



## IN THIS ISSUE

- The Fight Continues...
- A "My Turn" Response From COPP
- Letters Needed!
- Development Updates
  - Big Boxes – The City Council Acts
  - Wireless Communications
  - Environmentally Sensitive Land Ordinance

## NEXT COPP MEMBER MEETING

July 9, 2001 at 7:00 pm

Legend Trail  
Community Center  
(see directions on page 3)

### On the Agenda:

A Presentation on the General Plan Update by Scottsdale Planning Department Staff

## COPP Board of Directors

Bob Vairo, *President*  
rvairo@coppeak.org  
Linda Whitehead, *Vice-President*  
lwhitehead@coppeak.org  
Daniel Basinger, *Treasurer/Secretary*  
dbasinger@coppeak.org  
Alan Kaufman, *General Counsel*  
akaufman@coppeak.org  
Wayne Ecton, *Director*  
wecton@coppeak.org  
Dick Janssen, *Director*  
djanssen@coppeak.org

© COPP 2001  
Published by

Coalition of Pinnacle Peak, Inc.  
8912 E. Pinnacle Peak, PMB 275  
Scottsdale, AZ 85255  
602-230-5233  
COPPeak@coppeak.org  
www.COPPeak.org

## The Fight Continues...

*By Carla, Executive Director, McDowell Sonoran Land Trust*

Another positive step on the road to conserving 16,600 acres of state trust land in northern Scottsdale has been taken.

The Conservation Advisory Committee (CAC), which advises the State Land Commissioner on which state trust lands to reclassify as "suitable for conservation" under the Arizona Preserve Initiative voted to support reclassifying ALL 16,600 acres in northern Scottsdale. The final decision is up to Commissioner Anable (who is appointed by the Governor) but this strong message will hopefully make it harder for him to pull acres out.

However, we hear he is going to try. Within the next two months Anable will probably either 1) reclassify a percentage of the 16,600 acres for conservation but send the more contentious portions (meaning the most monetarily valuable areas west of the power lines) back to CAC for re-evaluation 2) send the whole application back to CAC for re-evaluation. The re-evaluation may include requests to Scottsdale staff for more documentation of conservation merit as well as the state staff\*\* analysis which focuses more in depth on things like mineral values, utility

right of ways, potential development values, etc.

We need to keep this issue in both the public eye and the minds of key leaders. Please take the time to write a letter reiterating how important reclassifying all 16,600 acres is to the voters and how it IS in the best interest of the state trust when you look at the "big picture" as the CAC did.

In the end, what we have to overcome is the argument that the state must, by law, get "highest and best use" for the state land beneficiaries which the courts have interpreted to be sale to the highest bidder – which means development.

That is why, on a separate but parallel track, the McDowell Sonoran Land Trust is actively partnering with a broad-based group of Arizona stakeholders to develop a comprehensive state trust land reform measure. The goal of the participants is to develop ballot initiative language for consideration by the voters in November 2002.

This will be a constitutional amendment and therefore, the goal is to keep it simple yet comprehensive enough to meet

*(see "Fight" on page 2)*

## Note:

There will be no Member meeting in August. Our next Member meeting will be September 10.

*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.*

## Fight (continued from page 1)

the needs of the various stakeholders as well as the beneficiaries. While still in draft form, the intent is to recognize conservation as a value for management of certain state trust lands while providing additional resources to the State Land Department for management of trust lands and to help agency run more efficiently. The measure would also immediately designate 10% of state trust lands, or 1 million acres, as conservation lands.

An Act of Congress will be required to change the Arizona Enabling Act before these changes will become law, but that comes after the voters have passed the constitutional measure.

The 1 million acres of state trust lands that will receive conservation status upon passage of this measure by the voters are being identified through an exhaustive process utilizing twenty-seven criteria including city, county and regional planning processes, critical open space, perennial waters, wildlife corridors, and important habitat. The McDowell Sonoran Land Trust will push to get as much of Scottsdale's envisioned Preserve state lands included as possible, with the knowledge that lands not included can still be pursued through the API or outright purchase for conservation.

