

Fuller, Bonnie

From: Patrick E. Hoog [phxpeh@cox.net]
Sent: Thursday, August 27, 2009 2:50 PM
To: Projectinput; City Council
Cc: Collegeapps4u@aol.com; 'Gary Chontos'; 'Marsha Palmer'; 'Marsha Palmer'; jlstratman@cox.net; 'Ed Lynch'; 'Kevin Kass'; mayhanak@yahoo.com; dalaburda@cox.net; Birte.brandt@cox.net; GRC1972@msn.com; kgaliardi@shaw.ca; EMGartner@cox.net; nananatalieg@gmail.com; "mailto:nananatalieg@gmail.com"; JWH1779@aol.com; JWH1779@aol.com; vkaplan@arizonabest.com; kasshomes@cox.net; Alevy40518@aol.com; mayhanak@yahoo.com; miesirene@aol.com; amnmd@hotmail.com; mollyoutwater@gmail.com; compugramming@att.net; jane@poucel.com; rmmayhan@hotmail.com; fsafer@s3execs.com; shersarg@mchsi.com; Lynns3737@cox.net; snezy@cox.net; Yvonne@byronandyvonne.com; jlstratman@cox.net; rsoscar@aol.com; amywarner@cox.net
Subject: RE: 3 GP - 2009, NWC Pima/Dynamite: Scottsdale Planning Commission

Subject: 3 GP - 2009, NWC Pima/Dynamite: Scottsdale Planning Commission

Dear Ladies, Gentlemen:

I am a long time resident of Scottsdale and a resident of Troon North, since 1999. I have copied a number of interested Candlewood @ Troon North residents herewith. Please consider these thoughts as you evaluate whether to remove the desert foothills overlay and open the door to commercial development along the Pima Road corridor in north Scottsdale.

The gravamen of Mr. Berry's eloquent yet flawed syllogism is:

- 1) you MUST (consider) change, the language he highlighted in his slide show; and
- 2) when you do, the power towers slicing through the Dynamite/Pima intersection somehow, although he never tied it together, invite or dictate commercial development.

Au contraire.

His argument is flawed and following it would be permanently prejudicial to our community, to north Scottsdale and for all that visit north Scottsdale.

Here is why:

- 1) His suggestion of MUST, was simply to plant the idea, disregarding the depth of the policies and history of the placement of the overlay, that you are mandated to do something here. Without burdening you with a legal brief, this is simply a wholly inaccurate and misleading suggestion. You are mandated only to use your good judgment, not to make any removal of the overlay.

- 2) With reference to the power lines.his flashing of the tower photos is simply a jury trial trick of images without substance beneath it.

Here is my simple point.

As one drives uphill north on Pima, what you are struck by is the desolation...the desert is quiet, uninhabited, the granite mountains loom.along that city route...it is simply beautiful. This drive, or bike ride, or walk or horse ride quiets the mind.

And as you drive up this hill and approach the Dynamite intersection, the towers also loom. As much as we hate them, they put an exclamation point on the desolation of the desert, which is its siren's call to its natural beauty. This not a sad or joyless quietude...it is the refuge we all seek from the friction of life. The towers, also stark, are an ironic reminder of why we love north Scottsdale.a physical dichotomy.

To use these steel obelisks as the reason to invite commercial development of this prized calle is baseless. they simple exist, no more less. They compel nothing.

This is why we live up here. We have avoided density and commercial sites to preserve unique beauty. We are already surrounded by services. This is why the overlay mattered to so many when it was installed with great support and effort and passion as explained by Howard Meyers; and why it must be protected and preserved. for everyone.

Thank you for your kind consideration.

Patrick Hoog, Esq.

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Fuller, Bonnie

From: PKTSAZ@aol.com
Sent: Thursday, August 27, 2009 12:09 PM
To: Projectinput
Subject: Case No 3-GP-2009

Case No 3-GP-2009

Hello I am a resident of Troon North and altho I have not been able to make any of the meetings I do wish to let you know that I am **totally against** the rezoning of Dynamite & Pima. I moved here 15 years ago so that I would NOT be in downtown Scottsdale. Since this time we have had so many stores, restaurants, etc open up that I feel what we have is more than adequate. Putting a gas station on this corner will not only ruin the beautiful scenery we have but will also create a traffic nightmare. We have more than enough gas stations within a few miles and never have I seen them overcrowded.

Just wanted to let you know my thoughts

Thank You
Paula Scardina
9309 E Quarry Trail
Scottsdale, AZ 85262

8/27/2009

From: Sharon Arnold [arnoldbldg@hargray.com]
Sent: Thursday, August 27, 2009 6:53 AM
To: Projectinput
Subject: CASE #3-GP-2009

TO WHOM IT MAY CONCERN:

PLEASE KEEP THE ZONING IN PLACE AT THE CORNER OF PIMA/DYNAMITE --
RESIDENTIAL/DESERT FOOTHILLS OVERLAY -- NOT COMMERCIAL. IF CHANGED, THIS WILL
SET A PRECEDENT FOR MANY MORE TO COME -- ALLOW ONE -- ALLOW THEM ALL.

