David D. Ortega
3939 N. Drinkwater Blvd
Scottsdale, AZ 85251
Phone: 480.312.7977
Email: bschilling@scottsdaleaz.gov

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

From: **Art Buck** <artbuckaz@gmail.com>
Date: Sat, May 29, 2021, 12:07 PM
Subject: Nextdoor Post Re Zoning
To: <bobby@slatebridge.com>

Hi Bobby-

Here is the letter I promised you:

One of our neighbors has summarized the situation quite succinctly in this excellent letter: Dear Neighbors: Here's what's at stake with this application: Note the acreage — .36 acre — and note that this is not a request for variance, it is an application for REZONING. This small lot was sold off for \$20,000 from the property to the west with a history of troublesome financing to Hoon H. Koo. If this rezoning is approved, it means a precedent has been set for any homeowner in our neighborhood to sell off small parcels from their lot where a home (or homes) could be constructed, thereby significantly increasing the density of homes. This would result in the complete dissolution of the character of our neighborhood. Scottsdale has promoted preservation of its neighborhoods, and this will be a moment the city needs to stand by that philosophy. Make no mistake, this is not some fanciful application, the owner of the lot has hired a prominent urban planner, David Richert, who is well-known in Scottsdale and Arizona to push this application through. The lot owner, Hoon H. Koo, <http://www.koodb.com/about.html>, is an architect/builder and is looking to reap a huge profit on the property. He tried an application for a zoning variance a couple years ago and failed in part by our response to the city. Now he is returned for the

REZONING attempt with the assistance of Richert. This is a potentially serious situation to our neighborhood. Scottsdale wants to hear from you (IN WRITING — email, etc. — dMcClay@scottsdaleaz.gov) as that becomes a part of the file presented to city management and the City Council for approval or disapproval. PLEASE contact Doris McClay at the city!

Art Buck

Associate Broker I Realtor

AZ Lic # 014102000 - CA Lic # 01431238

RE/MAX FINE PROPERTIES

Scottsdale Arizona

Office: 480.792.9500

Mobile: 480.510.7689

www.azfineproperty.com

<https://www.linkedin.com/in/art-buck>

[Click Here to See What My Clients Have Said About Me Online](#)

From: [Erin Lewis](#)
To: [City Council](#); [McClay, Doris](#)
Subject: Opposition to rezoning of 13647 N 87th street
Date: Tuesday, May 25, 2021 7:28:17 PM

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

> Thank you for reading my email.

> I'm a neighbor of the property listed above and would like to voice my opposition to the rezoning request. While the lot is small and close to the highway the housing density in the neighborhood is one of the reasons why we choose to purchase our home. Allowing rezoning of this lot will create a ripple effect that could be felt for years to come, if existing property owners believe they can monetize unused real estate for higher density building projects. Please vote NO on this project to preserve the large lot single family home zoning of our neighborhood.

>

> The purchaser of this lot was well aware of the lot zoning before purchase and should not be granted a change that damages the neighborhood only to increase the value of his investment.

>

> Regards,

>

>

> Erin Chipman
> 8602 E Sutton Dr
> Scottsdale AZ 85260

From: [Garcia, Nicole](#)
To: [McClay, Doris](#)
Subject: FW: Rezoning @ 13647 N. 87th St. Case Number 10-ZN-2021
Date: Wednesday, July 7, 2021 10:55:51 AM
Attachments: [image001.png](#)

Hi Doris,

Below is a comment regarding 10-ZN-2021.

Thank you,

Nicole Garcia
Planning Specialist
Planning & Development Services
ngarcia@scottsdaleaz.gov
(480) 312-7767



From: Barbara Cowdery <bcowdery1@gmail.com>
Sent: Tuesday, July 6, 2021 5:03 PM
To: Projectinput <Projectinput@Scottsdaleaz.gov>
Subject: Rezoning @ 13647 N. 87th St. Case Number 10-ZN-2021

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

Rezoning this address from (R1-35) to (R1-10) is harmful to everyone that lives in this vicinity. It is not right for this David Richert to build a house on a much smaller lot than all the surrounding homes. It will devalue the properties in the area. I am totally against this rezoning and hope that the city will not allow it.

Barb Cowdery
8644 E. Sutton Dr.
Scottsdale, AZ 85260

From: [Garcia, Nicole](#)
To: [McClay, Doris](#)
Subject: FW: 10-ZN-2021
Date: Friday, July 9, 2021 4:52:53 PM
Attachments: [image001.png](#)

Hi Doris,

Here is another comment on 10-ZN-2021.

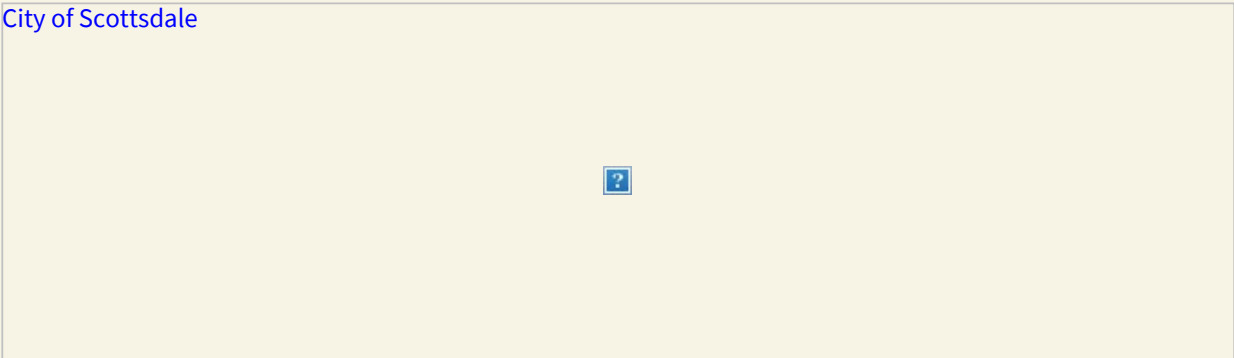
Thanks,

Nicole Garcia
Planning Specialist
Planning & Development Services
ngarcia@scottsdaleaz.gov
(480) 312-7767



