From: Robert Warnicke robert@warnickelaw.net

Subject: Opposition to Z-41-18

Date: November 19, 2018 at 4:21 PM

To: Council District 4 council.district.4@phoenix.gov



## Councilwoman Pastor,

As you know, we are opposed to the **height** of the tower proposed at the Phoenix Country Club. Attached please find **20 more** petitions objecting to the **height** of the project at this location. This makes **80 petitions** that I have sent you.

The Applicant has suggested that high rise zoning is somehow necessary to preserve the golf course. The golf course is not even an amenity "in" the City, it is a county island. We do not know if the purpose behind the decision to keep the golf course in the county, it could be related to using free groundwater instead of following city rules or it could be to dodge city property taxes, but whatever the basis is, the Club should not be further subsidized by the grant of high rise zoning in the middle of acres of parking that in no way interact with the corner, other than to loom over it and the single family neighborhoods nearby.

The Applicant is asking you to forsake the General Plan and the Midtown TOD policy plan that are designed to protect existing neighborhoods and promote a strong corridor to support the light rail project. To have the City council arbitrarily abandon a decade of urban planing, a General Plan voted on by the citizens, to preserve the anti-"heat sink" that is the golf course, the Club **should** have at least offered to bring the golf course into the City and stipulate to the preservation of green space. The ask is for a permanent zoning entitlement and the supposed benefit is a temporary continuation of a golf course most stakeholders cannot use, as it is a part of a private club.

In the Application the golf course is pitched a as public good (that the public can't directly use) because:

Development of the proposed condominiums will support Phoenix's goals of **maintaining** and strengthening natural and **man-made open spaces** throughout the City, such as the 105-acre Phoenix Country Club **golf course** which serves as an important urban oasis and natural hub for community events while combating the negative effects of the **urban heat island**. At 2.

The positive impact the **golf-course** has had as a large, landscaped open space combatting the **rise in temperatures** resulting from the urban **heat island** effect cannot be overstated. At 23

Supporting Phoenix's goals of **maintaining and strengthening** natural and man-made open spaces throughout the City, such as the 105-acre PCC **golf course** which serves as an important **urban oasis**, a community event core, and a natural remedy for **alleviating urban heat island** effects. At 31.

Then it also states:

Maintaining PCC's vitality, and thereby the golf course, will preserve the golf course's cleansing effects on the environment well into the future. At 22.

Developing the condominium Project as a compatible **means of maintaining the PCC golf course** and its role as an urban oasis amenity for social connectivity and recreational enjoyment is only a small part of the picture. The golf course also has an important role in preserving our City's environment by **filtering air pollution and combatting the effects of the urban heat island.** At 23

So the pitch is that the Tower will help maintain the golf course. Why does the Club suddenly need help? The issue of the financial dangers to the club are much more subtlety spelled out:

It has been widely reported in the last decade that **golf courses** throughout the Valley are **struggling** to survive, threatening existing open space amenities which are important contributions to residential neighborhoods. At 22.

PCC has been proactively attempting to reposition the strength and health of its golf course and club amenities. At 22.

The quality condominium development is the latest measure PCC is promoting as a **significant means of preserving and enhancing the golf course** and club amenities which form this one-of-a kind urban oasis in the City. At 23.

As you can see, the Applicant doesn't come out and say the Club is in financial trouble, it just urges that the Club has a golf course that should be maintained, the Tower will help the Club maintain the golf course, the industry has challenges, and the Tower is the Club's response to those challenges. The message is that the Club needs money to save the golf course. How much money? How long will the golf course continue? To grant the permanent entitlement the City must break plans and policies and it gets no enforceable commitment of any kind, what neighbors get can only be described as temporary. The Club should have made a real commitment to preserve the environmental benefits as part of replanning for the entire area, and not tried to force this rezoning application of a portion of the parking lot through over our objections without any planning.

The General Plan sought to provide certainty and good urban planning principles, to support growth in the City that does not harm existing neighborhoods. Abandoning the General Plan will once again allow development where it does not belong and provide uncertainty to neighborhoods, such as mine, as to where incompatible height will be allowed next. Uncertainty will destabilize our city: stakeholders will not invest in their neighborhoods where they perceive incompatible redevelopment will be allowed and developers will not invest in the light rail corridor where property is more expensive (it's more expensive because the height is already allowed there, so now it is devalued too).

Robert

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