

SCOTTSDALE CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, MARCH 16, 2021



CITY HALL KIVA
3939 N. DRINKWATER BOULEVARD
SCOTTSDALE, AZ 85251

CALL TO ORDER

Mayor David D. Ortega called to order a Regular Meeting of the Scottsdale City Council at 5:00 P.M. on Tuesday, March 16, 2021.

ROLL CALL

Present: Mayor David D. Ortega; Vice Mayor Betty Janik; and Councilmembers Tammy Caputi, Tom Durham, Kathleen S. Littlefield, Linda Milhaven, and Solange Whitehead

Also Present: City Manager Jim Thompson, City Attorney Sherry Scott, Acting City Treasurer Judy Doyle, City Auditor Sharron Walker, and City Clerk Ben Lane

MAYOR'S REPORT

Councilmember Durham led the Pledge of Allegiance.

Mayor Ortega noted it was the Spring equinox and wished everyone enjoyable Spring celebrations, including Passover, Nowruz, and Easter.

PUBLIC COMMENT – Wanda Sullivan expressed concern about debris and noise levels in her neighborhood due to a nearby bar.

ADDED ITEMS

A1. Added Items

Item Nos. 26A and 26B were added to the agenda on March 11, 2021 and require a separate vote to remain on the agenda.

Request: Vote to accept the agenda as presented or continue the added items to the next scheduled Council meeting, which is April 6, 2021.

NOTE: MINUTES OF CITY COUNCIL MEETINGS AND WORK STUDY SESSIONS ARE PREPARED IN ACCORDANCE WITH THE PROVISIONS OF ARIZONA REVISED STATUTES. THESE MINUTES ARE INTENDED TO BE AN ACCURATE REFLECTION OF ACTION TAKEN AND DIRECTION GIVEN BY THE CITY COUNCIL AND ARE NOT VERBATIM TRANSCRIPTS. DIGITAL RECORDINGS AND CLOSED CAPTION TRANSCRIPTS OF SCOTTSDALE CITY COUNCIL MEETINGS ARE AVAILABLE ONLINE AND ARE ON FILE IN THE CITY CLERK'S OFFICE.

MOTION AND VOTE – ADDED ITEMS

Councilwoman Whitehead made a motion to accept the agenda as presented. Councilwoman Littlefield seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, Milhaven, and Whitehead voting in the affirmative.

MINUTES

Request: Approve the Retreat Minutes of February 23, 2021; Work Study Session Minutes of March 2, 2021; Regular Meeting Minutes of March 2, 2021; Special Meeting Minutes of March 3, 2021; and Executive Session Minutes of March 3, 2021.

MOTION AND VOTE - MINUTES

Vice Mayor Janik made a motion to approve the Retreat Minutes of February 23, 2021; Work Study Session Minutes of March 2, 2021; Regular Meeting Minutes of March 2, 2021; Special Meeting Minutes of March 3, 2021; and Executive Session Minutes of March 3, 2021. Councilmember Durham seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, Milhaven, and Whitehead voting in the affirmative.

CONSENT AGENDA

1. **Valley Wings Liquor License (8-LL-2021)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for a new location and owner.
Location: 1495 N. Hayden Road, Suite D-10
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
2. **Southern Glazer's of AZ Liquor License (9-LL-2021)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 4 (wholesaler) State liquor license for a new location and owner.
Location: 2115 N. Scottsdale Road, Suite 105
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
3. **Macayo's Restaurant Liquor License (10-LL-2021)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for an existing location with a new owner.
Location: 8608 E. Shea Boulevard
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

- 4. Old Town Scottsdale Liquors Liquor License (14-LL-2021)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 9 (liquor store) State liquor license for a new location and owner.
Location: 4165 N. Craftsman Court
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- 5. St. Patrick's Catholic Church Abandonment (3-AB-2020)**
Request: Adopt **Resolution No. 12082** authorizing the abandonment of 55-foot-wide E. Mercer Lane right-of-way, including the cul-de-sac, located west of N. 85th Place, surrounded by Parcel No. 175-29-005E with Single-Family Residential (R1-35) zoning.
Location: 10815 N. 84th Street
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
- 6. Prasanth Residence Abandonment (10-AB-2020)**
Request: Adopt **Resolution No. 12089** authorizing the abandonment of 33 feet of General Land Office Patent easement located along the western boundary of Parcel No. 217-32-001E with Single-Family Residential District (R1-43) zoning.
Location: 9916 N. 124th Street
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
- 7. Elrod Residence Abandonment (12-AB-2020)**
Request: Adopt **Resolution No. 12091** authorizing the abandonment of 33 feet of General Land Office Patent easement located along the northern and western boundaries of Parcel No. 217-32-001B with Single-Family Residential District (R1-43) zoning.
Location: 9950 N. 124th Street
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
- 8. Storyrock 1A Section B Final Plat (5-PP-2016#10)**
Request: Approve the final plat for Storyrock 1A Section B to replat Phase 1A of the Master Plat for the Storyrock subdivision for 35 lots and 8 tracts on 462± acres zoned Planned Community District, Environmentally Sensitive Lands, with multiple Single-Family Residential District comparable zonings (R1-18 ESL, R1-43 ESL, R1-35 ESL, and R1-70 ESL).
Location: Southeast corner of 128th Street and Ranch Gate Road
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
- 9. Storyrock 2B Final Plat (5-PP-2016#11)**
Request: Approve the final plat for Storyrock 2B of the Master Plat for the Storyrock subdivision for 37 lots and 5 tracts on 462± acres zoned Planned Community District, Environmentally Sensitive Lands, with multiple Single-Family Residential District comparable zonings (R1-18 ESL, R1-43 ESL, R1-35 ESL, and R1-70 ESL).
Location: Southeast corner of N. 128th Street and E. Alameda Road
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

10. Emerald Hills Ranch Final Plat (3-PP-2020)

Request: Approve the final plat for a new 7-lot, single-family residential subdivision with amended development standards on an 8.5±-acre site with Single-Family Residential, Environmentally Sensitive Lands (R1-43 ESL) zoning.

Location: 10030 N. 124th Street

Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

11. Public and Event Spaces on Civic Center Plaza Preconstruction Phase Services Contract

Request: Adopt **Resolution No. 12101** authorizing CM@Risk Contract No. 2021-029-COS with Willmeng Construction, Inc., in the amount of \$191,154, to provide preconstruction phase services for Bond 2019 Project 1 – Replace Aging Infrastructure and Improve Public and Event Spaces on Civic Center Plaza.

Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

12. Fire Department Medical Director Professional Services Contract

Request: Adopt **Resolution No. 12088** authorizing Contract No. 2016-016-COS-A1 with HonorHealth for a two-year extension for medical director services for the Fire Department.

Staff Contact(s): Tom Shannon, Fire Chief, 480-312-1821, tshannon@scottsdaleaz.gov

13. Fire Service Training Intergovernmental Agreement

Request: Adopt **Resolution No. 12098** authorizing Agreement No. 2021-027-COS with the City of Mesa for joint fire service training between the Mesa Fire and Medical Department and the Scottsdale Fire Department.

