

**SCOTTSDALE CITY COUNCIL  
REGULAR MEETING MINUTES  
TUESDAY, AUGUST 24, 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, August 24, 2021.

**ROLL CALL**

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

Also Present: City Manager Jim Thompson, City Attorney Sherry Scott, City Treasurer Sonia Andrews, City Auditor Sharron Walker, and City Clerk Ben Lane

**PLEDGE OF ALLEGIANCE – Mayor Ortega**

**MAYOR'S REPORT**

Mayor Ortega noted that 71.6% of the eligible population in Scottsdale has received at least the first dose of the COVID-19 vaccine and encouraged everyone to work together to make this number even higher. He directed the public to [Scottsdaleaz.gov](http://Scottsdaleaz.gov) and click on the "Coronavirus (COVID-19) resources and information" tab to access resources related to COVID-19 and locations for vaccinations.

Mayor Ortega announced that City Manager Jim Thompson declared stage one of the City's drought management plan on August 17, 2021. Although the Colorado River tier one shortage is not to be implemented until January 1, 2022, Scottsdale is focused on water conservation and recycling and the City is dedicated to finding new ways to use every drop of water efficiently. The City's Drought Management Team will examine needs, recommend targeted responses, and increase drought and water shortage communication efforts throughout the City.

**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.**

## **PUBLIC COMMENT**

- Dan Lundberg commented on the bridge over the Rawhide Wash and Miller Road extension project. He requested a block wall noise abatement to the back of his property and installation of traffic calming measures.
- French Thompson expressed concern over increased development, water shortages, and lack of adequate infrastructure.
- Arthur Deal spoke to the San Francisco Giant's sublease of Papago Park and the status of a federal lawsuit on the issue.

## **MINUTES**

**Request:** Approve the Regular Meeting Minutes of June 22, 2021; Work Study Session Minutes of June 22, 2021; Special Meeting Minutes of July 1, 2021; Executive Session Minutes of July 1, 2021; Regular Meeting Minutes of July 1, 2021; Special Meeting Minutes of July 2, 2021; Executive Session Minutes of July 2, 2021; and Regular Meeting Minutes of July 2, 2021.

## **MOTION AND VOTE - MINUTES**

Vice Mayor Janik made a motion to approve the Regular Meeting Minutes of June 22, 2021; Work Study Session Minutes of June 22, 2021; Special Meeting Minutes of July 1, 2021; Executive Session Minutes of July 1, 2021; Regular Meeting Minutes of July 1, 2021; Special Meeting Minutes of July 2, 2021; Executive Session Minutes of July 2, 2021; and Regular Meeting Minutes of July 2, 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.

## **CONSENT AGENDA**

- 1. 7501 Camelback Liquor License (36-LL-2021)**  
**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 6 (bar) State liquor license for a new location and owner.  
**Location:** 7501 E. Camelback Road  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
- 2. Gecko Grill Liquor License (37-LL-2021)**  
**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 6 (bar) State liquor license for an existing location with a new owner.  
**Location:** 7707 E. McDowell Road  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
- 3. Old Town Scottsdale Liquor License (38-LL-2021)**  
(Moved to Regular Item No. 28A)

- 4. Slice Eat Liquor License (42-LL-2021)**  
**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 10 (beer and wine store) State liquor license for an existing location with a new owner.  
**Location:** 7111 E. Thomas Road  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
- 5. Koibito Poke Liquor License (43-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:** 8877 N. Scottsdale Road  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
- 6. Cha Da Thai Liquor License (44-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:** 2765 N. Scottsdale Road, Suite 107  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
- 7. Kitchen 18 Liquor License (45-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:** 10211 N. Scottsdale Road  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
- 8. Famiglia Liquor Licenses (51-LL-2021 and 52-LL-2021)**  
**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 7 (beer and wine bar) and Series 12 (restaurant) State liquor licenses for an existing location with a new owner.  
**Location:** 17025 N. Scottsdale Road, Suite 140  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
- 9. Permanent Extension of Premise for Living Room Wine Cafe & Lounge (7-EX-2021)**  
**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor License and Control for a permanent extension of premises for a Series 12 (restaurant) State liquor license to add liquor storage.  
**Location:** 20751 N. Pima Road, Suite 120  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)

- 10. Permanent Extension of Premise for Caliente Mexican Grill, LLC (11-EX-2021)**  
**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor License and Control for a permanent extension of premises for a Series 12 (restaurant) State liquor license to add a new patio.  
**Location:** 15600 N. Hayden Road, Suite 100  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
- 11. Christian Brothers Automotive Conditional Use Permit (1-UP-2021)**  
**Request:** Find that the conditional use permit criteria have been met and adopt **Resolution No. 12229** approving a Conditional Use Permit to allow for vehicle repair on a ±1.05-acre site with Central Business (C-2) zoning.  
**Location:** 8700 E. Thomas Road  
**Staff Contact(s):** Randy Grant, Planning, Economic Development, and Tourism Executive Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
- 12. Heliport for Ty Jenkins Conditional Use Permit (4-UP-2021)**  
**Request:** Find that the conditional use permit criteria have been met and adopt **Resolution No. 12231** approving a Conditional Use Permit for a new heliport on a ±1.2-acre site with Industrial Park (I-1) zoning.  
**Location:** 15827 N. 80<sup>th</sup> Street  
**Staff Contact(s):** Randy Grant, Planning, Economic Development, and Tourism Executive Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
- 13. Heliport for PEM Real Estate Group Conditional Use Permit (5-UP-2021)**  
**Request:** Find that the conditional use permit criteria have been met and adopt **Resolution No. 12230** approving a Conditional Use Permit for a new heliport on a ±1.2-acre site with Industrial Park (I-1) zoning.  
**Location:** 15827 N. 80<sup>th</sup> Street  
**Staff Contact(s):** Randy Grant, Planning, Economic Development, and Tourism Executive Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
- 14. Boulder Ranch Lot 37 Replat (10-PP-2017#2)**  
**Request:** Approve the replat for Lot 37 and Tract Q in the Boulder Ranch subdivision with Single-Family District Environmentally Sensitive Lands (R1-43 ESL) zoning.  
**Location:** 26903 N. Boulder Lane  
**Staff Contact(s):** Randy Grant, Planning, Economic Development, and Tourism Executive Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
- 15. McLaren Scottsdale Rezoning (2-ZN-2021)**  
**Request:** Adopt **Ordinance No. 4513** approving a zoning district map amendment from Industrial Park (I-1) and Industrial Park Conditional (I-1 (C)) to General Commercial (C-4) zoning on a ±3.4-acre site.  
**Location:** 7881 E. Gray Road  
**Staff Contact(s):** Randy Grant, Planning, Economic Development, and Tourism Executive Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

- 16. Fire Station 612 Architectural Services Contract and Municipal Use Master Site Plan**  
**Request:** Adopt **Resolution No. 12225** to authorize:

  1. Architectural Services Contract No. 2021-121-COS with Arrington Watkins Architects in the amount of \$690,630 to provide design services for Bond 2019, Project 28 – Build a New Fire Station near Hayden Road and the Loop 101 to Improve Response Times.
  2. City staff to initiate a Municipal Use Master Site Plan for Fire Station 612.

