

Paul Michaud

From: Robert Matia [REDACTED]
Sent: Sunday, February 24, 2019 4:09 PM
To: Paul Michaud
Cc: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Subject: Re: Mountain View Medical - FEB 19TH PLANNING COMMISSION MEETING

Paul, thank you for your very thoughtful comments on the SUP process that we are working through together. I know the effort that your response represents and it is most impressive.

As the person who used the phrase "thrown out" I wanted to make only a brief comment of clarification of my point which is that when an original SUP is brought up for amendment or reconsideration pursuant to a property owner request to do so, the procedure should consider the original work of the Town officials who issued the original SUP and the decision to revise the SUP in fundamental ways should be based upon a level of certitude in the decision-makers similar to that expected of a court of law when it overturns a prior decision of the court on the same subject. I accept your assurance that you know of no such requirement in SUP procedures, but it just seems to me to be good policy anyway. I also was much reassured by your statement that the work of the original SUP procedure will be considered in the current process.

Again, thanks for your very relevant response to our input.

Bob Matia

Sent from my iPhone

On Feb 22, 2019, at 4:11 PM, Paul Michaud <pmichaud@paradisevalleyaz.gov> wrote:

Dear residents:

Sorry for any delay in responding, I sought some guidance from the Town Attorney and Community Development Director to your emails. Consistent with our current practice, I will forward your emails to the Planning Commission and include it with the other correspondence for the next packet of March 5th. The updated traffic report will be discussed on the 5th.

Also, to help clarify the Town's Special Use Permit (SUP) amendment application processes, I do want to provide some guidance on how staff processes applications.

- I can understand the frustration you may have that the process seems like a "done deal". However, it is the role of the Planning Commission to understand/review the entire project before rendering their recommendation to Council. Council will similarly review the material and ultimately make a final decision at a public hearing. Through the efforts of your neighborhood, you have provided a lot of insight and comments that are being keenly considered. As a staff person, your insight is invaluable to the application process. Based on the Town rules and procedures on a Major Special Use Permit application, the official public input times are at the citizen review meeting held by the applicant, at the public hearing for the

Commission (which helps forms its recommendation) and again at the public hearing by the Town Council. None of these public input events have yet occurred. At the request of staff, we encouraged the applicant to reach out to the neighborhood before or right after application submittal and the Commission allowed for public comment at two study sessions where typically public input is not taken. The Town is examining its public notification/input process to find ways to improve this process.

- The role of the Commission is to review the application request against the Special Use Permit guidelines, General Plan goals/policies and other Town documents, as well as the direction provided by the Council in its Statement of Direction. The Commission considers input from all parties and all perspectives. These perspectives include impact to the nearby homeowners, along with its impact to the applicant and Town as a whole. The Commission is legally obligated to make a recommendation on the application and the Council then makes the ultimate decision on whether to grant the application, deny the application, or grant some part of the application, subject to such conditions that the Council also feels are appropriate to add through stipulations and conditions.
- Except for a few items (i.e. sign kelvin/lumens), there are no hard and fast code requirements and only guidelines (i.e. height, setback, lot coverage). Building Code requirements will need to be met should this application be approved. Building code requirements relate to construction methods and proper installation techniques
- Due to the fact that there are other application items on each agenda, the intent is to focus discussion on a couple items at a time on this request before going back to relook at the whole project. Many times there is a back and forth that occurs as new information and requested information comes up.
- As to the question of whether the a prior approved SUP can be “thrown out” and a new one instituted, the answer is that all property owners do have the legal right to apply for a rezoning of their property, which is what a Major Amendment is, a rezoning. The Town does have to recognize that a prior SUP is valid until such time that it is replaced by a new land use or a new Special Use Permit. In the past two decades, several Special Use Permit properties have rezoned to residential R-43 zoning, and those land use designations have been changed on the Town’s official zoning map. I am not aware of any provision in the Town Code or in Arizona law that prohibits a landowner from requesting a change in zoning, thus I do not see how a property owner could be legally bound by a prior approval on a Special Use Permit property to never be able to request a rezoning in the future. This major amendment application of the Mountain View Medical property is a rezoning request; and as such, the Town considers this request to be the same as a new zoning case, which implies that there should be a lot of public input and an obligation by the staff to adequately review the application. Past approvals can be considered when reviewing a Major Amendment request, but the Town is not bound by a prior approval when a Major Amendment is proposed. The Town is in the process of this review, getting input from all parties and no decision has been rendered. I encourage you continue to provide your input and concerns as the application moves through the application process.

Regards,

Paul E. Michaud, AICP
Senior Planner
6401 E Lincoln Drive
480-348-3574 (phone)
480-483-1811 (TDD)
pmichaud@paradisivalleyaz.gov

From: Robert Matia <[REDACTED]>

Sent: Thursday, February 21, 2019 12:43 PM

To: Ken <[REDACTED]>

Cc: [REDACTED]; Peggy [REDACTED]

Subject: Re: Mountain View Medical - FEB 19TH PLANNING COMMISSION MEETING

I also "attended" the PC meeting of 2/19/19 by live-stream and agree completely with Ken's conclusions: the strategy is "distract with detailed discussion of the details." The chairman even asked his fellow Commissioners at one point "OK what do we have to do to keep this moving."

I think we need to keep hitting the fundamental point of what the basis is for the current PC reopening the decision of the earlier PC that granted the original SUP which considered the fundamental equities to be balanced between the Town on behalf of and representing its future owners of property in Firebrand Ranch and the developers of Firebrand Ranch. In other words, if the Town was going to allow a commercial side to a residential zoning district as an even greater accommodation than just the waiver of the one acre minimum lot requirement, what special assurances should the Town require of the original Developers of Firebrand Ranch as to the nature and character of the commercial portion of the project that would allow the as yet unknown owners-to-be of the parcels comprising Firebrand Ranch to confidently move forward in investing hundreds of thousands of dollars in their future homesteads that everyone was hoping would produce a stable PV neighborhood. The original PV PC decided the commercial side of this development would be an open, park-like area of basically one-story doctors' offices. And the future residents of Firebrand Ranch bought their homesteads on that basis which they thought was a permanent limitation on the development of the commercial portion of Firebrand Ranch.

And why shouldn't it be just that? What gives this PC the idea that it has the power to just throw out the decision of the prior PC and start over on the planning of MVMC? After the property owners have changed their position and cannot reverse their investment actions? Can SUPs really be thrown out and started over as to the fundamental nature of the development after the third-party beneficiary has acted in reliance on its terms?

It is time for the PC to start asking some of these fundamental questions and forget the details until they have settled on some of the bigger ones. And if it decides that SUPs are temporary and can be modified at any time as to the fundamental nature of the development issues addressed therein, the residents of the Town and the area real estate groups need to be told that. Bob Matia.

Sent from my iPhone

On Feb 21, 2019, at 6:34 AM, Ken <[REDACTED]> wrote:

Paul: We would like you and the Commission to be aware of this email, which is being sent to a number of our neighbors in the Firebrand Ranch community....

In the evening of 2/19/19 the TPV Planning Commission (PC) discussed heights and signage issues for the MVMC application for renovation and expansion. Neighbors were permitted to attend, but unlike the applicant, were not permitted to participate in the discussion. Jeaneen McGee and I attended the meeting, which lasted a bit longer than an hour. Some of our concerns and thoughts about the project appear below.

Major Concerns. Any increase in the size of the MVMC will bring additional traffic to the Tatum and Shea intersection from additional employees and patients, making the already impossible traffic congestion even worse. This will increase the probability of accidents and further restrict access to our homes, especially during rush hours. We are concerned about the noise, privacy, air quality, and the value of our property being negatively impacted by the expansion of the MVMC. We are unequivocally against the proposed expansion. Another major concern is the appearance that the project has already been approved as a "done deal."

Role of the Planning Commission. The PC, according to its website, "... is appointed by the Town Council to provide recommendations on a wide array of land-use issues; including: subdivision plats, lot splits, zoning ordinance amendments, Special Use Permits, and general plan amendments. (The Commission is the deciding body on minor Special Use Permit amendments.) The Planning Commission is also the primary entity responsible for long term, comprehensive planning and often acts as the advisory committee on long term plans."

But what does the PC actually do? Do they ensure that proposed projects meet the rules, regulations, and legal requirements of the TPV? Do they provide an unbiased recommendation to the TPV Council? Do they advocate for the applicant? Do they advocate for the residents of the TPV and, especially, for those living in the neighborhood of the proposed project?

A "Done Deal"? At a meeting of the PC on 1/9/19 I was one of 3 speakers permitted to make brief comments. At that time I raised the concern that it appeared that the PC was already predisposed to move forward with approval of the project. This was based on a report in an issue of the weekly *Paradise Valley Independent* a couple of months ago. The article quoted Planning Commissioner Jonathan Wainwright: "... I don't think the notion that 'well, we don't want anything to happen,' I think that's probably unrealistic." Why is it unrealistic to think that nothing will happen? What, if anything, does the PC and the TPV see as beneficial to our community in the demolition and expansion of the MVMC?

Unfortunately, there was nothing that we heard at the 2/19/19 meeting that disavowed that opinion. It seemed that if the ubiquitous "Man from Mars" had been present at the meeting he would have concluded that the members of the PC were advocates for the applicant. All comments and questions were supportive of the project. No dissent was heard. Why would the PC spend an hour discussing signage, landscaping, and walls on project that is being contested by the community? Why does the PC appear to be work hand-in-hand with the applicants to find ways to "appease" the neighbors and home owners of the community? Why are the pleas for the welfare of our community seemingly falling on deaf ears? Isn't fine tuning a disputed project effectively putting the cart before the horse?

Heights and Signage. There was some discussion of the heights of some of the buildings. In recognition of a concern about this, the applicant had proposed setting some of the buildings a few feet below grade level. While this could be properly engineered, the PC thought it better to build at grade level. There's no difference between 30 and 34 feet above grade, they opined. Some drawings were shown. Our reaction to the proposed design of some of the buildings: ugly! Want a second opinion?: the "monuments" with signage looked like tombstones. Discussion of signage included sizes and methods of illumination; again, the PC was providing suggestions as to how to improve the proposal, despite the vast majority, if not the entire, community being against the project.

Miscellaneous Issues. A few other issues were briefly raised. Apparently plans to include a veterinary practice have been deleted, but the inclusion of an urgent care center remains, despite the existence of such a center directly across the street. What is the compulsion here?

Throw the Dog a Bone. There were a few topics raised where it was felt that input from the neighbors would be tolerated. Apparently there is an issue about the height of the wall separating the MVMC from the abutting neighbors. It was suggested that the neighbors could decide, and it might even be possible to design the wall so that each abutting neighbor could have the wall at the height of his or her choice. Then there was a discussion of a patch of flowers to enhance the appearance of the grounds. Here, to, it was thought that the neighbors' opinions about which flowers to use could be incorporated. Give us a break!!!

Exceptions. As we listened to the discussion, we thought we heard allusions to exceptions to the building code that are being considered or granted. In this vein, we think it important to know of any exceptions (e.g., with regard to the number and size of parking spaces, size and types of signage) to the laws, rules, and regulations of the TPV. Apparently, signage is extremely important for the project, and we would like to make sure that what is proposed meets the legal requirements as to size and type.

Summary. We oppose any expansion in size of the MVMC, but fear that a decision to proceed with the project has already been made, at least by the PC.

Ken Goldstein [REDACTED]

Jeaneen McGee [REDACTED]

Chuck Vogel & Hilary Fox

[REDACTED], Paradise Valley, AZ 85253 | [REDACTED]

February 20, 2019

To: Paradise Valley Planning Commission – Paul Michaud

Re: Special Use Permit – Redevelopment of Mountain View Medical Center

After attending the planning session last night, I want to bring to your attention our continued concerns regarding the subject property expansion. We have lived in Firebrand Ranch for 19 years and our property adjoins the subject property. Increasing the density of the existing project by 50% will impose significant traffic and safety issues to an already dangerous traffic area. As this project planning continues to evolve the same issues continue to arise as unresolved. Undoubtedly, the value of the adjoining residential and neighboring properties will suffer if we accommodate this Major SUP Amendment. The financial benefits enjoyed by the Applicant by adding 50% expansion area comes with substantial long-term burdens on the existing home owners.

Project Expansion: Increasing the space by almost 30,000 SF creates many additional problems with the existing issues of noise, traffic, parking and security. There are three points of direct ingress/egress to the subject property that are already severally challenged.

Adding 50% more density to the subject property without changing any of the traffic flow to the local area increases the risk and safety of residents getting in and out of the neighborhood. The additional space benefits the owner of the subject property without any consideration for the appropriate safety of the surrounding residential properties. The increased traffic imposed by the subject property will make access in/out of the neighborhood more difficult and ultimately more dangerous. The previously submitted traffic study did not address the major issues of bus bays, turn lanes and the effect of local traffic cutting through the center. Other concerns not addressed by the Applicant include U-turns on Tatum in front of Beryl as cars exit Fry's Marketplace and additional traffic stacking on Tatum. We have not been provided an updated, more in depth traffic analysis that addresses these issues.

Landscaping: The landscape area next to the residential properties continues to only be 25 feet wide. The guideline as defined by the town of Paradise Valley is 40 feet. In the Jan. 22 meeting, the Commission asked the Applicant to address the setback against the residential properties back to the SUP guideline of 40 feet. It appears the Applicant cannot make their proposed development work with the 40-foot setback since they came back again with 25 feet. With the added use and traffic, little has been done to improve on this guideline. Neighbors have been offered a choice of a new 36-inch box Palo Verde tree and/or an add on to their property border wall up to 8 feet as a proposed solution.

The flow of traffic through the property will run directly against the residential properties 25 feet away. This will add vehicle traffic for the 30,000 SF of additional space, garbage trucks, landscape trucks, emergency vehicles, parking lot sweepers and construction traffic during the proposed multi-year construction plan. I want to give the Commission a point of reference for this minimal distance because the landscape plan does not provide proper prospective for this situation.