In order to achieve the full Preserve vision of saving one-third of our city as natural open space, we must vigorously pursue all options – the best of which today are the API and the possible ballot measure. We appreciate your help in keeping both of these moving forward.

\*\* (Many of you who attended the big API hearing in February may remember the State Land Department hearing officer, Merv Mason who sadly has unexpectedly passed away. Merv was a fair, nice man who will be missed.)

## A "My Turn" Response From COPP

In response to Robert Bruno's inflammatory, June 2nd letter which attacked the 1,300 members of the Coalition of Pinnacle Peak (COPP): it is apparent that this newest voice in the "COPP Is The Root Of All Evil" political choir wants to demonize our organization by blaming us for every problem, real or imagined, that exists in Scottsdale. Clearly, the article's sole objective is to make wild and unsubstantiated statements designed to persuade the public that, somehow, COPP has the City Council in its clutches and doing its bidding. What utter nonsense. But, as students of propaganda realize, if you say a falsehood often enough, it begins to sound like the truth.

Unless Mr. Bruno has been out of town the past few years, he would know that the Council is composed of seven elected members. As such, at least four votes are required to decide most issues. If one takes the time to review all the votes taken by the Council regarding Los Arcos, he would find that a majority voted in favor of supporting Mr. Ellman's project each and every time it came before the Council. And, incidentally, two of the four voting in favor of Los Arcos included Councilwoman Cynthia Lukas and Councilman David Ortega – both of whom were endorsed by the COPP Political Committee during their election campaigns. Does Mr. Bruno believe that these two council members are also part of our "conspiracy?"

It is an insult to all seven members of the City Council to accuse any of them of being in the "grasp" of any faction. Each of them spends countless hours evaluating

the business of the City, responding to residents concerns, and tirelessly working toward, in their judgement, what they consider to be in the best interest of our community.

Our primary criteria in deciding who we endorse is whether a candidate will be an independent thinker and will listen to the public – not just to special interests, but to all who take the time to present their views to the City Council.

COPP is satisfied with our endorsements of Council members Lukas, O'Hearn, Ortega, Silverman, and Zraket. Each brings their unique background, skill, and commitment to Scottsdale's highest deliberating body. COPP has not always agreed with every position taken by these council members. But lock-step agreement with COPP on every issue is not the criterion for endorsement, nor is it the nature of our nation's democracy. Healthy and principled disagreement creates the checks and balances that have made this country great.

Mr. Bruno also takes COPP to task for our position on citizen input. According to Bruno, assembling a Blue Ribbon Committee to develop a citizen-based plan for Los Arcos, *"demonstrates its (COPP's) misunderstanding of the way the planning and zoning process commonly works in a democratic society."* A committee of citizens who represent a cross section of interests has been a fundamental and time-honored way of debating and resolving difficult issues since the beginning of our Republic and used extensively by the Arizona legislature. We believe that Mr. Bruno should support the concept of maximizing

(see "My Turn" on page 3)

## My Turn (continued from page 2)

citizen involvement, not denigrating the idea.

No, Mr. Bruno, the problem is not COPP. We are just an organization of concerned citizens who speak out on issues that affect Scottsdale families and neighborhoods. The problem is individuals who cloak their true agenda in wild claims and unfounded rhetoric; individuals who seek to gain political and economic advantage by issuing pointless accusations that have no basis in fact.

If you really want to help, Mr. Bruno, volunteer to participate on a "Blue Ribbon Committee" and stop putting the blame on citizens who have done nothing except exercise their right to participate in the civic life of their community.

If you are really concerned, you can do the same.

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.