**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [daworth@scottsdaleaz.gov](mailto:daworth@scottsdaleaz.gov)
- 17. Scottsdale County Island Fire District Intergovernmental Agreement**  
**Request:** Adopt **Resolution No. 12245** authorizing Intergovernmental Agreement No. 2021-133-COS with the Scottsdale County Island Fire District for the provision of fire protection services to the Scottsdale County Island Fire District.  
**Staff Contact(s):** Tom Shannon, Fire Chief, 480-312-1821, [tshannon@scottsdaleaz.gov](mailto:tshannon@scottsdaleaz.gov)
- 18. Fire Department Mutual Aid Agreement**  
**Request:** Adopt **Resolution No. 12159** authorizing Agreement No. 2021-056-COS with Rural/Metro Fire Department, Inc., for mutual aid fire services.  
**Staff Contact(s):** Tom Shannon, Fire Chief, 480-312-1821, [tshannon@scottsdaleaz.gov](mailto:tshannon@scottsdaleaz.gov)
- 19. Flood Control Space/Water Control Plan Cost Sharing Agreement**  
**Request:** Adopt **Resolution No. 12233** to authorize:

  1. Cost Sharing Agreement No. 2021-127-COS with Salt River Valley Water Users' Association, Salt River Project Agricultural Improvement and Power District, and other participating entities to obtain approval for the operation of the Flood Control Space in Modified Roosevelt Dam under a Temporary Deviation to the Water Control Plan.
  2. The Water Resources Executive Director, or designee, to execute any other documents and take such other actions as may be necessary to carry out the intent of this Resolution.

**Staff Contact(s):** Brian Biesemeyer, Water Resources Executive Director, 480-312-5683, [bbiesemeyer@scottsdaleaz.gov](mailto:bbiesemeyer@scottsdaleaz.gov)
- 20. Pac-12 Venue Agreement**  
**Request:** Adopt **Resolution No. 12247** to authorize:

  1. Venue Agreement No. 2021-134-COS with Pac-12 Conference for the use of Scottsdale Stadium and Indian School Park Baseball Facility for the Pac-12 men's baseball tournaments in 2022, 2023, and 2024.
  2. Funding in an amount not to exceed \$75,000 per year from the portion of the Tourism Development Fund that is allocated toward event retention and development for promoting the City through the tournaments contingent on Pac-12 providing marketing and tourism deliverables.
  3. A Fiscal Year 2021/22 Tourism Development Fund Operating Contingency Transfer in the amount of \$75,000 to the Tourism and Events Department Operating Budget for the first year of the Pac-12 baseball tournament's three-year event funding commitment.

**Staff Contact(s):** William B. Murphy, Assistant City Manager, 480-312-7954, [bmurphy@scottsdaleaz.gov](mailto:bmurphy@scottsdaleaz.gov)
- 21. Pre-Employment Medical Services Contract**  
**Request:** Adopt **Resolution No. 12248** authorizing Professional Services Contract No. 2021-135-COS with Banner Occupational Health – Arizona, LLC, for independent pre-employment medical services.  
**Staff Contact(s):** Donna Brown, Human Resources Director, 480-312-2615, [dbrown@scottsdaleaz.gov](mailto:dbrown@scottsdaleaz.gov)

**22. Trolley Preventative Maintenance Grant**

**Request:** Adopt **Resolution No. 12145** to authorize:

1. Grant Pass-Thru Agreement No. 2021-003-COS with the City of Phoenix for the acceptance of a Federal Transit Administration grant in the amount of \$277,394 for trolley preventative maintenance.
2. A budget transfer in the amount of \$277,394 from the adopted Fiscal Year 2021/22 Transportation and Streets Department's Transportation Fund to a newly created cost center to record the related grant activity.

**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [daworth@scottsdaleaz.gov](mailto:daworth@scottsdaleaz.gov)

**23. Healthy Forest Initiative Grant**

**Request:** Adopt **Resolution No. 12241** to authorize if awarded:

1. The acceptance in Fiscal Year (FY) 2021/22 the spending of the Healthy Forest Initiative Grant funds in the amount of \$350,000 over three, 12-month periods beginning in FY 2021/22.
2. A budget transfer in the amount of \$120,000 from the adopted Fiscal Year 2021/22 Future Grants Budget and/or Grant Contingency to a newly created cost center within the Fire Department's Operating Budget to record the related Healthy Forest Initiative Grant activity.
3. The 30% grant match requirement will be in-kind through hours of various staff members associated with the projects for the grant.
4. The Fire Chief, or designee, to conduct all negotiations and to execute and submit all documents and other necessary or desirable instruments in connection with the acceptance of the grant.

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

**24. DNA Capacity Enhancement and Backlog Reduction Program Formula Grant**

**Request:** Adopt **Resolution No. 12224** to authorize:

1. Contract No. 2021-120-COS with the United States Department of Justice, Office of Justice Programs accepting a DNA Capacity Enhancement and Backlog Reduction Program formula grant in the amount of \$250,025.
2. The Chief of Police, or designee, to execute Contract No. 2021-120-COS.
3. A budget transfer in the amount of \$250,025 from the adopted Fiscal Year 2021/22 Future Grants Budget and/or Grant Contingency Budget to a newly created cost center to record the related grant activity.

**Staff Contact(s):** Jeff Walther, Chief of Police, 480-312-1900, [jwalther@scottsdaleaz.gov](mailto:jwalther@scottsdaleaz.gov)

**25. Airport Coronavirus Response Grant**

**Request:** Adopt **Resolution No. 12222** to authorize:

1. The Aviation Director to accept COVID-19 related federal grant funding from the Federal Aviation Administration under the Coronavirus Response and Relief Supplemental Appropriations Act in the amount of \$57,000.
2. The Aviation Director to accept COVID-19 related federal grant funding from the Federal Aviation Administration under the American Rescue Plan Act of 2021 in the amount of \$148,000.
3. A Contingency Budget Transfer in the amount of \$205,000 from the Fiscal Year 2021/22 Aviation Operating Reserve Budget to newly created cost centers to record related grant activity.
4. The City Manager and City Treasurer, or their respective designees, to carry out such actions and execute such documents as necessary to carry out the intent of this Resolution.