In the conference room where the committee meets, I measured the distance from Paul Michaud's seat to the two monitors on the wall behind Chairman Wastchak's seat as 24 feet. Imagine trucks, landscapers and vehicle traffic passing directly behind Chairman Wastchak. It is absurd to consider a 36-inch box Pala Verde as a solution to buffer massive disruption in a 25-foot landscape area. With increased traffic activity so close to our property, it will be difficult to enjoy our backyards. This would be the condition we would have to live with forever.

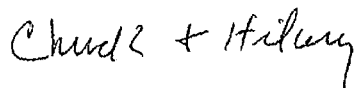
Construction Schedule: The proposed construction in 3 phases continues to be too long. The current plan will result in many years of invasive noise, dust and dirt, security problems and traffic disruption.

Neighboring Property Values Erode: The Applicant has not provided any studies on the impact of neighboring property values with the 50% expansion of their commercial property. Much of the application and discussion has been about the physical components of the expanded property. The Applicant has pushed beyond the guidelines on all the existing Zoning Ordinance definitions and SUP guidelines to make their project work. If the Commission is not going to push back on the additional space the Applicant must exceed the guidelines of the existing SUP in place with a Major SUP Amendment.

The benefits to the Applicant for this expansion will provide a profit margin in the range of 15% - 20% or more. They will realize their profit of millions of dollars by selling the property upon completion and then they will be gone. The neighbors will have to live with the conditions that are approved by the planning committee with the resulting burdens for as long as we own our homes. The increased traffic, noise, construction and added second level looking into our back yards will have a negative effect on our home values. If our values deteriorate 15% - 20%, our lost equity would be \$150,000 - \$200,000 on a \$1MM home. This value change would happen immediately if this project is approved under the current proposed plan.

It is not right for the neighbors to absorb the hardships for this expansion and sustain personal financial loss for the benefit of the owners of Mountain View Medical Center. I'm asking the Commission to review all the information carefully and be thoughtful of all the implications associated with the property expansion. The Applicant placing a tremendous burden on our neighborhood in order to enjoy the financial rewards of their proposed project.

Regards,



Chuck Vogel and Hilary Fox

Paul Michaud

From: Lindsey Kee <lkee@rwpartners.net>
Sent: Monday, February 18, 2019 9:37 AM
To: Paul Michaud
Cc: John Bozzo; John Cantrell; Bhoomi Desai
Subject: Mountain View Medical - Outstanding items
Attachments: Applicant Letter to Commission 2.12.19.docx

Hi Paul,

Attached is a letter detailing our responses to outstanding topics raised by the Planning Commission at the last meeting. Our apologies for the late notice but we thought at least some of this information may be useful for your presentation for tomorrow evening (i.e. our position on building signage).

Thank you,
Lindsey

Lindsey M. Kee
Investment Analyst

rwpartners LLC
2944 N. 44th Street, Suite 250
Phoenix, Arizona 85018
Direct: (602) 802-8106
Cell: (703) 517-6617
www.rwpartners.net

Landscape Buffer/Setbacks:

Existing landscape buffer has been in place for the last 40 years. In order to preclude disrupting existing conditions, we believe the existing buffer continues to be sufficient between the neighbors. The existing 25' landscape buffer has been in place for the last 40 years. To address the line of sight, we are significantly increasing the density of the plant materials to fill in the sparse areas that exist today. Please refer to our proposed landscape plan. To address the noise, we feel that giving the neighbors the option to raise their perimeter wall up to 8' will better address this concern. Additionally, by not disrupting the existing setback and drive isle we will greatly reduce the amount of dust/construction that would need to take place to increase the size of the setback. To directly respond to neighbor concerns, trash enclosures have been relocated from inside this 25' buffer to the opposite side of the driveway putting them beyond the 60' building setback requirement.

Screen Wall Height:

We are open to providing the immediate neighbors the option to raise their perimeter wall along the property line up to 8' in height. We plan to discuss this topic with the neighbors during the Neighborhood Meeting (date TBD).

Covered Parking locations:

We have made changes to the covered parking canopies to address prior comments from the Planning Commission to move them closer to the residents. Please refer to the updated parking plan. With these changes, the new grand total for the entire site is 93 covered parking spaces, which is approximately 1 per every 1,000 square feet. Parking canopy heights have been lowered to 9' above finish grade.

Veterinary use:

We are withdrawing the request to include veterinary practice as a possible use at the property.

Urgent Care use:

We are maintaining the request for an urgent care use with the following added stipulations: no more than one urgent care facility at the property and it could only be located in Building B. It is important to note that Building B will have its main entrances on the street-facing side (west side of building) rather than on the east side facing the neighborhood. Since Building B is right off the main entrance to the property from Tatum Blvd, this placement far away from the neighbors should further help screen activity from this use.

While we can limit emergency vehicles from bringing patients onto the property (our proposed uses are not for critical medical emergencies), we cannot limit any emergency vehicles from taking a patient offsite if a situation requires it. This should be an infrequent occurrence given the nature of our

proposed uses. Generally, emergency vehicles do not sound the sirens until they are on a roadway so this should not create any excessive disturbance to the neighborhood.

Traffic Gate:

We have asked our traffic engineer Dawn Cartier of CivTech to opine on the merit of a traffic gate. Her response is quoted below:

"There doesn't appear to be much that would be mitigated by the inclusion of a gate on South Beryl. The only through connection provided by neighborhood streets is to Doubletree Ranch Road. The neighborhood is not a bypass for the intersection of Tatum & Shea.

The gate would have to be placed where through traffic to the medical center would not be impeded by cars waiting for the gate to open. Phoenix usually requires 50' although this portion of the road appears to be in the Town of Paradise Valley. Both jurisdictions require a turn around in the case that the gate is not opening or someone enters accidentally. There doesn't appear to be enough existing pavement for the construction of a turnaround if the gate is placed at the existing wall line of the residents on south Beryl. Should the town allow 33' of queueing for the gate, and the provision for a modified entry, widening south Beryl's pavement on the approach to the gate to allow for a turnaround could be feasible. It would remove some of the landscape area on both sides of south Beryl and require a median to be placed for the entry pad/call box. I am not finding a standard detail produced by the City of Scottsdale for the gated entry. I believe Phoenix has one showing the 50' queueing before the gate.

Summary: the gate could be constructed on south Beryl set in towards the homes. It would require less than optimal queueing and widening of the existing roadway outside of the gate."

Due to the very limited added benefit, the applicant is not pursuing this option.

Phasing:

Our plan is to use Phase I of the redevelopment (Building F) to accommodate as many of the existing tenants in the 5 other buildings as possible, including several that are in Phase II (Building A). Because of this, we cannot begin Phase 2 until Phase 1 is 100% complete, including the interior buildout. Goal is to provide a seamless transition for our existing tenants into the redeveloped buildings with as little downtime as possible. Initial interest has been very strong and we are currently negotiating two letters of intent which would potentially occupy about ½ of available space in Phase I.

Once Phase I is complete and existing tenants in Phase II have relocated (or vacated if they are not relocating to Phase I), we will commence with Phase II. We are currently negotiating with an existing tenant in Building C (part of Phase III) to lease 80%-100% of Building A. Because of this, we cannot begin Phase III (Buildings B-C-D-E) until we are 100% complete with Phase II.

Although the overall timeline for all three phases is estimated to be over 3 years, it is important to remember that: (1) construction is broken down into 3 smaller phases (so whole site will not be under construction for over 3 years), (2) the last 3 to 6 months of each phase will consist of almost exclusively interior buildout, which will create only minimal construction noise/nuisance to the neighbors, and (3)

we are keeping all existing buildings open for business during construction, so we will be very sensitive to keeping the construction well managed and contained.

Building Signage:

Large national credit tenants will not lease at our property without building signage. We have lost several opportunities in the past exclusively because we cannot currently provide such signage. The proposed building signage would face Tatum or Shea only, have a uniform color palette, and have an overall elegant/professional appearance.

Paul Michaud

Subject: FW: Mountain View Medical and Lincoln Drive Medical - parking
Attachments: Chandler Site Plan Checklist.pdf

From: Scott O'Connor <[REDACTED]>
Sent: Friday, February 1, 2019 10:37 AM
To: dwastchak@paradisevalleyaz.gov
Subject: Mountain View Medical and Lincoln Drive Medical - parking

Daran,

The Commission seemed to have little understanding of how much parking should be required for the remodel of Mountain View Medical Center, turning to the staff to tell you if it was enough, but not having any benchmarks to validate the staff's advice.

Most cities use a standard of spaces per 1,000 sf of building area in their parking codes. This can also be expressed as its inverse, building square feet per parking space, but the spaces per 1,000 sf is easier for comparison purposes.

Here are what several Valley cities require for medical projects, in spaces per 1,000 sf.

Chandler	6.67
Phoenix	5.00
Mesa	5.00
Scottsdale	4.00

Scottsdale used to require 5 per 1,000 for medical but combined office and medical a number of years ago, at the office level of 4 per 1,000..

A very important note here is that none of them parse this by medical practice type, as the Town's archaic guidelines still do. The reason for this is, in multi-tenant projects, when tenants change, you can't be forcing the developer to add more parking simply because of a tenant turnover in a project already built, and where some tenants use more, and some less, on average than the index.

The Town separately lists outpatient surgery centers, labs, pharmacies and physical therapy clinics as all having different parking requirements. This makes no sense in a multi-tenant facility. The Town should not be making leasing decisions, or pretending that this level of detail is correct for every situation, when it won't be. You should advocate a revision to the Special Permit Development Guidelines to have a parking schedule listing the indices for each possible use, and a value for those driven by modern benchmarks.

On a related note, each of these cities allows parking spaces as narrow as 9 feet in width, with the notable exception of the Phoenix, which requires a 9.5 foot minimum in more transient uses, like retail and restaurant, versus apartments and offices where the employees and residents have assigned spaces and respect their automotive neighbors. All of the town's special permit uses are transient. Schools, churches, country clubs, restaurants, resorts and medical offices. You should set a 9.5 foot minimum width standard.

On another related note, here is (attached) a sample of a more comprehensive site plan review checklist for you to review. It reveals how little the Commission appreciates the level of detail necessary for a thorough review, and the apparent lack of standards within the Town for those details left for staff enforcement.

Sincerely,
Scott H. O'Connor

[Redacted signature]

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[Redacted signature]

Paul Michaud

Subject: Proposed Amendment to Existing Special Use Permit for Medical Buildings at Firebrand Ranch

From: Daran Wastchak <dwastchak@paradisevalleyaz.gov>
Sent: Monday, January 28, 2019 1:58 PM
To: 'Robert Matia' <[REDACTED]>
Cc: 'Jeremy Knapp' <jknapp@paradisevalleyaz.gov>; 'Paul Michaud' <pmichaud@paradisevalleyaz.gov>
Subject: RE: Proposed Amendment to Existing Special Use Permit for Medical Buildings at Firebrand Ranch

Robert,

Thank you for your email and sharing additional insights and thoughts on the proposed Mountain View Medical Plaza SUP amendments. You raise some very interesting points that we will take into consideration.

I am replying to your email without copying the rest of the Planning Commission, but adding in the Town Planning Staff so that they can share this correspondence with the rest of the Commission as appropriate and allowed under open meeting guidelines.

Again, thank you for your continued involvement in the SUP amendment process.

Daran

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Daran Wastchak
Planning Commissioner
dwastchak@paradisevalleyaz.gov
=====

From: Robert Matia <[REDACTED]>
Sent: Monday, January 28, 2019 1:05 PM
To: dwastchak@paradisevalleyaz.gov
Cc: janton@paradisevalleyaz.gov; tcampbell@paradisevalleyaz.gov; ccovington@paradisevalleyaz.gov; olewis@paradisevalleyaz.gov; pgeorgelos@paradisevalleyaz.gov; jwainwright@paradisevalleyaz.gov
Subject: Proposed Amendment to Existing Special Use Permit for Medical Buildings at Firebrand Ranch

MEMORANDUM

To: Daran Wastchak, Chairman

From: Robert L. Matia, Firebrand Ranch Resident since March 1986, 4829 East Beryl Avenue, Paradise Valley

Re: Proposed Amendment to Existing Special Use Permit for Medical Buildings, Southeast Corner Tatum Road and Shea Blvd.

Date: January 28, 2019

One more thought has occurred to me which I thought it would be useful to raise before the meeting at which architecture is discussed. So this Memo supplements the Memo I sent you with copies to the other Commissioners on January 17, 2019.

Special Use Permits (SUP) should not be viewed as agreements solely between the Town as an entity and the original developer or a successor developer. To do so is to ignore the fact that the individual property owners who, subsequent to the execution of the SUP, invested substantial moneys in the development of the individual nonconforming parcels (less than one-acre) in the subdivision which was the subject of the SUP. They were not signatories to the SUP and therefore were not parties to the SUP in a strictly legal sense; but in every way, the Town, in requiring compensating restrictions on the initial development of the non-residential portion of the subdivision, was very much acting on behalf of the future property owners of the subdivision and future citizens of the Town. In the purchase of their parcels, the future citizens of the Town were very much relying on the terms and conditions of the SUP as to the non-residential portion of the subdivision and the continued actions of the Town on their behalf in carrying out the terms and conditions of the SUP.

The original SUP called for a park-like cluster of medical offices of one story, surrounded by substantial open space on the non-residential portion of the development. The Application for amendment of the SUP, submitted on behalf of the current owners of the medical complex, turns that concept upside down, calling for a total replacement of the park-like development with a much more commercial-looking, two-story development with substantial additional parking. The Developer got his deal in the ability to market less than one-acre lots. The property owners deal with a park-like character and feel of the medical complex is thrown out the window.

Why should this Planning Commission ignore the analysis and reasoning of the original Planning Commission in balancing the equities between requiring a one-story, park-like structure for the non-residential portion of the development in exchange for permitting the developer to market the entire subdivision exempt from the Town's one-acre lot requirement?

Is the Town acting on behalf of its citizens or on behalf of the new Applicant?

Paul Michaud

From: jeaneen mcgee <[REDACTED]>
Sent: Saturday, January 26, 2019 3:06 PM
To: Paul Michaud
Subject: FW: MVMC

January 26, 2019

Paul:

As a resident of Firebrand Ranch in Paradise Valley, I find it appalling that expansion of the Mountain View Medical Complex is being considered.