From: NoReply <NoReply@Scottsdaleaz.gov>
Sent: Friday, July 9, 2021 3:51 PM
To: Projectinput <Projectinput@Scottsdaleaz.gov>
Subject: 10-ZN-2021

[City of Scottsdale](#)



Please do not approve the McDowell Shadows Estates rezoning for 87th Street. The lot is only a 1/3 of an acre and would set a precedence for other homeowners to divide their lots and resale them. This would destroy the character of our neighborhoods. Everyone I have spoken to in our development is not happy with Mr. Richter, and feels that he is misrepresenting the attitudes of others whom live in the area. I live on 8618 E. Voltaire, Lot 5 of McDowell Shadows Estates Sincerely, Nan Currie -- sent by Nan V. Currie (case# 10-ZN-2021)

From: [Nan Currie-White](#)
To: [McClay, Doris](#)
Subject: Case # 10-ZN-2021
Date: Friday, July 9, 2021 4:48:03 PM

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

Hi Doris,

Please make note that I and my husband, Joel M. White, are opposed to the proposed development of a home on 87th Street by representative, Mr. Richter (Case # 10-ZN-2021).

The house that his client is proposing to build would require rezoning for the McDowell Shadows Estates community. If the rezoning were approved, then other homes in the development could divide up their lots and resale them. This would not be in keeping with the character of our neighborhoods.

Also, the frontage to the lot on 87th street would only be 10 to 15 feet wide--again, not in keeping with the neighborhood standards. Please reject rezoning of Case # 10-ZN-2021. It would be a detriment to our neighborhoods.

My husband and I live on Lot 5 of McDowell Shadows Estates II--8618 E. Voltaire Avenue.

Very Sincerely,

Nan V. Currie

From: [Robert Fitzgerald](#)
To: [McClay, Doris](#)
Subject: 13647 N 87th St
Date: Sunday, June 6, 2021 3:27:03 PM

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

I'm writing in protest to the potential rezoning of 13647 N 87th Street 85260.

I live 2 blocks south and do not want zoning law/regulation changed for our neighborhood so that one person may generate a profit. The character that is our neighborhood could be forever compromised. The idea that this is anything but a for-profit endeavor by the buyer is borderline offensive to the governing body and fellow residents. We are expected to believe a life-long architect (who's entire body of work is around structures, finishes and aesthetics) is building a 2 story "dream home" backed to a highway with a giant wall in the small back yard is the actual plan and not a rental property or flip? Please.

Respectfully,

Robert Fitzgerald
480-272-2289
8543 E Sutton Dr

From: [douglas freedman](#)
To: [City Council](#); [McClay, Doris](#)
Cc: [Sophie Freedman](#)
Subject: Opposition to rezoning of 13647 N 87th street
Date: Tuesday, May 25, 2021 7:52:56 AM

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

I'm a neighbor of the property listed above and would like to voice my opposition to the rezoning request. While the lot is small and close to the highway the housing density in the neighborhood is one of the reasons why we choose to purchase our home. Allowing rezoning of this lot will create a ripple effect that could be felt for years to come, if existing property owners believe they can monetize unused real estate for higher density building projects. Please vote NO on this project to preserve the large lot single family home zoning of our neighborhood.

The purchaser of this lot was well aware of the lot zoning before purchase and should not be granted a change that damages the neighborhood only to increase the value of his investment.

Regards,

Douglas and Sophie Freedman
8662 e Voltaire Ave
Scottsdale AZ 85260

415-336-7371
DFreedman2821@gmail.com

From: [noemi Perez-Frette](#)
To: [McClay, Doris](#)
Subject: Objection to Pre-Application 544-PA-2020
Date: Thursday, June 10, 2021 10:03:02 AM

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

Dear Mrs. McClay,

I would like to go on record officially objecting to the rezoning of the property identified under the application 544-PA-2020 for the reason stated below.

Objections to the rezoning:

A rezoning of the property to R1-10 will set a dangerous precedent that will encourage a wave of similar lot splitting and development resulting in increased density within McDowell Shadows Estates. According to the City's own website where it defines the various zoning designations: ""R1-18 "...although less than one acre, still results in a low density of population"" and the proposed rezoning to ""R1-10 "...permits a higher density of population..."". A higher density rezoning within our neighborhood will turn it into something it was never meant to be. The residents of the Cactus Corridor invested in their homes with the reliance of its current zoning and with the expectation that their values would not be diminished by the City increasing our density.

One of the many reasons we purchased our home in Cactus Corridor area was because of the acre homes. These beautiful large property homes are what gives this area character. Allowing this application to be approved and have a home built on this property would devalue our properties. This home would not fit in with the rest of the homes in the area. The large lot sizes is what many home buyers are looking for. This is why they seek this area. We live in Las Luitas a few blocks from McDowell Shadow Estates if this is allowed there then can it be allowed on my street. We live in a Cul de Sac off Cactus the traffic we get from wrong way driver is intense they speeding on out street. There is no way we can have more homes on our street. If this gets approved, it will set precedent and can cause issues for other areas that are not built for more housing and more traffic.

