

Council gives OK to build Las Aguas apartments

Approval comes over neighbor's protests

By Edward Gately

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An upstate New York developer prevailed over heavy opposition Tuesday by gaining Scottsdale City Council approval of a plan to build an apartment complex on the McDowell Road corridor.

The council voted 5-2 to approve a rezoning with amended development standards and a development plan for Chason Development's Las Aguas, a 154-unit complex to be built on the parcel that formerly housed Pitre Buick, on the north side of McDowell west of 68th Street.

Councilmen Bob Littlefield and Guy Phillips cast dissenting votes.

A legal protest filed by adjacent homeowners had been in place until Tuesday and would have forced a supermajority 6-1 vote for council approval. However, Chason made a last-minute change to the development proposal to eliminate the legal protest.

A legal protest must include the owners of at least 20 percent of the property on any one side of a project.

"Chason took out a chunk of the rezoning proposal, so what that did was redraw the legal protest boundary," said Kim Chafin, senior city planner. "The developer decided to take out this 25-foot by 30-foot area in the northeastern corner ... so they no longer had the 20 percent in the north area."

Numerous residents spoke in opposition and asked the council to postpone making any decision on developing the site.

The proposal was unpopular with nearby residents from the start. Chason made numerous changes to gain the support of neighbors, such as no north-facing balconies, a higher buffer wall along the north side, higher-pitched roofs on the one-story garages along the north side and a construction sequence to buffer the neighborhood.

John Berry, a zoning attorney representing Chason, said only four of the 17 homeowners immediately adjacent to the property remain opposed to the project. He said they tried to work with neighbors, which drew laughs from those in attendance.

Lisa Sampson, a nearby resident, said there's no need to rush into developing

the property, which is a "first view" of Scottsdale for people coming from Phoenix Sky Harbor International Airport.

"More transient apartment dwellers is not the answer," she said.

Cecile Rosales,

another nearby resident, said she doesn't want south Scottsdale to turn into south Phoenix, "and that's what happens when you build all these apartments."

Berry said the rental rates for Las Aguas will be "higher than most mortgages of the folks in this neighborhood."

Mayor Jim Lane said he made repeated attempts to discuss the project and gain input from nearby residents but was "shut down."

Vice Mayor Suzanne Klapp also said she reached out to neighbors but they wouldn't return her calls. The complex will help revitalize the area and attract retail and restaurants, she said.

Littlefield said the project is wrong for this property and is "completely incompatible" with the adjacent historical neighborhood.



More transient apartment dwellers is not the answer."

LISA SAMPSON

Resident who opposes building the 154-unit apartment complex in the McDowell Road corridor.

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