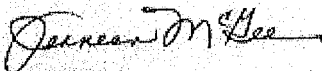
It is extremely hazardous to enter and exit Beryl Avenue under the existing conditions. During rush hours it is almost impossible. It is frustrating to be a block from home and have to travel a large distance out of your way due to the unsafe conditions. Having to avoid the nearest entrance street to your home also contributes to more traffic within the neighborhood. More offices and more cars will have a disastrous effect on the quality of living conditions in the community. Patients and medical staff will also seek other entrances and exits from the Complex due to the hazardous conditions. Frankly, the intersection of Shea and Tatum already smacks of a "war zone" during rush hours.

The Mountain View Medical Complex reportedly has office space available. Are the buildings being vacated because of the plan to "level" the complex? Are the buildings not filled because of the "war zone" location? Is it partially empty because the area has no need for the additional medical facilities? In all likelihood it is a combination of all of the above.

Maintenance of the current medical complex is without question the right thing to do. I find the current complex to be aesthetically pleasing, and not in need of "leveling". New parking canopies, paint, etc. are necessary improvements that are the responsibility of the property owners.

Thank you for your attention to this important matter.

Respectfully yours,



Jeaneen McGee

[REDACTED], Paradise Valley, AZ 85253

Paul Michaud

From: Paul Michaud
Sent: Friday, January 25, 2019 2:50 PM
To: 'Joanne Ceimo'
Cc: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Subject: Mountain View Medical

Joanne:

Thank you for staying involved. I will make sure this gets included with the rest of the comments and forwarded to the Planning Commission for their next packet.
I appreciate you pointing out Petsmart, I forgot all about Banfield.
All this information you and your neighbors provide helps a lot in understanding the day-to-day experiences from the residents who live near this property.
FYI, the work session on February 5th is still on. The focus points will be height and signage. That agenda should be ready this Wednesday (no later than Thursday).

Regards,

Paul E. Michaud, AICP
Senior Planner
6401 E Lincoln Drive
480-348-3574 (phone)
480-483-1811 (TDD)
pmichaud@paradisevalleyaz.gov

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

From: Joanne Ceimo [REDACTED]
Sent: Thursday, January 24, 2019 10:02 AM
To: Paul Michaud <pmichaud@paradisevalleyaz.gov>
Cc: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Subject: January 22 Meeting

Good Morning, Paul -

I attended the Planning Commission meeting this past Tuesday, and there are some points raised which I think need correction or expansion:

- 1) You mentioned that the closest veterinary practice is one mile away. Actually, the closest vet is at Banfield in PetSmart, <0.4 miles away. I took my dogs there for years, loved the docs and the service is great! Also, we have a veterinarian who lives in our neighborhood who would probably help in a pinch.
- 2) Proposed hours of operation for the expanded medical center were 7am-7pm Monday through Friday, 8am-4pm on Saturdays. This is a 36% increase over the current hours of operation.
- 3) One anticipated occupant of the new medical center is a much vaunted sleep center. Sleep studies are done overnight (I've had one). If the study is negative, the patient is typically awakened between 5-6 am and sent home. If positive, the patient may be kept over the following day for further testing. So much for the proposed hours of operation. Additionally, the presence of one or more patients having sleep studies raises the possibility that an emergent medical intervention may be necessary resulting in a patient being transferred during the night. (Sleep studies are overwhelmingly ordered for patients suspected of having obstructive sleep apnea. This condition is associated with a high incidence of hypertension, heart disease, and diabetes.)
- 4) Regarding bus stops near Beryl, there are two on the east side of Tatum. One is just north of Mountain View Road and the other about fifty feet south of Beryl. Additionally, there is another bus stop just directly north of Shea.
- 5) It appears that the parking analysis was based on counts taken during summer months. Summer is still the slowest time of the year (vacations of both visitors and tenants, seasonal variations in population). Plus, it is our understanding that much of the complex is not leased out. Fewer tenants, fewer visitors.
- 6) Commissioner Lewis raised the issue that medical practice may have changed over the years. It has. As a physician, I know that first hand. An average primary care visit today averages less than 12 minutes. Office-based primary care doctors meet their expenses through patient volume; it is not uncommon to see 30-40 patients per day per practitioner. And appointments are not the only reason that patients visit offices: they pick up records, drop off insurance forms/checks/disability papers, disabled parking sticker applications, blood work drawn, BP checks, etc.....
- 7) The traffic engineering report stated that during the period of observation only SIX left turns were made from Beryl south onto Tatum. That number does not reflect the number of people who WANTED to make that turn. Residents have dealt with this traffic nightmare for years; we know that turn is fraught with danger. At best, you have to cross three lanes of traffic; two may stop and motion for you to proceed, but if the third does not anticipate your appearance.....So what many residents do is turn right onto Tatum, cross Shea, make a U-turn and then proceed south on Tatum. Or we drive through the medical complex, emerge on Shea, turn left at the first light, make a U-turn and then proceed to the Tatum/Shea intersection and turn south. What could or should be a simple turn often turns into a five-to-seven minute detour. Calculate that.
- 8) A significant point that was missing from the traffic engineering report was the difficulty of making the left turn onto Beryl as we return home after work. At best, we still face the risk of going across three lanes of traffic, which may or may not stop. It is not uncommon for residents to continue south on Tatum in hopes of an opportunity to turn left at Onyx or Mountain View. I have had to go as far south as Doubletree on occasion and turn at the light. That's ridiculous. Not only does it increase travel time, but it unnecessarily increases traffic on residential streets south of Beryl. A future problem.
- 9) It's time for the Planning Commission to think strategically. When the southeast corner of Tatum and Shea was developed over thirty years ago, Phoenix was much, much smaller. Our neighborhood was part of the outer edge of development then; we're close to the geographic center of the Valley now. Calculating anticipated increased traffic flows with the expansion of the complex does not take into account the fact that current baseline traffic flow is totally out of proportion to whatever was planned for in the 1980s. Someone missed the boat then; please think strategically now.
- 10) The Planning Commission established the fact that they do not have control over Tatum, the traffic lights/timing, etc at Tatum and Shea. However, you do have control over their size and scope of development at the Mountain View Medical Complex.
- 11) A commissioner mentioned that the increased number of parking spots did fall within guidelines. However, that appeared to be based on current square footage, not the anticipated thirty-plus percent increase in leasable space.
- 12) Mention was made that Firebrand Ranch residents did not initially raise the issue of increasing the height of the wall between their homes and the proposed development. This does not reflect lack of strategic thinking on our part; rather,

it is indicative of our belief that the plans for redevelopment are inconsistent with the values of Paradise Valley and our expectation that Town officials will realize that as well.

Thank you for your time and attention.
See you on February 5th!

Joanne Ceimo

Sent from my iPad

January 13, 2019

JAN 24 2019

Mr. Paul Michaud
Town of Paradise Valley
Planning Department
6401 E Lincoln Drive
Paradise Valley, AZ 85253-4399

Dear Mr. Michaud,

We are residents of the Firebird Ranch community and our property backs up to the Mountain View medical center. We are writing to let you know that we are not supportive of the current owner's plans for reconstructing and expanding this center. There is already too much traffic at the corner of Tatum and Shea so plans to add additional occupancy and traffic to this center don't seem reasonable. We also don't support changing the use of this center to accommodate expanded hours of operation for uses such as urgent care.

We have found the Mountain View medical center to be a good neighbor and support updating the property just not expanding it and allowing tenants to expand their hours of operation. We think the proposed expansion could devalue our property.

One recommendation we would make would be to close the Beryl entrance to the center. This is dangerous as many people turning into the center off of Beryl don't realize that it is also a street and don't even look for traffic. Since there is already an entrance to this center from both Tatum and Shea this additional entrance doesn't seem necessary.

Sincerely,



Paula and Warren Mattingly


Paradise Valley, AZ 85253


Paul Michaud

From: Paul Michaud
Sent: Tuesday, January 22, 2019 3:14 PM
To: 'Chuck Vogel'
Cc: jceimo@cox.net; Paul Couture (wbi1463@outlook.com); Henry Kerson (henry.kerson@marcusmillichap.com)
Subject: RE: Mountain View Medical Center

Chuck:

Thank you for providing input. It is input from you as neighbors to the site and residents of the Town that helps us understand the impact of the existing and proposed development.

I will forward your comments to the Planning Commission and applicant.

Proposed uses are something that the Planning Commission and Town Council will review. If allowed, many uses will include various stipulations. The Planning Commission told the applicant that urgent care and veterinary uses were something that they did not prefer. The applicant was directed to re-evaluate the location of any sleep center, outdoor employee areas, trash enclosure locations and drop off areas. They are re-evaluating the project based on these comments and the neighborhood input to date.

As far as project completion/traffic, this point is one of the items that the Planning Commission will be reviewing this evening at 6:00 p.m. in the study session. Multiple outreach has been made to Phoenix transportation staff on roadway improvements since Tatum and Shea fall under the City of Phoenix purview. This evening the Commission will also discuss landscaping.

The Planning Commission has asked the owner to look at shortening the construction time. The applicant responded at a prior Planning Commission meeting that the phased construction relates to the timing of existing leases and moving existing tenants to new suites. The owner is evaluating how they can shorten the construction time.

The Planning Commission will be discussing this at several upcoming study sessions (January 22, February 5, February 19). Anyone is welcome to attend and view these upcoming meetings or watch them online at <https://paradisevalleyaz.legistar.com/Calendar.aspx>. Public input opportunities will include a citizen review meeting held by the applicant that is not yet scheduled. Public input will also be taken at the Planning Commission public hearing for recommendation to the Town Council that is tentatively set for March 5, 2019 and the Town Council hearing not yet set. Property owners within 1,500 feet of the site will get a mailing notice of the citizen review meeting, Planning Commission hearing and Town Council hearing. I will also e-mail you before these noticed meetings once the dates are confirmed.

Regards,

Paul E. Michaud, AICP
Senior Planner
6401 E Lincoln Drive
480-348-3574 (phone)
480-483-1811 (TDD)
pmichaud@paradisevalleyaz.gov

From: Chuck Vogel <CVogel@vereit.com>
Sent: Tuesday, January 22, 2019 11:14 AM
To: Paul Michaud <pmichaud@paradisevalleyaz.gov>
Cc: jceimo@cox.net; Paul Couture (wbi1463@outlook.com) <wbi1463@outlook.com>; Henry Kerson (henry.kerson@marcusmillichap.com) <henry.kerson@marcusmillichap.com>
Subject: Mountain View Medical Center

Hi Paul,

Attached is a letter from my wife Hilary and myself regarding the proposed redevelopment of Mountain View Medical Center.

I would ask you take the concerns that have been outlined in the letter under consideration when you do your review of the requested changes to the SUP.

Regards,

Chuck Vogel

Chuck Vogel & Hilary Fox

10412 N. 48th Place, Paradise Valley, AZ 85253 | 602-768-6000

January 21, 2019

To: Paradise Valley Planning Commission

Re: Special Use Permit – Redevelopment of Mountain View Medical Center

We have concerns about the proposed redevelopment that we would like to bring to your attention. We have lived in Firebrand Ranch for 19 years and our property adjoins the subject property. We are concerned about increasing the density of the existing project by 50% as that increase will impose additional traffic and safety issues to an already dangerous traffic area.

Uses: We enjoy the current use of the project as appointment only with no walk-in clients or services allowed. The other uses proposed such as veterinarian practices, sleep centers, pharmacy and urgent care create expanded hours which are more than are allowed by the current SUP. The proposed additional and expanded uses create traffic and security problems that will amplify the issues we already experience. Previously, we were awakened in the middle of the night by the police in pursuit of an armed robber that had broken into the pharmacy in the building behind our home. In full force were 8 police cars, a helicopter and a police canine which had the assailant pinned down in our yard. Because of this episode, the existing pharmacy creates anxiety for us. Expanded access and hours will exacerbate the security issues in our neighborhood.

Project Expansion: Adding almost 30,000 SF of building space creates serious concerns about the prevalent issues of noise, traffic, parking and security. The three points of direct ingress/egress to the subject property are already *severally* challenged. Mountain View Medical Center is the only commercial property on the corner of Tatum and Shea that does not have a dedicated right turn lane for access or dedicated bus bays for the city bus stops. There is only one dedicated turn lane for left turn access and that has vehicle storage for 2 vehicles before it backs up into the through traffic lane on Shea. There are only two points of left turn ingress to the subject property. Because this is the only dedicated turn lane traffic, residents cut through the project to get to the neighborhood. Routing oneself through the subject property is viewed as less dangerous than entering the neighborhood by turning left on Tatum where the center lane is shared traffic in both directions.

The subject property does not have a restriction on the left turn egress on the north Tatum access point which is a very dangerous exit due to close proximity to the Tatum and Shea intersection. The Fry's Marketplace access (directly across Tatum) has restricted left turns at high traffic times. Although this might help protect the safety of the Fry's traffic leaving that property, it puts additional traffic at the intersection of Tatum and Beryl. As a result, the restricted left turn traffic from Fry's turns south on Tatum and does a U turn at Tatum and Beryl. This creates a very dangerous situation on an intersection that is heavily over burdened with traffic. Presently residents are entering their neighborhood from Shea Blvd. to avoid the dangerous challenge of Tatum and Beryl. As a result of the expanded property, we will experience heightened traffic with the proposed drive lane through the subject property flowing along the south end of the property against the residential neighborhood.

By adding 50% more density to the subject property while not changing any of the traffic flow to the local area and subject property, there is a significant increase to the risk and safety of residents getting in and out of the neighborhood. The additional space will benefit the owner of the subject property but is without consideration for the appropriate safety of the surrounding residential properties. With this increased burden to the subject property traffic the access the neighborhood will be substantially more dangerous and present extreme difficulties with entering and exiting Firebrand Ranch.

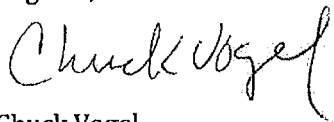
The application for this expansion does not include any additional bus bays to Tatum or Shea. It does not include any additional or improved dedicated turns lanes for access. It does not include any added traffic signalization to manage the proposed increased traffic and subsequent safety issues. The safety issues are addressed at the commercial properties on the Phoenix side of the intersection. Why does Paradise Valley feel their commercial property should have a different safety standard for an already very dangerous intersection?