I expect that your department and the City of Scottsdale will give greater weight to the best interests and desires of the residents of Cactus Corridor rather than the financial interests of a real estate speculator and his paid consultant.

Thank you,

Noemi Frette
602-312-8147

From: [Keith Gallagher](#)
To: [McClay, Doris](#)
Subject: NO on 13647 North 87th Street Re-Zoning
Date: Friday, June 4, 2021 8:15:59 PM

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

The proposed development DOES NOT conform to the character of the neighborhood, and MUST NOT be approved. I will be present at the meeting on 7 June to voice my opposition to this ridiculous idea.

Keith Gallagher
8308 E Davenport Dr, Scottsdale, AZ 85260

From: [Valerie Glickman](#)
To: [McClay, Doris](#)
Subject: Rezoning case 544-PA-2020
Date: Tuesday, June 8, 2021 4:22:19 PM

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

Dear Ms McClay,
My husband and I attended a meeting last night for the potential rezoning of 13647 N 87th Street. We strongly oppose any such rezoning in our neighborhood. We are long time residents at 8596 E Davenport Drive which is in very close proximity to the referenced property. Please put on record our opposition to any such rezoning.
Thank you,
Valerie Glickman

From: [E Cotter](#)
To: [McClay, Doris](#)
Subject: Objection to Rezoning Case 544-PA-2020 Address: 13647 N. 87th Street, Scottsdale AZ 85260
Date: Saturday, June 5, 2021 7:33:44 PM

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

Hello Ms. McClay.

I'm sending this letter since I mat not be able to attend the upcoming virtual meeting.

I'm strongly opposing the rezoning of the property located at 13647 N. 87th Street, Scottsdale AZ 85260.

The lot size is considerably smaller then the existing properties in the neighborhood and will be sandwiched into a small lot changing the complexion of the neighborhood.

It's clearly a variance from the community standards and the appeal of the neighborhood. This lot was not intended for a home and there is no reason for a variance.

It was clearly disclosed when the buyer purchased the lot, with clear disclosures the land was not intended for a home. Further giving encouragement that the property was not governed by a HOA allowing for a better chance at obtaining a variance.

I have concerns that this will open the door for similar rezoning requests for other nearby properties situated similarly.

Please provide my comments in opposition for this rezoning request for this property.

Thank you,

Elizabeth Hakal
8658 East Davenport Dr.

From: [Anne Lanker](#)
To: [McClay, Doris](#)
Cc: [Bennett Beaudry](#)
Subject: 13647 N. 87TH STREET
Date: Tuesday, June 8, 2021 4:04:44 AM
Attachments: [image001.jpg](#)

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

Dear Doris:

Please accept this e-mail as a noted objection toward any kind of change in the zoning for the property listed above. I am a 19-year licensed realtor and I own a home nearby. It's been brought to my attention that the property owner seeks to build a 2-story home on a significantly smaller parcel than neighboring properties. Two-story homes are not the norm in this area and to put one on a very small lot would not only be an eyesore, but perhaps have a negative impact on neighboring properties.

In my professional real estate view, this would be simply an anomaly in a very prestigious neighborhood and would negatively impact properties nearby for resale. The zoning laws are in place for a reason and should remain so to ensure any homes are consistent and in care and keeping with those already in existence.

Kindly confirm receipt of my opposition to any zoning variance or change that would be a detriment in that location, in my view.

Thank you for your consideration and for sharing this opinion letter with those charged with making the final determination.

Kindest regards,

Anne Lanker



From: jim.lentine@cox.net
To: [McClay, Doris](#)
Subject: Zoning Case 10-ZN-2021 - OPPOSED
Date: Sunday, July 25, 2021 10:39:51 AM

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

Doris:

My wife and I have lived at 13607 N. 87th St. (the 2nd house to the west of the subject lot) for 21 years, longer than any of our three neighbors in our 4 residence cul-de-sac.

We are writing in opposition to the pending zoning case referenced above requesting a change in zoning for a narrow, remnant parcel from R1-35 to R1-10. The subject parcel was cobbled together from remnants associated with the 101 construction and was obviously never meant for a single family home given its location against the 101 sound wall, its configuration, easements, setbacks and narrow access point. Rather, it seems logical that its various pieces were meant to be sold to adjacent property owners in order to increase their lot area.

Approximately 30 neighbors attended the June 7th neighborhood meeting and appeared to unanimously oppose this rezone request as I am sure you have heard from many of them.

There should be no weight given to the applicant's argument that it's only fair that he should be able to build a house on this remnant parcel. There were no such rights when the owner bought the remnant parcel years ago and he knew it. He took a chance, bought an inexpensive remnant parcel and is now, through this zoning case, for the second time attempting to turn it into a single family dwelling building lot, which was something it was never meant to be and would be completely out of character with the other four homes in our cul-de-sac and the greater McDowell Mountain Shadows community.

Thank you for your consideration.

Jim and Debbie Lentine
(602) 625-5000

From: michaelmesser@gmail.com
To: [McClay, Doris](#)
Cc: ["Hoon Koo"](#)
Subject: Rezoning at 13647 N. 87th St, Scottsdale, AZ 85260
Date: Tuesday, May 25, 2021 5:43:14 PM

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

Doris,

I am associated with the assisted living home that borders most all of Mr. Koo's property. I wanted to reach out to you and explain my position. I have a option to buy the assisted living property and plan to do so soon.

