

Exhibit 5- Correspondence

From: [REDACTED]
To: [InetPlanning](#)
Subject: Case NO z03-054.6
Date: Monday, May 20, 2024 8:18:15 AM

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How do we oppose the Major amendment for the Mystic at Lake pleasant heights zoning Z03-05a.6. We have enough rentals on that round (Avilla and Cyrene) about and our schools are already full (Lake Pleasant and Liberty) for this family friendly neighborhood. if my email is enough please let me know as we strongly oppose.

[REDACTED]

From: [Sarah Dircks](#)
To: [REDACTED]
Cc: [Brad Shafer](#)
Subject: RE: Case z03-05A.6 Lake Pleasant Heights.
Date: Thursday, May 23, 2024 9:33:00 AM

Good Morning Stephan,

My is Sarah, a Senior Planner with the City of Peoria , and the assigned staff reviewer of the application submitted to the City by the Ascent Mystic applicant team. I have received your email of opposition for Z03-05A.6.

This opposition be included in the Planning and Zoning Commission and the City Council Reports once the case is set up for the hearings. I will also provide your comments (with your contact information redacted) to the applicant prior to the neighborhood meeting scheduled for the June 5, 2024 at 6pm at the Mystic Community Clubhouse. So that you can remain apprised I have added your email to the interested parties list for the file and you will be notified of any upcoming hearing dates. If you have any questions, please feel free to reach out.

Sarah Dircks, MCP, AICP

Senior Planner
623-773-7514
sarah.dircks@peoriaaz.gov

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From: Steve Border [REDACTED]
Sent: Thursday, May 23, 2024 9:21 AM
To: Sarah Dircks <sarah.dircks@peoriaaz.gov>
Cc: Brad Shafer <brad.shafer@peoriaaz.gov>
Subject: Case z03-05A.6 Lake Pleasant Heights.

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Dear Ms. Dircks,

I'm writing today in opposing the amendment change. Not only for myself but those families that will be purchasing homes due west of this project. My view is

that it will take up more visual of the desert landscape looking to the east. Our future neighbors are having no say in the amendment change and how it will affect their quality of life.

How and why this abomination was even approved in the first place is beyond my comprehension. However, what is done is done. The number of apartments and infrastructure needed for that many new residents seems unsustainable. Was El Mirage Rd even designed to handle the traffic from this and the other projects being built in this area?

Again I would like to register my opposition to granting this amendment proposal.

Sincerely,

Steven Border



From: [Augustus Gerletti](#)
To: [REDACTED]
Subject: RE: Opposition to Z03-05a.6
Date: Tuesday, May 21, 2024 4:34:22 PM

Good Afternoon,

We have received your email of opposition. This opposition will be included in the Planning and Zoning Commission and the City Council Reports once the case is set up for the hearings. We have added you to the interested parties list for the file and you will be notified of any upcoming hearing dates.

If you have any questions, please feel free to reach out.
Thank you,

Augustus Gerletti
Associate Planner
623-773-7664
Augustus.Gerletti@peoriaaz.gov

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

From: [REDACTED]
Sent: Tuesday, May 21, 2024 4:11 PM
To: Augustus Gerletti <Augustus.Gerletti@peoriaaz.gov>
[REDACTED]
Subject: Opposition to Z03-05a.6

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Good afternoon,

This email serves as my letter of opposition to Z03-05a.6 and the apartments to be zoned at Westland and El Mirage. I oppose the apartments because of our overcrowded schools. There seems to be no plan to address this issue and the building of new schools in Peoria seems to be reactionary not pre-planned.

Also, there are already plenty of high density housing going in at the Avilla Mystic rental location which will most likely drive down our property values and increase crime in our area.

Thank you.

[REDACTED]

Sent from my iPhone

From: [REDACTED]
To: [Cody Gleason](mailto:Cody.Gleason)
Subject: Re: Mystic at Lake Pleasant Heights NWC EL MIRAGE ROAD & WESTLAND ROAD Z03-05A.6
Date: Thursday, December 14, 2023 3:38:43 PM

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Of course you can provide them my email address.

[Sent from Yahoo Mail for iPhone](#)

On Thursday, December 14, 2023, 2:21 PM, Cody Gleason <Cody.Gleason@peoriaaz.gov> wrote:

Mr. Klein,
Thank you for your response. The applicant would like an opportunity to speak with you to see if he can clarify some items in their request. The City has a policy that we do not provide applicants with citizen's contact information unless we have the citizen's consent. Would you mind if I provide the applicant with your contact information? If you could let me know that would be greatly appreciated. Alternatively, if you would prefer to reach out to the applicant his information is below:

Mark Reddie
RVI Planning
mreddie@rviplanning.com
602-292-1685 (cell)

If you could let me know I would greatly appreciate it.

Thank you for your time.

