

Butteweg, Cathleen

From: Murillo, Jesus
Sent: Monday, December 13, 2010 8:15 AM
To: Cookson, Frances
Subject: FW: Case 7-TA 2009 and 38 - UP 2009

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

From: Kevin Mullarkey [<mailto:Kevin@mullarkeydist.com>]
Sent: Monday, December 13, 2010 7:34 AM
To: City Council
Cc: Murillo, Jesus
Subject: Case 7-TA 2009 and 38 - UP 2009

My wife and I recently purchased a home in The Skyline Estates sub division.
The reason we chose this area was the lack of congestion and limited amount of retail development. Is the area in need of another gas station and a bank?
And why is a residential living unit being incorporated with a retail development?
I know your master plan keep developers under control but like I already stated Does the area need another gas station and bank. I do not believe it does.

Kevin P. Mullarkey
Sharon C. Mullarkey

Butteweg, Cathleen

From: Murillo, Jesus
Sent: Monday, December 13, 2010 8:16 AM
To: Cookson, Frances
Subject: FW: Cases 7-TA-2009 and 38-UP-2009

From: Aftermathe@aol.com [mailto:Aftermathe@aol.com]
Sent: Sunday, December 12, 2010 9:30 PM
To: City Council
Cc: Murillo, Jesus
Subject: Cases 7-TA-2009 and 38-UP-2009

For the Public Record:

(a) The zoning of this 10 acre parcel as Single Family Residential R1-190 (within the Foothills overlay) was made in anticipation of, and specifically to preserve these lands from developments such as that which is being proposed.

(b) This is one of the most heavily trafficked intersections in north Scottsdale and will likely require major reconfiguration in the future just like Pima and Thompson Peak and Pima and Pinnacle Peak which is currently undergoing a major reconfiguration with the addition of lanes and facilities.

(c) This is also a dangerous intersection, which is located sufficiently close to the electrical power grid that it may be unwise to risk the increased possibility of a catastrophic accident that would involve the increased traffic, the power grid, the proposed development, the surrounding brush lands, and if the fire spreads, ultimately the homes.

(d) Because of the power grid, this intersection cannot be fully developed in a comprehensive and integrated manner like so many other truly exceptional Scottsdale properties.

Your careful attention to this matter is respectfully requested.

Paul N Swarztrauber, 9392 E Quarry Trl, Scottsdale, AZ 480 515 9492

Butteweg, Cathleen

From: Murillo, Jesus
Sent: Monday, December 13, 2010 8:16 AM
To: Cookson, Frances
Subject: FW: For the public record. Dynamite and Pima Text Amendment

From: Damon P. Humphries [<mailto:damonh1@att.net>]
Sent: Sunday, December 12, 2010 9:19 PM
To: City Council
Cc: Murillo, Jesus
Subject: For the public record. Dynamite and Pima Text Amendment

I am highly opposed to the proposed Text Amendment allowing more commercial development at the above location. I recently purchased a home in the area as of June 2010, and was dissapointed to learn that even in these trying economic times that someone is trying to build another retail/shopping center that we just dont need. We currently have several commercial buildings that have not been completed or occupied in the area, most notably located at Williams and Hayden, which, in my opinion is an eyesore. I purchased a home in this area with the impression that all commercial development has been completed and meets the community need. Please do not allow this type of commercial development to continue.

Thank You,
Damon Humphries

Butteweg, Cathleen

From: Murillo, Jesus
Sent: Monday, December 13, 2010 8:16 AM
To: Cookson, Frances
Subject: FW: Cases 7-TA-2009 and 38-UP-2009

From: Jane Poucel [<mailto:jane@poucel.com>]
Sent: Sunday, December 12, 2010 8:20 PM
To: City Council
Cc: Murillo, Jesus
Subject: Cases 7-TA-2009 and 38-UP-2009

For The Public Record

As residents of Troon North, my husband and I are strongly against the development on the corner of Dynamite and Pima. We have been against it since the beginning.