## Letters Needed!

As Carla says in her front page article in this issue of the *COPP News*, your help is still needed on Scottsdale's API application to keep preservation of this land in the public eye. Write an "open letter" to Governor Hull urging her support of the reclassification. 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. Remind her that the Conservation Advisory Committee voted 4-0 to support Scottsdale's application. Address your letters as follows:

**Governor Jane Dee Hull**  
State Capitol Building  
1700 West Washington Street  
Phoenix, Arizona 85007  
Fax: (602) 542-1381

Send copies of your letters to the following:

**Commissioner Michael Anable**  
State Land Department  
1616 West Adams Street  
Phoenix, Arizona 85007  
Fax: (602) 542-2590

**Senate President Randall Gnant**  
State Capitol Building  
1700 West Washington Street  
Phoenix, Arizona 85007  
Fax: (602) 542-3429

**Representative Carolyn Allen**  
State Capitol Building  
1700 West Washington Street  
Phoenix, Arizona 85007  
Fax: (602) 542-0102

**Letters to the Editor**  
Arizona Republic  
P.O. Box 2244  
Phoenix, Arizona 85002  
Fax: (602) 444-8933

**Letters to the Editor**  
Scottsdale Tribune  
P.O. Box 1150  
Scottsdale, Arizona 85252  
Fax: (480) 970-2360

**Letters to the Editor**  
North Scottsdale Independent  
11000 North Scottsdale Rd., #210  
Scottsdale, Arizona 85254  
Fax: (480) 948-0496

**Mayor and City Council**  
City of Scottsdale  
3939 Drinkwater Blvd.  
Scottsdale, Arizona 85251  
Fax: (480) 312-2738

**Carla, Executive Director**  
McDowell Sonoran Land Trust  
P.O. Box 14365  
Scottsdale, Arizona 85267  
Fax: (480) 994-3321

If you can't find the time to write a letter, there is a sample letter on the back of this page that you can use. Simply copy it onto your own letterhead (make certain your letterhead includes your phone number), and address it as above. There is every indication that a decision will be made on Scottsdale's application in the very near future. The individual who will make that decision, Michael Anable, reports to one person – Governor Hull. Write Today!

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

Dear Governor Hull:

I am writing to urge your support of Scottsdale's application to set aside 16,600 acres of land for conservation under the Arizona Preserve Initiative.

Expert testimony has clearly demonstrated that all of this land qualifies under the API reclassification criteria, and the citizens of this region have overwhelmingly stated their desire that this land be preserved. Your Conservation Advisory Committee voted 4-0 to support Scottsdale's application – all of it. The citizens of Scottsdale have voted to be taxed to buy this land and preserve it.

The regional benefits of preserving this land are potentially enormous – from maintaining an unbroken chain of open space to protecting the vitality of the region's tourism industry to sparing our schools from having to deal with the pressures cause by the mini-city that would otherwise be built here.

This is a once-in-a-lifetime opportunity to preserve some of our rapidly disappearing desert for the benefit of everyone. We will never run out of tile roofs and parking lots. None of us wants to see this region run out of pristine desert open space or the wildlife and vegetation it sustains.

Please support approval of Scottsdale's application. Reclassify it all!

Sincerely,

C: Commissioner Michael Anable  
Senate President Randall Grant  
Representative Carolyn Allen  
Scottsdale Mayor and City Council  
McDowell Sonoran Land Trust  
The Arizona Republic  
The Scottsdale Tribune  
The North Scottsdale Independent

# Development Updates



## *Big Boxes – The City Council Acts*

In a gratifying display of harmony, the Scottsdale City Council unanimously voted to approve ordinance amendments that will regulate Big Boxes like Home Depot throughout the city. A major provision prohibits such retail stores within the Environmentally Sensitive Land (ESL) area that stretches from the CAP canal to Scottsdale's northern border.

Thanks to the support of our members with their presence and passionate testimony at the Council meeting, we succeeded. Together with the over 450 petition signatures that we collected, the Mayor and Council members listened and acted to recognize the need to protect the future character of our Sonoran desert environment by excluding Big Boxes in the ESL.

