

Add Info #38
April 23, 2009

BEUS GILBERT
PLLC

ATTORNEYS AT LAW

4800 NORTH SCOTTSDALE ROAD
SUITE 6000
SCOTTSDALE, ARIZONA 85251-7630
(480) 429-3000
FAX (480) 429-3100

PAUL E. GILBERT
DIRECT (480) 429-3002

EMAIL: PGILBERT@BEUSGILBERT.COM
24006-318

23 April 2009

VIA HAND-DELIVERED AND VIA EMAIL

Mayor Boyd Dunn

Councilmembers:

Bob Caccamo
Trinity Donovan
Rick Heumann
Matt Orlando
Jack Sellers
Jeff Weninger

CITY OF CHANDLER
55 North Arizona Place, #301
Chandler, AZ 85225

Re: **DVR 08-0024 – Mesquite Grove Marketplace Mini-Storage**

Dear Mayor and Council:

Please consider this correspondence a formal request on behalf of the applicant to withdraw the request for reconsideration of DVR 08-0024. We continue to vigorously believe that the mini-storage is a good use at this location. Accordingly, instead of pursuing the reconsideration route, we have determined that we will refile the case immediately and have the case heard after the required waiting period.

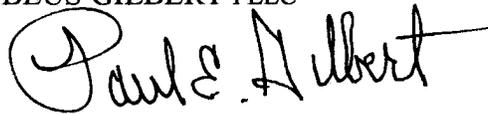
We are aware that many neighbors who feel very strongly about this case wanted to speak at this evening's hearing concerning the reconsideration. This correspondence will advise that we will make contact with every neighbor who to our knowledge has indicated a desire to attend and speak at tonight's hearing and inform them of this request for withdrawal. Accordingly, one should not conclude that the absence of neighbors at tonight's hearing should

be interpreted as any relaxing of the strong unified neighborhood support for the mini-storage use.

We thank the Mayor and Council for your attention to this matter.

Very truly,

BEUS GILBERT PLLC

A handwritten signature in black ink that reads "Paul E. Gilbert". The signature is written in a cursive style with a large initial "P" and a long horizontal stroke at the end.

Paul E. Gilbert

cc: Mark Pentz
Glen Brockmann
Jeff Kurtz
Jodie Novak

Add info #38

APR 23 2009

To: Jeff Kurtz/COC, CityClerkDivision
Cc:
Bcc:
Subject: Fw: Mesquite Groves Marketplace
From: David Bigos/COC - Wednesday 04/22/2009 08:32 AM

Steven and Sabrina McCall
5990 S. Mesquite Grove Way
Chandler, AZ 85249

Re: Mesquite Grove Marketplace DVR-08-0024
Dear Mayor Dunn:

I am a long-time resident of our city, and I am writing to respectfully request your reconsideration of a matter that came in front of the city council. My home backs up to the Mesquite Grove Marketplace proposed project on the Northwest corner of Gilbert and Riggs Road and our neighborhood will be directly impacted by your decision.

When we purchased our home 5 years ago, we wanted a quiet neighborhood to start a family. We chose this neighborhood due to a restriction that only single-story homes would be built to protect our privacy.

Approximately a year ago, we first met the agents for the Mesquite Grove Marketplace project. They showed us detailed schematics of the proposed layout including the impact to our property. My wife and I were concerned about the position of certain buildings and how this would affect our privacy and property value.

We expressed our concerns and were surprised that the agent listened to us and came back a few months later with a revised plan. The new plan incorporated several changes that protected our privacy and the reasons we purchased in this development. I have been greatly surprised by how diligently the project developer has worked with the residents of our neighborhood to find a mutually agreeable design.

I hope you will grant reconsideration on this matter based on the people that will see it through our back doors every day. I will be attending the council meeting on April 23, 2009 to provide any additional details you might need.

Respectfully, Steven and Sabrina McCall

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April 20, 2009

Mayor and City Council
City of Chandler
Box 4008, MS603
Chandler, AZ 85225-5540

Re: DVR08-0024 – Mesquite Grove Marketplace

Dear Mayor and Council Members:

I live in the neighborhood of Mesquite Grove Estates and am directly impacted by the commercial development at Gilbert and Riggs. My backyard directly abuts the proposed project. Representatives of the developer came to meet with my husband and I multiple times to show us the plans for the corner and discuss any of our concerns. We were very happy with the proposed plans that were presented to us.

We were extremely disappointed to hear that the Council has rejected the mini-storage component. Among the many reasons we purchased in Mesquite Grove Estates was the privacy and comfortable feel that was offered by the exclusively single level homes. I believe the mini-storage component of the commercial project is a great buffer between the homes of Mesquite Grove Estates and the rest of the development. The mini-storage component is continuous with the privacy and unobtrusive feel of the neighborhood. I've been told that the Council may have an opportunity to re-hear this case and if they do, I urge them to do so.

Please don't hesitate to call me if you have any questions about my concerns with this project.

Sincerely,

Amie Higginbotham, CPA
480-694-6080

#38
APR 23 2009



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MEMORANDUM

DATE: April 16, 2009
TO: Mayor & Council
FROM: Marla Paddock, City Clerk
SUBJECT: Reconsideration of Ordinance No. 4144, Mesquite Grove Marketplace

Councilmember Sellers asked that a Motion to Reconsider be placed on the April 23, 2009 City Council agenda. The reconsideration is for the Council's action on April 6, 2009 regarding Introduction of Ordinance No. 4144, DVR08-0024 Mesquite Grove Marketplace, rezoning from PAD for neighborhood commercial C-1 uses to PAD to allow a self-storage mini-warehouse use with PDP on approximately 4.7 acres located at the NEC of Gilbert and Riggs roads.

As provided for in Section XIV (k) of the City Council Rules and Procedures, a motion to reconsider must be made by one on the prevailing side, but may be seconded by any member. As you recall, the motion was denied for lack of a majority (3-4). Therefore, one of those voting on the prevailing side, to deny (Vice Mayor Caccamo and Councilmembers' Donovan, Heumann and Orlando) must make the motion to reconsider.

If the Motion to Reconsider is approved, the zoning action will be placed on the May 14, 2009 City Council Agenda.