THANK YOU.

SHARON ARNOLD
TROON NORTH RESIDENT

Fuller, Bonnie

From: Joe Taglia [Joe.Taglia@TroonNorthHOA.com]
Sent: Thursday, August 27, 2009 7:34 AM
To: mfdandrea@msn.com; SSteinkePC@aol.com; kevino@ocompanies.com; Michael Schmitt; Grant, Ed; Ottman, Jason; Filsinger, Erik
Cc: Projectinput
Subject: 3-GP-2009

Thank you for your time last night at the remote hearing for this project. It was an excellent forum for you to hear the applicant's case and the case made by those who oppose the rezoning. The applicant's attorney and architect made a number of points during their presentations that I would like to rebut. The underlined text below are their points with my comments following. I hope this is useful to you in making your final recommendation.

Change happens, this case is about change

Yes, change happens but not for the sake of change. We should embrace change if it benefits the city and the local area. Changing the zoning on this parcel doesn't benefit the city because it will simply take business away from other local businesses so there would be no increase in tax revenues. It also doesn't benefit the local residents because there are similar (and better) services available elsewhere in the area. Does this change benefit anyone except the applicant? No.

Seismic shift in attitudes about development

Yes, there's a green movement and that's good. But, the property is zoned rural residential and any development on that parcel can also be green.

Change for the better of the environment

How is a retail center with a gas station better for the environment than natural desert or two homes on 5 acre parcels?

The General Plan should change as conditions and community needs change.

No argument at all. What conditions have changed? How has the community changed? They haven't.

Character Plan should change within the context of community-wide goals.

This also makes sense but the applicant failed to present the community-wide goals; possibly because the goals set forth in the General Plan and the Foothills Overlay counter his reasons for developing the parcel.

The Character Plan doesn't dictate zoning.

No, it doesn't. But the General Plan does. So does the Foothills Overlay. The applicant conveniently never mentioned that.

Land use decisions must take into consideration the relationship of adjacent land uses.

Very true. Adjacent land complies with the General Plan and the Foothills Overlay and so should this property.

There's a bigger issue with this statement that has to do with precedent. Assume that the zoning is changed to commercial. Other land owners in the Foothills Overlay will point to that zoning as a precedent that should allow them to get a zoning change because of the adjacent land use. This parcel would be the first domino to fall. The applicant's attorney made a sarcastic remark about the community's reaction if a school was proposed. As you are aware, there are three washes that cut through the center of the property and are surrounded by approximately three one-acre areas. It would be an interesting design for a school to fit on that property not to mention that it would be a very small school.

People who visit and drive up Pima don't know where services are located.

I assume they mean gas stations because the other services aren't of much interest to visitors. The gas station isn't on Pima, it's more toward the western part of the parcel on Dynamite and with the setbacks no one would see it anyway. Using their example, someone would fly into Sky Harbor, rent a car, and

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need gas by the time they got to Pima/Dynamite? The visitors we do get are visiting people who live in the area. I assure you, we'd be more than happy to point them to the local gas stations.

Power lines crossing the intersection.

What they fail to point out is there aren't any power lines on this parcel. It's the nicest corner and they want to put in a retail center. Also, for those of you who have visited the area, the power lines aren't as depicted in the photos. Clearly they took the worst possible angles and tilted the camera up to make it look worse. I also don't know why it matters if there are power lines on the other three corners. If you use their adjacent property argument they should tell us we should have power lines on their parcel.

Pictures of the horse farm, the Dream Center church and other buildings in the area.

They failed to mention (but showed a picture), although a speaker did, that the large building on the horse farm was constructed before the Foothills Overlay and it was used as an example of what we didn't want. I suggest you drive past the church and see if you see anything resembling the picture they showed. The church is set well back because of the setbacks and the parking lot. I believe they took photos of the side or back of the church to make it look terrible. They also point to an excavation yard on the NE side that can't be seen from the street and was there before the Foothills Overlay. You also can't see the APS substation from Pima or Dynamite. Yet, they tried to make it look like they were all eyesores visible from Pima Road.

Their architect essentially made two arguments. First he argued for green development. No one opposes green development and you didn't hear anyone oppose the parcel being developed within the current zoning restrictions. Any building placed on that parcel (homes, church, etc.) could and should be as green as what they're proposing.

Second, he made a case for the environment by saying the local residents wouldn't have to drive as far for services. The only service that would be of primary interest is a gas station. Who sits at home and says to themselves, "wow, I need to go get gas!", hops in their car to buy gas and comes home? People buy gas while they're out doing other things – shopping, to/from work, etc. What other necessary services are they proposing? None. There are tack stores, there are restaurants, there are much larger hardware stores; all within three miles. Are they suggesting that over time we'll see a supermarket and a drug store on the adjacent properties?