Staff Contact(s): Tom Shannon, Fire Chief, 480-312-1821, tshannon@scottsdaleaz.gov

14. Audit Services Intergovernmental Agreement

Request: Adopt **Resolution No. 12083** to authorize:

1. Agreement No. 2021-023-COS with the Scottsdale Unified School District No. 48 for financial and performance audit and investigation services.
2. The City Auditor, or designee, to execute any related documents and take such other actions as necessary in connection with the intergovernmental agreement.

Staff Contact(s): Sharron Walker, City Auditor, 480-312-7867, swalker@scottsdaleaz.gov

15. Recyclable Materials Intergovernmental Agreement

Request: Adopt **Resolution No. 12105** to authorize:

1. Agreement No. 2020-045-COS-A1 with the City of Phoenix for a one-year extension to the intergovernmental agreement for the processing and disposition of recyclable materials.
2. The revised fee schedule for recycling set forth in Agreement No. 2020-045-COS-A1.
3. The City Manager, or designee, to approve future contract extensions and pricing schedule modifications to Agreement No. 2020-045-COS with the City of Phoenix for the balance of the allowable extensions set forth therein.

Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

- 16. Paiute Neighborhood Center License Agreement**
Request: Adopt **Resolution No. 12085** to authorize:
1. Agreement No. 2021-011-COS with Southwest Autism Research & Resource Center to use space at the Paiute Neighborhood Center to operate a community school.
 2. The City Manager, or designee, to execute any other documents or take other actions as necessary in connection with the license agreement.
- Staff Contact(s):** Greg Bestgen, Human Services Director, 480-312-0104, gbestgen@scottsdaleaz.gov
- 17. Data Sharing Intergovernmental Agreement**
Request: Adopt **Resolution No. 12099** authorizing Agreement No. 2021-028-COS with the Arizona Board of Regents for and on behalf of Arizona State University to share police report information on incidents within the jurisdiction of the Scottsdale Police Department.
Staff Contact(s): Jeff Walther, Chief of Police, 480-312-1900, jwalther@scottsdaleaz.gov
- 18. DUI Impaired Driving Education and Enforcement Grant**
(Removed at the request of staff.)
- 19. Impaired Driving Enforcement Grant**
Request: Adopt **Resolution No. 12064** to authorize:
1. Acceptance of a Governor's Office of Highway Safety (GOHS) Grant in the amount of \$150,000 for the funding of a portion of two existing prosecutor positions.
 2. The City Attorney, or designee, to execute and submit any related documents and agreements in connection with the acceptance of the grant.
 3. A budget transfer in the amount of \$150,000 from the FY 2020/21 Future Grants Budget and/or Grant Contingency Budget split into two newly created cost centers, one for each funding source based on the award to record related grant activity.
 4. A budget transfer in an amount not to exceed \$150,000 from the FY 2020/21 General Fund Budget from Personnel Services to Contractual Services within the City Attorney Division to utilize the savings generated from the GOHS grant to cover anticipated expense increases, such as outside counsel expenses, resulted from the additional scope of work from said grant.
- Staff Contact(s):** Sherry Scott, City Attorney, 480-312-2405, sscott@scottsdaleaz.gov
- 20. Family Self Sufficiency Grant**
Request: Adopt **Resolution No. 12076** to authorize:
1. Acceptance of a Family Self Sufficiency Grant in the amount of \$33,750 from the U.S. Department of Housing and Urban Development (HUD) to enable HUD assisted families participating in the City of Scottsdale's Housing Choice Voucher Program to increase their earned income and reduce their dependency on welfare assistance and rental subsidies.
 2. The City Manager, or designee, to execute a grant agreement and any other documents and to take such other actions as necessary in connection with the acceptance of the grant.
- Staff Contact(s):** Greg Bestgen, Human Services Department Director, 480-312-0104, gbestgen@scottsdaleaz.gov
- 21. Offenses—Miscellaneous Code Amendment**
Request: Adopt **Ordinance No. 4489** amending Scottsdale Revised Code, Chapter 19, Offenses—Miscellaneous, to add Section 19-22 prohibiting intentionally or knowingly aiming a laser pointer, laser emitting device, or tactical light at a peace officer, law enforcement employee or firefighter.
Staff Contact(s): Sherry Scott, City Attorney, 480-312-2405, sscott@scottsdaleaz.gov

- 22. Special Event Liquor License Approvals Code Amendment**
Request: Adopt **Ordinance No. 4490** amending Scottsdale Revised Code, Chapter 16, License, Taxation and Miscellaneous Business Regulations, Section 16-188, regarding special event liquor license approvals.
Staff Contact(s): Sherry Scott, City Attorney, 480-312-2405, sscott@scottsdaleaz.gov
- 23. Parks, Recreation and Cultural Affairs Code Amendment and City Park Designation**
(Moved to the Regular Agenda, Page 7)
- 24. Associate City Judge Reappointment**
Request: Discuss, consider, and act on the potential reappointment of Orest Jejna, Associate Judge, to a term of four years, as set forth in the City Code, to begin on May 1, 2021.
Staff Contact(s): Donna Brown, Human Resources Director, 480-312-2615, dbrown@scottsdaleaz.gov
- 25. Greenway-Hayden/Frank Lloyd Wright Public Art Budget Transfer**
Request: Adopt **Resolution No. 12086** authorizing a FY 2020/21 General Fund Capital Contingency Budget Appropriation transfer in the amount of \$80,163 to the Greenway-Hayden/Frank Lloyd Wright Public Art (DG01) capital project to be funded by the Airpark Cultural Trust fund.
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
- 26. Monthly Financial Report**
Request: Accept the FY 2020/21 Monthly Financial Report as of January 2021.
Staff Contact(s): Sylvia Dlott, Acting Budget Director, 480-312-2419, sdlott@scottsdaleaz.gov
- 26A. City Treasurer Appointment and Employment Agreement**
Request: Adopt **Resolution No. 12110** to authorize:
1. Appointment of Sonia K. Andrews to the position of City Treasurer effective June 1, 2021.
2. Employment Agreement No. 2021-033-COS with Sonia K. Andrews.
Staff Contact(s): Sherry Scott, City Attorney, 480-312-2405, sscott@scottsdaleaz.gov
- 26B. Aviation Code Amendment**
Request: Adopt **Ordinance No. 4494** amending Scottsdale Revised Code, Chapter 5, Aviation, Section 5-101, regarding definitions of the code, to help foster the long-term economic health and enhance the safe operating environment at the Airport/Airpark and provide clarity to the language.
Staff Contact(s): Gary Mascaro, Aviation Director, 480-312-7735, gmascaro@scottsdaleaz.gov

MOTION AND VOTE – CONSENT AGENDA

Councilwoman Littlefield made a motion to approve Consent Agenda Items 1 through 26B, except for Item 18, which was removed at the request of staff, and Item 23, which was moved to the Regular Agenda at the request of Councilmember Milhaven. Councilwoman Caputi seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, Milhaven, and Whitehead voted in the affirmative.

