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Public Testimony Set for Desert Greenbelt *Mark Your Calendars and Plan to Attend!*

The Scottsdale City Council will hear public testimony on the proposed Desert Greenbelt at a meeting on January 9, 2001. The meeting will be held in the Scottsdale Center for the Arts, 7380 East Second Street, beginning at 5:00 p.m.

We urge our members to attend this meeting and testify in opposition to the Desert Greenbelt Project. Your participation is essential if we are to be successful in convincing the Scottsdale City Council to terminate the Greenbelt Project.

The Coalition of Pinnacle Peak, Inc. is on record opposing the project, and Scottsdale residents who live in the area designated as a flood zone oppose the project. At a meeting held by the Army Corps of Engineers in March, 2000, speaker after speaker opposed the plan for a variety of reasons, among which were:

- There is no public demand for the project.
- There is no historical evidence to document the need for such a massive project.
- Homes do not get built in washes – Scottsdale ordinances do not allow it and homes must be built one foot above the estimated 100 year flood level as required by the Federal Government.
- Flood insurance is available from the Federal Government at highly subsidized premiums. A \$200,000 home and its contents can be insured for less than \$300 a year.
- There is evidence that development and not flood control was and still is a major goal of this project.
- The proposed design of the project is not sensitive to the fragile and unique environment of the Sonoran Desert, which is the only area in the world of its kind.

(see "Desert Greenbelt" on page 4)

NEXT COPP MEMBER MEETING

January 8, 2001 at 7:00 pm

Preservation Issues

**Legend Trail
Community Center**

(see page 2 for directions)

COPP Board of Directors

Bob Vairo, *President*
Linda Whitehead, *Vice-President*
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Published by

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Important Dates to Remember

January 8	7:00 p.m.	COPP Member Meeting
January 8	5:00 p.m.	City Council hears Carefree Westland Site Plan and Bank Use Permit
January 9	5:00 p.m.	City Council hears Public Testimony on Desert Greenbelt
February 15	6:00 p.m.	State Land Department hears Public Testimony on Scottsdale's API application

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.

2000 – A Year in Review

2000 was a watershed year for COPP members and the citizens of Scottsdale. It began with a political campaign for three City Council seats and the Mayor's position. It was not just a vote to decide among the candidates, but even more importantly, a referendum on the direction the city would take in the key questions of growth and preservation of our unique environment.

Fortunately for all, the candidates who campaigned forcefully on these issues prevailed. Mayor Manross has already demonstrated her commitment to slowing growth and supporting preservation efforts and so have Council members O'Hearn and Silverman. Along with Council members Zraket and Lukas, there is no question about the direction the new administration will take on these two issues that concern us most.

The year also saw COPP deeply involved in a number of zoning and other issues that affect the quality of life and well being of Scottsdale residents:

- **The Environment** – Proposition 100 and 202 – luckily, 100 was defeated, but unfortunately, so was 202. A well financed and professionally orchestrated campaign defeated 202, but was unsuccessful in convincing voters that 100 was the answer. The voters seemed to say that one was too extreme (202) while the other (100)

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.

didn't go far enough. This subject will not go away as there is no question that Arizona residents are vitally interested in preservation and want the legislature to do something about it. Stay tuned!

- **Home Depot** – This totally inappropriate application for a warehouse retail store at the southeast corner of Dove Valley and Scottsdale Road generated the highest level of neighborhood resistance that we have ever experienced. The opposition was furious, and the battle was brief. But facing the organized opposition of COPP, residents of Terravita, Winfield, The Boulders and others, as well as the opposition of our newly elected Mayor and City Council, Home Depot decided to throw in the towel.

- **Big Box Ordinance** – While Home Depot has gone away, we must still be ever vigilant about similar intrusive commercial development in the future. We are working with the City to develop an ordinance that will protect all areas of the City and regulate where and how such development will occur.

- **Los Arcos** – As of this writing, Ellman hasn't concluded the purchase of the team and the City still doesn't have a development agreement to consider. This should all come to a head soon.

- **Section 16** – Thanks to the efforts of the neighborhood group, this is before the State courts for a decision that may prevent the State Land Department from selling the parcel to US Home as they did earlier in the year.

- **Pinnacle Boulders** – At its last meeting in November, the City Council denied approval for a 54-lot development on the northeast corner of Scottsdale and Dixileta Roads.

