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NEXT COPP MEMBER MEETING

March 12, 2001 at 7:00 pm

Legend Trail
Community Center

Guest Speakers

Arizona Senate President Randall
Gnant and City of Scottsdale
Transportation Director John Little

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A Report On The Preserve Hearing And What Happens Next

Estimates of the number of interested parties in attendance at the February 16 Preserve Hearing range from a low of 1000 to 3000 or more. One thing is certain – it was an overflow crowd and the Fire Marshall finally had to close the doors and several hundred people were turned away. Despite a relatively small but noisy contingent of fans of off-highway vehicles who opposed the city's application, the large number of proponents of the city's plan and the passionate eloquence of those who spoke sent a strong message about the broad-based support for conserving this land.

Many thanks everyone who attended the hearing in support of the city's petition to reclassify 16,600 acres of pristine desert in north Scottsdale as suitable for preservation. Thanks, too, to those who couldn't attend the hearing, but took the time to write letters in support of the reclassification.

With respect to what happens next – Public comments from the hearing will be organized/reviewed by State Land Department staff and will become part of a report evaluating Scottsdale's petition. The report will go to a State Land Department advisory board appointed by the Governor, and then to State Land Commissioner Michael Anable, who was also appointed by Governor Hull. A final decision may not be made until late 2001 or early 2002.

In the meantime your help is needed to keep preservation of this land in the public eye. Write an "open letter" to both Governor Hull and Commissioner Anable, with copy to the newspapers. Stress the huge outpouring of support for saving this land and how the expert testimony clearly demonstrates that all of this land does qualify under the API reclassification criteria. Address your letters as follows:

(see "Preserve Hearing Report" on page 5)

Calendar of Events

- | | |
|----------|---|
| March 5 | Los Arcos Stadium District expires – City Council meets to consider options |
| March 6 | City Council considers Foothills Academy Use Permit |
| March 12 | COPP Member Meeting |
| April 9 | COPP Annual Meeting – Election of Two Directors
7:00 p.m., Legend Trail Community Center |

COPP's mission is to educate residents and hold government officials accountable to the public on any issue that poses a threat to neighborhoods, the environment, and fiscal responsibility.

To our Members: The following letter was sent by your Board in response to the Scottsdale Tribune's February 18 story "Critics charge watchdog group goes too far."

COPP Responds To Headline Story

The board of directors of the Coalition of Pinnacle Peak would like to thank the Tribune for its above the fold, front page story in the Sunday edition (Feb. 18). While we believe the content of the piece was based largely on a highly selective – and skewed – sample of opinion, the story nonetheless did succeed in providing some insight into the kinds of issues that concern, not only COPP members, but all Scottsdale residents, viz., environmental preservation, urban sprawl, the senseless destruction of our unique desert, and the opening up of Scottsdale's political process to all citizens. That your newspaper gave us such prominent space confirms that COPP has had an impact on these important issues.

It is true that COPP cannot please all of its members all of the time, or for that matter, all of the public, all of the time. That would be highly unrealistic, especially when many people with diverse interests hold differing positions on controversial issues. Judging from your reporter's interviews, he spoke to well-intentioned people who simply hold different views on how best to achieve a common goal. They have that right, and we respect their right to express it. Indeed, we hope they will join with us, in whatever

way they deem appropriate, to work toward achieving a better Scottsdale, for us and for future generations.

COPP is a member-driven organization. Whatever success we have had in the past is the direct result of our 1,300 involved and dedicated members. The board of directors recently surveyed our members to determine the kinds of issues they felt were most important. While this survey, which we discussed with your reporter, was not mentioned in your article, it is the basis upon which we, the COPP board of directors, maintain a sense of comfort that our members are supporting our efforts to achieve their objectives. This unity of vision is also achieved through our regular monthly member meetings, and through our monthly newsletter.

We also want to thank the Tribune for listing some of COPP's accomplishments over the years. These accomplishments could not have been achieved without the support of our members who, at critical times, respond to issues by attending public meetings and speaking out. And to

our critics who took us to task for working to extend the time citizens have to speak at public meetings, we will respectfully have to agree to disagree on that issue. The right of a citizen to address his or her elected officials is a fundamental principle, not only of COPP, but of our nation. We believe it is better to err on the side of exceeding a speaking time limit than to arbitrarily restrict a citizen's free speech.

We are proud of our record of civic engagement, and of our efforts to promote open and responsive government for all Scottsdale residents. We hope that those who read or contributed to your article will join with us to pursue our shared goal of a better Scottsdale. We invite readers who wish to learn more about COPP to visit our website, www.coppeak.org or call us at 602-230-5233.