When I first saw this empty lot, I thought it strange in such an older developed neighborhood to be sitting there vacant with no home built on it. I asked Mary Alton, current owner of the assisted living property what the deal is with this vacant land? She said its been going on for years whether to allow Mr. Koo to build or not!! Most recent now there are neighbors who live many streets away getting involved. Not sure why...?

So with that. I totally support Mr. Koo to be allowed to build his home. It certainly would be much better then the vacant land that sits there now. The water flow issues can be addressed and properly managed along with any other issues that might arise.

Just my two cents.

Thank You,
Mike Messer

From: [beth](#)
To: [McClay, Doris](#)
Cc: [Mark Speno](#); [Roger Malcolm](#); [mark preul](#)
Subject: Rezoning case #: 544-PA-2020
Date: Wednesday, June 9, 2021 3:56:29 AM

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

Hello Doris,

I received a letter, site plan and elevations related to this case for 13647 N 87th St, Scottsdale, AZ from Richert and Associates.

I am dismayed that rezoning for this property is being considered. The house proposed would stick out like a sore thumb. The houses in this neighborhood are single story and at least our HOA has height restrictions. The proposed structure has portions that, if not a second story, stick up and stick out. Also the style is distinctly different, like putting a Danish Modern chair in amongst a group of Chippendale.

I don't understand why we have to keep addressing the question of rezoning this portion of land. I don't see any good reason to vary the zoning and I believe doing so would be detrimental to the neighborhood and to our property values. Please do not re-zone this property.

Regards,
Beth Norris
8625 E Davenport Dr,
Scottsdale, AZ 85260

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
8628 E. Davenport Dr.
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,

David Richert
CEO and President of Richert and Associates

PHONE
602-908-7647

E-MAIL
David.Richert@hotmail.com

ADDRESS
7525 E. Gainey Ranch Rd. #147, Scottsdale AZ 85258

From: mpreul
To: McClay_Doris
Cc: [Art Buck](mailto:Art_Buck); [Nan V Currie](mailto:Nan_V_Currie); david.richert@hotmail.com; louispalmieri@mac.com; [Kim Mangini](mailto:Kim_Mangini); [J Norris](mailto:J_Norris); eanolan@cox.net; [Jasper Norris](mailto:Jasper_Norris); [Robert Berry](mailto:Robert_Berry); Cox - AZBCB; [Roger Malcolm](mailto:Roger_Malcolm); Rob@manginicompanies.com; valglickman@gmail.com; samw1222@aol.com; [Mark Speno](mailto:Mark_Speno)
Subject: Re: McDowell Shadow Estates Rezoning Case (544-PA-2020)
Date: Monday, June 7, 2021 10:43:08 PM

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

Dear Doris,

Tonight 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 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 seems to think 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. The owner would then be removed from his burden. It's clear the owner 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. 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.

Sincerely,

Mark Preul

On Jun 6, 2021, at 1:21 PM, Mark Speno <markspeno@cox.net> wrote:

Dear Neighbors,

I wish to remind everyone again that tomorrow, Monday June 7th at 5:30pm at 13647 N. 87th Street is the Neighborhood Open House meeting regarding the rezoning of this undersized vacant lot. Anytime a rezoning request of this type is made, the City requires a community meeting to be held so that any neighbors who may be affected can have their voices heard before the application proceeds to the City Council for a vote. I have been informed that City Counselwoman Kathy Littlefield will be in attendance. It is imperative that we show a force tomorrow and let Kathy Littlefield and the lot owner/developer know that this is not in our best interests. Please forward this email to any of your neighbors who are not included in this thread.

Here is what's at stake:

A rezoning of the property to R1-10 will set a dangerous precedent that will encourage a wave of similar lot splitting and development resulting in increased density within our McDowell Shadows Estates. According to the City's own website where it defines the various zoning designations: ""R1-18 "...although less than one acre, still results in a low density of population"" and the proposed rezoning to ""R1-10 "...permits a higher density of population..."". A higher density rezoning within our neighborhood will turn it into something it was never meant to be. We, the residents of the McDowell Shadows Estates, moved here upon the reliance of current zoning and the expectation that our property values would not be diminished by the City increasing our density.

Because of the reduced size and "flag type" configuration of the lot, any home built on this site will not be commensurate with the architecture of the neighborhood. The property owner, Mr. Koo, proposes to build a 2-story home (in a neighborhood where no 2-story homes exist) that sits up unusually close to the freeway sound wall and the front door will not be seen from the street. Reduced curb appeal, higher density, 2-story home on an odd shaped lot that was never configured to be built on will, in my opinion, place downward pressure on property values and serve as a potential eyesore for decades to come.

In 2013, Mr. Koo applied to the City for a variance to build a home on this site and our community at the time overwhelmingly objected and the City Council agreed by voting it down. However, not to be deterred by what's in the best interest of McDowell Shadow homeowners, this time Mr. Koo has hired ex-City Planner and heavyweight David Richert for his experience and influence to push this zoning change through the process.

I believe we can once again succeed in preserving the character of our neighborhood if we continue to be united on this matter. I hope to see you tomorrow .

Sincerely,

Mark Speno
480-694-6300

<Notice Letter-Open House (2nd meeting).pdf>

<64358207406__631F3190-F73D-4A8F-8DAD-037C81ACE643.jpeg>

<image.png>

From: [k_pyner](#)
To: [McClay, Doris](#)
Subject: Rezoning McDowell Shadow Estates
Date: Tuesday, May 25, 2021 4:56:50 PM

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

I object to rezoning to allow a home to be built on .36 of an acre.

We own a home on Paradise Dr. These are all irregular acre lots that are horse property. We built a guest house on our property in 1998. That portion of the lot can not be subdivided to be sold nor can the guest house be rented.