**Staff Contact(s):** Gary Mascaro, Aviation Director, 480-312-7735, [gmascaro@scottsdaleaz.gov](mailto:gmascaro@scottsdaleaz.gov)

- 26. City Auditor's Fiscal Year (FY) 2021/22 Audit Plan**  
**Request:** Approve the City Auditor's FY 2021/22 Audit Plan, as recommended by the Council's Audit Committee at its June 21, 2021 meeting.  
**Staff Contact(s):** Sharron Walker, City Auditor, 480-312-7867, [swalker@scottsdaleaz.gov](mailto:swalker@scottsdaleaz.gov)
- 27. Audit Committee Recommendation for the Library Board Review**  
**Request:** Adopt **Resolution No. 12221** accepting the Audit Committee's recommendation and authorizing the continuation of the Library Board.  
**Staff Contact(s):** Sharron Walker, City Auditor, 480-312-7867, [swalker@scottsdaleaz.gov](mailto:swalker@scottsdaleaz.gov)
- 28. Monthly Financial Report**  
**Request:** Accept the Fiscal Year 2020/21 Monthly Financial Report as of May 2021.  
**Staff Contact(s):** Judy Doyle, Budget Director, 480-312-2603, [jdoyle@scottsdaleaz.gov](mailto:jdoyle@scottsdaleaz.gov)

### MOTION AND VOTE – CONSENT AGENDA

Vice Mayor Janik made a motion to approve Consent Agenda Items 1 through 28, absent Item 3, which was reworded and moved to Regular Agenda Item 28A. 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.

### REGULAR AGENDA

To facilitate a request for a second continuance, Mayor Ortega moved Item 29 to the beginning of the Regular Council Meeting agenda.

- 29. District at 9400 Shea Non-Major General Plan Amendment and Rezoning (6-GP-2019 and 16-ZN-2019)**  
**Requests:**
1. Adopt **Resolution No. 12210** approving a Non-Major General Plan Amendment to the Scottsdale General Plan 2001 Conceptual Land Use Map from Commercial to Mixed-Use Neighborhoods on a ±11-acre site.
  2. Adopt **Ordinance No. 4511** approving a zoning district map amendment from Commercial Office Planned Community District (C-O PCD) and Highway Commercial Planned Community District (C-3 PCD) to Planned Unit Development Planned Community District (PUD PCD) zoning, including approval of a development plan with amended development standards on a ±11-acre site, to allow for a maximum of 219 new residential units.
  3. Adopt **Resolution No. 12211** declaring the document titled "9400 East Shea Boulevard Development Plan" to be a public record.
- Location:** South side of E. Shea Boulevard, east of N. 92<sup>nd</sup> Street  
**Presenter(s):** Doris McClay, Senior Planner  
**Staff Contact(s):** Randy Grant, Planning, Economic Development, and Tourism Executive Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

### MOTION AND VOTE – ITEM 29

Councilwoman Whitehead made a motion to continue Item 29 (District at 9400 Shea Non-Major General Plan Amendment and Rezoning) to October 19, 2021. Councilman 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.

**28A. Old Town Scottsdale Liquor License (38-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 an existing owner at a new location.

**Location:** 4439 N. Saddlebag Trail

**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)

Current Planning Director Tim Curtis gave a PowerPoint presentation (attached) on the Old Town Scottsdale Liquor Series 9 (liquor store) State liquor license application.

Applicant Representative Jake Curtis, with Burch & Cracchiolo, P.A., gave a presentation on the Old Town Scottsdale Liquor Series 9 (liquor store) State liquor license application

Mayor Ortega opened public comment.

The following spoke in opposition to the liquor store application:

- William Hayden, Scottsdale resident
- Ryan Hibbert, Riot Hospitality Group
- Jason Adler, Riot Hospitality Group
- Tom Hatten, Scottsdale resident
- Bryce O'Brien, Stockdale Capital Partners
- Tommy Moore, Endeavor Real Estate
- Corell Thomas, Riot Hospitality Group
- Lissa Druss, Riot Hospitality Group
- Jude Nau, Best Western Plus Sundial
- Bill Crawford, Scottsdale resident
- Jason Morris, Withey Morris, PLC

Mayor Ortega closed public comment.

Applicant Representative Jake Curtis responded to the opposition comments.

**MOTION AND VOTE – ITEM 28A**

Councilwoman Caputi made a motion that the City Council forward to the Arizona Department of Liquor Licenses and Control a recommendation to disapprove the applicant's request to transfer a liquor license to this location because it is not compatible with activity within one mile. The public convenience and best interest of the community will not be served by a retail liquor license at this location when considering factors 1, 6, 8, 9, 11, and 12 of the State's applicable administrative regulation (R-19-1-702) and the evidence presented and contained in the hearing record tonight. 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.

**30. Old Town Bicycle Master Plan**

**Request:** Presentation, discussion, and possible direction to staff regarding the findings and recommendations of the Old Town Bicycle Master Plan.

**Presenter(s):** Mark Melnychenko, Transportation and Streets Director

**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [daworth@scottsdaleaz.gov](mailto:daworth@scottsdaleaz.gov)



Transportation and Streets Director Mark Melnychenko gave a PowerPoint presentation (attached) on the findings and recommendations of the Old Town Bicycle Master Plan.

The City Council made the following suggestions:

- Use plastic barriers to separate bicycle lanes from the roadway.
- Use bright green colors to designate bicycle lanes.
- Investigate the use of phased crossing signals to provide bicyclists and pedestrians a head start going through traffic signals.
- Use of scramble concepts at intersections such as Camelback and Scottsdale roads.
- Use of way finding signage and share lane markings to denote motorists are sharing the road with cyclists.
- Installation of bicycle stations with access to tools and instructions via QR codes to assist bicyclists with repairs.
- Ensure safety is the highest priority.
- Bicycle improvements should be advertised in the Downtown Ambassadors' informational pamphlets.
- Shared lanes on 5<sup>th</sup> Avenue to put bicyclists in the middle of the lane enabling motorists who are backing up to see them.
- Post reduced speed signs in the Downtown area.

### **MOTION AND VOTE – ITEM 30**

Mayor Ortega made a motion that Council is in agreement with the Old Town Bicycle Master Plan as presented. 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.