Bob Vairo, President
(for) The Board of Directors
Coalition Of Pinnacle Peak, Inc.



Legend Trail Community Center directions:

North on Pima Road past Lone Mountain (1.5 miles)

To Legend Trail Parkway on right – then 1.5 miles on right to Community Center.

Development Updates

Wireless Communications Ordinance Text Amendment

The purpose of this proposed amendment to the Wireless Communications ordinance is to broaden the scope of the original Wireless ordinance to apply development standards, criteria and zoning procedures to new wireless technologies. However, the amendment also would allow zoning staff to approve certain types of wireless communication facilities without first going through the public hearing process. Your Board felt that the text amendment gave too much administrative authority to the staff for things that needed public scrutiny. We also felt that the recently formed "Ideas Team" should be given enough time to complete its study of the proposed amendment and resolve the areas of concern before the Council acted on the amendment. For those reasons, the Coalition of Pinnacle Peak urged the City Council to continue this item until the Ideas Team completed its work. We are pleased to report that at its meeting on February 6 the Scottsdale City Council continued consideration of this item for 60 days or less. We will keep COPP members and interested parties apprised of the new hearing date.

Desert Foothills Zoning Overlay approved... finally!

We are also pleased to report that, after many delays, at its February 6 meeting the Scottsdale City Council unanimously approved the zoning overlay that would implement the recommendations of the Desert Foothills Character Area Study. The intent of the overlay is to maintain the rural and desert character of neighborhoods in the Desert Foothills area through regulation of the physical improvements made on large lot, single-family properties. The Desert Foothills area is bounded roughly by Jomax on the south, 56th Street on the west, 96th Street on the east and Lone Mountain on the north.

Big Box Ordinance

COPP members Bob Vairo, Wayne Ecton and Paul Scharr who are part of the City's "Ideas Team" that was formed several months ago to provide recommendations for a Big Box ordinance report that much progress has been made towards a final draft. It is expected that the Team will be soon be able to sign off on a proposed ordinance that will be presented to the City Council for their consideration and adoption.

The ordinance will define a "big box", the zoning districts in which one can be located and the special requirements that must be met before one will be approved. Concerns such as closeness to residential neighborhoods, traffic, lighting, hours of use and other operational issues will have to be satisfactorily resolved before approval for a "big box" will be granted.

An Update on Section 16

Section 16 is a 640-acre parcel of desert land located between Dove Valley and Lone Mountain Roads, from 56th Street to 64th Street, that the State Land Department auctioned for development last July. U.S. Homes was the successful bidder, and has plans to build 792 homes on the site.

However, U.S. Homes' plans are on hold, pending a decision by the Arizona Court of Appeals that could rescind the auction. Recently, the Save Our Sonoran (SOS) group struggling to preserve Section 16 received some good news. Several weeks ago, U.S. Homes filed a motion to intervene with the Appellate Court, attempting to represent their interests before the court separately from the State Land Department's interests. The Court of Appeals denied U.S. Homes' motion, recognizing that the dispute is between SOS and the State Land Department over the legitimacy of the auction of Section 16.

In addition, the Cave Creek Unified School District recently turned down an offer of \$635,000 cash from U.S. Homes, which was offered in lieu of their providing a school site on the Section 16 parcel. The CCUSD main school campus is currently adjacent to Section 16, making this a very attractive and practical location for additional school facilities that are desperately needed. The U.S. Homes representative, Gerry Smith, told the School Board that the nine major washes running through Section 16 make it difficult to amass the 16-20 acres needed for a school site. Logically, the Board questioned

(see "Development Updates" on page 4)

Development Updates (continued from page 3)

how U.S. Homes could build 792 homes on the site, but couldn't find room for a school!

This sign of strength by the School Board in standing up to developers regarding the impact of development on school facilities and finances was greatly aided by some words from Dr. Philip Geiger, Director of the State of Arizona School Facilities Board. Geiger indicated in comments to the Board that "U.S. Homes is the least community-oriented developer we've dealt with. They've taken a position that their development isn't going to have children or schools. U.S. Homes has said, 'If you're going to have a school, put it somewhere else, not near our homes.'" Geiger also encouraged the School Board to assist SOS in their fight to preserve Section 16 by filing an amicus brief with the Appellate Court. Hopefully, the School Board will act soon on this advice.

The SOS group needs help in raising funds for their ongoing legal expenses. They are selling raffle tickets and requesting donations from the community. Please visit their website at www.saveoursonoran.org to learn more about the group and how you can help them.