Landscaping: The landscape area next to the residential properties is only 25 feet wide. The current SUP guideline is 40 feet. With the added use and heightened traffic, little was done to improve on this guideline. New Palo Verde trees have been proposed, however, this solution is not adequate and exploring more dense landscape alternatives would help shelter the encroachment on the compromised landscape setback.

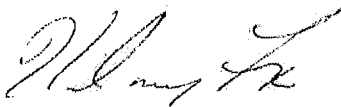
Construction Schedule: The proposed construction in phases is entirely too long. In its current inception, there would be several years of invasive noise, dust and dirt, security problems and traffic disruption.

The proposed redevelopment plan that is submitted should not be accepted. Further study and work need to be done to address the obvious dangers inherent with this proposal, and the many valid concerns of the neighbors of Mountain View Medical Center.

Regards,



Chuck Vogel



Hilary Fox

Paul Michaud

Subject: FW: New Comment- Mountain View Medical Center
Attachments: Ann Kramer letter - with applicant comments.docx

From: Lindsey Kee <lkee@rwpartners.net>
Sent: Friday, January 18, 2019 10:38 AM
To: Paul Michaud <pmichaud@paradisevalleyaz.gov>
Cc: John Bozzo <jbozzo@rwpartners.net>; Susan Bitter Smith <sbsmith@technicalsolutionsaz.com>; John Cantrell <cantrell.j@owp.com>
Subject: RE: New Comment- Mountain View Medical Center

Hi Paul,

Here is our response to the Kramer letter. We didn't address the last question as it seemed more directed toward the Town's officials.

Best,
Lindsey

Lindsey M. Kee
Investment Analyst

rwpartners LLC
2944 N. 44th Street, Suite 250
Phoenix, Arizona 85018
Direct: (602) 802-8106
Cell: (703) 517-6617
www.rwpartners.net

Firebrand Ranch/Mountain View Medical Center

Paradise Valley Town Council

Att. Planning commission

Thirty two of your neighbors from Firebrand Ranch subdivision wish to thank you for allowing three residents to speak for five minutes each at your January 9th planning meeting.

This gave us an opportunity to express just a few of our concerns. However, we still have many questions for which we are seeking answers regarding transparency.

What is the track record of the applicant as it applies to real estate development?

We are a real estate development and investment firm and manage a portfolio of over \$300 million in assets across North America. The principals of the firm collectively have over 75 years of experience in all aspects of real estate investment, management and development. Our diverse and extensive portfolio of assets includes: land, retail centers, multi-family/apartments, office buildings, industrial buildings, resort/hotel properties, and lending investments.

How does the applicant show a higher need?

The plan is not to serve a higher need, but to do a better job serving the same need, which is medical office. The existing structure was originally built in the early 80's and it has become cost prohibitive to maintain. The layout is confusing and the infrastructure, roofs, plumbing, electrical, hvac, and irrigation have all reached the end of their useful life. To continue to operate and run the property in its current condition is not economically viable.

Additionally, the existing facility is not up to date with current expectations of most medical office users, so plan is to provide more current, state of the art facility that will help us maintain many of the existing tenants, plus attract new exemplary medical office users.

What other properties has the applicant developed?

Please refer to our website for a sampling of our projects: www.rwpartners.net

And how close to this project does the applicant live?

The founder and managing partner of the company are both long-time residents of Paradise Valley. They, their spouses and children value the same quality of life and the tightknit community where you know your neighbors and your kids play together. They have a vested interest as residents of Paradise Valley to ensure the Town does not lose the charm that drew them to settle there with their families.

What happens if the applicant cannot complete this project in five years because of financial issues? Mountain View Medical Center could wind up as a partially completed project.

The Town requires developers to provide certain financial assurances in order to guarantee that the project will be completed.

Will this "state of the art" development then be more saleable to a hospital group for a clinic?

We have owned this property since 1995 and it is one of the marquee assets in our portfolio. The redevelopment of the property will solidify our desire to continue holding this property in our portfolio.

Does a five year construction project in our back yard sound reasonable?

The construction of all three phases is anticipated to take approximately 3.5 years, however approximately a third of this time will exclusively involve interior buildout, which will consist of minimal nuisance to the neighbors.

What does this demolition project do for the Town of Paradise Valley?

Know we are supportive of a renovation completed in a reasonable amount of time. And hopefully, the new appearance will continue in keeping with the suburban architecture of the neighborhood and of Paradise Valley.

We hope that you are representing your town residents and have more consideration for our needs and cares over that of the developer/applicant/owner. We are a real community with a mix of very young children, teenagers, hardworking professionals, retirees and a care home for the sick and elderly. We have several residents who have lived in Firebrand Ranch for over 30 years and have welcomed many new families over the years. We wish to continue experiencing the life style of Paradise Valley and have the safety and health of our community be protected as much as all the residents of Paradise Valley.

Thank you

Ann Kramer



January 7, 2019

Mountain View Medical Center – Paradise Valley, Arizona

To whom it may concern:

The Transportation Impact Study (TIA) performed by CivTech Inc. for Mountain View Medical Center was completed in conformance to the Town of Paradise Valley's Criteria dated May, 2015. CivTech analyzed the traffic impact due to the redevelopment of the Mountain View Medical Center. The TIA objectives established by the Town of Paradise Valley include the review and management of development generated traffic to operate and maintain a safe and efficient roadway system.

The TIA was performed in July 2018 with the traffic counts recorded in June. Since the volumes were recorded during a time where the roadway is not at full capacity, an adjustment factor was applied. The City of Phoenix operates and maintains Tatum Boulevard within the vicinity of the site and provides volume adjustment factors by month of the year and by day of the week, whereas no such factors were found to be published by the Town of Paradise Valley. The seasonal adjustment factor to be applied is 1.020, but CivTech applied a more conservative seasonal adjustment factor of 1.022, which matches the factor applied in a previous study. Additionally, the existing volumes at the driveways were adjusted to assume that 100% of the medical center was occupied, since at the time the counts were conducted only 90% was occupied.

Intersection capacity analyzes were performed using methodologies presented in the Transportation Research Board's *Highway Capacity Manual* integrated in Synchro 10 software, a widely accepted method throughout the nation and accepted by the Town of Paradise Valley. The methodology estimates delay based on a variety of volume and geometric characteristics of an intersection and assigns levels-of-service ("LOS") ratings A through F based of the projected average delay per vehicle.

The future LOS at the study intersections are in large part unchanged with or without redevelopment of the site. The intersection of Tatum Boulevard and Shea Boulevard is anticipated to operate at LOS D and F during the AM and PM peak hours, respectively. The westbound approach lane from the site to Tatum Boulevard and from Beryl Avenue to Tatum Boulevard are both expected to operate at LOS B during the AM peak hour and LOS F during the PM peak hour, with or without redevelopment of the site.

The Engineering staff at the Town of Paradise Valley received, reviewed and accepted the Traffic Impact Analysis and Parking Study for the redevelopment. The City of Phoenix was also consulted to coordinate any needs for the driveways with the proposed redevelopment.

Paul Michaud

From: Paul Michaud
Sent: Wednesday, January 16, 2019 3:54 PM
To: [REDACTED]
Subject: Mountain View Medical Complex

Dr. Welch:

Thank you for providing input. It is input from you as neighbors to the site and residents of the Town that helps us understand the impact of the existing and proposed development.

Some of your questions will require a response from the property owner and/or Planning Commission. I will forward your comments to them.

Proposed uses are something that the Planning Commission and Town Council will review. If allowed, many uses include various stipulations. For example, if urgent care is allowed the Town would prohibit ambulances as part of the operation and helicopter use. The Planning Commission told the applicant that urgent care and veterinary uses were something that they did not prefer. The applicant was directed to re-evaluate the location of any sleep center, outdoor employee areas, trash enclosure locations and drop off areas. The applicant has not yet responded to those comments at this time. They are re-evaluating the project based on these comments and the neighborhood input to date.

As far as project completion, the Town has the ability to collect financial assurances and other similar measures through stipulation or a development agreement that can be explored. The Planning Commission has asked the owner to look at shortening the construction time. The applicant responded at a prior Planning Commission meeting that the phased construction relates to the timing of existing leases and moving existing tenants to new suites. The owner is evaluating how they can shorten the construction time.

As with the existing medical facility, the Special Use Permit process approves specific plans and stipulations that the owner must meet. If these are not met or violated, the Town has a code violation process that would be followed.

The Planning Commission will be discussing this at several upcoming study sessions (January 22, February 5, February 19). Anyone is welcome to attend and view these upcoming meetings or watch them online at <https://paradisevalleyaz.legistar.com/Calendar.aspx>. Public input opportunities will include a citizen review meeting held by the applicant that is not yet scheduled. Public input will also be taken at the Planning Commission public hearing for recommendation to the Town Council that is tentatively set for March 5, 2019 and the Town Council hearing not yet set. Property owners within 1,500 feet of the site will get a mailing notice of the citizen review meeting, Planning Commission hearing and Town Council hearing. I will also e-mail you before these noticed meetings once the dates are confirmed.

Regards,

Paul E. Michaud, AICP
Senior Planner
6401 E Lincoln Drive
480-348-3574 (phone)
480-483-1811 (TDD)
pmichaud@paradisevalleyaz.gov

From: DR ROBERT D WELCH <[REDACTED]>
Sent: Wednesday, January 16, 2019 11:03 AM
To: Paul Michaud <pmichaud@paradisevalleyaz.gov>
Subject: Mountain View Medical Complex

Thank you for taking the time to read my letter.

Dave Welch



Paragon Chiropractic, Inc.

1628 E. Bethany Home Road

Phoenix, AZ 85016

602-230-9292

Dr. Diane Krieger

Dr. Dave Welch

<http://spineanddandy.com/>

<http://www.facebook.com/pages/Paragon-Chiropractic-Inc/112477112132195>

January 16, 2019

Dear Mr. Michaud, Planning Commission Members, and Town Council Members,

As you know, a 5- year plan is currently being considered by the Planning Commission to raze the Mountain View Medical Center, and in its place construct 6 new buildings, two of which will be 2- story structures all to be used for medical office rentals.

I live in the Firebrand Ranch neighborhood and have a number of concerns about this proposed project, and I would appreciate each of you taking the time to consider them before you make your decision.

1. Higher and Better Use

It is my understanding that for such a project to be considered, the Applicant must demonstrate a higher and better use for the property.

The Applicant's proposal as I understand it includes a pharmacy, a 24-hour Urgent Care facility, a Sleep study facility, along with suites to be rented to medical practitioners.

If one were to look at the surrounding area, including the Mountain View Medical Center itself, one would see that a Walgreen's and Fry's pharmacy are only a few hundred yards from the Medical Center, and this does not include other Walgreen's on Shea, and whatever pharmacies might be available at Walmart, Target or Costco.

There is currently an Urgent Care facility on the north side of Shea directly across from the Mountain View Medical Center, as well as 5 NextCare facilities within 5 miles of Mountain View with one at 74th St and Shea, and an Abrazo facility at 40th St. and Bell. There are probably others.

If one were to drive along Tatum and Shea Blvds, one would see a number of medical suites with a variety of practitioners available, as well as those currently renting at the Mountain View Medical Center.

In addition to this a Medical Plaza is available at the intersection of Lincoln Dr. and Scottsdale Rd.

Demolition and reconstruction of the current property does not serve any higher or better or persuasive use, nor would it provide services not already available and being used. This really should settle this matter.

2. Too Long

The current proposal is for demolition and construction to take place piecemeal over a 5- year period. This is way too long- it only took 2 years and 1 month to build the Sears Tower in Chicago. A project of this scale should take less than 9 months to build.

Would you tolerate a 5- year construction project in your neighborhood? Five years of dirt, noise, traffic, smells, trucks, inconvenience to create space for medical services that already exist? I don't think so, and you would probably protest to the Planning Commission and Town Council.

As one adds time to projects such as these the risk of unforeseen problems, expenses and setbacks become more and more real. No one can predict exactly what will happen, but it should be expected that many things will.

The most obvious one is renting space in buildings scheduled for demolition, with construction going on- why would anyone, including the Sleep Center run a medical practice in a 5-year construction zone? They won't, and patients will not tolerate the hassle especially with similar complexes and healthcare facilities nearby.

Then there is always the never ending problem of running out of money over a 5-year period- even a 2 year period.

3. Funding

Where is the funding coming from for this project? Does the Applicant have the funds to make certain the project is completed, or will he have to borrow, or worse, hope that he can make enough from rents and secure additional construction loans each time to do the next step of the project? I

am sure you are looking into this, but if the Applicant can't get loans, generate interest from renters, or simply can't afford to finish the project, what then?

I spoke to a contractor I know who builds medical complexes and he estimates construction costs to be approximately \$ 175 a square foot. This does not include demolition, parking lots or landscaping. With demolition the project will cost about 16 million, and that's in today's money, not 5-years from now. That's a lot of money, and will require some pretty hefty rents to pay the note.

4. Urgent Care Facility

Who will operate this facility? If it is one of the big medical hospital corporations like Banner or Dignity or Honor what will keep them from eventually assimilating the complex and driving the current tenants out and replacing them with their own personnel and companies? Why would a huge hospital corporation pay rent when they could simply buy the property?

Urgent Care facilities have to be able to transport emergency patients. This will include ambulances and helicopters. Would you want either in your neighborhood?

And what if the Applicant decides to sell the complex to one of these hospital corporations- would the Town have the resources to stop someone like Banner and whatever they want to do? I doubt it. Could this bankrupt the Town?

Think about it- a large 10- acre Banner Medical Campus right on the corner of Tatum and Shea Blvds. This is a very strong possibility especially if the Applicant decides to sell or has to for financial reasons.

5. Accountability

And this brings me to the biggest question of all- when this project finally proves to be a big mistake, which it already is, who will be accountable? The Applicant? The Commission? The Council? Or will you all be gone and

leave myself and my neighbors, not only of Firebrand Ranch, but the Town of Paradise Valley to deal with the mess?

I am asking you to look beyond making sure the Applicant checks all the boxes, and step back and see this part of Paradise Valley in 5 years or 10 years. The past 10 years have been peaceful, and our neighborhood has gotten along very well with the Medical Center.