This landmark land use legislation also assures that, in all other approved zoning districts of Scottsdale, warehouse stores and any retail store with a footprint greater than 75,000 square feet will be closely regulated. To protect residential neighborhoods, a special use permit will be required when such stores are located closer than 1,300 feet to a residential zone.

Additionally, satisfactory compliance is required for such issues as lighting, noise, parking, landscaping, traffic, litter and refuse control, hours of operation and a number of other conditions designed to minimize visual and operational problems for the surrounding neighborhood.

After more than a year of work it was gratifying for COPP to be part of this historic event. President Bob Vairo, Director Wayne Ecton and COPP member Paul Scharr were active participants in the City's Ideas Team that forged the ordinance amendments that were presented to the Council for their approval.

Our thanks also go to the Mayor and City Council for their courageous action that, once again, confirms that Scottsdale is a special place and that its citizens and leaders want to keep it that way.

The Board of Directors

## *Wireless Communications*

After a lengthy debate by City Council members, a proposed change in the current ordinance to broaden the definition and to exempt certain wireless installations from requiring special use permits, it was decided to continue the item until September 4.

Council members had difficulty sorting out certain proposed amendments to the current ordinance that would recognize newer technologies and circumstances under which specific kinds of installations would be subject to a use permit. A city appointed citizen Ideas Team has been working on these issues for several months, but had not yet completed its work.

The September date is when the Team is expected to be ready with its recommendation and a final report.

In its testimony, COPP expressed concern about the potential lack of public hearings for certain installations and suggested that the Council table the proposed definitional change until the Ideas Team completed its work. We were obviously pleased that the Council decided to defer its decision until the later date.

## *Environmentally Sensitive Land Ordinance*

The extensive changes proposed by the City staff to the current Environmentally Sensitive Land Ordinance (ESLO) were met with significant comment and opposition from those attending the City Council hearing.

COPP's expressed concern centered around a number of issues relating to greater protection for natural area open space, building heights, greater use of building envelopes and other issues that would strengthen the ordinance. We recommended a continuance until these concerns were evaluated and resolved.

The Council listened to all that and other concerns and decided to defer its decision for thirty days. Since the Council will be taking a break from July 3 until August 20 and because scheduling will be difficult before then, it is unlikely that the next hearing on this ordinance will be held before September.



*Coalition Of Pinnacle Peak, Inc.*  
 8912 East Pinnacle Peak Road, PMB 275  
 Scottsdale, AZ 85255

First Class Presort  
 U.S. Postage  
 PAID  
 Phoenix AZ  
 Permit No. 995

Join COPP today! Your support will help COPP continue its mission as a volunteer organization serving the Northeast Valley. If you cannot join COPP right now, please consider making a donation.

**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.**

*I support COPP's mission and would like to join COPP.* Your membership and/or donation is greatly appreciated.

Annual Membership \$50 per household       Donation of \$ \_\_\_\_\_       I would like to volunteer

Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone (\_\_\_\_\_) \_\_\_\_\_  
 Work (\_\_\_\_\_) \_\_\_\_\_  
 Fax (\_\_\_\_\_) \_\_\_\_\_  
 E-mail \_\_\_\_\_

**Alternate Address**

Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone (\_\_\_\_\_) \_\_\_\_\_  
 Fax (\_\_\_\_\_) \_\_\_\_\_  
 Start Date \_\_\_\_\_ End Date \_\_\_\_\_

In what neighborhood/HOA do you live? \_\_\_\_\_

In which city do you vote? \_\_\_\_\_

Comments/Suggestions \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Office Use Only**

Have a question? Call the COPP Hotline at: 602.230.5233 or E-mail us at: [COPPeak@coppeak.org](mailto:COPPeak@coppeak.org)  
 Make your check payable to COPP. Please return this form and your check to:  
 COPP • 8912 East Pinnacle Peak Road, PMB 275 • Scottsdale, Arizona 85255-3649