
This document was created from the closed caption transcript of the December 12, 2018 City Council Regular Meeting and **has not been checked for completeness or accuracy of content.**

A copy of the agenda for this meeting, including a summary of the action taken on each agenda item, is available online at:

<https://www.scottsdaleaz.gov/Assets/ScottsdaleAZ/Council/current-agendas-minutes/2018-agendas/121218RegularAgenda.pdf>

An unedited digital video recording of the meeting, which can be used in conjunction with the transcript, is available online at:

<http://www.Scottsdaleaz.gov/Scottsdale-video-network/Council-video-archives/2018-archives>

For ease of reference, included throughout the transcript are bracketed "time stamps" [Time: 00:00:00] that correspond to digital video recording time.

For more information about this transcript, please contact the City Clerk's Office at 480-312-2411.

CALL TO ORDER

Mayor Lane: Good afternoon, everyone. Nice to have you here with us today, and I'm going to go ahead and call to order our December 12, 2018, City Council meeting. It's approximately 5:00.

ROLL CALL

[Time: 00:00:10]

Mayor Lane: And we'll start with the roll call, please.

City Clerk Carolyn Jagger: Mayor Jim Lane.

Mayor Lane: Present.

Carolyn Jagger: Vice Mayor Guy Phillips.

Vice Mayor Phillips: Here.

Carolyn Jagger: Councilmembers Suzanne Klapp.

Councilwoman Klapp: Here.

Carolyn Jagger: Virginia Korte.

Councilwoman Korte: Here.

Carolyn Jagger: Kathy Littlefield.

Councilwoman Littlefield: Here.

Carolyn Jagger: Linda Milhaven.

Councilwoman Milhaven: Here.

Carolyn Jagger: David Smith.

Councilman Smith: Present.

Carolyn Jagger: City Manager Jim Thompson.

Jim Thompson: Here.

Carolyn Jagger: City Attorney Bruce Washburn.

Bruce Washburn: Here.

Carolyn Jagger: City Treasurer Jeff Nichols.

Jeff Nichols: Here.

Carolyn Jagger: City Auditor Sharron Walker.

Sharron Walker: Here.

Carolyn Jagger: And the Clerk is present.

[Time: 00:00:35]

Mayor Lane: Thank you. A couple of items. We do have some cards. The white cards the city clerk is holding up over her head to my right, and if you'd like to give us some written comments on any of the agenda items, that's the yellow card she has over her head again to my right over here. And we will read those written comments through the course of the proceedings. We have police officers Eric Boles and Tony Wells are right here as they are now at 11:00. On the mezzanine there if you have need of their services and we also have Scottsdale firefighter Wilson Petty if you need it as a paramedic. He's right out here on the mezzanine. The dais is reserved for staff and Council access only. There are restrooms on the south side of the Kiva over here to my left for your convenience.

PLEDGE OF ALLEGIANCE

[Time: 00:01:43]

Mayor Lane: And we have this evening or afternoon yet, Troop 128 with their leader Ladawn Bentley to lead us in the pledge if you could come forward, ladies. If you can, please rise. Any time you're ready, ladies.

Girl Scout Troop 128: I pledge of allegiance to the flag of the United States of America and to the republic for which it stands, one nation, under God, indivisible, with liberty justice for all.

Mayor Lane: Thank you very much. If you could, we could turn that around and please introduce yourself and let us know where you go to school and what your favorite subject is.

Girl Scout Troop 128: My name is Hayden Russell. I go to Pueblo elementary school and I love to do ballet. I go to Pueblo elementary school. My favorite subject is robotics.

Mayor Lane: Big sister, you might to introduce your tag alone sister.

Girl Scout Troop 128: This is Vivian. My name is Nichole. My favorite subject is writing.

Mayor Lane: Thank you very much, ladies.

INVOCATION

[Time: 00:03:40]

Mayor Lane: Our invocation this evening with Pastor David joint of the Valley Presbyterian Church.

Pastor David Joynt: Thank you. Let's take a moment to pray. Heavenly Father in this season of family and faith and joy, we lift up to those who are alone or without loved ones to bring them your special comfort. We remember in gratitude those in our community and those who are serving in our military far from home to enjoy the freedom and security that we have tonight. We thank you for the visitors who come from many places to enjoy Scottsdale and to invest in our economy and help us to be hospitable to them in this season and we remember those who serve in restaurants and stores during extra hours this holiday time. We thank you for in this season of light your willingness to invade our human space and enter this world to bring your beautiful light into our darkness. We know that darkness can never put it out. Bless our officials in all they do and say this day in all your great name and all God's people said amen.