The 54-home proposal was dependent on the developer being granted a NAOS density incentive. While the City's planning staff determined that the density incentive was incorrectly calculated, the Planning Commission voted 5-2 to approve the proposal. The Council's vote denying approval of the site plan supported the staff's recommendation and sent a message that the city is going to get serious about enforcing both the spirit and the letter of the NAOS ordinance. This decision by the City Council brought to a successful conclusion a year-long battle against a poorly-sited development that would have encroached on washes, interfered with wildlife and view corridors and destroyed massive amounts of native vegetation

- **Foothills Academy** – This application for a charter school at the southwest intersection of Ashler Hills and Scottsdale Roads was heard by the Planning Commission and the City Council. The application was continued by the City Council because the applicant did not prove that the school would not create an unsafe traffic condition at that intersection. Another hearing will be scheduled by the City Council in the near future to consider the application based on new information to be provided by the Foothills Academy on the traffic issue.

All in all, 2000 was a very successful year for the Coalition. We want to extend our heartfelt thanks to our members for their support throughout the year. Once again you helped us prove that *together we can make a difference!*

Please accept our best wishes for a healthy and happy New Year.

The Board of Directors

Annexation Position Paper

The following represents COPP's position on the Desert Mountain/Wildcat Hill Annexation and IWDS Pipeline as communicated to the Mayor and City Council on December 8. The COPP Board spent a great deal of time exploring all aspects of this proposal which is unquestionably the most difficult and complex issue we have ever had to consider. Our approach was to weigh the pros and cons of the case and attempt to ascertain what

was best for the City of Scottsdale. During the course of our deliberations, we identified a number of stipulations we felt were necessary if the proposal was to be approved. We are happy to report that those stipulations were present in the final package that was presented to the City Council. COPP President Bob Vairo presented our comments and concerns during the City Council hearing on December 11.

Coalition of Pinnacle Peak, Inc. Position Paper

Desert Mountain – Wildcat Hill – Brophy Property Annexation & IWDS Water Line

Annexation Issues:

- Better control and supervision of boundary land contiguous to an important area of Scottsdale. There will be less strain on the environment by eliminating the use of well water and septic systems. In general, Scottsdale's building standards and land use supervision are superior to Maricopa County.
- Taxes generated by annexed property will pay for estimated city and school costs. Wildcat Hill, LLC has agreed to pay residential property taxes, including school taxes, on its golf course. Excluding Wildcat will not preclude its impact on school demands. In fact, it would exacerbate the school problem because 72 homes can be built under the present County zoning, instead of 50, as proposed.
- Residential density will be reduced from a potential 239 units to 67 on the annexed properties.
- The annexation should not escalate the cost of land in the API preserve because the Desert Mountain and Wildcat properties were purchased at an average cost of under \$18,000 per acre. Conversely,

the average cost per acre of land acquired within the API preserve area since June, 1996 is \$51,000.

Additionally, the existing and closer developments of Desert Mountain, Legend Trail, Stonehaven and Troon North will more directly influence the value of API land.

- There is some indication that the low-density developments of the annexed parcels will strengthen the case against Tonto National making trades for adjacent properties by establishing a low-density transitional area on its border.
- Desert Mountain Properties and Wildcat Hill, LLC agree that they will record a deed restriction that DMP and future owners of the properties will not seek to annex to the City any land contiguous to the proposed annexed parcels nor combine those parcels with any contiguous land. The applicants have also agreed to provide a deed restriction prohibiting future owners from granting easements over any portion of the property to the Tonto National Forest for vehicular, pedestrian or utilities access. This will include a one-foot non-vehicular easement along the entire border of the annex-

ation properties to further restrict access to the Tonto National Forest land along its borders.

The Water Line Issue:

- The IWDS pipeline will be exclusively dedicated to four golf courses and the recharge of the Carefree/Scottsdale aquifer and will be sized so that there will be no excess capacity in the line. The cost of acquiring a 100-year supply of CAP water will be entirely borne by the applicants, including the cost (\$1.8 Million) for 1.25 million gallons per day to recharge the Carefree aquifer.
- No IWDS water will be used for residential purposes except through its indirect availability from Scottsdale City wells now pumping groundwater from the Carefree aquifer. None of the water can be used in the API designated area. The stub water line east of Pima on Dynamite Blvd. will be limited in size and purpose to provide untreated, non-potable CAP water only for the Golf Club of Scottsdale and will not be used to provide potable water for residential or other purposes.

