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## NEXT COPP MEMBER MEETING

**Tuesday** (please note new day)  
**September 10, 2002 at 7:00 pm**

**Legend Trail  
Community Center**  
(see directions on page 2)

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## The Becker “Artwork” Saga

For those of us who wish this nightmarish display of inconsiderate behavior would end, the final chapters may be in sight. In June, the City received a favorable decision from City Court in which Mr. Becker and his cowboy poles and sheds were held to be in violation of city codes.

On August 26th, the Court assessed fines against Happy Peak (Becker’s company), but concluded that it did not have the authority to order removal. The judge ruled that such an order requires a separate court action. The City Attorney intends to vigorously pursue the violations and is considering several alternatives.

In any event, it is believed that Becker will appeal any sentence, and that this will cause the case(s) to drag on a bit more. Hopefully, the appeals court will quickly confirm the lower court’s decision to put an end to the offending display that Becker has created for reasons that are best known to him.

If it was to spite the city or to coerce the city and neighbors to support his plans to commercialize the land between the La Mirada Center and Happy Valley Road, it would seem that he has not made any friends in either camp as a result of his tasteless behavior.

Concerning the trailers with signs and other “decorations”, this was decided in

Superior Court last month and also in the City’s favor. The City is now waiting for a final judgment to be entered that will cause removal of such material. As of this writing, the order has not yet been issued, but the City expects it shortly. It is also expected that Becker will appeal such a decision.

We don’t understand why Becker or any other individual would behave in this manner. There is a process by which a property owner can request a rezoning from the City by following the established zoning ordinances and by going through public hearings before the Planning Commission and then the City Council. There is no evidence that Mr. Becker ever filed for a rezoning even though he has publicly railed against the City saying that it has not allowed him to pursue plans to change the property from residential zoning to commercial use.

In our opinion Mr. Becker would have been better served by pursuing these legal remedies rather than inflaming the issues by a display of in-your-face behavior. In the end, that will have gotten him nowhere, except the alienation of his neighbors at a cost of thousands of taxpayer dollars spent by the City in legal fees.

– The Board of Directors

## September Calendar of Events

- September 10 COPP Member Meeting – On the Agenda: Michelle Pabis of the American Cancer Society will speak on a proposed smoke-free ordinance in Scottsdale \***Please note: New meeting day is Tuesday!**
- September 14 Scenic Drive Cleanup (see details on page 2)
- September 18 Planning Commission hearing on State Lands/Arizona Preserve Initiative
- September 28 Cookout at the Ranch VII (see details on page 2)

*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.*

# Cookout at the Ranch VII Set for Saturday, September 28

The haywagons and good times will roll Saturday evening, September 28, from 6-9:30 p.m. at the seventh annual Cookout at the Ranch sponsored by Outback Steakhouse and MacDonald's Ranch. Located on 1300 acres of prime Sonoran Desert, MacDonald's Ranch will be the setting for an enjoyable Arizona evening that should not be missed. This year's event will feature food, drink, hayrides, live country music, raffles, a silent auction, and wildlife and community exhibits. The event benefits desert preservation and the Desert Foothills Scenic Drive and is being organized by the Friends of the Scenic Drive, Greater Pinnacle Peak Association, the McDowell Sonoran Land Trust, and ScenicPimaRoad.com.

Advance purchase ticket prices are \$35 for adults and \$15 for children. Groups and associations can purchase a reserved table and eight adult tickets with one payment of \$270. Seating is limited and the event is expected to sell out. If tickets remain on September 28, they will be available at MacDonald's Ranch starting at 5:00 p.m. for \$39 for adults and \$17 for children.

Cookout pamphlets including ticket order forms are available at all City of Scottsdale Service Centers, the General Store at Pinnacle Peak and Pima, MacDonald's Ranch, and many local businesses in north Scottsdale, Cave Creek and Carefree. For additional information, call Les Conklin at 585-0630.

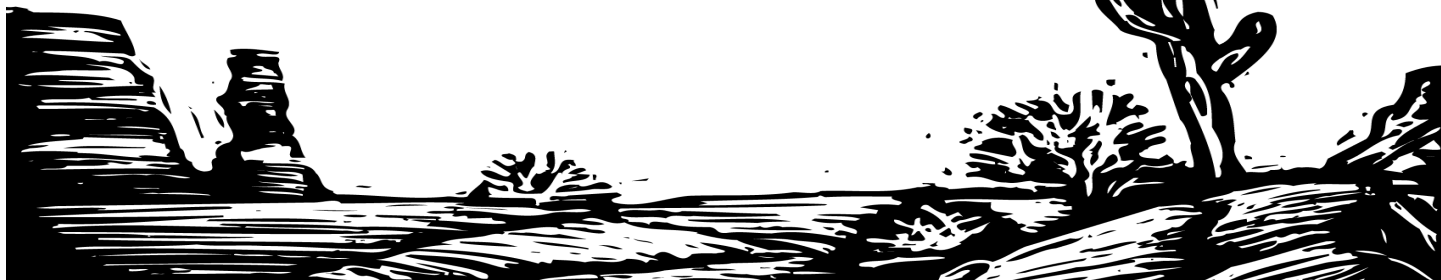
MacDonald's Ranch is located at 26540 North Scottsdale Road (west side of Scottsdale Road, 2 miles north of Pinnacle Peak Road, just south of Jomax Road) in North Scottsdale.