Mayor Lane: Thank you, Pastor.

MAYOR'S REPORT

[Time: 00:04:50]

Mayor Lane: We have one item on the Mayor's report that is somewhat of an occasion of and also of thanks and then Councilman Smith's, it's his last meeting tonight, and I just want to make sure that we're all aware that Councilman Smith has served our city very well in a number of different ways, and certainly as our treasurer, our initial treasurer under a new charter that we had issue, which was inventive and different, and maybe a little bit of an effort to implement. He was on the spot and willing and able to take up that need.

And to follow that, that assignment, he decided and did run for Council and was successful in that run, and he's served with us up here on this Council for four years, and we have been very happy to have him here as a great voice on a number of issues. He has a different perspective sometimes from the rest of us, but that's what the mix-up is helpful for us all to engage and discuss those different perspectives. He's done a great job as far as that's concerned. We want to thank Councilman Smith for the job he's done for the city of Scottsdale in all regards. So thank you very much, Councilman.

And as a token of our appreciation, Councilman, if you could, I want to present you with this. To ring in the new year maybe.

Councilman Smith: When the bell rings, you all go home. Thank you, Mayor, for those comments. I can't believe that you're giving me the chance to have the last word here.

Mayor Lane: I know.

[Time: 00:07:06]

Councilman Smith: I do appreciate it and thank my other colleagues here on the dais. It's true, we've often voted differently on issues from time to time, but I never doubted that each of you cast your votes for what you believed would be a better Scottsdale, and a more livable city as well as a more exciting tourist destination. Belatedly, I guess I would, I don't guess, I know I'd like to give thanks to the many citizens who four years ago gave me this extraordinary opportunity to help influence and shape the future of a community that has been home for now more than 30 years. And finally, I want to express a humble gratitude to those city leaders who came before me. This great city in the desert that we call home was built by men and women who had vision. They dreamed of bold initiatives, and they thought these would make Scottsdale a more exciting place to live and visit, and today, we all reap the benefit of those bold initiatives.

And it's my observation that great cities are, they're not built by individuals whose only vision is to oppose others. That may be the easiest role to play, and in fact, in this political environment, it may be popular to play, but in fact, great cities are built by individuals who are for initiatives, who identify bold initiatives and pursue those with a passion, and so as I conclude my four years on Council, I issue a challenge to all of my fellow citizens. And that is become involved in your community. Become involved in your city. And identify bold initiatives that you can be for. And then pursue those initiatives with a passion and a determination to make Scottsdale a better place tomorrow. And you will be remembered, and you will be thanked by your fellow citizens in the future. So Mayor and colleagues, on the Council, I thank you for the opportunity. I've enjoyed the opportunity of working with you. I wish you well in the future. And to all of the citizens likewise. Thank you.

Mayor Lane: Thank you, David. Now on with business.

PUBLIC COMMENT

[Time: 00:10:04]

Mayor Lane: We don't have any further presentations but we do have some Public Comment. Public Comment is reserved for citizen comments regarding non-agendized items with no official action taken on these items. They're limited to issues within the jurisdiction of the city and the City Council. Speakers are limited to three minutes each with a maximum of five speakers. There will be another opportunity at end of the meeting if there's the need for additional Public Comment. So with that, I have three requests to speak. And so with Howard Alper.

[Time: 00:10:49]

Howard Alper: Good afternoon. I'm a member of the waterfront community at the Arizona canal and Scottsdale Road. Right along the canal, there's ivy there. There's a lot of restaurants there. We are on the north side of the canal which looks like this. Can we enlarge that, please? Anyway, not having heard an affirmative answer, I will continue. Here is the canal. Here is one of the two buildings. The other building is over here. And this is a sidewalk that goes from the wooden bridge that the buses used to go across they stopped that recently. Here's the sidewalk. There's a whole big thing stopping traffic on the sidewalk. And that is a big mountain. And the area is bypassed with a curved sidewalk that goes this way and this way and continues over here.

And we have technology improvements to the extent we now have electric scooters whizzing around there, and the average citizen age in the community is as old as I am perhaps. There's also children there, grandparents who bring their grandchildren there because it's a beautiful park area. And the scooter riders, many are young. They are thrill-seekers, and they are a danger to both the older folks and the younger people who live in these two big buildings about 200 units combined. There is a sign right at the wooden bridge that says no skateboarding or roller skating, which is very nice. Doesn't say anything about electric scooters. So what we are looking to do, and we brought a petition signed by many, many residents of the waterfront, oh my God, I'm out of time. Okay. That says they are disturbed by this condition. So we're looking to get approval to put up skateboard prohibition, pardon me. Scooter prohibitions. That's my story. Thank you for listening.