(see "Annexation Paper" on next page)

Annexation Paper

(continued from previous page)

- The recharge will help Scottsdale meet its legal obligation to replenish groundwater from the aquifer as required by state law.
- The agreement between the City of Scottsdale and the applicants will spell out the restricted conditions of the IWDS line and the use of such water.
- The cost of the line and a treatment plant to prepare the recharge water will be borne entirely by the applicants – estimated at \$21,000,000. Additionally, the applicants will pay for the maintenance and use of water provided by the IWDS at an appropriate city charge for such service.
- The City will gain an economic benefit because it will be able to utilize effluent water for the golf courses at times when demand is low (Winter) that would otherwise have to be further processed at the City's Water Campus for recharge at an added cost.

With these understandings in mind and providing all necessary agreements between the City of Scottsdale and the applicants are legally binding, the Coalition Of Pinnacle Peak, Inc. will not oppose the annexation of the Desert Mountain and Wildcat Hill LLC properties and the construction of a the IWDS water line, as proposed.

While the extension of Lone Mountain Road is not a part of the

overall proposal, COPP is concerned that the proposed annexation may engender support for the extension of the road through the land identified for conservation under the API. To assure the continued integrity of the API land, we strongly urge the City Council to remove the extension of Lone Mountain Road east of Pima Road from the General Plan that is currently under review by the City Council.

We also want to note that, if approved, the proposed additional pipeline will tear up Pima Road at a time when residents in the area have had their fill of construction on this road during the past three years. Pima Road is a designated Scenic Corridor and we should make every effort to minimize construction on this road, as much as practicable.

Further, the City's plans to install potable water lines to deliver surface water up Pima Road north of Deer Valley should be coordinated with the installation of the IWDS pipeline, if it is approved by the City Council. The prospect of construction schedules tearing up Pima Road at separate times is unacceptable to residents in the area and must be resolved before all such construction is permitted to go forward.

The Board of Directors
Coalition Of Pinnacle Peak, Inc.
December 18, 2000

Desert Greenbelt

(continued from page 1)

- The US EPA and US Fish & Wildlife Service have gone on record that the project will have a detrimental effect on the environment.
- No Environmental Impact Statement has been prepared to determine what the project will do to the unique Sonoran Desert.
- If you want an example of what will happen if the Desert Greenbelt is constructed, take a look at the area south of the CAP canal. The canal cut off the flow of water across the alluvial fan. Without water in the washes, the vegetation died, wildlife disappeared, and the area became suitable only for development.
- If the Greenbelt is constructed it will send a clear signal that Scottsdale intends for this area to be heavily developed. This will make it more difficult for Scottsdale to acquire the land nearby which is within the proposed preserve boundary.

We believe it is time for the City Council to pull the plug on this costly plan that has highly questionable value and that is not supported by the vast majority of residents who live in the affected area. The City has already spent over \$20 million of taxpayer's money for studies, legal fees and other costs in an attempt to rationalize the project. It is time to end this boondoggle.

Please plan to attend the January 9 meeting and offer your spoken or written testimony, insisting that the City Council terminate this project. For those wishing to attend this hearing who need transportation, COPP is willing to help arrange for car-pooling. If you need transportation to the hearing, please call the COPP Hotline (602-230-5233) and leave your name and phone number.

You Can Help Change The State Land Trust Management

Please send a letter immediately to Governor Hull expressing your concerns about the increased development activity that has taken place on State Trust land during her term as Governor. Some points to make in your letter:

- The Commissioner of the State Land Trust must be more receptive to the concerns of the public as respects the need for preservation.
- The pending sale of Section 16 should be terminated in recognition of its significant adverse impact on the surrounding neighborhood, the environment and the already overburdened Cave Creek school district.
- The State land Department's policies and procedures for collecting and acting upon public input regarding the selection and timing of parcels to be auctioned should be amended to allow for greater public participation and input.

- The failure of Proposition 100, which was endorsed by Governor Hull, proves that Arizona voters want significantly more than 3% of the State Trust Lands to be preserved.

- A moratorium should be enacted on the sale of all State Trust Land until a referendum can be brought before the voters that will change the State Enabling Act to allow for more preservation of State Trust Land.