The approval of the text amendment will only open up the classification to other projects. The approval would be the beginning of the disintegration of the life as we know it in North Scottsdale.

I am a commercial real estate developer and clearly understand the repercussions of a change in the Foothills Overlay.

Jane Poucel

Butteweg, Cathleen

From: Murillo, Jesus
Sent: Monday, December 13, 2010 8:16 AM
To: Cookson, Frances
Subject: FW: shopping center

From: Vicki [<mailto:iguana55@cox.net>]
Sent: Sunday, December 12, 2010 4:02 PM
To: City Council
Cc: Murillo, Jesus
Subject: shopping center

For the Public Record:

In reference to Cases 7-TA-2009 and 38-UP-2009 (a shopping center at Pima and Dynamite), we are opposed to this construction. There is a feed store already at Alma School and Dynamite, and an empty pad which has not yet been filled. The desert is gorgeous up here...single family homes would be better.
Vicki and Bob Bluth

Butteweg, Cathleen

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Vicki and Bob Bluth

Butteweg, Cathleen

From: Murillo, Jesus
Sent: Monday, December 13, 2010 12:31 PM
To: Cookson, Frances
Subject: FW: Cases 7-TA-2009 and 38-UP-2009 (Pima/Dynamite Roads)

From: Frank Hertz [mailto:fg1@cox.net]
Sent: Monday, December 13, 2010 10:47 AM
To: City Council
Cc: Murillo, Jesus
Subject: Cases 7-TA-2009 and 38-UP-2009 (Pima/Dynamite Roads)

FOR THE PUBLIC RECORD

Dear City Council members,

I am a full-time resident of Scottsdale and am writing to you to express my opposition to the proposed text amendment that would have the effect of permitting the development of a gasoline service station and other commercial facilities at the Northwest corner of Pima and Dynamite roads.

As you know the location is part of the Foothills Overlay District and is zoned solely for residential use. The petitioner acquired the property after the Foothills Overlay plan was in place and knew at the time of purchase that the property was subject to the Foothills zoning restriction. The petitioner initially applied to the Zoning Board for an amendment to the Foothills Overlay to permit the development. However, after apparently realizing the futility of this effort the petitioner withdrew its zoning amendment application and thereafter filed its current petition with the clear intent and purpose of effecting an end run around the Foothills Overlay Zoning.

I strongly encourage each member of the City Council to vote against the petitioner's requested text amendment.

I also strongly encourage each City Council member who may be considering voting for the text amendment to clearly answer the following questions for the public prior to any vote on the petition:

1. What specific public policy benefit is served by establishing a precedent for developers to bypass the zoning process merely by applying for text amendments?
2. Would the City Council effectively be usurping the authority of the zoning commission in voting for the text amendment? If not, why not?
3. Is the text amendment process legal in light of State required zoning plans?

4. Will voting for the text amendment harm the public's confidence in the zoning process?

☐ 5. Will a vote for the petition encourage other developers to bypass the zoning commission with direct political appeals to the City Council for text amendments?

5. What makes this property so unique and valuable to the residents of the City of Scottsdale that normal zoning rules and procedures for development should not be followed?

Due to the change of time of the hearing I will not be personally able to attend the hearing.

Sincerely yours,

Frank Hertz

Butteweg, Cathleen

From: simanson@mac.com
Sent: Tuesday, December 14, 2010 7:34 AM
To: Jagger, Carolyn; Zook, Laura Kay; Butteweg, Cathleen
Subject: Agenda Item Comment for 12/14/10 - Item 27-28

Meeting Date: 12/14/10
Item Number: 27-28

Contact Information (if blank, user did not provide):

Name: Jon Simanson
Address: 8400 E Dixileta Dr., #163
C/S/Z: Scottsdale, AZ 85266
Phone: 4805027650

Comment for 12/14/10 Item 27-28:

I am counting on this council to uphold the vision and promise of Scottsdale by striking down this creative yet transparent violation of the voted upon and passed general plan. Any other vote would be a dereliction of your duties. I have spoken to no fewer than 400 area residents in the last 3 weeks and have found 1 (yes one) person in favor of this proposal. Many when told of the process being employed are not only shocked but outraged that their elected officials are even entertaining the idea. It is now less about the development but rather the behind the scenes maneuvering to bypass the checks and balances. I ask each of you to please remember who you work for. Thank You for your consideration, i am sure you will do the RIGHT thing.

