



COPP News

January, 2010

The End Run Around Scottsdale's General Plan Continues

In the December issue of the COPP News we told you how, in an apparent attempt to avoid the super-majority vote (5-2) of the City Council that is needed to approve a Major General Plan Amendment, the owner of the Property at the southwest corner of Scottsdale and Lone Mountain Roads had applied for a Text Amendment to the R1-70 Zoning District and an accompanying Use Permit to allow the construction of an 80-bed assisted living facility at that site.

Now, the owner of the +/- 10 acres on the northwest corner of Pima and Dynamite, who submitted and then withdrew an application for a Major General Plan Amendment from Rural Neighborhoods to Commercial, to allow the construction of a gas station and commercial center at that site, has applied to the city for a Text Amendment to the R1-190 Zoning District to allow their proposal to proceed without the need for a Major General Plan Amendment.

While the ownership of these two properties is different, there are many similarities between them:

- Both are represented by the same prominent, well-known Scottsdale Zoning Attorney;
- Both properties are located within the boundaries of the Desert Foothills Character Area and are covered by the City Council approved Foothills Zoning Overlay, neither of which support the uses applied for;
- Both proposals were originally submitted as Major General Plan Amendments, according to the timetable required by state (and city) Statutes.
- Both proposals were accepted by the city's Planning Staff as meeting the requirements for Major General Plan Amendments and processed accordingly;
- Both proposals faced overwhelming opposition from residents of the area and citizens who had participated with the city in the cooperative planning effort that led to the enactment of the Desert Foothills Character Area and Foothills Zoning Overlay;
- In the face of that opposition, both applications were withdrawn before being heard and likely denied by the City Council;
- Despite the overwhelming opposition, both applicants have returned with the same, novel approach to achieving their objectives, and that new approach appears to be the at the suggestion of the city Planning Staff, supporting and encouraging the applicants' desire to avoid the need for Major General Plan Amendments and the super-majority vote of the City Council required to approve them;
- Both proposals, if approved, would undermine the spirit and intent of the Desert Foothills Character Area and Foothills Zoning Overlay, and set the stage for an influx of similar requests, all of which would destroy the character, ambience and lifestyle of this area of Scottsdale.

The most disturbing aspect of this Text Amendment approach to accomplishing what should be accomplished only by a Major General Plan Amendment is the apparent support and encouragement of the city's Planning and Development Services staff, and David Richert, the city's current Acting City Manager who was hired just over a year ago to replace Frank Gray as General Manager of Planning and Development Services.

It is difficult to understand why, as the city embarks on a nearly 3-year campaign to update its General Plan, an update that must ultimately be approved by Scottsdale's voters, the upper echelon of the Planning Staff along with the Acting City Manager, would be supportive of such apparent attempts to undermine that process. Doing so accomplishes nothing but to undermine citizen support of and confidence in the General Plan.

We will keep you apprised of scheduled meeting dates and other developments as they occur.

A Message From The Scottsdale PD

The Scottsdale Police Department recommends that you enroll your car with the Arizona Automobile Theft Authority and attach Watch Your Car decals to the rear window of your vehicle.

By displaying the decal, vehicle owners are telling law enforcement that they do not usually use their vehicle between the hours of 100 and 5:00 am, when the majority of auto thefts occur. If a police officer observes the vehicle in operation between those hours, the owner gives the police permission to stop the vehicle and verify it is being legally operated by the rightful owner. For more information or to enroll please visit www.azwatchyourcar.com.

Crime Prevention Officer Jason Glenn
jglenn@scottsdaleaz.gov
480 312-8802

District 4 Commander Bill Wilton
wwilton@scottsdaleaz.gov
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Calendar of Events

- January 9 Household Hazardous Waste Collection Day: From 7:30 am to 2:00 pm at the Corporate Yard, 9191 East San Salvador, dispose of household hazardous waste in a safe and environmentally friendly manner. For a list of acceptable items visit www.scottsdaleaz.gov/recycle or call (480) 312-5600.
- January 23 Scenic Drive Clean-up: Sign in at 8:00 am at the location that is most convenient for you. At the northern Scenic Drive entry sign (located on the west side of Scottsdale road just south of Carefree Highway, or the southern Scenic Drive monument sign area (located on the east side of Scottsdale Road, across from McDonald's Ranch). Safety vests, pickup "sticks" and plastic trash bags will be provided. Complimentary coffee, donuts and water will be available. Gloves and long pants are recommended.
- February 6 Electronics Recycling Day: Discard your unwanted electronics in a safe and environmentally friendly way from 7:30 am to 2:30 pm at the city's Corporation Yard, 9191 East San Salvador. For a list of acceptable/unacceptable items call 480 312-5600 or go to www.scottsdaleaz.gov/recycle.

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