FAA Update

At the February 20 City Council meeting, Scottsdale Airport Director Scott Gray provided an update on negotiations with the FAA on proposed routes over Scottsdale. The negotiations follow an influx of complaints from residents about increased noise and an increase in flights over the City of Scottsdale. According to Mr. Gray, the FAA's reasons for adjusting the flight paths are to reduce air traffic controller workload and thereby increase safety, reduce existing delays, minimize fuel consumption and increase the air space separating arriving and departing flights.

Public outreach meetings on the proposed routes were held by the city on February 26, March 1 and March 3. City Transportation Director John Little and Airport Director Scott Gray will attend the March 12 COPP Member Meeting to provide us with an update on those meetings and with the city's negotiations with the FAA.

Pima Road Waterline

Also at the February 20 City Council meeting, staff reviewed options for selecting a construction corridor along Pima Road between Jomax Road and Cave Creek Road to allow installation of a new water transmission main. The purpose of the waterline is to furnish treated surface water (potable water) from the recently expanded CAP water treatment plant and reduce the city's dependency on ground water. Staff also presented strategies for coordinating construction of the recently approved IWDS

(non-potable) waterline in conjunction with the potable waterline so as to minimize the amount of disruption that construction will entail. The city was considering two options for placement of the pipeline:

- Place it under the northbound lane of Pima Road with the IWDS line to follow along the eastern shoulder. This would require tearing up Pima Road, trenching, construction of the pipeline and finally rebuilding Pima Road. This would cause significant disruption of traffic along Pima Road during the period of construction.
- Put both the potable line and the IWDS along the eastern shoulder of Pima under land to be acquired from the State Land Department. This option would cause minimal disruption of traffic along Pima Road and appears to be more feasible than was previously thought. Conversations with the State Land Department about acquiring the right-of-way have given staff reason to believe that the land can be acquired more easily and at lower cost than they originally thought. If this option is selected, staff agrees that there would need to be significant revegetation and restoration of the area disturbed by the pipeline construction.

The City Council directed staff to more thoroughly investigate the options outlined above and to return with more refined estimates on each.

Preserve Hearing Report *(continued from page 1)*

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Send copies of your letters to the following:

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Representative Carolyn Allen
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It will take all of us, working together, to save this land from development and get it into the Preserve. COPP will keep you apprised of developments as they occur through *COPP Alerts* and the *COPP News*.



Don't Miss Late Breaking News!

COPP Alert keeps you informed

One of the key benefits to membership in COPP is the timely advisories on issues surrounding zoning, uses of property, and preservation of the Sonoran Desert. One of the ways we keep you informed is through the COPP Alert, which is sent to members via e-mail or fax.

If you have not been receiving COPP Alerts by e-mail or fax, it is because we don't have your current e-mail address or fax number. If you want to be on the distribution list to receive these Alerts, please send us your current e-mail address or fax number. You may e-mail this information to:

COPPeak@aol.com

Or use the form on the back page of this newsletter and mail the information to COPP, 8912 E. Pinnacle Peak Road, #275, Scottsdale, Arizona 85255.

*Help us keep you informed by
keeping us up-to-date.*



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**Are you a current member of COPP? Please renew promptly to show your support.
 Tell your friends and neighbors to join. Membership is still only \$50.**

COPP is a volunteer organization that serves the Scottsdale community. To maintain a high level of communications with our members through our monthly newsletter, our web site and, from time to time, by engaging outside professional services, we need your contribution. Basic Memberships are \$50 per family; additional contributions are greatly appreciated.

Enclosed is my check (payable to COPP) for \$ _____ for: New Membership Renewal
 Family (\$50) Additional Contribution (Please be generous)

Name _____ Neighborhood association (if any) _____
 Address _____ Where do you vote? _____
 City _____ State _____ Zip _____ Email _____
 Phone () _____ Fax (dedicated lines only, please) () _____

Summer address, if different from above:
 Address _____
 City _____ State _____ Zip _____
 Dates _____ Phone () _____

Make checks payable to COPP and mail to 8912 E. Pinnacle Peak Road, PMB 275, Scottsdale, AZ 85255.

**Questions? Need information or a speaker for your association? Changes to your address/phone/fax/email?
 Keep us updated so we can keep you updated!
 602-230-5233 • www.COPPeak.org • COPPeak@coppeak.org**

COPP is a not-for-profit, 501(c)(4), civic organization. Contributions are not tax deductible as a charitable expense.