REGULAR AGENDA

23. **Parks, Recreation and Cultural Affairs Code Amendment and City Park Designation Requests:**

1. Adopt **Ordinance No. 4493** amending Scottsdale Revised Code, Chapter 20, Parks, Recreation and Cultural Affairs, Sections 20-30 and 20-31 regarding the definition of a city park and to accommodate special events in parks.
2. Adopt **Resolution No. 12102** to authorize:
 - a. The designation of the city property within Soleri Plaza as a city park named "Solstice Park".
 - b. An amendment to the Parks and Recreation Element of the 2015 Community Services Master Plan to include Solstice Park as a neighborhood park.
 - c. The City Manager to take all action necessary to effectuate the resolution, including the installation of appropriate signage.

Staff Contact(s): Bill Murphy, Assistant City Manager, 480-312-7954,
bmurphy@scottsdale.gov

Assistant City Manager Bill Murphy gave a presentation on the proposed Parks, Recreation and Cultural Affairs Code Amendment and city park designation request.

MOTION AND VOTE – ITEM 23

Councilwoman Whitehead made a motion to approve Item 23 [Parks, Recreation and Cultural Affairs Code Amendment and City Park Designation] and adopt Ordinance No. 4493 and Resolution No. 12102. Councilwoman Littlefield seconded the motion, which carried 5/2, with Mayor Ortega; Vice Mayor Janik; and Councilmembers Durham, Littlefield, and Whitehead voting in the affirmative and Councilmembers Caputi and Milhaven dissenting.

27. **The Kimsey – Triangle (10-ZN-2020 and 4-DA-2020)**

Request: At the request of the applicant, continue to the April 6, 2021, City Council meeting.

Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

MOTION AND VOTE – ITEM 27

Councilmember Milhaven made a motion to continue Item 27 [The Kimsey – Triangle (10ZN-2020 and 4-DA-2020)] to April 6, 2021. Councilwoman Whitehead seconded the motion, which carried 7/0 with Mayor Ortega; Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, Milhaven, and Whitehead voting in the affirmative.

28. **Sherwood Heights Planned Residential Development Amendment (16-ZN-2003#2)**

Request: Adopt **Ordinance No. 4492** approving a request by multiple owners to amend the Single-Family Residential, Planned Residential Development (R1-10 PRD) district minimum lot area requirement from 10,000 square feet to 15,325 square feet to be applied to 80 of the 118 properties in the Sherwood Heights subdivision.

Location: N. 56th Street to N. 60th Street and E. Wilshire Drive south to E. Oak Street

Presenter(s): Doris McClay, Senior Planner

Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

Senior Planner Doris McClay gave a PowerPoint presentation (attached) on the Sherwood Heights Planned Residential Development Amendment.

Applicant Representative Lauren Trapp gave a PowerPoint presentation (attached) on the Sherwood Heights Planned Residential Development Amendment.

Mayor Ortega opened public comment.

Lillian Schade, Scottsdale resident, spoke in support of the amendment.

Mayor Ortega closed public comment.

MOTION AND VOTE – ITEM 28

Councilwoman Whitehead made a motion to approve Item 28 [Sherwood Heights Planned Residential Development Amendment (16-ZN-2003#2)] and adopt Ordinance No. 4492 approving a request by multiple owners to amend the Single-Family Residential, Planned Residential Development (R1-10 PRD) district minimum lot area requirement from 10,000 square feet to 15,325 square feet to be applied to 80 of the 118 properties in the Sherwood Heights subdivision. Vice Mayor Janik seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, Milhaven, and Whitehead voting in the affirmative.

29. Monthly Financial Update

Request: Receive, discuss, and provide possible direction on the City Treasurer's monthly financial presentation as of February 2021.

Presenter(s): Judy Doyle, Acting City Treasurer

Staff Contact(s): Sylvia Dlott, Acting Budget Director, 480-312-2419, sdlott@scottsdaleaz.gov

Acting City Treasurer Judy Doyle gave a PowerPoint presentation (attached) on the City's financial status as of February 2021.

There was no City Council action taken on this item.

30. Planning Commission Membership

Request: Consider the continuing membership and potential removal of Prescott Smith on the Planning Commission in light of Mr. Smith's number of case recusals. This item was added to the agenda at the request of Mayor Ortega; Vice Mayor Janik; and Councilmembers Durham and Littlefield.

Mayor Ortega gave a presentation on the Planning Commission membership.

Mayor Ortega opened public comment.

The following individuals spoke in opposition to the removal of Mr. Smith:

- Prescott Smith, Scottsdale resident
- Kevin Maxwell, Scottsdale resident
- Jason Alexander, Scottsdale resident

Mayor Ortega closed public comment.

MOTION AND VOTE NO. 1 – ITEM 30

Councilmember Milhaven made a motion to take no action on the item. Councilwoman Caputi seconded the motion, which failed 3/4, with Councilmembers Caputi, Milhaven, and Whitehead voting in the affirmative and Mayor Ortega; Vice Mayor Janik; and Councilmembers Durham and Littlefield dissenting.

MOTION AND VOTE NO. 2 – ITEM 30

Vice Mayor Janik made a motion to dismiss Mr. Smith from the Planning Commission. Councilmember Durham seconded the motion, which carried 4/3, with Mayor Ortega; Vice Mayor Janik; and Councilmembers Durham and Littlefield voting in the affirmative and Councilmembers Caputi, Milhaven, and Whitehead dissenting.

MAYOR AND COUNCIL ITEMS

MOTION AND VOTE – COUNCIL ITEMS

Councilwoman Littlefield made a motion to direct staff to agendize a work study session to be scheduled at the Council's convenience for review and possible update to the procedures, guidelines and protocols pertaining to the City's Board and Commission members and to determine the various rules and related items, including a possible questionnaire for potential board and commission members, that may need to be updated. Councilwoman Whitehead seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, Milhaven, and Whitehead voting in the affirmative.

ADJOURNMENT

The Regular City Council Meeting adjourned at 6:37 P.M.

SUBMITTED BY:



Ben Lane, City Clerk

Officially approved by the City Council on April 6, 2021

CERTIFICATE

I hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Regular Meeting of the City Council of Scottsdale, Arizona held on the 16th day of March 2021.

I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 6th day of April 2021.