Cody Gleason, MBA, AICP
Principal Planner
623-773-7645
Cody.Gleason@peoriaaz.gov

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From: [REDACTED]

Sent: Tuesday, December 12, 2023 12:10 PM
To: Cody Gleason <Cody.Gleason@peoriaaz.gov>
Subject: Re: Mystic at Lake Pleasant Heights NWC EL MIRAGE ROAD & WESTLAND ROAD Z03-05A.6

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Sorry I must have, we as neighbors are concerned with more rentals in the neighborhood. Once they get approved for the height increase will they resubmit for the 3rd story.

I email just to show concern and not let the builder try to do what they want in our neighbor hood we are starting to love.

On Tuesday, December 12, 2023 at 11:44:43 AM MST, Cody Gleason <cody.gleason@peoriaaz.gov> wrote:

Mr. Klein,

Thank you for reaching out regarding the proposed amendment to the zoning standards. It appears that some of your email message below may have been cut off as it indicates that "I would like to...", but the sentence is then not finished.

Just to clarify the purpose of the amendment, the applicant is seeking to modify the number of units from 2 parcels. One parcel (A-16) would increase by 48 units, and the other parcel (A-6) would decrease by 48 units; creating no net increase in the number of units. The other component of the amendment is increasing the height by 3 feet from the current maximum of 36 feet to a proposed maximum of 39 feet.

Please let me know if you have any questions or if you would like to clarify the unfinished statement from the prior email.

Thank you for your time.

Cody Gleason, MBA, AICP

Principal Planner

623-773-7645

Cody.Gleason@peoriaaz.gov

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From: [REDACTED] >
Sent: Tuesday, December 5, 2023 2:44 PM
To: InetPlanning <planning@peoriaaz.gov>
Subject: Mystic at Lake Pleasant Heights NWC EL MIRAGE ROAD & WESTLAND ROAD Z03-05A.6

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Hello there, I see this is trying to get rezoned again and looks like for apartments? I would like to say we don't need more rental on that corner. We have Cyrene's two properties and Nexmetro rental communities. We do not have the schools to handle 800 rentals and to have apartments too.

I would like to

Mystic at Lake Pleasant Heights NWC EL MIRAGE ROAD & WESTLAND ROAD Z03-05A.6 Rezoning Minor Planned Area Development (PAD) amendment to modify the number of units between two parcels and modify the maximum height from 36 feet to 39 feet for a multifamily building.

Jon Paul Klein

[REDACTED]
[REDACTED]

From: [REDACTED]
To: [InetPlanning](#)
Subject: Project Sign: Westland Rd and El Mirage
Date: Thursday, May 30, 2024 10:36:23 PM

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Hello, to whom it may concern:

Just wanted to email about a damaged sign that is along the side of the road on Westland Rd. in North Peoria. The sign is notifying the community about an upcoming project but currently it is face down on the ground since it damaged. The sign is on the Northwest corner of Westland Rd and El Mirage.

Thank you for your time and for your attention to this matter.

Best Regards,
Erick Zelaya

From: [REDACTED]
To: [Sarah Dircks](#)
Subject: Re: Fwd:
Date: Wednesday, May 22, 2024 8:16:44 PM

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Thanks! That seems very reasonable.
-Kirk

On Wed, May 22, 2024 at 11:39 AM Sarah Dircks <Sarah.Dircks@peoriaaz.gov> wrote:

Good Morning Kirk,

Thank you for reaching out about the placement of the site posting for the proposed Major PCD amendment and for providing photos. I am Sarah, a Senior Planner in the City's Planning Department, and the assigned staff reviewer for the submitted application. We have reached out to the applicant to move the sign and install it abutting Westland Road and perpendicular to right-of-way.

As part of the City's noticing requirements, the applicant was required to mail a neighborhood meeting letter to property owners within 600 ft of the subject site and all HOAs within a mile. Those notices have already been mailed. Given this, to reduce confusion the applicant will still hold the meeting on June 5, 2024, at 6pm. To ensure that there will be ample opportunities for residents to participate in the Neighborhood Meeting process, staff is in the process of asking the applicant to arrange a second neighborhood meeting (likely virtual). This second meeting has not yet been scheduled. Please let me know if you have any further questions.

Sarah Dircks, MCP, AICP

Senior Planner

623-773-7514

sarah.dircks@peoriaaz.gov

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From: [REDACTED]
Sent: Tuesday, May 21, 2024 9:03 PM
To: Brad Shafer <brad.shafer@peoriaaz.gov>; InetPlanning <planning@peoriaaz.gov>
Subject: Fwd:

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Hello,

I'd like to express my concern about the location of the City of Peoria Public Notice sign that pertains to northwest corner of Westland and El Mirage. For a public notice sign to be effective, it should be posted where it can be easily viewed by the public. The sign is located deep into the parcel which is guarded by a no trespassing sign. Vehicle access to that parcel has been blocked, or appears intended to be blocked, by a mound of dirt, chainlink fencing, and a yellow rope. As a result, the sign is visible to no one. (See attached images.) I only noticed the sign by chance during an early morning walk.