Mayor Lane: Thanks very much, Mr. Alper. We do have your petition with us here. Thank you. The next would be Deborah Spielman.

[Time: 00:14:42]

Deborah Spielman: Okay. I also live at the Waterfront residences, and I'm on the bottom floor on the corner over by Olive and Ivy of that same trail that's on the north side of the canal between Soleri Bridge and the south bridge, and I wasn't in that picture, but further up, so if you're look at all of the city website pictures, it's from the bridge almost two buildings and that walkway. And you'll see in the pictures pedestrians kind of promenading down holding hands and then all of a sudden, they're dodging these scooters that are coming full speed, almost 90% of them. On that corner, so I see all of it. And

they're dodging these scooters.

I saw a lady, now the curve of that walkway that wasn't in his picture where Olive and Ivy is. And there were these little girls all of them preteen saying this is where you can really go fast. They were screaming. The lady behind her was interlocked with a lady my age and slammed her in the hedges because this little girl coming up from behind would have run her over. And incidentally, I was on that street, and I was looking at a guy, because lots of dogs on leashes, and two great big dogs kind of fighting for which way they wanted to go, and so I'm walking looking at in, and I see this big dog lunge at me, and so I jumped over to the right so that the dog's leash would stop him before he ate me, and then this little boy came slamming, just slamming inches from me, but I mean, had I been in not moved over, I don't know. I moved over so he just missed me by inches, but he didn't slow down. He saw what was happening.

You cannot hear the electric scooters unless they're screaming whee because it's a thrill ride for them. But when they're behind you, you have no idea, and they just sit by. And there are so many toddlers who go to that area, pedestrians holding hands looking at the architecture and landscape, the prettiest part of Scottsdale, I think, and they're not looking for scooters to come out at them from behind. They're kind of taking in the scenery, and promenading and then, you know, these zipping scooters, and so let's see. They also come by, and the kids like to go off of the sidewalk, and they jump the grassy Knowles right over by why I live.

Mayor Lane: Your time has expired. Do you want to wrap it up very quickly?

Deborah Spielman: Just a lot of toddlers and children there running around. The parents have no idea that they're going to encounter these scooters, and you know, if you want to be honest about that area, now, you need to take a picture instead of people casually strolling, people shoving older people out of the way for these scooters. Also Scottsdale and Canal Convergence, hundreds of people on this walkway. Scooters dodging, and so we want it to go over to the other side of the canal where, you know, there aren't blind corners. It's straight. Safer. Thank you.

Mayor Lane: Thank you, Ms. Spielman. Next would be Lisa Randall.

[Time: 00:18:57]

Lisa Randall: My name is Lisa Randall, 9655 East Palm Ridge Drive. I'm a Scottsdale native and passionate about our community. I'm also here to represent the Scottsdale Historical Society. Now that elections are over, our city government, and our community leaders, we're back to doing what we do best, caring about our community, and our citizens. I am here with the privilege of representing the historical society and the board of directors to express our gratitude to the Mayor and Council for hosting for the second time our second-annual Old-Fashioned Pancake Breakfast.

This is going to happen this Saturday right out in front of the Little Red Schoolhouse. Any donations would benefit the Scottsdale Historical Society. This is an important event. We want you to attend Saturday night at 10:30. You're going to not only be there with community leaders, people who started the historical society, but you're going to get to watch the Councilmembers flip your pancakes as well as some of our Scottsdale firefighters. Again, on behalf of the board and advisory board, we're so

grateful for your support, that you're giving of your time, and I look forward to seeing all of you there on Saturday. Thank you.

Mayor Lane: Thank you, Ms. Randall. Thank you. That completes the Public Comment.

CONSENT AGENDA

[Time: 00:21:00]

Mayor Lane: We'll move on to our next item is our Consent items 1 through 22. And I don't have any requests to speak on any of the items on Consent. Unless there are any questions by Council, I would ask for a motion to approve the Consent items 1 through 22.

Vice Mayor Phillips: Mayor, I move to approve Consent Agenda items 1 through 22.

Councilmember Korte: Second.

Mayor Lane: Motion made by Vice Mayor Phillips and seconded by Councilwoman Korte. And we then are ready. There's no further conversation, so we're ready then to vote. All those in favor please indicate by aye and register your vote aye. That's unanimous then. Consent items 1 through 22 have been approved. If you're here for any of those Consent items, you're welcome to stay or feel free to leave but do so quietly.