Ben Lane, City Clerk

Item 28

Sherwood Heights PRD Amendment

16-ZN-2003#2

City Council
March 16, 2021

Coordinator: Doris McClay

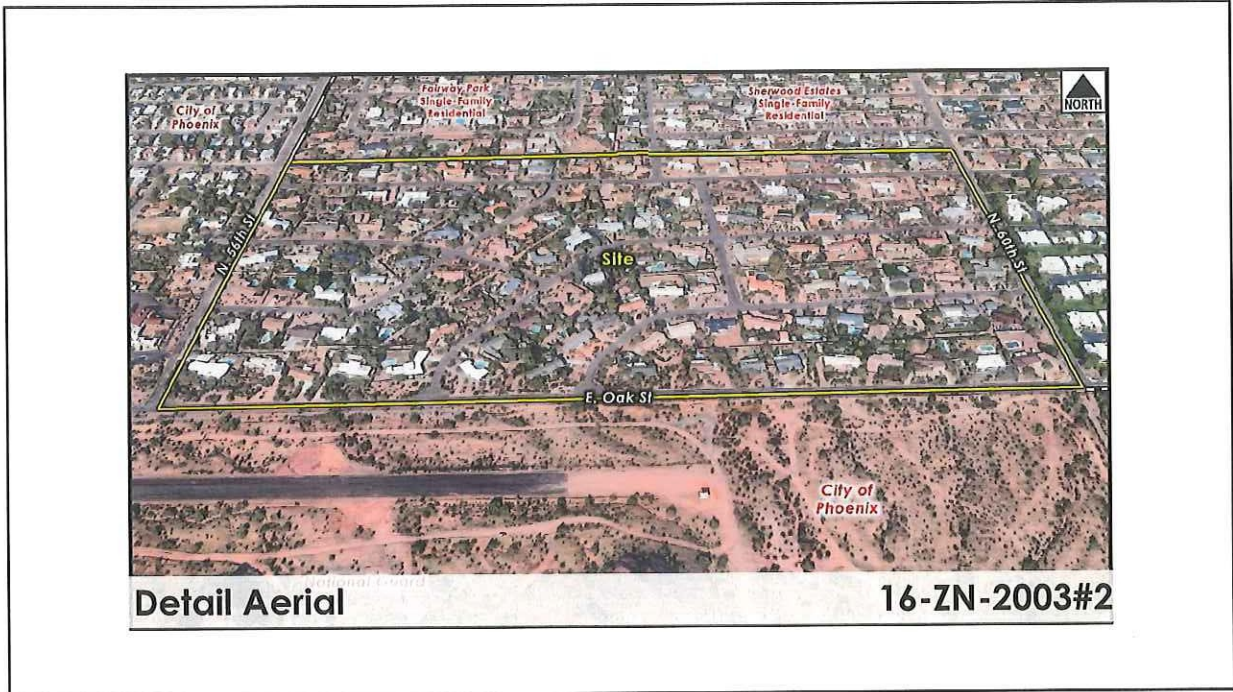
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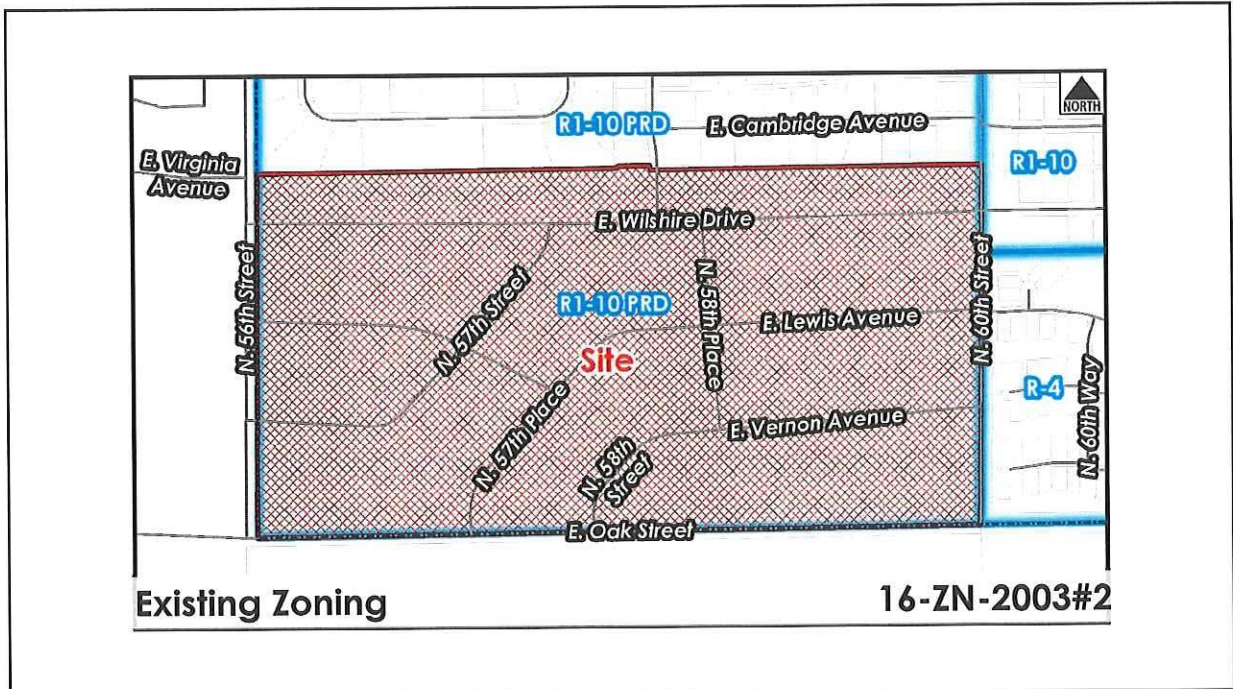
Context Aerial

16-ZN-2003#2

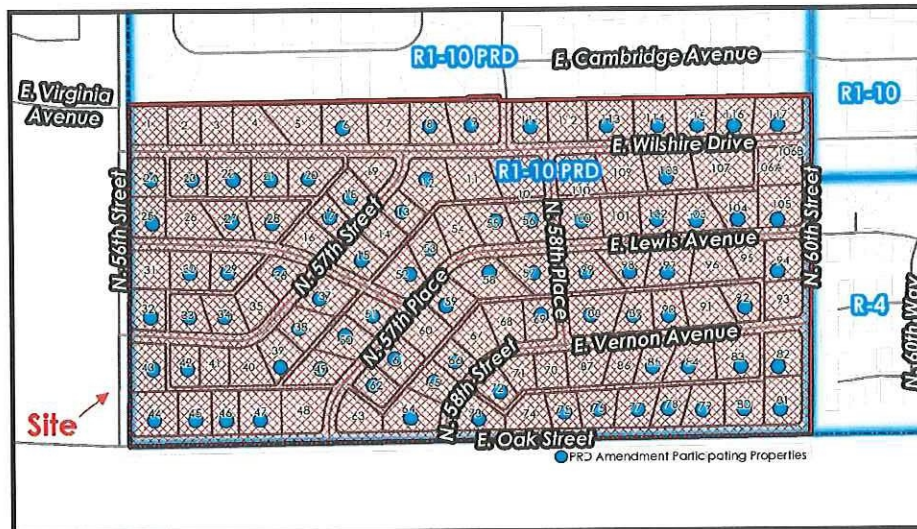
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4



Participating properties

16-ZN-2003#2

5

Sherwood Heights Properties

In the future, properties within Sherwood Heights could request through the public hearing process to be added into this PRD Amendment or properties currently within the PRD Amendment could request to be removed and go back to the minimum 10,000 square foot lot area requirement.