Now see an unfinished failure, unbearable traffic on Tatum and Shea, and some huge hospital corporation and its affiliates setting roots into our community, and Paradise Valley losing the charm and character that now defines it.

And why? This question has not been answered in a way that makes sense and betters our Town, nor has the Applicant shown persuasive need for this project. There really isn't one.

You know it is very disheartening to hear and read that Mr. Wainwright says that "this is happening", when it still remains very unclear what "this" is. Perhaps Mr. Wainwright will be willing to buy all of our homes so we too can say we used to live here and have great affection for the neighborhood.

Years ago Scottsdale decided to build the Galleria in the center of town. I'm sure on paper it looked like a good idea; perhaps that's exactly where Mr. Wainwright's boyhood home was, and the project was built at great expense and disruption to the Old Town businesses and residents. The project was a failure and sat empty for many years. Old Town really lost its character and is now nothing more than traffic, bars and restaurants. Fashion Square was only a few blocks north- perhaps at that time it would have been better to renovate Fashion Square instead of destroying Old Town. That's what they are doing now, and it seems to be working very well. Too bad for Old Town.

The Commission and the Council are in the unique position of doing the right thing and really taking a good look at what the Applicant is proposing. Remodeling makes much more sense and for a number of reasons including less risk, less cost, less potential for losing the character of this town, time, money and a host of

other reasons. Please reject this proposal, and consider re-modeling. Re-modeling would keep the charm of the Medical Center, update its facilities and actually work with our community and those similar facilities in the surrounding area.

Thank you for listening to my concerns and I hope we can all work to keep Paradise Valley the great Town it is already.

Sincerely,

Dave Welch

A handwritten signature in black ink, appearing to read "Dave Welch", is written over a faint, circular stamp or watermark.

Paul Michaud

From: Paul Michaud
Sent: Tuesday, January 15, 2019 8:12 AM
To: 'Robert Kramer'
Cc: Ann Kramer
Subject: Mountain View Medical Center

Robert and Ann:

Thank you for providing your additional questions. It is input from you as neighbors to the site and residents of the Town that helps us understand the impact of the existing and proposed development. The Town evaluates projects to its development guidelines and our professional experience. However, it takes involvement by neighbors like yourself to fully evaluate a proposed project.

Many of your questions will require a response from the property owner. I will forward your comments to them and to the Planning Commission.

From available records, the current owner has owned the property for about 18 years. They have done many tenant improvements at the property without any delays or issues from what information is available. Of course, you would know better on if the medical plaza has been a good neighbor.

As far as project completion, the Town has the ability to collect financial assurances and other similar measures through stipulation or a development agreement that can be explored. The Planning Commission has asked the owner to look at shortening the construction time. The applicant responded at a prior Planning Commission meeting that the phased construction relates to the timing of existing leases and moving existing tenants to new suites. The owner is evaluating how they can shorten the construction time among other issues raised by the neighbors.

I will get back with you once I have more information. As far as timing, the Planning Commission will be discussing this at several upcoming study sessions (January 22, February 5, February 19). Anyone is welcome to attend and view these upcoming meetings or watch them online at <https://paradisevalleyaz.legistar.com/Calendar.aspx>. Public input opportunities will include a citizen review meeting held by the applicant that is not yet scheduled. Public input will also be taken at the Planning Commission public hearing for recommendation to the Town Council that is tentatively set for March 5, 2019 and the Town Council hearing not yet set. Property owners within 1,500 feet of the site will get a mailing notice of the citizen review meeting, Planning Commission hearing and Town Council hearing. I will also e-mail you before these noticed meetings once the dates are confirmed.

Regards,

Paul E. Michaud, AICP
Senior Planner
6401 E Lincoln Drive
480-348-3574 (phone)
480-483-1811 (TDD)
pmichaud@paradisevalleyaz.gov

From: Robert Kramer <[REDACTED]>
Sent: Monday, January 14, 2019 7:14 PM

To: Paul Michaud <pmichaud@paradisevalleyaz.gov>

Cc: Ann Kramer [REDACTED]

Subject: Mountain View Medical Center

pls download attachment

Firebrand Ranch/Mountain View Medical Center

Paradise Valley Town Council

Att. Planning commission

Thirty two of your neighbors from Firebrand Ranch subdivision wish to thank you for allowing three residents to speak for five minutes each at your January 9th planning meeting.

This gave us an opportunity to express just a few of our concerns. However, we still have many questions for which we are seeking answers regarding transparency.

What is the track record of the applicant as it applies to real estate development? How does the applicant show a higher need? What other properties has the applicant developed? And how close to this project does the applicant live? What happens if the applicant cannot complete this project in five years because of financial issues? Mountain View Medical Center could wind up as a partially completed project. Will this "state of the art" development then be more saleable to a hospital group for a clinic? Does a five year construction project in our back yard sound reasonable? What does this demolition project do for the Town of Paradise Valley? Know we are supportive of a renovation completed in a reasonable amount of time. And hopefully, the new appearance will continue in keeping with the suburban architecture of the neighborhood and of Paradise Valley.

We hope that you are representing your town residents and have more consideration for our needs and cares over that of the developer/applicant/owner. We are a real community with a mix of very young children, teenagers, hardworking professionals, retirees and a care home for the sick and elderly. We have several residents who have lived in Firebrand Ranch for over 30 years and have welcomed many new families over the years. We wish to continue experiencing the life style of Paradise Valley and have the safety and health of our community be protected as much as all the residents of Paradise Valley. Thank you

Ann Kramer

Petition to Oppose the Re-development Plans at the
Mountain View Medical Complex

January 1, 2019

Currently there are plans to re-develop the Mountain View Medical Complex at the intersection of Tatum and Shea in the Town of Paradise Valley.

For the reasons listed below, we the undersigned Paradise Valley residents oppose the re-development plans for the Mountain View Medical Complex:

1. Health and Safety

No meaningful discussion or demonstration has been made regarding traffic through and around our neighborhood, what types of toxic materials are on the site, and what impact demolition and construction will have on the quality of air and life of those who live in the neighborhood. Getting into and out of our neighborhood is already dangerous especially during rush hours. A bigger complex means more traffic and greater risks.



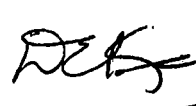

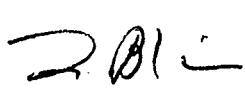


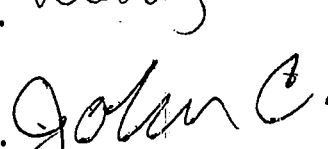
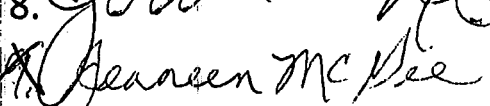
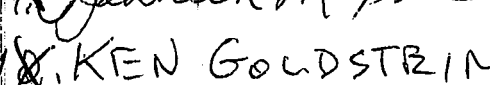
2. Rezoning is for the purpose of higher and better use.



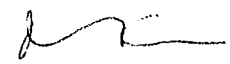
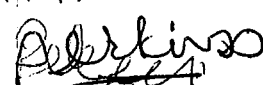


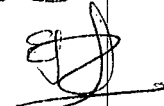
The Applicant has not demonstrated that this re-development project will benefit the community. He has listed a number of healthcare related businesses for the project, but there is already an Urgent Care across the street, pharmacies at Fry's and Walgreens, and with nearby medical centers, hospitals and a similar medical complex near Lincoln Drive and Scottsdale Rd. in

Paradise Valley, this proposed project will not benefit the community in a manner better than it is already.

3. The corner of Tatum and Shea is an entrance point to not only the Town of Paradise Valley, but also our neighborhood, and needs to be held to a higher standard of aesthetics- one that represents the people of this Town and our community. A ~~23~~ year ^{3-5 yr} construction site, two story medical complex and consequential traffic congestion does not do this.

Signatures:

1. Kinsey Koznick  10316 N. 49th Pl. 1.1.19
2. Charles Koznick  10316 N. 49th Pl. 1.1.19
3. Diane Krieger  10301 N. 48th Pl. 1.1.19
4. R. David Welch  10301 N. 48th Pl. 1.1.19
5. Tracey L Blair  10300 N. 49th Pl. 1-1-19
6. ADAM T. BLAIR  10300 N. 49th Pl. 1-1-19
7. Wendy J Nelson  10300 N. 48th Pl. 1-1-19
8.  10300 N. 48th Pl. 1/1/19
27.  4821 E. Beryl Ave. 1/2/19
31.  4821 E. BERYL AVE 1/2/19

9. John Salicida John N Salicida
10309 N 48th Place PV AZ 85253 1-1-19
10. Jennifer Tooker Jennifer M Tooker
10309 N. 48th Place PV AZ 85253 1-1-19
11. Marguerite Williams  1-2-19
12. Joanne Cejudo Mrs Lewis 1/2/19
10411 N. 48th Pl
13. Amanda Kasem  1/2/19
10442 N 48th Pl
14. Modesto Colon  1/2/19
10442 N 48th Pl
15. Mary-Jeanne Fincher Mary-Jeanne Fincher 1/2-19
10308 No 49th Pl.
16. Lourdes Perkins  1-2-19
10324 N. 49th Place
17. Martin 1-2-19
10443 No 48 Pl.
18. Chuck Vogel 1-2-19
10412 No. 48 Pl
19. Grace Zieus 1-2-19
10335 N 49th Pl
20. Len Dorward 10410 N. 49th Pl  1-3-19
21. Reem Khdess 10401 N 49th Pl  1-4-19
PV. AZ 85253
22. David Eyster 4824 E. Bernard Dr  1-4-19
PV. AZ 85253

23. PAULA MATTINGLY *Paula Mattingly* 1/4/19
 10400 N. 48th Pl. PV AZ 85253
24. Robin Couture *Robin Couture* 1/8/19
 10423 N 48th Pl., PV, AZ 85253
25. PAUL COUTURE *Paul Couture*
 10423 N. 48th Pl P.V. AZ 85253
26. Robert Kramer *Robert Kramer* 1/8/19
 10433 N 48th Pl PV AZ 85253 1/8/19
27. See page 2
28. Hilary Fox *Hilary Fox*
 10412 N. 48th Pl. - PV AZ 85253 1/9/19
29. Marilyn ScherMoeckel 10324 N. 48th Pl. 1-9-19
30. David SMM 10324 N. 48th Pl 1/9/19
31. See page 2
- 32.
- 33.
- 34.
- 35.
- 36.

SPEAKER REQUEST FORM



PLEASE GIVE THIS FORM TO STAFF PRIOR TO THE START OF THE MEETING

Please complete the information below, including the agenda item #. Also note if you are the applicant/representative, opposed, or in favor, and/or wish to speak.

(Please Print) Name: Paul Couture PC 1/9/19

Are you a Paradise Valley resident? Yes No

I wish to address the Commission during Agenda Item(s) Mtn View Med Center
(Example: 15-215) Special Use Permit
I am in favor of agenda item # _____ I am opposed to agenda item # 19-002

I do not wish to address the Commission but would like to make the following comments:

SEE INSTRUCTIONS ON REVERSE

SPEAKER REQUEST FORM



PLEASE GIVE THIS FORM TO STAFF PRIOR TO THE START OF THE MEETING

Please complete the information below, including the agenda item #. Also note if you are the applicant/representative, opposed, or in favor, and/or wish to speak.

(Please Print) Name: JOANNE GEIMS PC 1/9/19

Are you a Paradise Valley resident? Yes No

I wish to address the Commission during Agenda Item(s) Mt View Medical
(Example: 15-215) FEDERAL RESERVE
I am in favor of agenda item # _____ I am opposed to agenda item # _____

I do not wish to address the Commission but would like to make the following comments:

SEE INSTRUCTIONS ON REVERSE

SPEAKER REQUEST FORM



PLEASE GIVE THIS FORM TO STAFF PRIOR TO THE START OF THE MEETING

Please complete the information below, including the agenda item #. Also note if you are the applicant/representative, opposed, or in favor, and/or wish to speak.

(Please Print) Name: KENNETH M. GOLDSTEIN PC 1/9/19

Are you a Paradise Valley resident? Yes No

I wish to address the Commission during Agenda Item(s) 19-002
(Example: 15-215)
I am in favor of agenda item # _____ I am opposed to agenda item # 19-002

I do not wish to address the Commission but would like to make the following comments:

SEE INSTRUCTIONS ON REVERSE

Paul Michaud

From: Paul Michaud
Sent: Thursday, December 27, 2018 7:35 AM
To: 'Peggy Schumacher'
Subject: Mtn View Medical - City of Phoenix Contact

Marjorie (Peggy):

I received your phone message. The applicant and staff have been in contact with the City of Phoenix. To date, their response has been no comment or request for any improvements. As you noted, the City of Phoenix owns the adjoining rights-of-way.

Our contact with Phoenix has been Derek Fancon, P.E. Traffic Engineer III at derek.fancon@phoenix.gov or 602-534-6316.

I have reached out to Mr. Fancon after the last Planning Commission meeting to contact our Town Engineer since I had not received any comment from Phoenix regarding the last traffic/parking study submitted by the medical plaza. Paul Mood, Paradise Valley Town Engineer, can be reached at 480-348-3573 or pmood@paradisevalleyaz.gov

The focus of the January 9th Planning Commission work session will be landscaping, infrastructure/utilities and traffic/parking/circulation. That packet will be available next Thursday. I will e-mail you when it is available.

Regards,

Paul E. Michaud, AICP
Senior Planner
6401 E Lincoln Drive
480-348-3574 (phone)
480-483-1811 (TDD)
pmichaud@paradisevalleyaz.gov

Paul Michaud

From: Paul Michaud
Sent: Thursday, December 27, 2018 8:16 AM
To: 'Ken'
Cc: Paul Mood
Subject: RE: Mtn View Medical
Attachments: Sheet 05.2.6.pdf

Ken:

FYI. I will let Paul Mood respond to your other questions.

I wanted to reply on the parking count. The build-out phase (Sheet 05.2.6) shows 411 parking spaces. I have recounted the spaces several times this morning to make sure there was no counting error.