### **31. Old Town Scottsdale Policy, Regulatory, and Guideline Update Request to initiate the following:**

1. A Non-Major General Plan Amendment to the 2018 Old Town Scottsdale Character Area Plan.
2. A text amendment to the City of Scottsdale Zoning Ordinance (No. 455), to the Downtown (D), Downtown Overlay (DO), and Planned Block Development (PBD) zoning districts and other affected sections, as applicable.
3. An amendment to the Downtown Infill Incentive District.
4. Staff direction to update the Old Town Scottsdale Urban Design & Agricultural Guidelines as necessary by any corresponding amendments to the Old Town Scottsdale Character Area Plan, associated portions of the city's Zoning Ordinance, or the Downtown Infill Incentive District.

**Presenter(s):** Adam Yaron, Principal Planner and Brad Carr, Planning and Development Area Manager

**Staff Contact(s):** Randy Grant, Planning, Economic Development, and Tourism Executive Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

Planning and Development Area Manager Brad Carr gave a PowerPoint presentation (attached) on the proposed Old Town Scottsdale Plan amendments.

Mayor Ortega opened public comment.

- Bob Pejman, a Scottsdale resident, spoke about current and future development projects in the downtown area.
- Bastien Andruet, with the Arizona Multihousing Association, expressed concern about housing shortages and the proposed amendments to the Old Town Scottsdale Character Area Plan.

Mayor Ortega closed public comment.

The City Council made the following suggestions:

- Focus on areas of transportation, infrastructure, sustainability, and identity of Scottsdale, which includes tourism.
- Focus on open space by including a canal-level park on the only remaining public parcel located on the Arizona Canal at Fifth Avenue and Goldwater Boulevard while retaining public parking.
- Include references to pedestrian connectivity, the tree canopy plan, and the Emerald Necklace.
- Add a section related to alleys that make better use of open space.
- Eliminate the word “metropolitan” from documents.
- Eliminate emphasis on “vertical” development.
- Include provisions for developers to put public art and rock coverage on empty lots prior to construction to eliminate large open dirt lots.
- Council should review existing rules and follow those rules.
- Integrate bikeways into plan.
- Emphasize ways to invigorate and encourage more public participation in Old Town, such as street fairs and similar events.
- Look at event ordinance and see if it can be utilized to invigorate Old Town.
- Ensure community input is received on possible revisions to the plan.
- Verify the question of appropriateness of Type 1 going to Type 3, and the necessity of Type 2.5.
- Test the applicability of Planned Block Development (PBD) Overlay District requirement of mixed use to have at least 20% retail/commercial.
- Increase Type 1 classification from 36 feet to 40 feet; Type 2 classification to be accomplished at 52 feet; and Type 3 classification to be 60 feet with a bonus of 12 feet.

#### **MOTION NO. 1 AND VOTE – ITEM 31**

Councilmember Milhaven made a motion to place the initiation of amendments to the Old Town Scottsdale policies and regulations on hold until after the November 2, 2021 General Plan Election. Councilwoman Caputi seconded the motion, which failed 2/5, with Councilmembers Caputi and Milhaven voting in the affirmative and Mayor Ortega; Vice Mayor Janik; and Councilmembers Durham, Littlefield, and Whitehead dissenting.

#### **MOTION NO. 2 AND VOTE – ITEM 31**

Mayor Ortega made a motion to:

- Initiate a non-major General Plan amendment to update the 2018 Old Town Character Area Plan;

- Initiate a text amendment to update the Zoning Ordinance Downtown (D), Downtown Overlay (DO), and Planned Block Development (PBD) districts and other affected sections, as applicable;
- Initiate an amendment to the Downtown Infill Incentive District; and
- Direct staff to update the Old Town Scottsdale Urban Design & Architectural Guidelines as necessary.

Councilwoman Whitehead 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.

### **32. Public Hearing on Proposed Water and Wastewater Development Fees**

**Request:** Conduct a public hearing on proposed changes to water and wastewater development fees to be effective January 1, 2022.

**Presenter(s):** Brian Biesemeyer, Water Resources Executive Director

**Staff Contact(s):** Brian Biesemeyer, Water Resources Executive Director, 480-312-5683, [bbiesemeyer@scottsdaleaz.gov](mailto:bbiesemeyer@scottsdaleaz.gov)

Mayor Ortega opened the public hearing.

Water Resources Executive Director Brian Biesemeyer gave a PowerPoint presentation (attached) on the proposed changes to water and wastewater development fees.

Bastien Andruet, with the Arizona Multihousing Association, expressed concerns about the impact of the proposed water and wastewater development fees on multi-housing projects.

Mayor Ortega closed the public hearing.

**PUBLIC COMMENT – None**

### **CITIZEN PETITIONS**

#### **33. Receipt of Citizen Petitions**

**Request:** Accept and acknowledge receipt of citizen petitions. Any member of the Council may make a motion, to be voted on by the Council, to: (1) Direct the City Manager to agendize the petition for further discussion; (2) direct the City Manager to investigate the matter and prepare a written response to the Council, with a copy to the petitioner; or (3) take no action.

**Staff Contact(s):** Ben Lane, City Clerk, 480-312-2411, [blane@scottsdaleaz.gov](mailto:blane@scottsdaleaz.gov)

No citizen petitions were received.

**MAYOR AND COUNCIL ITEMS – None**

**ADJOURNMENT**

The Regular City Council Meeting adjourned at 8:59 P.M.

**SUBMITTED BY:**



**Ben Lane, City Clerk**

Officially approved by the City Council on September 14, 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 24<sup>th</sup> day of August 2021.

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

DATED this 14<sup>th</sup> day of September 2021.