6

Action Requested

Adopt Ordinance No. 4492 approving a request by multiple owners to amend the Single-family Residential, Planned Residential Development (R1- 10 PRD) district minimum lot area requirement from 10,000 square feet to 15,325 square feet which will be applied to 80 of the 118 properties in the Sherwood Heights subdivision.

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Sherwood Heights PRD Amendment

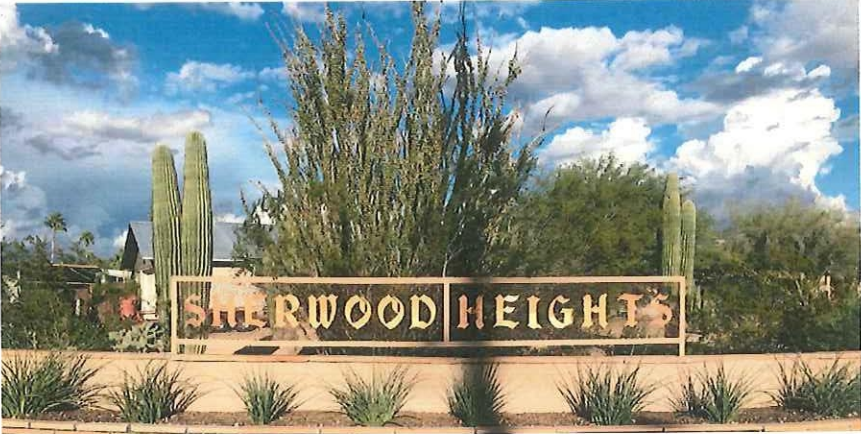
16-ZN-2003#2

**City Council
March 16, 2021**

Coordinator: Doris McClay

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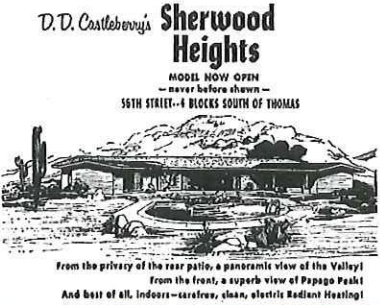
Item 28




A photograph of a large, low-profile sign for 'SHERWOOD HEIGHTS' in a desert landscape with saguaros and a blue sky with clouds.

<p>Case 16-ZN-2003#2 Amend R1-10 PRD minimum lot size from 10,000 sq ft to 15,325 sq ft</p>	<p>Lauren Trapp Sherwood Heights Neighborhood Association City Council March 16, 2021</p>
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1




D.D. Castleberry's **Sherwood Heights**
MODEL NOW OPEN
— never before shown —
56TH STREET—4 BLOCKS SOUTH OF THOMAS




From the privacy of the rear patio—a panoramic view of the Valley!
From the front, a superb view of Papago Peak!
And Best of All, indoors—carefree, clean, electric Radiant Heating!

A home designed so that it belongs on its site. Not "row on row of roof tops" but homes individually blended proudly on their estate sized lot reflecting their quality and prestige



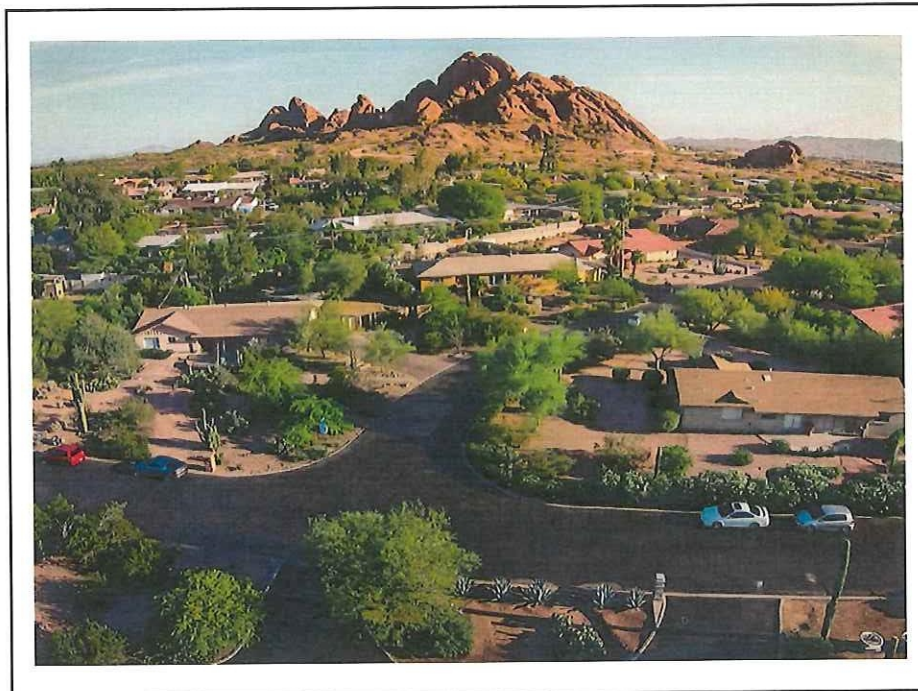
D.D. Castleberry
designs
and builds
a home
for YOU...



2



3



4



Scottsdale PD lead kids Bike Ride



Block Watch Captains & Scottsdale PD



20th Anniversary in 2019



~250 Neighbors Celebrate GAIN Annually

5

The Sherwood Heights Area Neighborhood Plan

CITY OF SCOTTSDALE
November 13, 2002

"The Sherwood Heights Neighborhood Area Plan will be a tool to guide future development within this neighborhood and will identify and prioritize infrastructure, functional and aesthetic needs. Specific actions and resources to address the needs are delineated in the implementation component of the plan." *(From the City of Scottsdale website 'Neighborhood Planning')*

"... (it) is considered the prototype plan that will examine issues and priorities of a mature neighborhood in the City and set standards for the development of future neighborhood plans. Principal issues: Preserving neighborhood character and mountain views" *(From Sherwood Heights Neighborhood Plan, p.2,3)*

Sherwood Heights considers the Plan a roadmap for maintaining the character of the neighborhood.

Sherwood Heights was not protected by the plan when the Planning Department approved the subdivision of Lot 106 into Lots 106A and 106B.

6

RESOLUTION NO. 7305

A RESOLUTION OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENTS FILED WITH THE CITY CLERK OF THE CITY OF SCOTTSDALE AND ENTITLED "LAND DIVISIONS."

WHEREAS, the development in the City of Scottsdale has evolved substantially since the Subdivision Ordinance was originally adopted in 1972, and procedures to address these changes must also evolve, in accordance with the Arizona Revised Statutes, and

WHEREAS State Law permits cities to declare documents a public record,

THEREFORE BE IT RESOLVED by the Council of the City of Scottsdale, as follows:

Section 1. That certain documents entitled "Land Divisions," three copies of which are on file in the Office of the City Clerk, be hereby declared to be a public record, and said copies are ordered to remain on file with the City Clerk for public use and inspection.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Arizona this 21st day of August, 2007.