We do have short term guests that are our friends or family.

I do not support increased density in our neighborhood.

Respectfully,

Kathy Pyner

602-321-4063

Sent from my iPhone

From: [Schilling, Bethany](#)
To: "Mel Slater"
Cc: [McClay, Doris](#)
Subject: RE: Neighborhood Open House June 7, 2021 13647 N 87th ST, Scottsdale, AZ Rezoning Case 544-PA-2020
Date: Thursday, June 10, 2021 11:18:47 AM

Good Mornng Mel,

Thank you for reaching out to City Council to share this information. The formal re-zoning case for the property at 13647 N. 87th St. has not been submitted yet.

If it does get submitted we will make certain your input is included with all public comment should this proposal move forward for council's vote.

Very Respectfully,

Bethany Schilling
Management Assistant to the Mayor and City Council Office of Mayor David D. Ortega
3939 N. Drinkwater Blvd
Scottsdale, AZ 85251
Phone: 480.312.7977
Email: bschilling@scottsdaleaz.gov

From: Mel Slater <melslater0@gmail.com>
Sent: Thursday, June 10, 2021 11:01 AM
To: david.richert@hotmail.com; City Council <CityCouncil@scottsdaleaz.gov>
Subject: Neighborhood Open House June 7, 2021 13647 N 87th ST, Scottsdale, AZ Rezoning Case 544-PA-2020

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

Dear David

Regarding the above meeting, I believe that 30-35 nearby residents gathered to gain an understanding of the proposal.

There was a request for a count and as I saw it, all attendees voted against the rezoning proposal. The count that was stated at the time was 33 against rezoning and none in favor. I hope that you will include this note in your documentation to the City of Scottsdale. To be clear, I voted and I am NOT in favor of

approval of the rezoning case cited in this email's title.

Meanwhile I will be sending a copy of this note to the City Council.

Sincerely

Mel Slater

8576 E Voltaire Ave, Scottsdale, AZ 85260

602 881 2345.

From: [Mark Speno](#)
To: [McClay, Doris](#)
Cc: [mpreul](#); [Nan Currie-White](#); [jnorris@yahoo.com](#); [J Norris](#); [Robert Berry](#); [eanolan@cox.net](#); [Roger Malcolm](#); [kmangini@icloud.com](#); [Valerie Glickman](#); [Rob@manginicompanies.com](#); [Art Buck](#); [fitnessn@gmail.com](#); [louispalmieri@mac.com](#); [Cox - AZBCB](#); [samw1222@aol.com](#); [rohns@rohnaz.com](#)
Subject: Re: Objection to Pre-Application #: 544-PA-2020
Date: Tuesday, June 8, 2021 12:26:10 PM

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

Dear Doris,

I, along with more than 40 neighbors from our community, attended the Neighborhood Open House meeting for the above referenced Pre-Application. Also in attendance were Scottsdale City Counselwomen Kathy Littlefield and Solange Whitehead. I want this email along with the emails from my fellow neighbors to become a part of the official record that we overwhelmingly object to the rezoning of this lot. In fact, when asked, not one neighbor came forward in support of the rezone.

After hearing some of the additional objections by my fellow neighbors, I am even more resolute in my stance against it. Mr. Richert was parsing words when explaining to the group that the “vacant lot requires building a home on it” and “there are no other solutions available to the property owner”. None of these points could have been further from the truth. There are plenty of alternatives for this property that don’t require development including a sale to adjacent neighbors for the purpose of an assemblage. Mr. Koo speculated when investing in this lot with full knowledge of its existing zoning and that it was never intended for development. He is not the poor victim of circumstance as Mr. Richert paints him to be.

A rezone would be tragic for our community for two very important reasons: 1) It would set a rezoning precedence for lot splits and higher density throughout the McDowell Shadow Estates and surrounding communities. 2) The type of home built on this lot would have to be miniature by comparison and/or require an exceptionally high lot coverage ratio while being shoved up against the freeway sound wall with little or no back yard. Such a home would not only be an eyesore but would put downward pressure on home values in the area as well. It was also noted that, if a home were to be constructed on this site, it would be the only one in existence with absolutely no street frontage other than for a driveway. Again, this lot was never intended to be developed or rezoned.

I expect that your department and the City of Scottsdale will give greater weight to the best interests and desires of the residents of McDowell Shadows Estates rather than the financial interests of a real estate speculator and his paid consultant.

Thank you,

Mark Speno
480.694.6300

On May 11, 2021, at 10:21 AM, Mark Speno <markspeno@cox.net> wrote:

Dear Ms. McClay,

I would like to go on the record as officially objecting to the rezoning of the property identified under the Pre-Application #: 544-PA-2020 for the reason stated below along with my objection to the manner in which the Applicant violated the City of Scottsdale's Site Posting Requirements.

Objections to the rezoning:

A rezoning of the property to R1-10 will set a dangerous precedent that will encourage a wave of similar lot splitting and development resulting in increased density within our McDowell Shadows Estates. According to the City's own website where it defines the various zoning designations: ""R1-18 "...although less than one acre, still results in a low density of population"" and the proposed rezoning to ""R1-10 "...permits a higher density of population..."". A higher density rezoning within our neighborhood will turn it into something it was never meant to be. The residents of the McDowell Shadows Estates invested in their homes with the reliance of its current zoning and with the expectation that their values would not be diminished by the City increasing our density.