Regards,

Paul E. Michaud, AICP
Senior Planner
6401 E Lincoln Drive
480-348-3574 (phone)
480-483-1811 (TDD)
pmichaud@paradisevalleyaz.gov

From: Ken <[REDACTED]>
Sent: Friday, December 21, 2018 7:04 AM
To: Paul Mood <pmood@paradisevalleyaz.gov>
Cc: Paul Michaud <pmichaud@paradisevalleyaz.gov>; sbsmith@technicalolutionsaz.com
Subject: Re: Mtn View Medical

Paul:

Let me begin by thanking you, and other staff in the Planning Commission, for taking so seriously the issue of the Mountain View Medical Center project and responding to issues that are being raised.

(1) Regarding your response to my email of 12/18/18, about the traffic analysis performed during the summer months: With all due respect, the Phoenix corrections for a summer traffic pattern seem unrealistic -- .99 for June and .99 for a Tuesday, with a seasonal adjust factor of 1.020 (or 1.022 in an earlier survey). Consequently, the sampled traffic volumes on 6/18 were multiplied by 1.022. Even adjusting for the 90% occupancy at the medical center at the time, this does not support my informal experience as a 6-year resident of Beryl Avenue. The traffic

Paul Michaud

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Paul:

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For some time it has been illegal to make a left when traveling south on Tatum, opposite Fry's, in to the center. On p. 8 of the Traffic Impact Analysis (TIA) there is an acknowledgement of illegal turns (albeit not discounted in the analysis) at this access point. The fact that the left turn has been made illegal is undoubtedly a recognition of the danger in making a left turn on Tatum while traveling south. Yet the prohibition is ignored. Yesterday (12/20/18) at 9:30 AM, I drove south on Tatum, past this entrance to the center that is opposite Fry's. A multi-car accident had taken place: I noticed at least 2 police vehicles on the scene, and one of the vehicles in the accident was already loaded on a flatbed truck. Just another example of the traffic issues around the MVMC.

Further, in applying the various correction figures, it is unclear at what hours of the day the correction figures were calculated. Were they done during traffic rush hours?

On Table 2 (p. 11) of the TIA, it is noted that the intersections of Tatum & Shea, and Tatum & Beryl, operate at high Levels of Service. (Unfortunately, no key is provided for the various levels, but presumably the acknowledged Level E is the worst.) Will a 30% increase in capacity of the MVMC make things worse yet? I think so.

(2) The City of Phoenix reportedly sees no need for modifications, based on the TIA. I invite their staff too to sit in traffic at rush hour at Tatum & Shea and around the access points to the MVMC. With Phoenix apparently indifferent to the traffic backups around the Tatum/Shea intersection, why should they care about access to the MVMC, Beryl Avenue, etc.?

(3) Regarding parking space, I tried counting the parking spaces in the architect's drawing, as published in the 12/5/18 issue of the *Paradise Valley Independent*. The drawing is relatively small, so while my count may not be

exactly correct, I came up with about 327 spaces. My mistake, or is the count being of spaces being provided being misrepresented?

In summary, from the perspective of this commenter, the issues of traffic, safety, and access to the residences surrounding the the MVMC have not been satisfactorily addressed.

Ken Goldstein

Paul Michaud

From: Paul Mood
Sent: Wednesday, December 19, 2018 4:42 PM
To: [REDACTED]
Cc: Paul Mood; Jeremy Knapp; Paul Michaud
Subject: RE: Mtn View Medical

Ken,

I will address what items I can in red in your email below.

Regards,

Paul Mood, P.E.
Town Engineer

Town of Paradise Valley
6401 East Lincoln Drive
Paradise Valley, Arizona 85253
480-348-3573

From: Paul Michaud
Sent: Wednesday, December 19, 2018 7:52 AM
To: 'Ken' [REDACTED]
Subject: Mtn View Medical

Ken:

Thank you for forwarding this information. It will be added to the packet for the next Planning Commission work session of January 9, 2019 (6:00 p.m.). I will also forward it to both the Town Engineer (Paul Mood) who reviews the parking/traffic material for the Town and the applicant. The video of the meeting from last night is online. Majorie Schumacher and Robert Kramer from your neighborhood were in attendance.

Regards,

Paul E. Michaud, AICP
Senior Planner
6401 E Lincoln Drive
480-348-3574 (phone)
480-483-1811 (TDD)
pmichaud@paradisevalleyaz.gov

From: Ken [REDACTED]
Sent: Wednesday, December 19, 2018 7:15 AM

To: Paul Michaud <pmichaud@paradisevalleyaz.gov>

Subject: Email yesterday incorrectly sent to p.michaud instead of pmichaud.... Sorry.

From: Ken

Sent: Tuesday, December 18, 2018 10:42 AM

To: p.michaud@paradisevalleyaz.gov

Subject: Mountain View Medical Center comments

Mr. Michaud:

I believe that I have missed the opportunity to comment on the Mountain View Medical Center proposal in time for inclusion at tonight's meeting. I would thus appreciate it if the comments below could be distributed at the next appropriate time.

In the Statement of Direction (11/15/18), on page 3, under the heading Traffic, Parking, and Circulation, is the statement: "The applicant's traffic/parking analysis indicates a few intersections at certain times of day will have some additional traffic delay."

My concern is that the traffic problem is being understated and trivialized:

(1) The applicant's traffic analysis was performed early in June, 2018. As we know, many Paradise Valley and Scottsdale residents leave the area during the summer months. The results of any analysis are thus highly [intentionally ??] biased. Since the adjacent roads fall under the jurisdiction of the City of Phoenix the Traffic Impact Analysis utilized City of Phoenix seasonal and weekday adjustment factors. See page 7 of the Traffic Impact Analysis. The Traffic Impact Analysis has been sent to the City of Phoenix for review and comment.

(a) Many years ago I taught courses on statistics to psychology students, both undergraduate and graduate. In addition to a standard textbook, they were required to read Huff's "How to Lie with Statistics." A traffic analysis during a month of light usage would fit perfectly.

(b) Mark Twain attributed the following statement to Disraeli: "There are three kinds of lies: lies, damned lies, and statistics."

(c) In 1936, several major polls in connection with the presidential election predicted Landon would defeat Roosevelt; in 1948, they predicted Dewey would defeat Truman. In both instances, the sample (telephone owners, who tended to vote Republican) was biased, and the conclusions were wrong.

(2) Among other items, the SOD included the following as an item for review: "a: Number of access points in/out of the site." Hopefully, it is not simply the number of access points that will be reviewed, but also their accessibility. Town staff looked at the access points and since they access City of Phoenix streets staff reached out to the City of Phoenix traffic Engineering Dept. to see if they required any modifications in relation to their locations and accessibility. The City of Phoenix staff did not require any modifications.

(a) During evening traffic rush hours (especially when the "snowbirds" have returned), it is often an "adventure" for anyone driving south on Tatum Boulevard to make a left (easterly) turn on to Beryl Avenue, which is the primary access to the residences in the area.

(b) During morning and evening rush hours it is especially dangerous trying to make a left (southerly) turn coming out of Beryl Avenue on to Tatum Boulevard going south.

(3) Additionally, as I understand it, the applicant is trying to squeeze in more parking spots than are recommended (.8 parking space per 200 leasable square footage rather than the recommended 1.0 standard) . This suggests that the site is being overbuilt. The available architect's drawing proposes parking spots crammed into every available area. It looks like an accident waiting to happen! The Parking Study shows 411 parking spaces (including 12 handicap) for 91,318 net s.f. which results in 1 parking space for every 222s.f. This is 90% of the 456 parking spaces required to meet 1 space per 200 s.f. The Parking Study has factored in actual useage, vacancies and seasonal adjustments in their analysis.

Thank you for any assistance you are able to provide in getting these comments to the appropriate individuals.

Kenneth M. Goldstein, Ph.D.

~~1001 E. Beryl Avenue~~

Paradise Valley AZ 85253

Paul Michaud

Subject: Mtn View Medical

From: John Cantrell [mailto:cantrell.j@owp.com]
Sent: Wednesday, December 19, 2018 8:25 AM
To: Paul Michaud <pmichaud@paradisevalleyaz.gov>
Cc: John Bozzo <jbozzo@rwpartners.net>; Lindsey Kee <lkee@rwpartners.net>; Susan Bitter Smith <sbsmith@technicalsolutionsaz.com>; Chuck Hill <hill.c@owp.com>; Bhoomi Desai <desai.b@owp.com>
Subject: FW: Mtn View Medical

Thank you Paul. We'll follow up on the early trash pick up complaint.

john cantrell
ARCHITECT

orcutt|winslow
2929 n central ave • eleventh floor • phoenix az 85012
602.257.1764 t | www.owp.com
FACEBOOK • TWITTER • INSTAGRAM

From: Peggy Schumacher <[REDACTED]>
Sent: Wednesday, December 19, 2018 7:11 AM
To: Tina Brindley <tbrindley@paradisevalleyaz.gov>
Subject: Trash Collection at Mountain View Medical Center

Good morning Tina. I live directly behind Mountain View Medical Center (we have been in contact before regarding permits for a food truck) and I understand that the trash collection code for commercial properties located directly adjacent to residential areas prohibits collection prior to 6:30 a.m. We have dealt with this issue before and I thought it was resolved, but they were back at it early this morning, prior to 6:30. Can you please help rectify this situation?

Peggy Schumacher
[REDACTED]

Paul Michaud

From: Paul Michaud
Sent: Wednesday, December 19, 2018 8:14 AM
To: 'Peggy Schumacher'
Subject: Mtn View Medical Presentation
Attachments: Presentation 121818 Mtn View Medical PCWS.pdf

Peggy:

Thank you for attending and being involved. Planning Commission presentations are not online (but I copied it in this e-mail). The applicant did submit a parking study and traffic study you can find under Attachment C.4 of the December 18th meeting at <file:///C:/Users/pmichaud/Downloads/Agenda.pdf>
You can find the video of the meeting last night (and the staff report and attachments) at <https://paradisevalleyaz.legistar.com/Calendar.aspx> under the meeting date.

Regards,

Paul E. Michaud, AICP
Senior Planner
6401 E Lincoln Drive
480-348-3574 (phone)
480-483-1811 (TDD)
pmichaud@paradisevalleyaz.gov

From: Peggy Schumacher <[REDACTED]>
Sent: Wednesday, December 19, 2018 7:42 AM
To: Paul Michaud <pmichaud@paradisevalleyaz.gov>
Subject: Presentation

Good morning Paul. Thank you again for your assistance in allowing me to speak last night. Would you be able to forward a copy of your slides from last night to me or direct me to where I can find them on the website so that I may bring them to our neighborhood meeting? Also, have any studies been conducted regarding the traffic pattern before, during and after the proposed construction and can you share those with me as well?

Thank you for your assistance.

Marjorie (Peggy) Schumacher
<[REDACTED]>

Paul Michaud

From: Paul Michaud
Sent: Wednesday, December 19, 2018 7:52 AM
To: 'Ken'
Subject: Mtn View Medical

Ken:

Thank you for forwarding this information. It will be added to the packet for the next Planning Commission work session of January 9, 2019 (6:00 p.m.). I will also forward it to both the Town Engineer (Paul Mood) who reviews the parking/traffic material for the Town and the applicant. The video of the meeting from last night is online. Majorie Schumacher and Robert Kramer from your neighborhood were in attendance.

Regards,

Paul E. Michaud, AICP
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Sent: Wednesday, December 19, 2018 7:15 AM
To: Paul Michaud <pmichaud@paradisevalleyaz.gov>
Subject: Email yesterday incorrectly sent to p.michaud instead of pmichaud.... Sorry.

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Subject: Mountain View Medical Center comments

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In the Statement of Direction (11/15/18), on page 3, under the heading Traffic, Parking, and Circulation, is the statement: "The applicant's traffic/parking analysis indicates a few intersections at certain times of day will have some additional traffic delay."

My concern is that the traffic problem is being understated and trivialized:

(1) The applicant's traffic analysis was performed early in June, 2018. As we know, many Paradise Valley and Scottsdale residents leave the area during the summer months. The results of any analysis are thus highly [intentionally ??] biased.

(a) Many years ago I taught courses on statistics to psychology students, both undergraduate and graduate. In addition to a standard textbook, they were required to read Huff's "How to Lie with Statistics." A traffic analysis during a month of light usage would fit perfectly.

(b) Mark Twain attributed the following statement to Disraeli: "There are three kinds of lies: lies, damned lies, and statistics."

(c) In 1936, several major polls in connection with the presidential election predicted Landon would defeat Roosevelt; in 1948, they predicted Dewey would defeat Truman. In both instances, the sample (telephone owners, who tended to vote Republican) was biased, and the conclusions were wrong.

(2) Among other items, the SOD included the following as an item for review: "a: Number of access points in/out of the site." Hopefully, it is not simply the number of access points that will be reviewed, but also their accessibility.

(a) During evening traffic rush hours (especially when the "snowbirds" have returned), it is often an "adventure" for anyone driving south on Tatum Boulevard to make a left (easterly) turn on to Beryl Avenue, which is the primary access to the residences in the area.

(b) During morning and evening rush hours it is especially dangerous trying to make a left (southerly) turn coming out of Beryl Avenue on to Tatum Boulevard going south.

(3) Additionally, as I understand it, the applicant is trying to squeeze in more parking spots than are recommended (.8 parking space per 200 leasable square footage rather than the recommended 1.0 standard) . This suggests that the site is being overbuilt. The available architect's drawing proposes parking spots crammed into every available area. It looks like an accident waiting to happen!

Thank you for any assistance you are able to provide in getting these comments to the appropriate individuals.

Kenneth M. Goldstein, Ph.D.

[REDACTED]

Paradise Valley AZ 85253

THE TOWN OF PARADISE VALLEY

SPEAKER REQUEST FORM



PLEASE GIVE THIS FORM TO STAFF PRIOR TO THE START OF THE MEETING

Please complete the information below, including the agenda item #. Also note if you are the applicant/representative, opposed, or in favor, and/or wish to speak.