ATTEST: **CITY OF SCOTTSDALE, an Arizona municipal corporation**
 By: *Carolyn Jagger, City Clerk*
 APPROVED AS TO FORM:
 By: *Deborah W. Robertson, City Attorney*

ORDINANCE NO. 3743

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, REPEALING, IN ITS ENTIRETY, CHAPTER 48 OF THE SCOTTSDALE REVISED CODE, SUBDIVISIONS, AND ADOPTING, IN ITS ENTIRETY, A NEW CHAPTER 48, LAND DIVISIONS, RELATING TO THE PROCEDURES TO DIVIDE LAND.

WHEREAS, the development in the City of Scottsdale has evolved substantially since the Subdivision Ordinance was originally adopted in 1972, and procedures to address these changes must also evolve, in accordance with the Arizona Revised Statutes,

THEREFORE BE IT ORDAINED by the Council of the City of Scottsdale as follows:

Section 1. Chapter 48 of the Scottsdale Revised Code, Subdivisions, relating to dividing land, as hereby repealed in its entirety and replaced by new Chapter 48, Land Divisions, relating to dividing land, which shall read as specified in that certain document entitled "Land Divisions," declared to be a public record by Resolution No. 7305 of the City of Scottsdale, and hereby referred to, adopted in its entirety and made a part hereof as if fully set out in this Ordinance.

Section 2. This Ordinance shall be effective October 1, 2007.

PASSED AND ADOPTED by the City Council of the City of Scottsdale this 21st day of August, 2007.

ATTEST: **CITY OF SCOTTSDALE, an Arizona municipal corporation**
 By: *Carolyn Jagger, City Clerk*
 APPROVED AS TO FORM:
 By: *Deborah W. Robertson, City Attorney*

Ordinance No. 3743
 City Council Chapter 48
 Land Divisions dated 1972
 was repealed and replaced
 October 1, 2007.

- Minor subdivisions involve land divisions of residential property into 5 or fewer lots.
- There were 29 minor subdivisions from 2019 to present. Only 3 were designated R1-10 zoning and all those were investor requests. All 3 were half acre corner lots.
- The corner lot infills are splitting half acre parcels in established neighborhoods, increasing density, generating a quick profit and leaving the neighborhood's character changed forever.

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Sherwood Heights COGS Zoning Case Position

The Coalition of Greater Scottsdale (COGS) supports the Sherwood Heights neighborhood in their desire to modify the existing zoning overlay for that area to require a minimum lot size in addition to restricting building height. Residents in this area have shown how much they value their neighborhoods characteristics and views by organizing and getting a zoning overlay applied to protect their views. Unfortunately when that was done they didn't also protect lot size which is the reason for the current modification. The remarkable unity of the residents in this area should be respected by approving this request to modify the existing overlay to provide the protections they want and should have. This case is the poster child for the city's neighborhood planning process and how to implement controls to protect the neighborhood's desirable characteristics.

As background, when the city annexed this area they were allowed to apply zoning to all the properties, but when they did they did not apply the appropriate zoning to reflect how these subdivisions were already built, which is why the neighborhood now finds that they have to do something to protect their lot sizes. All of Sherwood Heights and Fairway Park should have been zoned R1-18, not R1-10 as the average lot size in both subdivisions exceeds 20,000 square feet by a lot and the smallest lot size in both exceeds 17,000 square feet. Other property development standards are also way closer to those of the R1-18 district than the R1-10 district. Therefore R1-10 zoning effectively allows for a much higher density that what it was already built to, by a factor of at least 2 times higher. So the city effectively created the problem the neighbors are facing so the city should fix it by passing this amendment to the zoning overlay in an attempt to correct that mistake. While the right solution would be to rezone Sherwood Heights and Fairway Park R1-18, that can't be done because of Proposition 207 that passed years ago and also it couldn't be done for Sherwood Heights as it was developed at a higher density. Since a zoning overlay already exists, this change will prevent lot splits, allowed by the more dense zoning, and cover all the property within the zoning overlay boundary, so it represents a good solution.

Numbers calculated for the 3 subdivisions involved are shown below, for reference. It can be seen that Sherwood Heights and Fairway Park should both have been brought into the city as R1-18 PRD (Planned Residential Development) which allows slight modifications to the property development standards to cover whatever differences there may be between how the property was developed and the R1-18 regulations. While Sherwood Heights exceeds all the R1-10 regulations it doesn't meet the R1-18 regulations, but the minimum lot size exceeds 10,000 square feet and the average lot size exceeds 15,000 square feet so that subdivision needs a different solution.

Name	Area	Area City ID	Acres	Home	Avg # of Units	%	Min Lot Size (sq ft)	Average Lot Area	Target Lot Size (sq ft)	Ratio
Sherwood Heights	1	1,925,648	36.43	11	26.41	56.9%	17,112	641	33,924	0.73
Fairway Park	2	1,242,481	32.61	61	22,332	242%	17,112	670	33,111	0.71
Sherwood Estates	3	1,116,811	25.71	28	15,519	144%	11,677	621	16,263	0.70
All		4,144,940	154.75	250	22,491					

Support from the Coalition of Greater Scottsdale

"This case is the poster child for the city's neighborhood planning process and how to implement controls to protect the neighborhood's desirable characteristics."

(Partial map of Sherwood Heights)

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Lessons Learned



- The Sherwood Heights Neighborhood Plan is outdated and not effective as a planning document.
- When Scottsdale annexed Sherwood Heights from Maricopa County in 1956, R1-10 zoning was grandfathered from the County and did not match the lot sizes that average 23,083 sq. ft. thereby creating the opportunity for a developer to exploit this flaw.
- Residential minor subdivision process is easy to execute, does not allow neighborhood feedback, and does not consider neighborhood character plans.
- Amending our R1-10 PRD zoning standard is an expensive, complex and lengthy process that the City recommended as appropriate to protect our neighborhood character from further minor subdivisions.

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Recommendations

- With City partnership, update The Sherwood Heights Neighborhood Plan every 5 years or as significant changes occur.
- Develop a process so that a neighborhood can enforce its plan in partnership with the Planning Department.
- Allow neighborhood participation in the minor subdivision process and preserve older R1-10 zoned neighborhoods from exploitation by developers.

Request

- Allow additional homeowners to join the PRD with a fast track process.

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Acknowledgements

Amend R1-10 PRD to increase minimum lot size to 15,325 sq. ft.

Support

We received support and commitment from neighbors in Sherwood Heights, Sherwood Estates, Fairway Park and Heritage East. We are grateful for the support of each neighbor in the pursuit of gaining your vote to Amend our PRD to increase the minimum lot size to protect the character of our neighborhood. With your vote, Sherwood Heights will have a 16 ft building height for all properties and a minimum lot size of 15,325 sq. ft. for 70% of the lots.