Objections to the Notification:

Attached is a photograph of the Early Notification sign that was posted on the property in accordance with City requirements. Several neighbors of the McDowell Shadows Estates planned to attend this meeting to express their concerns yet at the time of the scheduled event neither the Applicant or property owner showed up. We only learned after the fact that this meeting was changed at the last minute to a Zoom conference call and only the homeowners within 750 feet of the site were sent an invitation by mail. [to give you an idea of how ridiculous the 750 feet is, I am outside that distance yet only five doors away from the subject lot] Attached is a copy of that invitation dated April 27, less than ten days in advance of the meeting and in violation of the Site Posting Instructions established by the City. Furthermore, there are more than 70 homeowners within the McDowell Shadows Estates that will be negatively affected by the rezoning yet the Applicant made an 11th hour change to the location of the meeting without proper notification to the community. I believe this was a deliberate and transparent attempt by Mr. Richert and Mr. Koo to shake off the majority of homeowners whom they know object to the develop this small lot. I have attached a list of the 70+ property owners within the McDowell Shadows Estates development who are entitled to a proper notification and given the opportunity to have their voices and opinions be heard and I expect your office to require the Applicant to properly repost the Early Notification and start over.

We went through this with Mr. Koo in 2013 with his request for a variance to develop the lot and the neighborhood overwhelmingly disapproved as did the City Counsel who voted it down. Now he is back with more shenanigans, not just for a variance, but for a rezoning which will have an even greater negative impact on the future of our entire neighborhood. When is this guy going to stop wasting everyones time?

I am requesting your office deny the rezoning application or, at the very least, require Mr. Richert and Mr. Koo back up and provide our community with an HONEST notification process and opportunity to participate in the dialogue as provided by City ordinance.

Yours truly,

Mark Speno
480-694-6300

<IMG_3165 2.jpeg>

<zoommeeting_0001.pdf>

<OWNER LIST MCDOWELL SHADOW ESTATES +.xlsx>

<image.png>

From: [Mark Speno](#)
To: [McClay, Doris](#)
Cc: [mpreul](#); [Nan Currie-White](#); [jnorris@yahoo.com](#); [J Norris](#); [Robert Berry](#); [eanolan@cox.net](#); [Roger Malcolm](#); [kmangini@icloud.com](#); [Rob@manginicompanies.com](#); [Art Buck](#)
Subject: Objection to Pre-Application #: 544-PA-2020
Date: Tuesday, May 11, 2021 10:28:14 AM
Attachments: [IMG_3165_2.jpeg](#)
[zoommeeting_0001.pdf](#)
[OWNER LIST MCDOWELL SHADOW ESTATES +.xlsx](#)
[image.png](#)

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

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Objections to the Notification:

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Furthermore, there are more than 70 homeowners within the McDowell Shadows Estates that will be negatively affected by the rezoning yet the Applicant made an 11th hour change to the location of the meeting without proper notification to the community. I believe this was a deliberate and transparent attempt by Mr. Richert and Mr. Koo to shake off the majority of homeowners whom they know object to the develop this small lot. I have attached a list of the 70+ property owners within the McDowell Shadows Estates development who are entitled to a proper notification and given the opportunity to have their voices and opinions be heard and I expect your office to require the Applicant to properly repost the Early Notification and start over.

We went through this with Mr. Koo in 2013 with his request for a variance to develop the lot and the neighborhood overwhelmingly disapproved as did the City Counsel who voted it down. Now he is back with more shenanigans, not just for a variance, but for a rezoning which will have an even greater negative impact on the future of our entire neighborhood. When is this guy going to stop wasting everyones time?

I am requesting your office deny the rezoning application or, at the very least, require Mr. Richert and Mr. Koo back up and provide our community with an HONEST notification process and opportunity to participate in the dialogue as provided by City ordinance.

Yours truly,

Mark Speno
480-694-6300



From: [Mike and Mary Waddle](#)
To: [McClay, Doris](#); [City Council](#)
Subject: Re-Zoning Request 544-PA2020
Date: Monday, May 24, 2021 10:02:48 PM

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

My family has lived in Scottsdale for decades and recently moved from a gorgeous acre property in Patterson Ranch to a lovely Buenavante neighborhood just west of Hayden Rd. We have downsized and now live on a 1/3 acre lot rather than a commercial acre. We were so fortunate to be able to live on a commercial acre in Patterson Ranch for over 10 years while raising our children. I just received notification from a neighbor on a rezoning request in the the McDowell Shadow Estates community (just South/East of Patterson Ranch). There is a rezoning request in their neighborhood to go from an R-35 to R10. The application is for the property at 13647 N. 87th St., Scottsdale Rd. 85260.

Please do not let this precedent be set. The larger parcels in this neighborhood and surrounding neighborhoods create a character that will be damaged once something like this is approved. There is no need for a developer to rezone to a smaller parcel if only for pure profit. It's good business to get the most profit from a property, however, not at the cost of changing an environment that is precious and unique. Once done, this cannot be restored. There is no need to divide these beautiful parcels strictly for more profit.

Our City continues to talk about retaining Scottsdale's unique character. If we are serious about this, we cannot approve this application or any like it that may come our way which may disrupt the character of our established neighborhoods.

Thank you for your time and attention to this information. Decisions we make today will impact the days forward.

Mary Waddle
mmwaddle@cox.net
7577 E. Windrose Dr.
Scottsdale, AZ 85260

From: [Garcia, Nicole](#)
To: [McClay, Doris](#)
Subject: FW: Do Not Change the Zoning
Date: Friday, July 9, 2021 11:25:43 AM
Attachments: [image001.png](#)

Hi Doris,

Please see comment below for 10-ZN-2021.