(Please Print) Name: Bob Kanner

Are you a Paradise Valley resident? Yes No

I wish to address the Commission during Agenda Item(s) 18-490
(Example: 15-215) what is it
 I am in favor of agenda item # ?? I am opposed to agenda item # ? probably

I do not wish to address the Commission but would like to make the following comments:

SEE INSTRUCTIONS ON REVERSE

12-18-18 PLWS



THE TOWN OF PARADISE VALLEY
SPEAKER REQUEST FORM

PLEASE GIVE THIS FORM TO STAFF PRIOR TO THE START OF THE MEETING

Please complete the information below, including the agenda item #. Also note if you are the applicant/representative, opposed, or in favor, and/or wish to speak.

(Please Print) Marjorie Schumacher

Name:

Marjorie Schumacher
18-490

Are you a Paradise Valley resident? Yes No

I wish to address the Commission during Agenda Item(s) 18-490
(Example: 15-215)
I am in favor of agenda item # _____ I am opposed to agenda item # 18-490

I do not wish to address the Commission but would like to make the following comments:

SEE INSTRUCTIONS ON REVERSE

12-18-18 PCWS

December 18, 2018

To: Paradise Valley Town Council

From: Marjorie and David Schumacher (10324 N. 48th Place)

Re: Special Use Permit – Redevelopment of Mountain View Medical Center

Dear Town Council,

We have lived in the Firebrand Ranch Neighborhood of Paradise Valley for two years. It is a lovely neighborhood where the neighbors know one another, look out for one another and our families socialize. Recently we learned from the tenants of the Mountain View Medical Center (the “Center”) that there is a proposal for redevelopment of the Center. We are vehemently opposed to this redevelopment for many reasons.

First, we question the untimely nature of these meetings and discussions as they are during the holidays when many people cannot attend. I assure you that even though there are not many residents in attendance, we stand united in our opposition to this project. Were we ever going to be informed or consulted about this project? We have learned about this from two anonymous letters circulated throughout our neighborhood. It seems like the owner of the Center, or you, our elected officials should be informing us of this every step of the way and I question why this has not happened.

Noise: When we first moved in, trash was being collected at 4:30 in the morning, yes, 4:30 in the morning. Thank goodness this has changed, but more tenants will only increase the production of trash and its collection. If this project goes through, you should move the trash receptacles between your new fancy buildings and not against the wall that backs up to our yards.

Air: The redevelopment of the center will certainly stir dirt, mold and whatever else is lurking about and pollute our air. We already have too many low quality air days here in Phoenix.

Traffic: **COUNTLESS** times when attempting to turn either south or north on Tatum from Beryl, there are inevitably cars making u-turns directly in front of Beryl causing crashes and near collisions. I watch these cars and they turn right into the Center because they missed the all too difficult first turn in. Increasing the number of tenants at the Center will only increase this horrible traffic pattern, causing more accidents on an already over crowded intersection. Has anyone even conducted a study of the number of accidents and fatalities close to this intersection? Certainly, the redevelopment will only increase these accidents. Do you really want the first impression of Paradise Valley as people approach our lovely city to be one of utter chaos, accidents and unsafe intersections?

Aesthetics: A multi-level office complex? Is this the image you want to project as people approach our city? I thought there have been recent articles about keeping our town beautiful and aesthetically pleasing? Who is this aesthetically pleasing to?

The redevelopment of the Center does not have our support and if it is approved, you will not have our votes.

December 18, 2018

Dear Paradise Valley Town Council,

Because of family and Holiday commitments, we will be unable to attend this evenings meeting, but want our voice heard on this matter.

It is our understanding that plans are being are being made to renovate the Medical Complex at Tatum and Shea.

It is unclear if the new facility will be used again for medical offices, or if it will be used for other purposes such as office spaces, retail businesses and restaurants.

Regardless, there will be consequences that will adversely effect the tranquility of our neighborhood at Firebrand Ranch- dust, dirt and noise from demolition and construction,, and then traffic and congestion caused by patrons of the new facility. Many questions come to mind which do not appear to have been addressed:

1. Do Town laws and statutes even allow for such an undertaking?
2. Have any environmental studies been performed to assess for asbestos, or other toxins in the grounds or structure?
3. Have studies been done to determine the impact such a project will have on traffic in the area and outlying areas? It wasn't that long ago the Town wanted to allow only one trash collection company because of damage being done to our streets by the trucks.
4. Have studies been done to determine the impact such a project will have on the quality of life of those who live in my neighborhood?
5. Should the tranquility of my neighborhood be disturbed or ruined what recourse do I and my neighbors have to get it back?

And these are only a few of the questions that need to be answered.

Currently, between the hours of 4 pm and 6:30 pm it is nearly impossible

to make a left hand turn onto Beryl and into my neighborhood. Often I have to drive down to Doubletree Ranch to turn on the light.

At this same time west bound traffic at Shea is backed up beyond the La Camarillo Sports Complex, and in the morning east bound traffic on Shea is backed up from at least 40th Street.

Such a project will only add to this chaos. Has any of this been studied by City Traffic engineers?

What if the new structure is a failure? No one wants to rent there because of traffic, rent or any number of reasons. What happens then? Does the place sit empty like the Galleria? And what of the vagrants who will undoubtedly take up residence in the abandon structure- what's to be done about that?

I recall a number of years ago there was consideration of allowing the owner of the complex and others to open a marijuana dispensary. I recall those meetings, and while the dope pushers thought they might make about 15 million dollars a year, Pam Kirby was all excited that the Town of Paradise Valley could make up to \$45,000 in tax revenue. The only reason this do not go through was not because of our protests, but because the people who wanted to open the facility withdrew their plans. Apparently in the eyes of the Federal Government such an enterprise was illegal. Who knew?!?

We really hope that we are not on the same path.

We oppose this project, and would appreciate the opportunity to speak with a City Planner and someone familiar with the building and business laws and statutes for Paradise Valley. I am quite certain this venture, like the marijuana facility is illegal, and will result in consequences that will cost the citizens of Paradise Valley far more than any hoped for gain

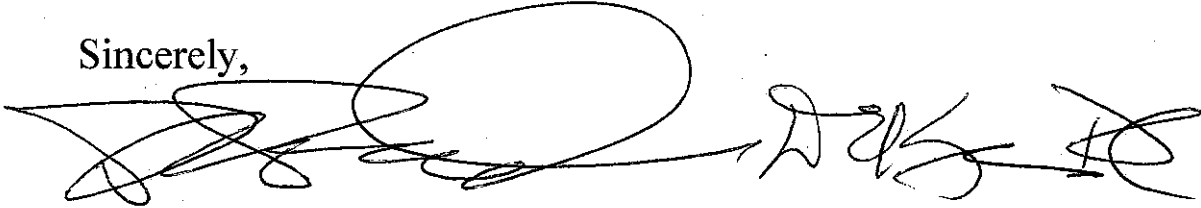
3.

December 18, 2018

from this project.

Thank you for your consideration in this matter.

Sincerely,

Handwritten signatures of R. David Welch and Diane E. Krieger. The signature on the left is a large, stylized cursive signature, and the signature on the right is a smaller, more compact cursive signature.

R. David Welch, D.C. and Diane E. Krieger, D.C.

[REDACTED]

Paradise Valley, AZ 85253

[REDACTED]

December 18, 2018

RE: Proposed Redevelopment and Expansion of the Medical Complex at Tatum and Shea

To whom it may concern,

Our house on 48th place has been in my wife's family for nearly 30 years. We recently acquired it and have never been more excited to be a part of this community. Part of its' appeal, as one of the premier neighborhoods in Paradise Valley and AZ in general, was its protection from commercial interests. That protection is now in jeopardy in this latest attempt to further expose our neighborhood to the medical building.

My wife's family and I are in the commercial real estate business and are having trouble understanding the basis for any argument to increase the size of that development. There is very little office in that area and plenty of space available in the surrounding submarkets. Office occupancy is far from 100% valley wide and even if that building is fully occupied there are several other options to keep tenants happy and increase operational performance.

Most of all we are concerned of additional traffic to our area. It is already exceedingly difficult to access our neighborhood during peak times. Add to that construction congestion and additional traffic once completed and the situation becomes vastly worse. Additionally, we have no control over the types of tenants and customers visiting our corner of PV as it is. The more tenants and space occupied there, the higher the risk of negative outcomes becomes.

I hope you'll take these comments into consideration as our family's history and future in this neighborhood depends on it.

Thank you

A handwritten signature in black ink, appearing to read 'HKerson', written in a cursive style.

Henry Kerson

Paul E. & Robin A. Couture

[REDACTED], Paradise Valley, AZ 85253

DATE: December 17, 2018
TO: Paradise Valley Town Council
FROM: Paul and Robin Couture
RE: Special Use Permit – Redevelopment of Mountain View Medical Center

Dear Members of the Town Council,

We have learned that there is a meeting on December 18, 2018 regarding a special use permit for proposed re-development of Mountain View Medical Center (“Redevelopment”). Unfortunately we are out of town and cannot attend the meeting, so we are providing this letter of our absolute objection to the Redevelopment.

We have lived in this house in Paradise Valley since 1995. We moved to the town of Paradise Valley counting on the lifestyle and personality of Paradise Valley. At that point, the Mountain View Medical Center as it was built was acceptable as a good neighbor and we didn’t feel it conflicted with that lifestyle as a fairly quiet and low key neighbor.

This neighbor has now tried, a couple of times, to change the profile and personality of the complex to one that is very inconsistent with the personality of Paradise Valley and one that would significantly negatively impact our family neighborhood and property values.

Our neighborhood is one that brings in families and has a strong sense of community. We know most of our neighbors which is almost unheard of in this day and age of “behind the screen” relationships. Neighbors walk their dogs, kids play with each other, we have neighborhood get-togethers and truly embody what, we believe, is the quiet and intimate small community personality of Paradise Valley.

The Redevelopment would threaten the peace of our neighborhood, the traffic and the personality of the neighborhood. Construction in itself would be invasive in noise and traffic disruption. After construction, it would be even more difficult to access our neighborhood.

Currently the ingress and egress to our neighborhood is via Beryl which is very close to the intersection of Tatum and Shea. We share this access with the very south end of the Mountain View Medical Center. Due to both population and commercial growth, the access is already difficult to utilize due to the large amount of traffic at this intersection. Numerous vehicles making U-turns using our easement. During rush hour, traffic backs up at the Tatum and Shea intersection making it almost impossible to enter the neighborhood or to exit left from the neighborhood onto Tatum. Our kids on bikes and skateboards would also be in a more dangerous position. The additional traffic for the Redevelopment would eliminate the safe ingress and egress of our neighborhood and make it less safe. We would also be likely see more non-neighborhood residents (and invitees) parking on our streets as more commercial space is added to the complex and parking is reduced.


In summary, the complex would be more invasive on our community creating more noise, traffic and visually undesirable with a multi-story complex that will now be highly visible from the numerous homes throughout both our neighborhood along with other neighborhoods that are nearby.

In addition to the objections to the project, we are quite frustrated with the communication (*or should we say lack of communication*) regarding the Redevelopment. We have had no formal notification from the owner of the project or the town about this Redevelopment. We found out merely through an anonymous letter from someone (*or group of people*) who work in the complex. There was a woman who did speak to a few neighbors (*who did voice their objection*) but that was months ago. It feels as if the owner is trying to push this through quietly and during a time when it would be difficult for us to make our objections or attend the meetings.

We ask that you reject the proposed Special Use Permit and Redevelopment. In fact, we are counting on you to do that as our representatives! Thank you.

Sincerely,


Paul E. Couture


Robin A. Couture

December 17, 2018

To: The Members of the Paradise Valley Town Council

Re: The Proposed Redevelopment of the Mountain View Medical Center

Due to my work schedule I will be unable to attend and speak at the Town Council Meeting being held on December 18th, but I wanted to express my feelings to the Council Members about the proposed redevelopment of the Mountain View Medical Center.

As a homeowner in the neighborhood adjacent to the Medical Center, I feel we all should have been formally notified of the proposed redevelopment by the Town of Paradise Valley and the Landlord of the Medical Center at the very beginning of the process.

I have lived in Firebrand Ranch for nearly 25 years and chose to live in the Town of Paradise Valley because of its' residential/non-commercial setting. The current structure of the Medical Center does not detract from this setting.

As a home owner in the Town of Paradise Valley, I am greatly opposed to the proposed redevelopment of the Medical Center for the following reasons:

- 1. Traffic** - Traffic at Tatum and Shea has already increased dramatically over the last several years making it increasing difficult to enter and exit our neighborhood. Increasing office space on that corner would only make the traffic situation worse.
- 2. Construction** - As I understand it, the redevelopment construction would span over 3 years which would cause several negative effects on our neighborhood. Construction traffic would make it much more difficult to enter and exit the neighborhood. The amount of dust the construction would generate would be tremendous and hazardous to those of us in the neighborhood who suffer from asthma, allergies or auto- immune conditions. The noise would also greatly impact our quality of life on a daily basis. And this will last for 3 YEARS.
- 3. The Proposed Structure of the New Buildings** - The current building was built to blend in with the residential feel of the Town of Paradise Valley. My understanding of the proposed new structure is that all of part of it will be 2 stories or much higher than it is now. This definitely would take away the residential feel of that corner as well as infringe on the privacy of the houses immediately adjacent to the Medical Center.

4. **Property Values** - We purchased our home nearly 25 years ago specifically in the Town of Paradise Valley because we knew that we would at a minimum maintain our high property value if not increase it. The proposed redevelopment of the Mountain View Medical Center would only decrease the property values of all the houses in Firebrand Ranch.

In closing, I would like to reiterate that I feel the proposed redevelopment of Mountain View Medical Center only hurts the homeowners in Firebrand Ranch and I am adamantly opposed.

Sincerely,

Jennifer Tooker

 Paradise Valley, AZ 85253

ARE YOU AWARE?

Three years ago there were plans to modify the medical center at the southeast corner of Tatum & Shea Boulevards. That plan went nowhere but now a new proposal is in process. The plan for the Mountain View Medical Center involves demolition of the existing structures and a major increase in medical and medical-related facilities. The proposal has already been presented to Paradise Valley officials.

If you are concerned about your lifestyle here in the Firebrand area of PV, you should be concerned about the proposal.

* Do you have trouble getting into our community, especially at rush hours, because of the congestion at Shea and Tatum Boulevards? Is making a left turn from Tatum onto Beryl Avenue an adventure? How about making a left turn out of Beryl on to Tatum? Things will only get worse. How many staff and patients will be in and out during the day?