Core Team: Sign Prop 207 Waivers

Joffa Applegate
 Karolina Donis
 Rich Heinrich
 Bill Reiff
 George & Lillian Schade
 John Stuckey
 Lauren & Paul Trapp

Core Team: Notarize Prop 207 Waivers

Lauren Trapp
 Billie Young

Mobile Notaries
 Susan Bitter Smith
 Josh Jenni

Board of Adjustment Team

Karolina & Paul Donis
 Lesa Etter
 David & Debbie Gardner
 Bill Leinheiser
 Mark & Terri Mahl
 George & Lillian Schade
 Lauren & Paul Trapp

Communication Signage Team

Joe & Ginny Collman (SpeedPro Imaging)
 Debbie Gardner
 Bill Reiff
 Paul & Lauren Trapp
 Billie Young

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Over 200 Neighbors wrote letters to the City opposing the lot split

(continued on next slide)

A. Bodrero	D. Barnett	A. Bramini	S. Debowski	S. Greiner	S. Keys
D. Frey	J. Barnett	J. Brunen	D. Farmer	D. Grossmiller	J. King
A. Gazzaniga	R. Bashkingy	C. Burhett	D. Heinrich	L. Gustafson	T. Coffin
S. Ackerman	E. Benware	A. Burkholder	D. & J. Dresbach	T. & D. Hair	M. Kostewa
B. Adelman	D. Bigelow	C. Campbell	D. Stevens	C. Harmon	K. Kunasek
M. Agar	S. Bitter Smith	C. Ray	D. & D. Webster	R. Hudgens	L. & C. Campbell
M. Ahern	F. Bixby	J. Ray	T. & K. Davis	A. Hufford	E. Lundquist
M. Alire	D. & D. Gardner	C. Savage	J. Deal	K. & J. Hunt	L. McCarty
J. Applegate	C. Catorcio	S. J. Campbell	A. Delander	I. Green	L/K Langsweirdt
P. Mauskopf	J. & J. Chruma	D. Campbell	D. & S. Delnoce	J. & D. Cusack	S. Lehmann
S. Armstrong	J. Wetmore	J. Camby	G. Denempont	J. Meyers	N. Lemire
M. Ashby	R. Oei	B. Camby	L. Derry	J. Van Wyck	G. Lim
M. Atkinson	J. Pomponi Alire	J. Cannon	K. & P. Donis	G. & S. Jasmer	D. Lowell-Britt
B. & J. Reiff	D. D'Arcangelo	H. Carrico	D. Dow	L. Jenni	M. Atkinson
B. & V. Webster	D. Bodrero	T. Cheknis	Dr. R Rhodes	J. Kanak	M. Rhodes
B. Young	T. D'Arcangelo	K. Christen	P. & B. Dunlock	R. & C. Kelley	M. Young
C. Baldwin	S. Painter	S. L. VanDaHuvel	N. Dunwell	M. Kelly	B. Malkovich
B. Dauber	P. Bolton	D. & J. Cusack	J. Dahl	T. Keneipp	J. Margrave
C. Davey	S. Borg	D. Doyel	M. & R. Embry	R. King	W. Marsh

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Over 200 Neighbors wrote letters to the City opposing the lot split

V. Martinez	J. Pace	T. Garretson	T. Sanders	E. Evans
J. Mathis	S. Painter	T. Moore	L. Savage	C. Fine
J. Matzdorff	C. Pauly	T. O'Leary	J. Scalise	L. Fajkowski
D. & L. May	L. Peterson	T. Young	D. & K. Schwarz	M. Faulkner
M. Olson	F. C. Pierce-	D. & G. Tittle	J. Scott	D. Fedor
K. McCue	McManamon	C. Tognoni	B. Kutschke	D. Brann
M. Medvin	R. Heinrich	R. & J. Torres	J. Sell	J. Flancer
K. Mercado	R. Ray	G. Troilo	A. Shock	C. & S. Fortman
E. Meyers	A. Reade	L. Urbatchka	M. Simpson	S. Foster
S. Moore	E. Remalus	P. Van Wyck	H. Soll	G. Coltman
N. Frey	P. Rez	N. Van Zutphen	J. Spamer	G. & S. Gibson
N. Green	K. Richards	J. Longenecker	M. Stevens	G. & L. Schade
D. & N. Kelley	E. Richardson	P. Velarides	A. Stimac	G. McCue
E. & R. Nelsen	E. Riley	J. Wall	D. Stover	G. Williams
J. Nichols	J. & B. Roberts	B. Washburn	J. Kelly	T. Garretson
J. Norvell	R. Rosso	J. Weaver	J. Stuckey	T. Godfrey
D. Nye	D. Rowley	J. Conyers	K. Grenco	J. Gorman
M. Obermayer	S. Hufford	D. Weir	J. Sudal	E. & M. Gray
P. & L. Trapp	S. Van Zutphen	M. White	D. & P. Samberg	K. Green
				K. Woods
				D. & K. York

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Item 29

Monthly Financial Update – February 28, 2021

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General Fund Operating Sources February 2021: Fiscal Year to Date

(in millions: rounding differences may occur)

	FY 2018/19 Actuals	FY 2019/20 Actuals	FY 2020/21 Actuals	FY 2020/21 Revised Budget	Actual vs. Budget Favorable / (Unfavorable) Amount	Percent
Taxes - Local	\$98.3	\$105.0	\$97.8	\$84.3	\$13.5	16%
Property Tax	19.7	20.7	22.3	21.0	1.3	6%
State Shared Revenues	43.7	45.6	52.1	46.9	5.3	11%
Charges for Service/Other	6.8	8.1	9.3	7.8	1.5	19%
License Permits & Fees	5.5	5.6	4.7	4.1	0.7	16%
Fines Fees & Forfeitures	5.0	5.1	4.0	4.8	(0.8)	(17%)
Interest Earnings	2.3	2.9	2.2	2.3	(0.1)	(4%)
Building Permit Fees & Charges	10.4	13.2	10.6	10.9	(0.3)	(3%)
Indirect/Direct Cost Allocations	4.4	4.9	4.8	4.8	-	-
Transfers In	8.0	8.5	8.2	7.4	0.8	11%
Total Sources	\$204.0	\$219.6	\$216.1	\$194.2	\$21.9	11%

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General Fund Operating Sources: 1% Sales Tax