Butteweg, Cathleen

From: Murillo, Jesus
Sent: Tuesday, December 14, 2010 8:31 AM
To: Cookson, Frances
Subject: FW: Cases 7-TA-2009 and 38-UP-2009

From: Farideh Mohajer [<mailto:fmohajer@hotmail.com>]
Sent: Tuesday, December 14, 2010 7:45 AM
To: Murillo, Jesus
Subject: Cases 7-TA-2009 and 38-UP-2009

My husband and I, at 9680 E Peak View Rd, strongly oppose this case and recommend keeping the residential zoning for the area. Please, call us on 480 488-7110 if you have any questions.

Thanks and Regards,

Farideh Mohajer, PhD
Cyrus Tajbakhsh, PhD

9680 E Peak View Rd
Scottsdale, AZ 85262

Butteweg, Cathleen

From: Murillo, Jesus
Sent: Tuesday, December 14, 2010 8:31 AM
To: Cookson, Frances
Subject: FW: Pima/Dynamite Text Amendment - Cases 7-TA-2009 and 38-UP-2009

From: Joe Taglia [<mailto:joe@jtaglia.com>]
Sent: Tuesday, December 14, 2010 7:42 AM
To: City Council
Cc: Murillo, Jesus
Subject: Pima/Dynamite Text Amendment - Cases 7-TA-2009 and 38-UP-2009

For the Public Record

I was reading the newspaper recently and there was an article about how the text amendment process may be used for the recently passed medical marijuana law in Arizona.

I thought that this represents an excellent use of the text amendment provision. Medical marijuana clinics weren't something that anyone considered when the General Plan was approved.

Shopping centers were considered when the General Plan was approved not that many years ago. The parcel at the NW corner of Pima and Dynamite was zoned R1-190 and placed in the Foothills Overlay for a reason. This application certainly doesn't deal with something unknown at the time.

Once again, I urge you to deny the application.

Regards,

Joe Taglia
9361 E Hunter Ct.
Scottsdale, AZ 85262

Butteweg, Cathleen

From: Murillo, Jesus
Sent: Tuesday, December 14, 2010 8:31 AM
To: Cookson, Frances
Subject: FW: Pima/Dynamite Hearing - TODAY!

From: James L. Vail [<mailto:jimlvail@yahoo.com>]
Sent: Tuesday, December 14, 2010 6:30 AM
Subject: Pima/Dynamite Hearing - TODAY!

Hi, Neighbors:

I am passing along the latest email from Howard Myers. If you are already on his distribution list, please accept my apologies for the duplication.

I can't overemphasize the importance of defeating this abominable request. It poses a threat to us and to every residentially-zoned neighborhood in Scottsdale.

Hopefully you'll be able to make it to City Hall this afternoon at 4:00. If so, see you then.

Best regards, Jim

As far as we know, the Pima/Dynamite case (7-TA-2009 and 38-UP-2009) will definitely be heard today, starting at 4 PM at City Hall. The agenda was not changed so the case should be heard and a decision made. The applicant could still try to get it continued at the meeting, but the city council has the option to deny that request and make a decision on the case, which they didn't have last time.

If you can come, please do. The number of people in attendance definitely has an impact. If you do attend, but do not intend to speak, please get a speaker card anyway (from the city clerk at the table on the left side of the dias), fill it out but indicate that you are dedicating your time to another speaker. Do not fill in the name of the speaker, but rather give your card to Linda Whitehead from COPP who will make sure one of our 10 speakers gets them so they can have more time. We have a speaker on each major topic so all points should be covered. We are more likely to win if we have fewer speakers, each with one or two major points to make, and they don't overlap. However you want to say something, by all means turn in your card, to the city clerk, so you will be able to do so. Plan on being there at about 3:30 so everything will be in place by 4 PM.