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## Citizens for a Smoke-Free Scottsdale Speak Out

Michelle Pabis of the American Cancer Society will speak to COPP members about a proposed comprehensive smoke-free ordinance in Scottsdale. Dr. Wilfred Potter, a retired urologist leads the group "Scottsdale for Healthy Smoke-free Workplaces." The American Cancer Society, American Lung Association, American Heart Association, Arizona Clearing the Air and Arizonans Concerned about Smoking are part of this grassroots effort.

The committee has been inspired by the new Tempe ordinance, and hopes to get a similar one in place in Scottsdale. Come to the September 10 Member Meeting to learn all about it.



## Volunteers Needed For Scenic Drive Cleanup

On Saturday, September 14, from 7:30 – 9:30 a.m. Friends of the Scenic Drive needs volunteers to help pick up litter along Scottsdale Road from Happy Valley Road to the Carefree Highway

Volunteers should report at 7:30 a.m. at the Scenic Drive monument sign on the east side of Scottsdale Road just south of Jomax, or at the Scenic Drive entry sign on the west side of Scottsdale Road just south of Carefree Highway at the Terravita Marketplace. Volunteers will be assigned a cleanup area and given a safety vest, pickup stick and plastic trash bags. Gloves and long pants are recommended. Free coffee, donuts and water will be provided at both sign-in locations.

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### 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

## *Hearings Scheduled on State Lands/Arizona Preserve Initiative*

The City of Scottsdale will hear public comment on a request to amend the General Plan to reflect the State Land Commissioners order reclassifying 11,390 acres of State Trust Land as suitable for conservation purposes. This is part of the planning process that must occur before the city can acquire those acres for inclusion in the McDowell Sonoran Preserve.

The Planning Commission hearing will be on September 18 beginning at 5:00 p.m. at the City Hall Kiva, 3939 North Drinkwater Boulevard. The City Council hearing will be on October 28 beginning at 5:00 p.m., also at the City Hall Kiva.

## *Conditional Use Permit Referendum Petition Fails*

A group intent on reversing a Scottsdale City Council decision to change the manner by which Conditional Use Permits can be revoked failed to obtain enough valid signatures to place the item on the ballot.

At its June 18 meeting, the City Council voted to approve a change, initiated by COPP, that would make the City Council the deciding body to determine if a Use Permit should be revoked when a property owner violates the conditions of the Use Permit. Previously, such decisions were decided first by the zoning administrator and, if allowed to go forward, by the Board of Adjustment.

It was COPP's position that since the City Council has the authority to approve, amend and renew conditional use permits, it should also decide if a revocation was warranted when permit conditions are violated. We believe that this provides a way for residents to be heard through a public hearing

process in front of their elected officials rather than city staff or an appointed board.

According to Scottsdale City Clerk Sonia Robertson, the "Cop-Out Political Committee" fell 422 signatures short of obtaining the 1,840 signatures that were necessary to place this item on the ballot.

## *The Stacked 40's*

DMB, the Developer of DC Ranch, wants to build a combined retail and office complex on 160 acres located on the east side of Scottsdale Road running from south of Thompson Peak Parkway to Mayo Boulevard/Union Hills Drive (just south of the 101.) Because this 160-acre parcel consists of four 40-acre parcels "stacked" north to south and contiguous to each other, it is referred to as the "Stacked 40's".

The DMB organization, on behalf of the Corrigan family which owns the property, has filed an application with the City of Scottsdale to rezone the property from R1-35 to a mixture of commercial, office and some residential. Scottsdale's General Plan identifies the area as regional commercial.

Additionally, DMB has been working with the State Land Department to develop a plan for all of the state lands on both the east and west sides of the Scottsdale Road north and south of Thompson Peak Parkway. They stress the need for a quality regional plan for the area, especially the transportation aspect.

Recently, the State Land Department filed an application for a Planned Community Development (PCD) on the their properties which are east of the "Stacked 40s". The PCD would require a transportation plan.

DMB's plans for the area include office space along Scottsdale Road with buildings from 45-feet to 60-feet high. On the southern end of the

property, north of the 101, they propose retail, with a mix of 'large anchors', storefronts and 'mini anchors'. On the north end there will be multi-family residential with about 1,200 dwelling units and buildings a maximum of 36-feet high. At the southern end of the project – between 101 and Union Hills – the proposal includes a Cadillac, Hummer, Saab and Alfa Romeo dealership

DMB will discuss their proposal at the October 8 COPP Member meeting.

## *City Council to Review Collaborative City/School Ordinance*

Scottsdale residents are invited to comment on a draft ordinance that is hoped will promote more effective land use planning between the city and its school districts.

The ordinance, which is modeled after a similar ordinance adopted by the City of Glendale, will require that developers who want to increase the number of homes on a parcel beyond what current zoning allows, must contact the appropriate school district to determine if there are adequate school facilities to serve the proposed development.

The draft ordinance is tentatively slated for City Council review in September.

## *Have Questions About the City's Planning and Development Process?*

The City's Planning and Development Services department recently appointed Garen McClure as its first Customer Relations Specialist. Garen's responsibilities will be to help residents, customers and clients with questions and concerns related to the city's planning and development processes.

Garen can be reached at 480-312-2743, or by e-mail at [gmcclure@ci.scottsdale.az.us](mailto:gmcclure@ci.scottsdale.az.us).



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First Class Presort  
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**New Member Meeting Day  
 is Tuesday!**  
*See you on Tuesday,  
 September 10, 2002!*

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**

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 Phone (\_\_\_\_\_) \_\_\_\_\_  
 Fax (\_\_\_\_\_) \_\_\_\_\_  
 Start Date \_\_\_\_\_ End Date \_\_\_\_\_

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

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

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

Office Use Only

09/02

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:  
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