---

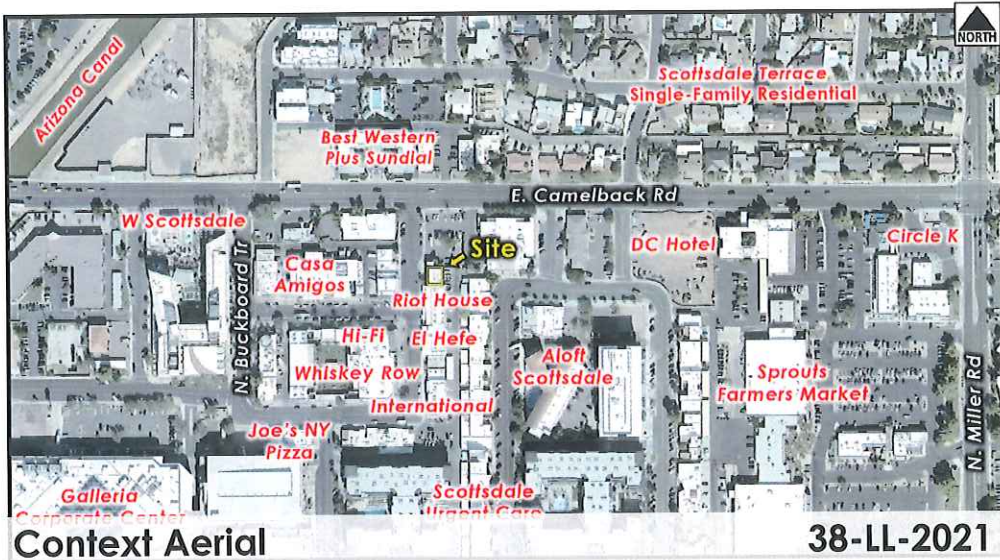
**Ben Lane, City Clerk**

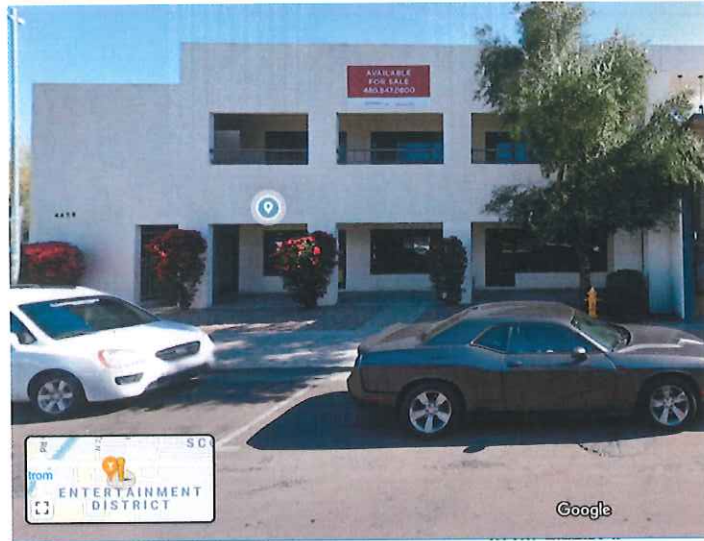
## **Old Town Scottsdale Liquors**

**38-LL-2021**

### **Old Town Scottsdale Liquors**

- Forwarding a recommendation to the AZ Dept of Liquor Licenses and Control for a Series 9 (Liquor Store) State liquor license
- 4439 N Saddlebag Trail
- Entertainment District





**Street View**

**38-LL-2021**

## **Old Town Scottsdale Liquors**

### **State Licensing Criteria: Location**

- The public convenience and best interest of the community will be substantially served by the issuance.
- Commercial zoning allows retail sales
- Building in good condition
- No liquor violations at this location (building) for the past 5 years



## **Old Town Scottsdale Liquors**

Location Evaluation Criteria (cont.):

- Residential population likely to increase in the area
- Commercial population likely to increase in the area
- Market for retail (hotel guests, residences, businesses)
- Compatibility with area activity
- Number of liquor licenses within one mile
- Vehicular traffic accommodated
- No school buildings or church buildings within 300 feet

## **Old Town Scottsdale Liquors**

- 20-day posting
- Written arguments in favor or opposition
- Police Dept. expressed concerns:
  - Potential for purchase and consumption on the street.
  - Potential for purchase and consumption immediately prior to or after venue attendance.
  - Potential of disturbances and altercations surrounding the establishment.

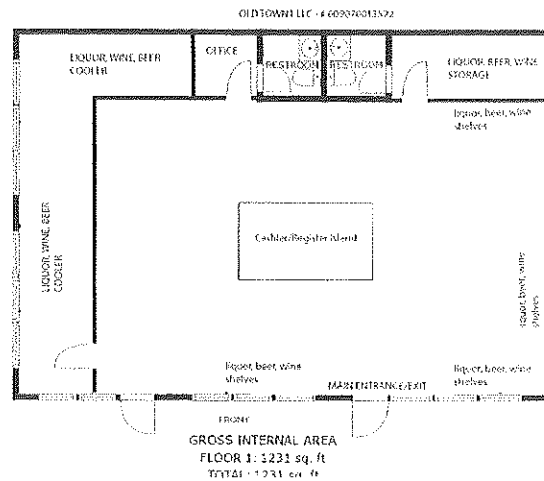
# Old Town Scottsdale Liquors

Action Requested:

The City Council has the option of recommending approval, disapproval, or no recommendation

Next Step:

Recommendation will be forwarded to the AZ Dept of Liquor Licenses and Control for their consideration



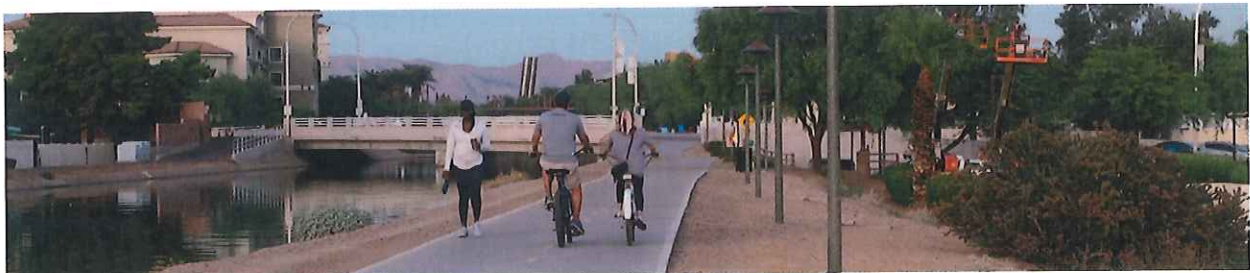
# Old Town Scottsdale Bicycle Master Plan

City Council  
August 24, 2021



## Project Purpose

- Identify gaps in the existing bicycle infrastructure within Old Town.
- Locate opportunities to improve bicycle connectivity and comfort.
- Increase active transportation and promote health and economic benefits.



## Project Area

### Old Town - 10 Districts

1. Historic Old Town
2. Civic Center
3. Scottsdale Fashion Square
4. Arizona Canal
5. Scottsdale Arts
6. Fifth Avenue
7. Entertainment
8. Brown & Stetson
9. Medical
10. Garden

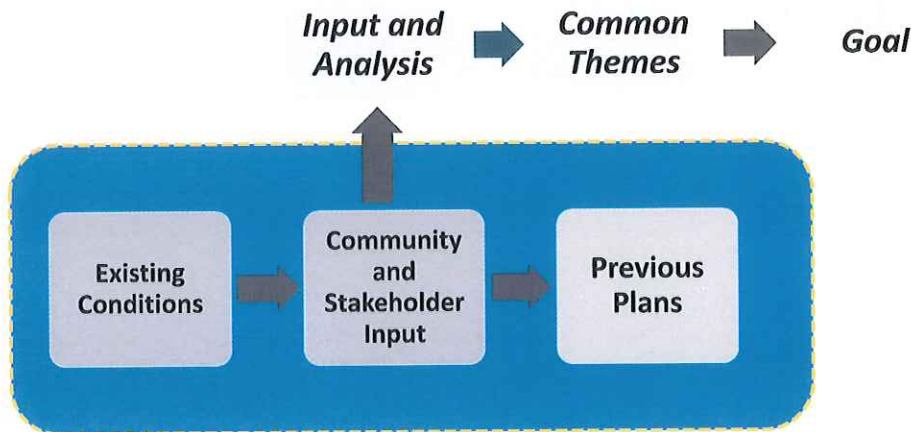


## Project Goals for Old Town

1. Provide safe bicycle infrastructure.
2. Improve active transportation and the overall quality of life.
3. Improve on-street facilities and connectivity to an already strong off-street network.
4. Offer comfortable, low stress bike facilities for all ages and abilities.