* How about the value of your home? If it can't be easily accessed, will it's value decrease?

* The issue of drug storage and distribution is already being addressed. Is this of concern to you?

* A request is being made to reduce the required parking from 457 to 410 spaces. (A rough count of the spaces in an artist's rendition of the site indicates approximately 327 spaces; where are the rest of them?)

* A request was made to allow tenant signage on external parapets, which is felt to be critical (but an eyesore?)

The Town of Paradise Valley Independent carried a story about the planned rebuilding of the Center. The article, "Mountain View Medical rebirth begins local deliberations" is available online. Also online is an article by the Arizona Builder's Exchange.

A Statement of Direction was approved by the Town Council on November 15th (after previous meetings on October 11th and 25th). The Planning Commission first considered the project at its December 4th meeting. Another work session by the Planning Commission, at which no action will be taken, is scheduled for 6:00 PM on December 18th; but if time permits, comments from the public may be allowed. If you are concerned about the project, it is imperative that you let our elected officials know that you are. Write to them, attend meetings, etc. There will be public hearings before the Planning Committee and then the Town Council.

For more information, try Google searches under the following headings:

- Mountain View Medical Center Paradise Valley AZ
- Town of Paradise Valley Independent
- Town of Paradise Valley Planning
- Town of Paradise Valley Mayor and Town Council

[SUBMITTED BY ROBERT KRAMER]
ON 12-18-18

I regret that family obligations out-of-state prevent me from speaking at the Town Council meeting on December 18, 2018, but I want to convey my feelings to council members and to my fellow residents of Paradise Valley.

Once again, our development in Firebrand Ranch is under siege by commercial interests who probably don't live among us but are seeking to significantly impact our quality of life, our right to a certain amount of peace and quiet, and the investment we have made in our homes. The proposed re-development of the Mountain View Medical Center at Tatum and Shea is a travesty. Whose interests are being served here? And for what purpose? Certainly not mine, or the other residents of Firebrand Ranch.

Paradise Valley has long marketed itself not just as an address, but as a lifestyle. We moved here in large part because of that. How will the proposed re-development of Mountain View Medical Center impact our lifestyle?

- 1) **Noise pollution:** demolition or modification of existing structures, followed by excavation and building of new structures. Increased traffic congestion with the lower number of parking spaces (proposed).
- 2) **Air pollution:** Has anyone considered the amount of dust that will be raised by this project? Or what the potential health ramifications would be? Have mitigation strategies been discussed – or even developed? We live in an area where coccidiomycosis (aka Valley Fever) is endemic. Check the stats from the Arizona Department of Health: the number of cases is climbing year-to-year. There is a direct link between case frequency/location and construction (which raises dust). Unfortunately, we are not talking about development in the far-West Valley where population density is at a minimum; we are talking about a densely populated portion of the Valley. There are many young children in our development, several under the age of one. We are also home to a significant number of retirees. There is a group home/assisted living center that abuts the proposed re-development site. These three categories (the very young, the old, people with significant health issues) are at increased risk for complicated cases of Valley Fever. Were members of the Council aware of this?
- 3) **Light pollution:** The proposal for elevated signage would allow for increased light pollution in our neighborhood. We already deal with the signage from the Fry's Marketplace on the southwest corner of Tatum and Shea that permeates our evenings and nights; we don't need any more. Are you aware of the potential health risks associated with increased light throughout all parts of the circadian cycle?

- 4) **Traffic pollution:** From what I can determine, the proposal calls for an increase in square footage available, which usually translates into increased services and increased traffic. Incredibly, it also calls for a significant reduction in the number of parking spaces. It only makes sense that our streets – our neighborhood – will see increased traffic. *That* is completely unacceptable. Our children play here. We walk and bike here. We are a neighborhood, not the default parking lot for someone else's commercial interests.

So far, we have only been able to identify one resident of Firebrand Ranch who was actually canvassed about this matter. The rest of us have not been contacted, either in person or received any written material. Is that standard operating procedure?

The timing of the meeting – one week before Christmas – is also somewhat suspect. Some residents, like me, will be out of town; others may be at school Christmas programs.

Finally, what (or whose) need does this project serve? The long-established medical community already there will be disrupted. If this is meant to answer some crying need of our community, please let me know as I completely missed that one. Or if this is being considered in the anticipation of increased tax revenue, what are the plans for how the money will be spent?

Several years ago, when we successfully pushed back against a marijuana dispensary in the same Mountain View Center, a comment was made by another resident expressing frustration that we may be perceived as occupying the “cheap seats” in Paradise Valley. True, our homes and lots are generally smaller than those in other parts of town, but our expectations of our elected officials are not. Our memories are just as long, and our votes – and we do vote – have the same weight as any other resident.

I may not be at the meeting on December 18th, but I am keenly interested in the outcome.

Sincerely,

Joanne M. Ceimo, M.D., F.A.C.C.

JMC;jk

[REDACTED]

Paradise Valley, Arizona

Paul Michaud

From: Paul Michaud
Sent: Thursday, December 6, 2018 10:08 AM
To: 'Kenneth M Goldstein'
Subject: Mountain View Medical Center

Dr. Goldstein:

The short answer is yes, I can e-mail you or provide contact to whomever wants to be notified of upcoming meetings. The next meeting on this application is a work session by the Planning Commission on Tuesday, December 18th starting at 6:00 p.m. No action is taken at a work session. Also, public comment is generally not taken at a work session. However, in my experience the Planning Commission Chairperson will typically allow for comment at a work session when time permits. Public comment is scheduled and required when the application is set for a public hearing. There are other applications on an agenda, so the Mountain View Medical application may not be first on that agenda. Meeting agendas are generally posted to the Town website no later than the Thursday before the meeting. You can find the agenda, staff report and related materials for an agenda item at <https://paradisevalleyaz.legistar.com/Calendar.aspx>. The Town also live streams these meetings and posts the video the next day. You can access the videos at the same link above.

I would encourage you to review the application material and video of prior discussions on this application at the above link. The scope of the application request is not the same as the 2016 concept. Traffic is a concern I have heard from another neighbor and one aspect that gets reviewed as part of the application request. The applicant has been encouraged to contact residents early, before the Town's required notification procedures. It is my understanding that some outreach was done and more outreach will be forthcoming by the applicant. The authorized agent for the owner is John Cantrell of Orcutt Winslow Architects.

Below is a brief summary of the various steps that occur when the Town receives an application to amend the Special Use Permit zoning for a non-residential property.

- There is determination on the level of the amendment, as this determines the process. In this case, the request for a phase demolition of all the structures to construct new structures is the highest level of review and called a Major Special Use Permit amendment.
- A Major Special Use Permit amendment requires that the Town Council first approve a Statement of Direction for the Planning Commission to reference in their review and recommendation to Town Council. Council addressed this Statement of Direction at their meetings on October 11, 2018; October 25, 2018; and November 15, 2018.
- Once the Statement of Direction is issued, Planning Commission starts their work session meeting reviews. Their meetings start at 6:00 p.m. This started at their last meeting on December 4, 2018. I do expect there will be at least two or three more Planning Commission work session meetings on this application. These include the following possible upcoming meeting dates:
 - December 18, 2018 (Confirmed)
 - January 9, 2019 (Tentative- Note this is a Wednesday - January Planning Commission dates do not follow the typical 1st and 3rd Tuesday meeting cycle)
 - January 22, 2019 (Tentative)
- The applicant is required to hold a neighborhood meeting at least 10 days prior to the Planning Commission public hearing for their recommendation to Council. This date has not been set. Property owners within 1,500 feet of the site will be notified of this neighborhood meeting. The neighborhood meeting will likely be held in the evening during the work week of January 6th or January 13th. Notices will be mailed to property owners at least 10 days prior to this meeting.

- The Planning Commission will hold a public hearing for their recommendation to Town Council with time reserved for public comment. Of course, getting comment and input from residents sooner is encouraged. Notices will be mailed to property owners at least 15 days prior to the hearing date. This hearing date is not set since the application is still under review/discussion. My best guess as to the date of this public hearing is February 5, 2019; February 19, 2019; or March 5, 2019.
- Once Planning Commission makes a recommendation to Council, the application moves back to Council for discussion at a study session(s).
- After Town Council discusses the application at the study session(s), the application will be scheduled for action at a public hearing. The noticing for this public hearing is the same process as the noticing for the Planning Commission public hearing.

Please let me know if you have any other questions . I am available to meet or speak on the phone to discuss this application request. Also, a good way to provide comments is to submit these in writing (e-mail is ok) so they are in your own voice and can be provided in advance of a scheduled meeting. Your e-mail will be added to the December 18th packet. Typically, the meeting packet is finalized a week prior to the meeting date.

Regards,

Paul E. Michaud, AICP
Senior Planner
6401 E Lincoln Drive
480-348-3574 (phone)
480-483-1811 (TDD)
pmichaud@paradisevalleyaz.gov

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

From: Kenneth M Goldstein <[REDACTED]>
Sent: Thursday, December 6, 2018 9:08 AM
To: Paul Michaud <pmichaud@paradisevalleyaz.gov>
Subject: Mountain View Medical Center

Dear Mr. Michaud:

I am very concerned about the proposed work on the Mountain View Medical Center, at the southeast corner of Tatum and Shea Boulevards.

If there is some way that exists for the public to be notified of upcoming meetings regarding this project, or reports of such meetings, I would very much appreciate being included among those receiving such notifications.

Thanks you for any assistance you can provide.

Kenneth M. Goldstein, Ph.D.
[REDACTED]
Paradise Valley, AZ 85253

Paul Michaud

From: John Cantrell <cantrell.j@owp.com>
Sent: Wednesday, December 5, 2018 3:53 PM
To: Paul Michaud
Cc: Lindsey Kee; Chuck Hill; Bell, Kelly; John Bozzo; Jeremy Knapp
Subject: Re: Mountain View Medical Center

Thank you Paul. We'll follow up Mr. Goldstein and keep you in the loop on what transpires.

john cantrell
ARCHITECT

orcutt | winslow
2929 n central ave • eleventh floor • phoenix az 85012
602.257.1764 t | www.owp.com
FACEBOOK • TWITTER • INSTAGRAM

From: Paul Michaud <pmichaud@paradisevalleyaz.gov>
Date: Wednesday, December 5, 2018 at 1:11 PM
To: John Cantrell <cantrell.j@owp.com>
Cc: Lindsey Kee <lkee@rwpartners.net>, Chuck Hill <hill.c@owp.com>, "Bell, Kelly" <Kelly.Bell2@stantec.com>, John Bozzo <jbozzo@rwpartners.net>, Jeremy Knapp <jknapp@paradisevalleyaz.gov>
Subject: FW: Mountain View Medical Center

John:

This e-mail came to a Council Member. The Planning Commission Chairman asked if your team could reach out to Mr. Goldstein.

Regards,

Paul E. Michaud, AICP
Senior Planner
6401 E Lincoln Drive
480-348-3574 (phone)
480-483-1811 (TDD)
pmichaud@paradisevalleyaz.gov

From: Planning Commissioner Daran Wastchak
Sent: Wednesday, December 5, 2018 12:21 PM
To: Paul Michaud <pmichaud@paradisevalleyaz.gov>
Cc: Jeremy Knapp <jknapp@paradisevalleyaz.gov>
Subject: FW: Mountain View Medical Center

Paul,

Can you please forward this email from Mr. Goldstein to the applicant for Mountain View Medical?

Better for them to reach out to Mr. Goldstein sooner rather than later to see if they can address his concerns since we will definitely hear from him eventually once public notices about a hearing are mailed to the surrounding residents.

Thank you.

Daran

=====
Daran Wastchak
Planning Commissioner
dwastchak@paradisevalleyaz.gov
=====

From: Council Member Julie Pace <jpace@paradisevalleyaz.gov>
Sent: Wednesday, December 5, 2018 11:33 AM
To: Kenneth M Goldstein <[REDACTED]>
Cc: Planning Commissioner Daran Wastchak <dwastchak@paradisevalleyaz.gov>; Vice Mayor Jerry Bien-Willner <jbienwillner@paradisevalleyaz.gov>
Subject: Re: Mountain View Medical Center

Thank you for your comments and input

I have copied chair of planning Daran watschak. They are currently addressing the case

You also can sign up for notices on planning card including this one in the town website

There will be public hearings before the planning committee and then the council

Thanks for your input

Julie Pace 602.322.4046

On Dec 4, 2018, at 1:26 PM, Kenneth M Goldstein <[REDACTED]> wrote:

12/4/18

Dear Mayor, Vice-Mayor, and Councilmembers:

Back in September 2016 it had come to my attention that a proposal was submitted to the Paradise Valley Town Council for the rezoning of the Mountain View Medical Center property, at the southeast corner of Tatum and Shea Boulevards. Now an article in the Town of Paradise Valley Independent (12/5/18) indicates that the project is still very much alive. I think it would be a disaster if allowed to progress.

The original proposal was to rezone the property to allow construction of two-story buildings to replace the one-story medically-oriented buildings currently on the property.

The new two-story buildings would provide medical and non-medical offices, plus retail space, with parking for some 770 vehicles. The current article references a Statement of Direction that was approved by the Town Council on 11/15/18.

I urge you to disapprove this project, for the following reasons:

1) The intersection of Shea and Tatum Boulevards is one of the most congested traffic areas for our community. At morning and evening rush hours the traffic backs up along both Shea and Tatum. Adding more vehicular traffic to the area would be a disaster. As a resident of nearby Beryl Avenue, it is already difficult (and at times dangerous) trying to exit the community via Tatum because of the heavy traffic.

2) Our community is well-served by the outpatient medical facilities already located in and around the Mountain View Medical Center.

3) The retail shops around the intersection are extensive and well-serve the community. Bringing more to the area just does not seem to make any sense. Bringing more traffic to the area at night and on weekends does not help the community.

4) The Firebrand Ranch subdivision, like most of Paradise Valley communities, is residential. It offers a quality of life that has taken me most of my 78 years to find and enjoy. Please don't destroy it.

Thank you for your consideration.

Kenneth M. Goldstein, Ph.D., [REDACTED], Paradise Valley, AZ 85253