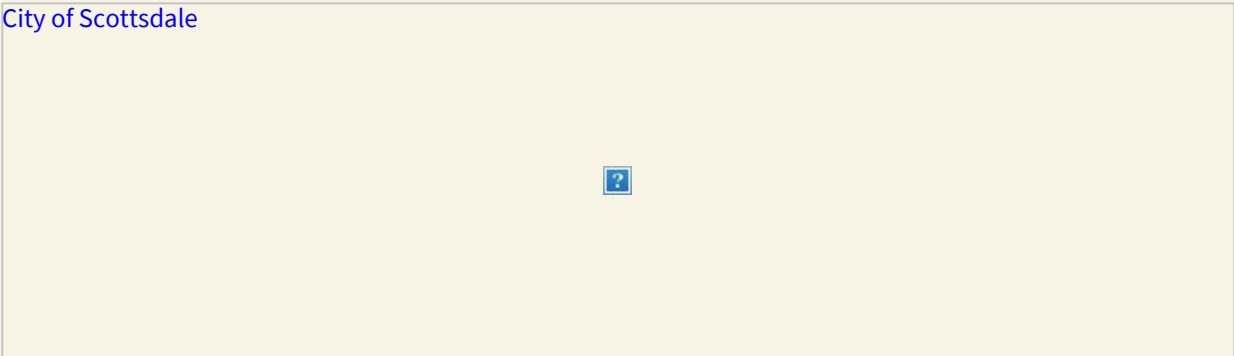
Thank you,

Nicole Garcia
Planning Specialist
Planning & Development Services
ngarcia@scottsdaleaz.gov
(480) 312-7767



From: NoReply <NoReply@Scottsdaleaz.gov>
Sent: Friday, July 9, 2021 10:55 AM
To: Projectinput <Projectinput@Scottsdaleaz.gov>
Subject: Do Not Change the Zoning

[City of Scottsdale](#)



Case: 10-ZN-2021 I am a homeowner within the same HOA governing this lot requesting a rezoning. PLEASE do not change the zoning for one person on one lot. A change like this destroys the whole purpose of zoning, and devalues the property in the area because of this change. Respectfully Submitted, Robert Wirth -- sent by Robert D Wirth (case# 10-ZN-2021)

From: [BernieLindaZahn](#)
To: [McClay, Doris](#)
Subject: rezoning case 544-PA-2020
Date: Wednesday, May 26, 2021 2:01:01 PM

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

The rezoning request is for <16,000 sq ft property located at 13647 N 87th St, Scottsdale AZ 85260. I am the home owner whose property borders directly on the south side of this property. The owner ,Mr Koo is an architect/builder who wants to re-zone for the sole purposed to build 4,200 sq foot 2 story home on this mini lot.

Every home in our community and adjacent communities have lot sizes from 2/3rd to 1 full acres. Our homes are all single story ranging from 3,600 to over 4,200 sq feet and are similar in design. The photos sent to us by Mr.Koo certainly do not conform to anything like what now exists.

I know that our property values would be greatly negatively effected if Mr Koo were allowed to build a "mini" house on this property.

I wish to be on record that I appose granting a rezoning of this property.

Bernard Zahn, 8764 E Celtic Dr, Scottsdale, AZ 85260

602-321-5778

From: [Curtis, Tim](#)
To: [Barnes, Jeff](#)
Subject: FW: Planning Commission Public Comment
Date: Tuesday, January 18, 2022 6:14:18 PM
Importance: Low

From: WebServices <WebServices@scottsdaleaz.gov>
Sent: Saturday, January 15, 2022 4:16 PM
To: Planning Commission <Planningcommission@scottsdaleaz.gov>; Ibsen, Bronte <BIbsen@Scottsdaleaz.gov>; ertel6@cox.net; gobeejay@gmail.com; bsgraham@gmail.com; reneejhiggs@yahoo.com; William Scarbrough <wscarbrough@me.com>; christiancserena@gmail.com; jyoung@youngdg.com; Projectinput <Projectinput@Scottsdaleaz.gov>; Curtis, Tim <tcurtis@scottsdaleaz.gov>
Subject: Planning Commission Public Comment
Importance: Low

Name: Barbara Cowdery
Address: 8644 E. Sutton Dr., Scottsdale, Az 85260
Email: bcowdery1@gmail.com
Phone: (480) 998-6033

Comment:

I strongly object to the rezoning of Case Number 10-ZN-2021 at 13647 N. 87th St. The area currently has large lots and large houses. It will devalue property and homes in the area if it is rezoned from (R1-35) to (R1-10) to allow a house to be built on a 13,020 square foot site. It is ridiculous and needs to be stopped. It is like squeezing a second house into the back yard of 13647 N. 87th St. Please do not let this zoning go through.

From: [Ruenger, Jeffrey](#)
To: [Barnes, Jeff](#); [Garofalo, Ryan](#)
Subject: FW: case number 10-ZN-2021
Date: Thursday, January 20, 2022 12:06:08 PM

From: Bernie Zahn <jicmc.bernie@gmail.com>
Sent: Wednesday, January 19, 2022 5:42 PM
To: Projectinput <Projectinput@Scottsdaleaz.gov>
Subject: case number 10-ZN-2021

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

January 20, 2022

Scottsdale Planning Commission

Case # 10-ZN-2021

I am unable to attend or view online the January 26th hearing, thus this e-mail. For the past 27 years, I have owned the property at 8764 E Celtic Drive. It borders the property in question on my northern side. I object to any rezoning which will afford a new home to be built on a +/- 13,000 square piece of property.