## Planning Process



5

## Public Outreach

- Virtual Open House
  - December 15, 2020 – January 5, 2021
  - City’s website: search “Old Town Bicycle”
  - Questionnaire

 **79**

People responded to the public involvement questionnaire

 **84**

People downloaded the project slide presentation

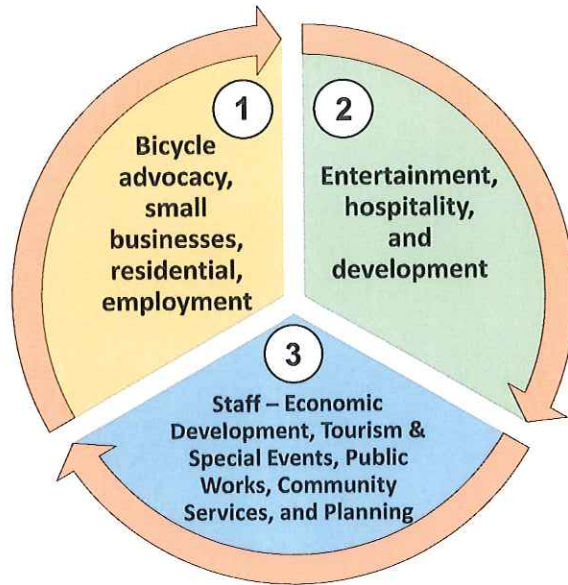
 **173**

People viewed the video project presentation

 **369**

People accessed the project webpage

## Stakeholder Focus Groups



- Three groups of 19 stakeholders.
- Three meetings from April 26 – May 11, 2021.

7

## Stakeholder Feedback

- Overall support for biking in Old Town.
- Safe network for all users.
- Connect people to/ from and within Old Town.
- Quantity and quality of improvements and routes.

8

## Factors Used in Determining Key Routes



-- Connections



-- Community input



-- Existing facilities/Rights-of-way



-- Where people are going



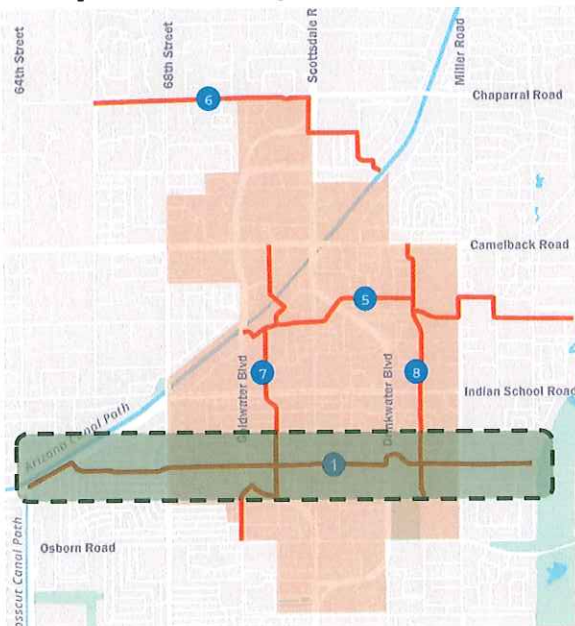
-- Known Safety Issues



-- Gaps in the System

9

## Proposed Key Routes



1. **2<sup>nd</sup> Street from Indian Bend Wash to Cross Cut Canal.**
2. **Glenrosa Street, Montecito Avenue, 6<sup>th</sup> Avenue, Stetson Drive, 5<sup>th</sup> Avenue.**
3. **Chaparral Road and Rancho Vista Drive from 64<sup>th</sup> Street to Arizona Canal.**
4. **70<sup>th</sup> Street and Marshall Way from Osborn Road to Camelback Road.**
5. **75<sup>th</sup> Street from 2<sup>nd</sup> Street to Camelback Road.**

10

## Corridor Planning Activity (Example)

- Corridor 1 recommendations linking the Arizona Canal to Indian Bend Wash using 2<sup>nd</sup> Street for connectivity.



## Types of Improvements in the Project Toolbox

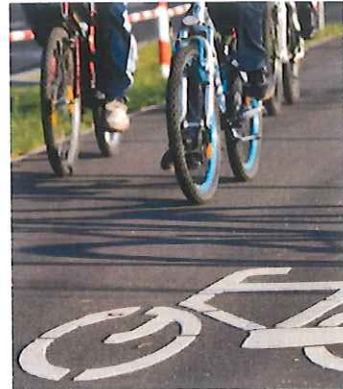
- Prioritized bicycle travel.
- Traffic calming.
- Safe crossings.
- Branding and signage.





## Next Steps

- Finalize Master Plan.
- Key Route recommendations will be included in Neighborhood Bikeways portion of the Transportation Action Plan.
- Include selected improvements in the future Capital Improvement Program:
  1. Link to CIP project such as future 2<sup>nd</sup> Street Improvements
  2. Include as part of the Bikeway Improvements in the CIP
  3. Use to also improve E-Scooter program



## Discussion

## Old Town Scottsdale Character Area Plan Update

Brad Carr, AICP LEED-AP, Planning Manager

Adam Yaron, Principal Planner

City Council – August 24, 2021

### Background

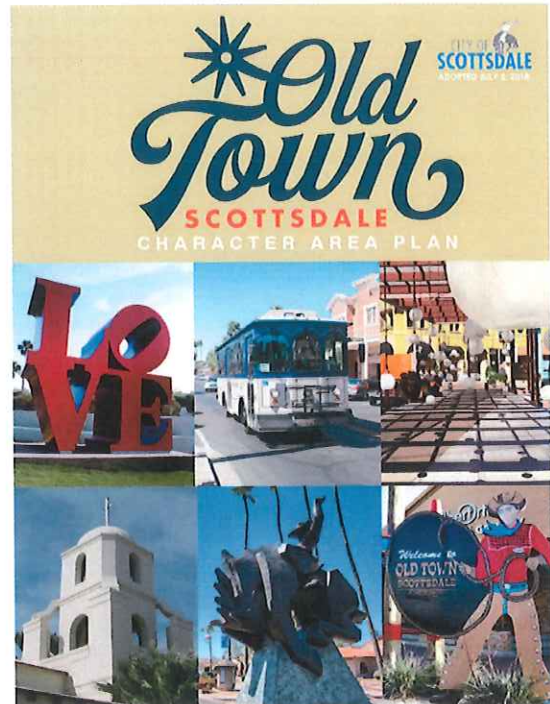
City Council Work Study Session (6/22):  
City Council consensus - direct staff to initiate:

- A. An update the 2018 Old Town Scottsdale Character Area Plan; and
- B. A text amendment to update the Downtown (D), Downtown Overlay (DO), and Planned Block Development (PBD) zoning districts – and other affected sections, as applicable; and
- C. An amendment to the Downtown Infill Incentive District; and
- D. An update to the Old Town Scottsdale Urban Design & Architectural Guidelines



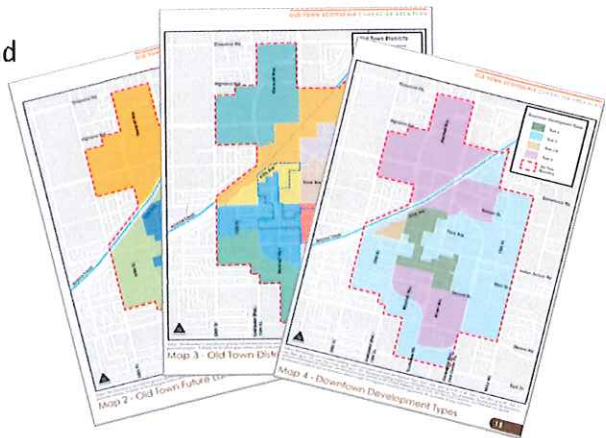
## 2018 Old Town Character Plan

- Establishes vision/values
- Shapes physical form
- Consists of 5 Chapters:
  - Land Use
  - Character & Design
  - Mobility
  - Arts & Culture
  - Economic Vitality



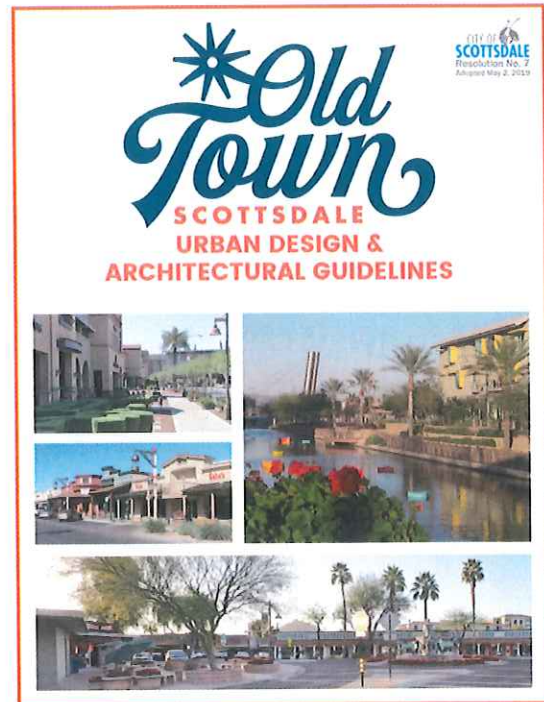
## OTSCAP Update Considerations

- Quality new development and redevelopment;
- Development Type designations, locations, and transitions;
- Use of downtown land use, district, and development type designations – can be confusing;
- Providing more interconnected, public open space;
- Providing enhanced focus on transportation, infrastructure, sustainability, tourism, and economic development in the Plan;
- “Downtown” vs. “Old Town” naming conventions



## Zoning Ordinance Considerations

- Provide more/stronger development requirements Zoning Ordinance and Guidelines;
- Use of development flexibility in the Zoning Ordinance and Guidelines;
- Maintaining, adding, restricting, reducing, or removing Zoning Ordinance base and/or bonus development standards; and
- Consider Zoning Ordinance bonus provisions, if maintained, to provide greater and better-defined public benefits
- Re-examine bonus payment calculations



## Additional City Council Action

- Organization Strategic Plan drafted prior to June 2021
- On June 22, 2021 City Council provided direction to staff to bring back OTSCAP item on August 24, 2021 for initiation
- Organization Strategic Plan adopted July 1, 2021
- An extended completion date beyond October 31, 2021 to March 2022 is required, to provide for best practices with the public participation and outreach (6 months total timeframe)

### Organization Strategic Plan (2021-2022)

#### Support Economic Vitality

- To improve quality and consistency of proposed development in Old Town Scottsdale, review and update the Old Town Character Area Plan with proposed changes to be adopted by the City Council by October 31, 2021.

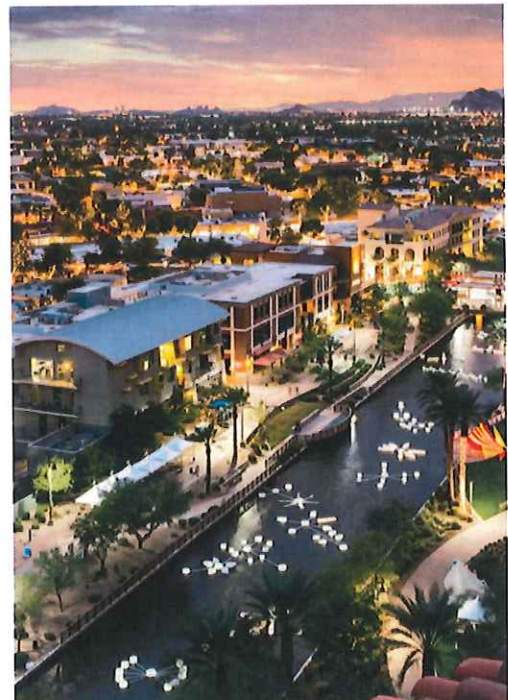
## Planned Public Participation

- August 2021
  - Initiation
- September 2021
  - City Council Work Study Session
  - Planning Commission Non- Action
- October – December 2021
  - 6 Open Houses
  - Virtual Open Houses
  - Property/Business Owner Focus Groups
  - Planning Commission Non-Action
  - City Council Work Study Session
- January – March 2022
  - City Council Work Study Session
  - Planning Commission Non-Action
  - Planning Commission Recommendation
  - City Council Adoption

## City Council Consideration

Consider:

- A. Initiating a non-major General Plan amendment to update the 2018 Old Town Scottsdale Character Area Plan; and
- B. Initiating a text amendment to update the Zoning Ordinance Downtown (D), Downtown Overlay (DO), and Planned Block Development (PBD) districts – and other affected sections, as applicable; and
- C. Initiating an amendment to the Downtown Infill Incentive District; and
- D. Directing staff to update to the Old Town Scottsdale Urban Design & Architectural Guidelines necessary.