It is important that you act now in light of the failure of Propositions 100 and 202 and the pending lawsuits against the State Land Department. You can help change the way the State Land Trust is managed. **WRITE NOW!**

Address your letters to:

Governor Jane Hull
State of Arizona
State Capitol Building
1700 West Washington Street
Phoenix, Arizona 85007

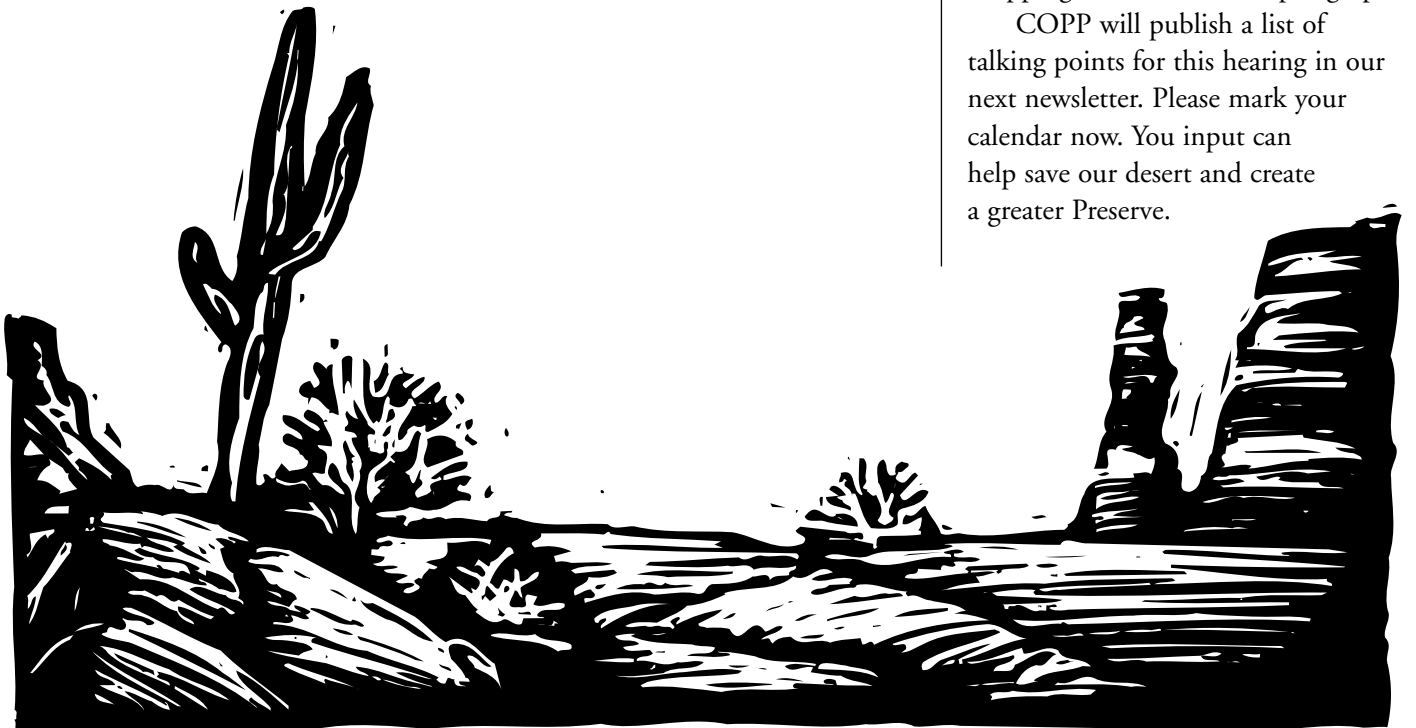
Fax: (602) 542-1381

State Land Trust – Scottsdale Preserve Hearing

The State Land Trust will hold a hearing at 6:00 p.m. on February 15 at the Desert Canyon Middle School (10203 E McDowell Mountain Ranch Road) to gather public comment on Scottsdale's request to have 16,600 acres protected under the Arizona Preserve Initiative (API). As you know, the citizens of Scottsdale have more than once voted to preserve our beautiful Sonoran Desert. Currently, Scottsdale has proposed to preserve 36,400 acres in the McDowell Sonoran Preserve. These 16,600 acres will make up about half of the preserve.

This hearing requires a HUGE turnout – with all attending providing testimony on the importance of preserving the desert. If it is not saved under the API, this land will be auctioned to the highest bidder. Should that happen, you can imagine the sea of roofs and shopping centers that will spring up.

COPP will publish a list of talking points for this hearing in our next newsletter. Please mark your calendar now. Your input can help save our desert and create a greater Preserve.





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COPP is a wholly volunteer organization that serves the Scottsdale community. To keep the COPP News coming to you, we need your contribution. Keep your membership active by sending in \$50. Your generosity is appreciated.

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 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?
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