1. The sign should be relocated closer to Westland road in clear view of the public.
2. The June 5th meeting should be postponed accordingly to ensure the public has been given proper notice.

Thank you,

Kirk Stephens

LPH Resident

[REDACTED]

From: Sarah Dircks
Subject: RE: Major Amendment to Lake Pleasant Heights PCD 2nd Neighborhood Meeting-
Date: Tuesday, June 4, 2024 10:00:00 AM
Attachments: image001.png
image003.png

Ali,

The hope with having an extra meeting, virtually on June 24th, is to ensure that all residents interested in participating in the citizen participation process have an opportunity to do so. The meeting advertisement for June 24th should be posted this week. The neighborhood meetings are both hosted by the applicant. I will be in attendance to observe and verify the meeting occurs. The applicant identified they will do a presentation. Their contact information is on the site posting. Should you wish to reach out to them, they may be able to provide you with additional specific information related to their meeting.





Sarah Dircks, MCP, AICP

Senior Planner
623-773-7514
sarah.dircks@peoriaaz.gov

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From: Ali Keimel <ali_keimel@hotmail.com>
Sent: Monday, June 3, 2024 7:24 PM
To: Sarah Dircks <sarah.dircks@peoriaaz.gov>
Subject: Re: Major Amendment to Lake Pleasant Heights PCD 2nd Neighborhood Meeting-

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Hi Sarah

Thanks for working late and getting back to me this evening! Thanks for correcting the online details. Hopefully it doesn't affect anyone's attendance. This most recent change, seemed like one more sneaky thing happening with this major amendment. I appreciate your explanation about the other details. Thank you.

Can you give some insight on who will lead the meeting tomorrow and what will be on the agenda?

Thank you

Ali Keimel Klein
[redacted]

From: Sarah Dircks <sarah.dircks@peoriaaz.gov>
Sent: Monday, June 3, 2024 6:21:08 PM
To: Ali Keimel [redacted]
Subject: RE: Major Amendment to Lake Pleasant Heights PCD 2nd Neighborhood Meeting-

Good Evening,

The in-person neighborhood meeting is on Wednesday June 5, 2024, at 6pm. Thank you for notifying me of the typographical error on the description of the June 24, 2024 neighborhood calendar. This has been updated to reflect the calendar appointments on the event calendar, site posting, and postcards. The description added to the June 24, 2024 virtual meeting was intended to explain that the virtual meeting is intended to be a second opportunity to attend the same meeting that will be held in-person this Wednesday.

The applicant was notified today the sign they reinstalled closer to the street was knocked down and has someone going out in the morning to fix the sign. The second meeting scheduled on June 24, 2024 was scheduled in part to address the concerns raised related to the visibility of the original site posting. The applicant is hosting a second neighborhood meeting on June 24, 2024 at 6pm virtually on Zoom to allow residents to provide citizen participation related to their rezoning request. Please let me know if you have a follow-up question.


Sarah Dircks, MCP, AICP

Senior Planner
623-773-7514
sarah.dircks@peoriaaz.gov

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From: Ali Keimel [redacted]
Sent: Monday, June 3, 2024 5:51 PM
To: Sarah Dircks <sarah.dircks@peoriaaz.gov>
Subject: Major Amendment to Lake Pleasant Heights PCD 2nd Neighborhood Meeting-

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Hello Sarah

I urgently need your help. We were made aware of a zoning neighborhood meeting scheduled for Wed. June 5th at Mystic Clubhouse but per the city site, the meeting is now on June 6th. Please see enclosed screenshots and information. Please clarify correct details as per the posted sign for June 5th. If not, this needs to be re-scheduled to give everyone proper notice.

We should also talk about the fact that the sign wasn't even posted on the road, initially and visible to the neighborhood.

Thanks for your help.