Regardless as to how you feel about the proposed development, it is crucial to get a denial on this Text Amendment because it would have many down stream negative impacts on single family zoning districts, which we all live in. They are using a text amendment to effectively rezone the property rather than the normal process of rezoning the property and getting a General Plan amendment.

Hope to see you all there.

Howard Myers

Butteweg, Cathleen

From: Murillo, Jesus
Sent: Tuesday, December 14, 2010 8:32 AM
To: Cookson, Frances
Subject: FW: Cases 7-TA-2009 and 38-UP-2009 Comments for Public Record

From: Thomas Youngerman [<mailto:tjyoungerman@msn.com>]
Sent: Monday, December 13, 2010 7:09 PM
To: City Council
Cc: Murillo, Jesus
Subject: Re: Cases 7-TA-2009 and 38-UP-2009 Comments for Public Record

As a long time Scottsdale resident I am vehemently opposed to the proposed commercial development at Pima and Dynamite. We have more than adequate space, much of it developed in the past several years that remains unoccupied today. Further another development would only serve to erode more of the desert that is rapidly disappearing in our city. We moved here over 15 years ago to enjoy the natural open spaces and the desert flora and fauna - not to have our Scottsdale look like a paved-over suburban area.

Once you develop this area the desert is gone forever, you cannot realistically recover it. More importantly there is no need for another commercial project at this site. In fact, one should seriously question why anyone, in this day and age would develop another property which will sit vacant. Look at all of the commercial space in the Scottsdale Airpark. Many developments are still at less than 50% occupancy. And, what about the development on Pima just north of 101 - mostly vacant, and several of the tenants already failing. And, the DMB space across from The Village at DC Ranch? Virtually vacant again and Grazie was forced to close. The business condos on Dynamite that block the views of Pinnacle Peak are largely vacant. Has anyone analyzed the amount of unoccupied commercial real estate developed in the past several years. Look at DC Ranch Market Place. Even as established as this area is the commercial space is largely empty. Adding more buildings is not the answer, plus it takes away what we cannot get back - the timeless beauty of the desert.

Does anyone really believe we have seen the bottom of the commercial real estate market? There is no valid argument for allowing this reassignment of land.

Sincerely,

Thomas J. Youngerman

Butteweg, Cathleen

From: Murillo, Jesus
Sent: Tuesday, December 14, 2010 8:32 AM
To: Cookson, Frances
Subject: FW: For the record on Cases 7-TA-2009 and 38-UP-2009

From: Susan Kolman [<mailto:sdkolman@cox.net>]
Sent: Monday, December 13, 2010 6:48 PM
To: City Council
Cc: Murillo, Jesus
Subject: For the record on Cases 7-TA-2009 and 38-UP-2009

I would like to comment For the Record on Cases 7-TA-2009 and 38-UP-2009. As a resident of The Monument community at Dynamite and 97th Place, I strongly feel that we **do not need** another retail/commercial center in our neighborhood.

The amenities the developer in this case plans to build currently exist within walking distance of our home at Dynamite and Alma School Roads – we already have a drugstore (Walgreens), gas station (Shell), bank (Wells Fargo), restaurants (Painted Horse, Painted Horse carryout, Rosati's pizza, Rare Earth and more); UPS store; feed store/pet store; and other shops to service the community. In the three years since we moved to this area, the commercial center just east of the neighborhood on Dynamite remains virtually empty except for an animal hospital. The retail complex at Alma School and Jomax close to Pinnacle Peak also remains largely empty of tenants with plans in place to add a resort and more shops. Heading northwest from us, the shopping center at Scottsdale and Lone Mountain is only a 5-10 minute drive away and is anchored by AJ's with several other retail outlets in place including a restaurant. This shopping complex is not busy and not fully occupied with tenants.