Back in May of this year all interested parties assembled at the property to discuss this issue with Mr. David Richert. Councilwoman Kathy Littlefield was present to hear the unanimous objection of the 43 local community residents who attended. The main reason is that all the properties in our community and surrounding adjacent communities have property of 1/2 or more acreage. By allowing rezoning of this property, our property values would be negatively affected.

At the above mentioned assembled meeting, I personally spoke and voiced my strong objection. Other residents spoke that if the board would allow this zoning change it would possibly allow break-off of small pieces of property thus restructuring the properties of our communities.

All homes in our community are single story 3,600 square feet or larger. Permitting a home of much smaller square footage would change the continuity and esthetics of the community and most certainly have a negative

effect on all our property values.

Please keep me informed.

Thank you,

Bernard Zahn

8764 E Celtic Dr., 85260

Jicmc.bernie@gmail.com

602-321-5778

From: [Curtis, Tim](#)
To: sbeaudry5@cox.net
Cc: [Barnes, Jeff](#)
Subject: RE: Planning Commission Public Comment
Date: Wednesday, January 26, 2022 4:02:19 PM

Thank you for the comment. This case will be continued to the February 9 Planning Commission meeting.

Let me know if you have any questions.

Thanks,

Tim Curtis

From: WebServices <WebServices@scottsdaleaz.gov>
Sent: Wednesday, January 26, 2022 3:53 PM
To: Planning Commission <Planningcommission@scottsdaleaz.gov>
Subject: Planning Commission Public Comment
Importance: Low

Name: Sharon Beaudry

Address: 8714 E Voltaira Avenue, Scottsdale, AZ 85260

Email: sbeaudry5@cox.net

Phone: (480) 922-9166

Comment:

I would like to provide my input for the rezoning applications (pre-application number: 544-PA-2020) for 13647 N. 87th Street, Scottsdale AZ. 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. I vote No, on changing this lot from an R1-35 zoning to an R1-10 zoning. I do not think this rezoning is in the best interest of our community or Scottsdale.

From: [Curtis, Tim](#)
To: bennett.beaudry@cox.net
Cc: [Barnes, Jeff](#)
Subject: RE: Planning Commission Public Comment
Date: Wednesday, January 26, 2022 4:02:58 PM

Thank you for the comment. This case will be continued to the February 9 Planning Commission meeting.

Let me know if you have any questions.

Thanks,

Tim Curtis

From: WebServices <WebServices@scottsdaleaz.gov>
Sent: Wednesday, January 26, 2022 3:53 PM
To: Planning Commission <Planningcommission@scottsdaleaz.gov>
Subject: Planning Commission Public Comment
Importance: Low

Name: Bennett Beaudry

Address: 8714 East Voltaire Ave. Scottsdale, AZ 85260

Email: bennett.beaudry@cox.net

Phone: (480) 980-1084

Comment:

Reference: 10-ZN-2021 (Rezoning @ 13647 N. 87th Street) I would like to provide my input for the rezoning applications (pre-application number: 544-PA-2020) for 13647 N. 87th Street, Scottsdale AZ. I vote no on changing this lot from R1-35 zoning to R1-10 zoning. I do not think this rezoning is the best interest of our community or Scottsdale. I would like to go on the record as officially objecting to the rezoning of the property identified under the Pre-Application #: 544-PA-2020 for the reason stated below along with my objection to the manner in which the Applicant violated the City of Scottsdale's Site Posting Requirements. **Objections to the rezoning:** A rezoning of the property to R1-10 will set a dangerous precedent that will encourage a wave of similar lot splitting and development resulting in increased density within our McDowell Shadows Estates. According to the City's own website where it defines the various zoning designations: "'R1-18 "...although less than one acre, still results in a low density of population'" and the proposed rezoning to "'R1-10 "...permits a higher density of population...'" . A higher density rezoning within our neighborhood will turn it into something it was never meant to be. The residents of the McDowell Shadows Estates invested in their homes with the reliance of its current zoning and with the expectation that their values would not be diminished by the City increasing our density. **Objections to the Notification:** Attached is a photograph of the Early Notification sign that was posted on the property in accordance with City requirements.

Several neighbors of the McDowell Shadows Estates planned to attend this meeting to express their concerns yet at the time of the scheduled event neither the Applicant or property owner showed up. We only learned after the fact that this meeting was changed at the last minute to a Zoom conference call and only the homeowners within 750 feet of the site were sent an invitation by mail. [to give you an idea of how ridiculous the 750 feet is, I am outside that distance yet only five doors away from the subject lot] Attached is a copy of that invitation dated April 27, less than ten days in advance of the meeting and in violation of the Site Posting Instructions established by the City. Furthermore, there are more than 70 homeowners within the McDowell Shadows Estates that will be negatively affected by the rezoning yet the Applicant made an 11th hour change to the location of the meeting without proper notification to the community. I believe this was a deliberate and transparent attempt by Mr. Richert and Mr. Koo to shake off the majority of homeowners whom they know object to the develop this small lot. I have attached a list of the 70+ property owners within the McDowell Shadows Estates development who are entitled to a proper notification and given the opportunity to have their voices and opinions be heard and I expect your office to require the Applicant to properly repost the Early Notification and start over. We went through this with Mr. Koo in 2013 with his request for a variance to develop the lot and the neighborhood overwhelmingly disapproved as did the City Counsel who voted it down. Now he is back with more shenanigans, not just for a variance, but for a rezoning which will have an even greater negative impact on the future of our entire neighborhood. When is this guy going to stop wasting everyones time? I am requesting your office deny the rezoning application.