Concerned citizen,
Ali Keimel

Major Amendment to Lake Pleasant Heights PCD 2nd Neighborhood Meeting

- **Date:** 06/24/2024 6:00 PM - 8:00 PM
- **Location:** Zoom Virtual Meeting

Add to my Calendar

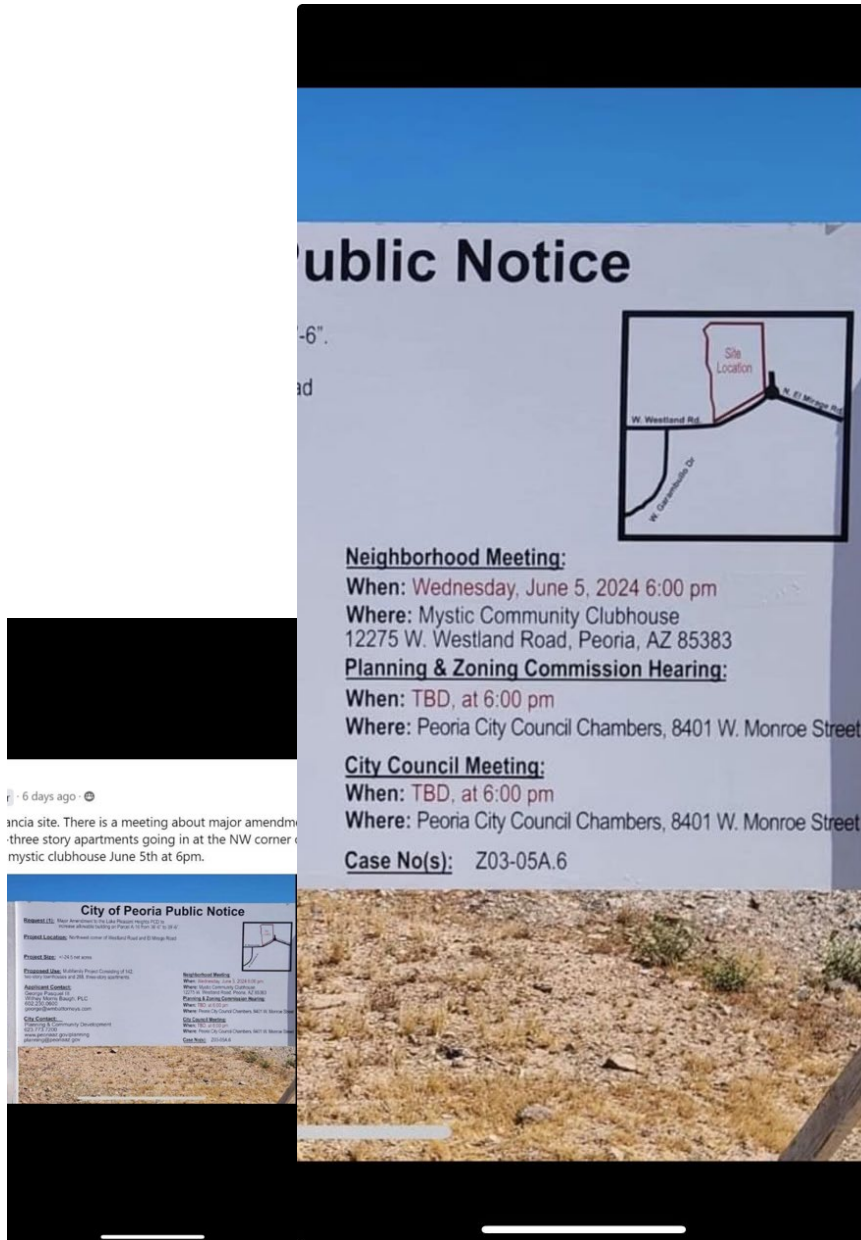
<https://tinyurl.com/yc772jex>

The George A. Pasquel III has submitted an application for a Major PCD Amendment to increase the allowable height allowance on parcel A-16 located in the Lake Pleasant Heights Planned Community Development from 36 feet to 39.5 feet. The multi-family use and density are currently permitted within the zoning for the subject site. The proposed change is exclusively to modify the maximum height allowed.

This meeting serves as a second opportunity for citizen participation. The in-person meeting is scheduled at the Mystic Community Center on June 6, 2024, at 6pm.

Associated Site Plan Case (SP24-02): for the construction of approximately 430 multi-family units.

Case Numbers: Z03-05A.



5:43



Major Amendment to Lake Pleasant Heights PCD 2nd Neighborhood Meeting

Date: 06/24/2024 6:00 PM - 8:00 PM
Location: Zoom Virtual Meeting

 [Add to my Calendar](#)

<https://tinyurl.com/yc772jex>

The George A. Pasquel III has submitted an application for a Major PCD Amendment to increase the allowable height allowance on parcel A-16 located in the Lake Pleasant Heights Planned Community Development from 36 feet to 39.5 feet. The multi-family use and density are currently permitted within the zoning for the subject site. The proposed change is exclusively to modify the maximum height allowed.

This meeting serves as a second opportunity for citizen participation. The in-person meeting is scheduled at the Mystic Community Center on June 6, 2024, at 6pm.

Associated Site Plan Case (SP24-02): for the

construction of approximately 430 multi-family units.

Case Numbers: Z03-05A.6

Applicant Contact:

George A. Pasquel III

Withey Morris Baugh, PLC

Office: 602-230-0600

george@wmbattorneys.com

With

Sent from my iPhone