February 2021: Fiscal Year to Date

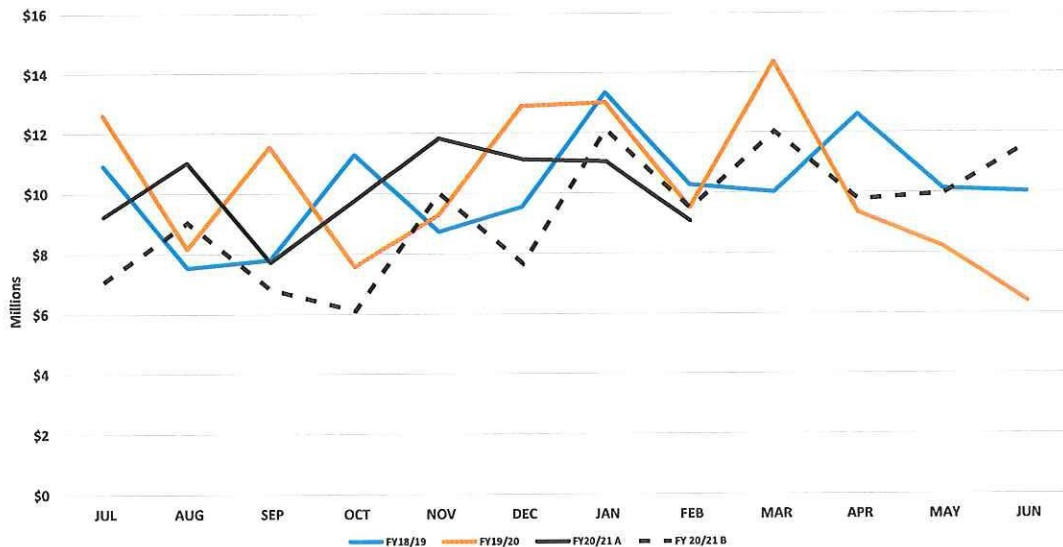
(in millions: rounding differences may occur)

	FY 2018/19 Actuals	FY 2019/20 Actuals	FY 2020/21 Actuals	FY 2020/21 Revised Budget	Actual vs. Budget Favorable / (Unfavorable) Amount	Percent
Automotive	\$11.8	\$11.7	\$11.9	\$9.8	\$2.1	22%
Construction	7.1	7.1	8.0	5.3	2.7	51%
Dining/Entertainment	7.0	7.7	5.8	4.0	1.8	44%
Food Stores	5.2	5.4	5.8	5.2	0.6	11%
Hotel/Motel	4.0	4.3	2.3	1.7	0.6	38%
Major Dept Stores	6.5	6.8	6.1	6.1	-	-
Misc Retail Stores	14.6	16.4	17.5	14.0	3.5	25%
Other Activity	9.0	9.6	9.9	7.5	2.4	32%
Rental	11.2	12.6	10.5	11.2	(0.7)	(6%)
Utilities	3.1	3.1	3.0	3.5	(0.5)	(15%)
Sales Tax Total	\$79.4	\$84.6	\$80.8	\$68.3	\$12.5	18%

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General Fund 1% Sales Tax



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General Fund Operating Sources: 1% Sales Tax

February 2021: Fiscal Year to Date

(in millions: rounding differences may occur)

	FY 2018/19 Actuals	FY 2019/20 Actuals	FY 2020/21 Actuals	FY 2020/21 Revised Budget	Actual vs. Budget Favorable / (Unfavorable)	
					Amount	Percent
Automotive	\$11.8	\$11.7	\$11.9	\$9.8	\$2.1	22%
Construction	7.1	7.1	8.0	5.3	2.7	51%
Dining/Entertainment	7.0	7.7	5.8	4.0	1.8	44%
Food Stores	5.2	5.4	5.8	5.2	0.6	11%
Hotel/Motel	4.0	4.3	2.3	1.7	0.6	38%
Major Dept Stores	6.5	6.8	6.1	6.1	-	-
Misc Retail Stores	14.6	16.4	17.5	14.0	3.5	25%
Other Activity	9.0	9.6	9.9	7.5	2.4	32%
Rental	11.2	12.6	10.5	11.2	(0.7)	(6%)
Utilities	3.1	3.1	3.0	3.5	(0.5)	(15%)
Sales Tax Total	\$79.4	\$84.6	\$80.8	\$68.3	\$12.5	18%

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General Fund Operating Uses by Category

February 2021: Fiscal Year to Date

(in millions: rounding differences may occur)

	FY 2018/19 Actuals	FY 2019/20 Actuals	FY 2020/21 Actuals	FY 2020/21 Revised Budget	Actual vs. Budget Favorable / (Unfavorable)	
					Amount	Percent
Personnel Services*	\$129.9	\$139.4	\$121.1	\$123.3	\$2.2	2%
Contractual Services	39.7	42.8	40.0	42.6	2.6	6%
Commodities	4.4	4.5	4.1	4.5	0.4	8%
Capital Outlays	0.4	0.3	0.6	0.5	(0.1)	(25%)
Contracts Payable & COPs	1.6	1.6	0.2	0.4	0.2	50%
Transfers Out	1.5	2.7	4.8	-	(4.8)	n/a
Total Uses	\$177.4	\$191.3	\$170.7	\$171.2	\$0.5	0%
*Pay Periods thru February:	17	17	17			

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General Fund Operating Uses: Personnel Services

February 2021: Fiscal Year to Date

(in millions: rounding differences may occur)

	FY 2018/19 Actuals	FY 2019/20 Actuals	FY 2020/21 Actuals	FY 2020/21 Revised Budget	Actual vs. Budget Favorable / (Unfavorable)	
					Amount	Percent
Salaries*	\$86.5	\$90.6	\$77.1	\$77.9	\$0.8	1%
Overtime	\$5.6	\$6.7	\$5.8	\$6.1	\$0.3	4%
Health/Dental	\$12.2	\$13.1	\$11.2	\$11.1	\$ -	-
Fringe Benefits	\$6.0	\$6.5	\$6.0	\$6.1	\$0.1	2%
Retirement	\$19.2	\$22.1	\$21.0	\$22.0	\$1.0	5%
Contract Workers	\$0.4	\$0.5	\$0.1	\$0.1	\$ -	-
Personnel Services Total	\$129.9	\$139.4	\$121.1	\$123.3	\$2.2	2%
*Pay Periods thru February:	17	17	17			

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General Fund Operating Division Expenditures

February 2021: Fiscal Year to Date

(in millions: rounding differences may occur)

	FY 2018/19 Actuals	FY 2019/20 Actuals	FY 2020/21 Actuals	FY 2020/21 Revised Budget	Actual vs. Budget Favorable / (Unfavorable)	
					Amount	Percent
Mayor & Council and Charter Officers	\$17.9	\$19.1	\$18.2	\$19.0	\$0.8	4%
Administrative Services	9.8	10.4	10.5	10.9	0.4	3%
Community and Economic Development	14.3	15.1	14.4	14.6	0.2	1%
Community Services	25.8	26.4	23.6	23.9	0.3	1%
Public Safety - Fire	27.7	31.7	25.3	25.4	0.1	1%
Public Safety - Police	65.9	71.3	60.1	63.0	2.9	5%
Public Works	12.8	13.0	13.6	14.0	0.4	3%
Total	\$174.3	\$187.0	\$165.7	\$170.8	\$5.1	3%

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General Fund Results: Summary February 2021: Fiscal Year to Date

(in millions: rounding differences may occur)

	FY 18/19 Actual	FY 19/20 Actual	FY 20/21 Actual	FY 20/21 Budget	Actual Vs. Budget	
					Fav/(Unf)	%
Sources	\$204.0	\$219.6	\$216.1	\$194.2	\$21.9	11%
Uses	\$177.4	\$191.3	\$170.7	\$171.2	\$0.5	0%
Change in Fund Balance	\$26.6	\$28.3	\$45.4	\$23.0	\$22.4	

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