The wonderful reason to live here in North Scottsdale is the beauty of our surroundings and yet the convenience of being within easy reach of **existing** retail stores, gas stations, banks, etc.. We have the pleasure of enjoying the desert and all the wonders that come from living in a low density community. It is the reason most of us chose to live in the northern part of our city. We can easily access what we need and given the quantity of empty commercial space within easy reach of our homes, we definitely do not need more development.

Thank you.
Susan Kolman

Butteweg, Cathleen

From: jsaleo@q.com
Sent: Tuesday, December 14, 2010 8:33 AM
To: Jagger, Carolyn; Zook, Laura Kay; Butteweg, Cathleen
Subject: Agenda Item Comment for 12/14/10 - Item 27, 28

Meeting Date: 12/14/10
Item Number: 27, 28

Contact Information (if blank, user did not provide):

Name: John Aleo
Address: 28625 N 83rd St
C/S/Z: Scottsdale, AZ 85266
Phone:

Comment for 12/14/10 Item 27, 28:

I oppose both items on the agenda. Neither is an appropriate way to handle the requests made by applicant on subject property. I will not be present at hearing. If I were allowed my 3 minutes on each item, I would turn my time over to Howard Myers who will be present.

Butteweg, Cathleen

From: clintfrederick@msn.com
Sent: Tuesday, December 14, 2010 10:11 AM
To: Jagger, Carolyn; Zook, Laura Kay; Butteweg, Cathleen
Subject: Agenda Item Comment for 12/14/10 - Item 27 and 28

Meeting Date: 12/14/10
Item Number: 27 and 28

Contact Information (if blank, user did not provide):

Name: Clinton Frederick
Address: 7807 E Oberlin Way
C/S/Z: Scottsdale, AZ 85266
Phone: 4805021617

Comment for 12/14/10 Item 27 and 28 :

To the City Council:

My name is Clinton Frederick, 7807 E Oberlin Way, Scottsdale, AZ 85266. I wish to voice my opposition to Proposition Items: Northwest Corner of Pima and Dynamite Conditional Use Permit (38-UP-2009), and Rural Neighborhood Support Services Text Amendment (7-TA-2009).

My position is most eloquently expressed from our new neighbor on learning of the Propositions. "As a new resident to the desert, I wouldn't want to see anything come along that would disturb the tranquility and the beauty that attracted me to this locale. I would like to see this area remain commercial free and pedestrian/bike/horse friendly as well as retain all of the natural beauty that Mother Nature provided for us in this neck of the woods."

Thank you for your attention:

Clinton Frederick

Butteweg, Cathleen

Subject: RE: Proposed Development at the NWC of Pima & Dynamite

From: Dolny, Christina (Genworth) [<mailto:Andrea.Dolny@genworth.com>]

Sent: Tuesday, December 14, 2010 11:56 AM

To: Murillo, Jesus

Subject: Proposed Development at the NWC of Pima & Dynamite

Dear City Council and Planning Commission,

As a native of Arizona with generations of family who are residents of Scottsdale as well as Tucson, I am greatly in favor of the development project at Pima & Dynamite location.

I am very aware of the importance of preserving land and keeping our desert land as well as the desert animals free from harm due to developments. However, I believe this project to be considerate of nature as well as the beauty of our city. I know the architects and developers intentions are to make this a gorgeous, enjoyable site for all with detail to the environment. As with our Native American ancestor's mesas and kivas, or Frank Lloyd Wright's Taliesin, this could be an architectural site remembered for years because of its aesthetics and design.

I hope that you see this endeavor as an enriching design for our beautiful city.

Thank you for your time.

Sincerely,

Andrea Christina Dolny

Christina Dolny

Genworth Financial Trust Company

3200 N. Central Avenue 7th Floor

Phoenix, AZ 85012

Phone 602.776-6901