A final point that was brought up last night by me and another speaker that I want to re-iterate. The owner of this property purchased it six years ago. He knew then about the zoning and the Foothills Overlay. I'm assuming the price he paid for the parcel reflected the limited use of the land. There's been a for sale sign on the property for some time. Now he wants to change the zoning to Commercial which will significantly increase the value of his property. I hope you don't think he wants the zoning change for the benefit of Scottsdale or the local residents. He simply wants the change so he can turn a bigger profit. Don't be fooled!

Thank you,

Joe Taglia
9361 E Hunter Ct
Scottsdale, AZ

From: Brad Goens [bradgoens@gmail.com]
Sent: Wednesday, August 26, 2009 4:16 PM
To: mfdandrea@msn.com; SSteinkePC@aol.com; kevin@ocompanies.com; Michael Schmitt; Grant, Ed; Ottman, Jason; Filsinger, Erik
Cc: City Council; Projectinput; mfdandrea@msn.com; SSteinkePC@aol.com; kevin@ocompanies.com; Michael Schmitt; Grant, Ed; Ottman, Jason; Filsinger, Erik
Subject: Pima/Dynamite Commercial Project 3-GP-2009

I strongly oppose the 3-GP-2009 Pima / Dynamite project. When I purchased my home in the Troon North community, commercial properties were not be built in such close proximity to my home. This was a major selling point to the area. More than that, I am opposed to the increased traffic and noise that will come with this development before, during and after construction.

I am not sure why the area in question is even being considered for commercial zoning since several commercial buildings are currently unoccupied. Moreover, the area already has local businesses providing the same services proposed for this parcel.

Allowing this exception will set a precedent for allowing additional commercial properties in the area which will change the entire character of the neighborhood.

I passionately oppose the development, and I believe the proposal should be denied. I have been advised by several neighbors that they feel the same in regard to this issue. Let the area residents determine whether such a commercial development is necessary or desirable.

I hope this email will be adequate to represent my position, as I am unable to attend the meeting this evening.

Thank you for your consideration,

Brad Goens

From: Michele Goens [MGoens@rosepink.com]
Sent: Wednesday, August 26, 2009 3:47 PM
To: mfdandrea@msn.com; SSteinkePC@aol.com; kevin@ocompanies.com; Michael Schmitt; Grant, Ed; Ottman, Jason; Filsinger, Erik
Cc: City Council; Projectinput; mfdandrea@msn.com; SSteinkePC@aol.com; kevin@ocompanies.com; Michael Schmitt; Grant, Ed; Ottman, Jason; Filsinger, Erik
Subject: Pima/Dynamite Commercial Project 3-GP-2009

I strongly oppose the 3-GP-2009 Pima / Dynamite project. I purchased my home in the Troon North community knowing that commercial properties could not be built in such close proximity to my home. More than that, I am opposed to the increased traffic and noise that will come with this development both before and after construction.

Next, the Pinnacle Peak area does not support additional services; several commercial buildings are currently unoccupied. Moreover, the area already has local businesses providing the same services proposed for this parcel.

Finally, allowing this exception will set a precedent for allowing additional commercial properties in the area. This will change the entire character of the neighborhood.

For these reasons, I vehemently oppose the development, and I believe the proposal should be denied. I have been advised by several neighbors that they feel the same as I do in this regard. Let the area residents determine whether such a commercial development is necessary or desirable.

Unfortunately, I will be unable to attend this evening's meeting. I hope this email will suffice to present my position.

Thank you for your time and consideration,

Michele L. Goens
Rosepink & Estes, P.L.L.C.
7373 North Scottsdale Road, Suite E-200
Scottsdale, Arizona 85253
Voice: 480-778-8202
Fax: 480-778-9324

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From: Jonathan Baker [JBaker@homenational.com]
Sent: Wednesday, August 26, 2009 3:31 PM
To: Projectinput
Subject: Pima and Dynamite project

August 26, 2009

Mayor and City Council Members

City of Scottsdale

3939 N Drinkwater

Scottsdale AZ 85251

Dear Mayor and Council:

The project proposed for the Northwest corner of Pima and Dynamite is a great opportunity for North Scottsdale. An equestrian-friendly commercial concept with a general store and a gas pump is much more needed than residential homes. We already have a surplus of those sitting empty!

Please support this great project.

Sincerely,

Jonathan Baker

Arizona native

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Thank you.

Fuller, Bonnie

From: azureink@cox.net
Sent: Thursday, August 27, 2009 10:23 AM
To: Projectinput; jmurrillo@scottsdaleaz.gov
Subject: Dynamite & Pima Project

August 27, 2009

Mayor and City Council Members
City of Scottsdale
3939 N Drinkwater
Scottsdale AZ 85251

Dear Mayor and Council:

After looking at the proposal for the development at the Northwest corner of Pima and Dynamite I can only wonder what took so long. The idea of a neighborhood commercial development in this spot is perfect. It is compatible with the surrounding church and stables and has a "green" build design that has never been seen before in commercial development in Scottsdale.

I have resided in the North Scottsdale (Pinnacle Peak area) for almost 30 years! This type of project is the reason why we are proud to call North Scottsdale home! Please support the plan for Pima and Dynamite.

Sincerely,
Azure L. Merritt