



The Coalition of Greater Scottsdale

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November 19, 2015

Re: **The Outpost – Case: 1-GP-2015 and 10-ZN-2015**

Northwest corner of Dynamite Blvd and Pima Road

The Coalition of Greater Scottsdale strongly supports a City Council vote for **denial** on The Outpost cases 1-GP-2015 and 1-ZN-2015 for the following reasons:

This project is strongly opposed by residents of this neighborhood and those who live in the area:

- City staff recommends denial;
- It would be precedent setting;
- It would degrade the rural residential lifestyle people moved to Scottsdale to enjoy;
- There is no need for more commercial development in the area;
- It would compete with existing businesses;
- It is incompatible with the Desert Foothills Character Area Plan and Foothills Overlay
- It would be located at an already dangerous intersection;
- The property is well-suited for residential use;
- Both the current General Plan and the General Plan Task Force General Plan Update show this parcel as Rural Neighborhood land use
- Relocation of Pinnacle Peak Patio should not be a consideration;

Staff recommends denial:

- Staff reports include the same concerns residents have raised;
- The Planned Neighborhood Commercial District criteria have not been met;
- There have been no substantive changes to the project from the previously submitted applications;
- The project is incompatible with the area;
- Commercial areas are most commonly designated in locations adjacent to more intense uses, such as Suburban Neighborhoods, Urban Neighborhoods, Office, Employment, and Mixed-Use Neighborhoods;
- The applicant's proposal could be precedent setting as it would be the first Commercial land use designation established adjacent to Rural Neighborhoods since the adoption of the 2001 General Plan;
- A general assessment of the locations of gas stations and convenience stores within the City of Scottsdale did not identify any gas station or convenience store within the City that is adjacent to a Rural Neighborhood land use;
- There is a lack of data and facts to support the developer's claims and assertions;

There is no need for additional commercially zoned land in the area:

- No need for additional commercial development, especially at this location, has been demonstrated by the applicant. Other studies have shown that there is already an excess of commercially zoned property in this area of the city;
- There are 43 restaurants, 3 pet/livestock feed stores, 8 gas station/convenience stores and 2 hardware stores within a 5 mile radius of the site;
- In 2013 and 2014, four General Plan amendment cases in the northern portion of the city were approved to change Commercial land use to Suburban or Rural Neighborhoods land use;
- Several of these cases, utilizing the City's 2013 Land Use Assumptions Report as well as independent market analysis, asserted that there is an overabundance of Commercial designated land within the northern portion of the city;
- There are high vacancy rates at the commercial centers closest to this property (Scottsdale & Lone Mountain, Dynamite & Alma School and about 1 ½ mile east of Pima on the south side of Dynamite). In the case of the commercial center at Dynamite and Alma School, the southern approximately one-half of that commercial parcel is vacant land;
- This location is not in or near areas of more dense population, violating the principle of putting commercial uses near more densely populated residential uses;
- The proposed uses would be unnecessary competition with existing businesses in the area that are already struggling;
- There is no public interest served in providing additional commercial sites.

It is incompatible with the Desert Foothills Character Area Plan and Foothills Overlay:

- The Desert Foothills Character Area Plan was the culmination of over two years of neighborhood and public involvement, and that input reflects traditions that in many instances began before the area was annexed in the early 1980's;
- The Desert Foothills Character Area Plan and the Foothills Overlay (FO) District default the permitted land uses to the uses permitted by the underlying zoning district, and the underlying zoning district, R1-190/ESL/FO does not allow for any of the commercial uses proposed by this request;
- The Foothills Overlay specifically states under Sec. 6.1002-applicability: "The Foothills Overlay (F-O) District may be overlaid upon the following zoning districts: R1-43, R1-70, R1-130, R1-190 and COS, HC and OS and may be combined with the ESL and HD overlay districts";
- Clearly the drafters of the Desert Foothills Character Area Plan and its zoning companion the Foothills Overlay did not intend that there be commercial uses within the Character Area and Overlay;

It would be located on an already dangerous intersection:

- Pima and Dynamite is one of the more dangerous intersections in the city and adding these uses on the corner would increase the traffic risks;
- Left turns out of this property onto Pima Road or Dynamite Road would be nearly impossible;
- The Traffic Impact and Mitigation Analysis provided by the applicant notes an anticipated increase of 2,569 vehicle trips per days as a result of the development;

The property is well suited for residential use:

- Large lot residential is the most logical use for this corner as it has minimal impact on the Pima and Dynamite intersection;
- There are many residential developments that are closer to power lines than this site--some close to the very same power line corridor;
- Other allowed uses, such as churches and ranches, can locate on this site with no General Plan Amendment or zoning change;
- Both the current General Plan and the General Plan Task Force draft Update show this and nearby parcels as the Rural Neighborhoods land use category;

The potential relocation of Pinnacle Peak Patio should not be a consideration

- The applicant has not provided any documentation to prove that he has the right to use the Pinnacle Peak Patio name and brand;
- Locating a restaurant the size and stature of Pinnacle Peak Patio at this corner, in a rural residential neighborhood, at an already dangerous intersection is not sound land use planning;
- There is insufficient restaurant customer parking in the current site plan;
- Talk of relocating Pinnacle Peak Patio is being circulated by the developer's supporters as a means to garner support for the project;
- The concept of placing a "Pinnacle Peak Patio" replica on this site is patently absurd. The existing structures cannot be moved; only a building façade could possibly be salvaged, but that doesn't recreate the original Pinnacle Peak Patio;

For these reasons, and in support of the residents of the area,
The Coalition of Greater Scottsdale urges a vote for denial
on cases 1-GP-2015 and 1-ZN-2015.

Respectfully submitted
For the COGS Board of Directors,
Sonnie Kirtley, Chair cellular 602 717 3886