# **Old Town Scottsdale Character Area Plan Update**

**Brad Carr, AICP LEED-AP, Planning Manager**

**Adam Yaron, Principal Planner**

**City Council – August 24, 2021**

# Development Fees for Water and Wastewater



Brian K. Biesemeyer, PE  
Executive Director



## Development Fees

- Development fees are one-time fees charged to offset costs associated with providing necessary public services to a new development
- Development fees must result in a beneficial use to the new development
- Historically, Scottsdale has adopted only water and wastewater development fees

## Development Fees

- City of Scottsdale General Plan:

“The city of Scottsdale has long held the philosophy that new development should “pay for itself” and not burden existing residents and property owners with the provision of infrastructure and public services and facilities.”

Cost of Development Element, page 145

## Development Fee Process

Arizona Revised Statute §9-463.05 requires cities to adopt a

- Land Use Assumptions (LUA) and an,
- Infrastructure Improvements Plan (IIP),

prior to the adoption or amendment of development fees.

City Council adopted the LUA and IIP on July 1, 2021.



## Development Fee Process Timeline

May 18, 2021	Public Hearing on IIP and LUA
July 1, 2021	Request City Council to adopt IIP and LUA
<b>August 24, 2021</b>	<b>Public Hearing on Development Fee Report</b>
October 5, 2021	Request City Council to adopt new development fees
January 1, 2022	Proposed effective date of new development fees

## Land Use Assumptions (LUA) Report - ADOPTED

- Covers the period 2021 to 2030
- Must be updated at least every five years
- Shows projected land uses, densities, intensities and population for the service area for ten years or more pursuant to the General Plan

## Infrastructure Improvement Plans (IIP) - ADOPTED

- Covers the period 2021 to 2030
- Must be updated at least every five years
- Defines Equivalent Demand Units (EDU's)
- Defines existing and future Level of Service (LOS)
- Shows estimated cost of future facility and system expansions based on the LUA

### Equivalent Demand Units (EDUs)

- State law requires that an EDU be defined:
  - Water Equivalent Demand Unit
    - Equal to one detached single family dwelling unit
  - Wastewater Equivalent Demand Unit
    - Equal to one detached single family dwelling unit

## Existing and Future Level of Service (LOS)

- State law requires that a LOS be established:
  - Water LOS is defined as the system's ability to meet the peak day demand per EDU
  - Wastewater LOS is defined as the system's ability to meet the average annual day demand per EDU

## Development Impact Fee Process Flow



## Future Facility and System Expansion 2021-2030

	Total Project Budget	Funded with Rates	Funded with Development Fees
<b><u>Water:</u></b>			
Water Treatment Expansion	\$50.1	\$4.9	\$45.2
Distribution System Expansion	97.9	13.6	84.3
Supply Expansion	<u>55.2</u>	<u>14.4</u>	<u>40.8</u>
<b>Water Total</b>	\$203.2	\$32.9	\$170.3
<b><u>Wastewater:</u></b>			
Collection System Expansion	<u>\$80.8</u>	<u>\$17.3</u>	<u>\$63.5</u>
<b>Wastewater Total</b>	\$80.8	\$17.3	\$63.5
<b>Total IIP</b>	\$284.0	\$50.2	\$233.8

\*Amounts in millions

## New Development Fee – Per EDU

- Water development fee per EDU = \$4,765
- Wastewater development fee per EDU = \$2,568
- Total = \$7,333

Note: Not all development requires both Water and Wastewater Fees to be paid

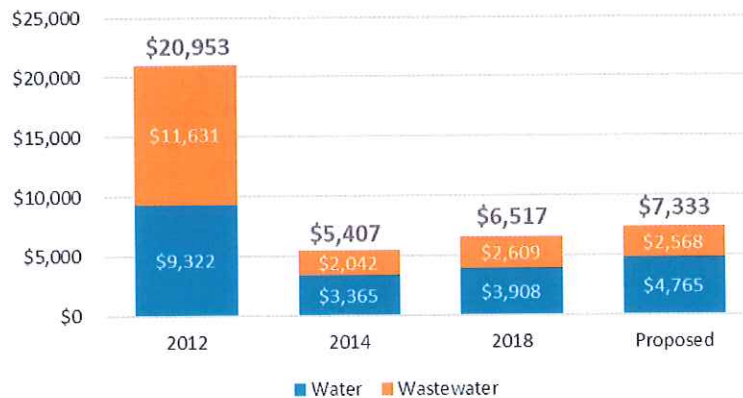
# Comparative Development Fees

Residential Development Fees  
Single EDU/1 Inch Meter



# Comparative Development Fees

Commercial Development Fees  
Single EDU/1 Inch Meter



Meter Type	Current Development Fees			Proposed Development Fees		
	Water	Wastewater	Total	Water	Wastewater	Total
5/8, 3/4 and 1 Inch	\$3,908	\$2,609	<b>\$6,517</b>	\$4,765	\$2,568	<b>\$7,333</b>
1 ½ Inch	\$19,540	\$13,045	<b>\$32,585</b>	\$23,825	\$12,840	<b>\$36,665</b>
2 Inch	\$31,264	\$20,872	<b>\$52,136</b>	\$38,120	\$20,544	<b>\$58,664</b>
3 Inch Compound	\$68,390	\$45,658	<b>\$114,048</b>	\$83,388	\$44,940	<b>\$128,328</b>
3 Inch Turbine	\$85,976	\$57,398	<b>\$143,374</b>	\$103,877	\$55,982	<b>\$159,859</b>
4 Inch Compound	\$117,240	\$78,270	<b>\$195,510</b>	\$142,950	\$77,040	<b>\$219,990</b>
4 Inch Turbine	\$164,136	\$109,578	<b>\$273,714</b>	\$178,688	\$96,300	<b>\$274,988</b>
6 Inch Compound	\$263,790	\$176,108	<b>\$439,898</b>	\$321,638	\$173,340	<b>\$494,978</b>
6 Inch Turbine	\$338,042	\$225,679	<b>\$563,721</b>	\$381,200	\$205,440	<b>\$586,640</b>

## Summary

- **Tonight – No Action is Required.** This is a public hearing to accept public comment.
- **Development Fee Adoption is scheduled October 5, 2021.**

# Questions?