REGULAR AGENDA

ITEM 23 – SCOTTSDALE HERITAGE CONNECTION – FRIENDS OF THE LIBRARY DONATION ACCEPTANCE

[Time: 00:21:44]

Mayor Lane: Moving right along to the Regular Agenda items, there are only the two, that is 23 and 24.

We'll start with item 23, of course, Scottsdale Heritage Connection friends of the library donation acceptance. And we have presenting Bill Murphy our Community Services Director. Good evening.

[Time: 00:22:07]

Community Services Director Bill Murphy: Good evening, Mayor. I'm here to ask you to adopt Resolution 11295 accepting a donation of \$101,200 donated from the friends of Scottsdale Public Library to be used towards our city's capital project called Scottsdale Heritage Connection. Last year a group of citizens created a capital campaign committee called Scottsdale Heritage Connection to work with the friends of the Scottsdale library to raise funds and direct those funds towards the Scottsdale Heritage Connection project. The acceptance of this monetary donation will be helpful in support of our capital project.

In Community Services and throughout the city, we're very grateful for and fortunate for the volunteers that help each of us throughout the city with the tasks. This is certainly a great example of the

dedication from citizens who utilize and support the library, who have worked so hard over the past year to fund raise to help secure the research space, the collection of oral and written history about Scottsdale's historical past. We're fortunate to have these dedicated citizens of Scottsdale embrace this important collection, and we're very grateful. I'd like to introduce Carol Demaso our former library director and Doug Sydnor who is our architect and designer and instrumental to helping us move this along. I'll turn it over to them at this point.

Mayor Lane: Thank you, Mr. Murphy.

[Time: 00:23:47]

Carol Demaso: Good evening, Mayor, Vice Mayor, Council. Very brief history. For many many years, the Scottsdale Public Library housed what was known as the Southwest Collection. Simply put, it was items pertaining to the southwest portion of the United States. Then about a dozen years ago, it was decided to limit that collection just to items about Scottsdale and the immediate surrounds. Along the way, however, that Scottsdale collection became scattered and items were not easily accessible. About six years ago, a citizen group joined library staff to determine a name, a mission, and potential plans for this collection. They came up with what would now be called the Scottsdale Heritage Connection.

The Scottsdale Heritage Connection was envisioned as a window to the past, a celebration of the present, and a portal to the future. Already, it contains over 10,000 photographs and images of Scottsdale, its buildings events, and residents. More than 450 video and audio recordings and interviews highlighting the city's rich history, 700 books, phone directories, local media, and Scottsdale high school yearbooks, local newspaper clippings from as early as 1950s.

Approximately a year and a half ago, a capital campaign committee of citizens under the auspices of the Friends of the Scottsdale Public Library formed to raise funds in support of the Scottsdale Heritage Connection. I was asked to chair the committee along with honorary chair Paul Messinger. I believe we have a slide with the other committee members that if you would. Thank you. The purpose of the capital campaign committee is to create a beautiful space to showcase the collection and provide research and presentation areas. It will have touch screen technology that will eventually also be available in the library branches. Our funding goal is \$500,000. I'm happy to say we're up to \$360,000 towards the goal. The committee is pleased to be partner with the city and is grateful to individual donors, corporate donors and the grants and foundations that have brought us to this point. We look forward to accomplishing the funding goal in the near future. Now I'd like to introduce Doug Sydnor of the Douglas Sydnor campaign. He'll walk you through the Scottsdale Heritage Connection architectural plan.

[Time: 00:27:12]

Doug Sydnor: Thank you, Carol. Mayor Lane and City Councilmembers, I'm pleased to comment on a few conceptual design highlights of the proposed Scottsdale Heritage Connection. First the location is discussed the Civic Center Library on the first level of what you now know as the existing gallery space which is between the teen center and the children's area. And also for to you know the city and the Scottsdale Public Library are currently discuss a new location for the gallery reading area. The area for

the project is approximately 2,000 square feet. That, about 1,100 square feet is in new constructed space. It's complemented by two existing spaces for the remaining area. The functions will include a work area within the new construction where research can occur by scholars, historians, authors, genealogists, students, and the general public. The existing spaces will include a quiet research room and a multiuse area where various presentations and programs can occur.

I'm describing the character, we're going to play a very brief video fly-through. My comments probably won't be in sync with it, but you'll probably get the idea. It takes a couple of seconds to load up. But just to get it under way, the new character proposed is a sculptural object within the original tall library space, an area by Benny Gonzalez. Wrapped in a warm. The intent is to discuss the Heritage Connection to be very welcoming, inviting, open, and a pleasant environment. Once you enter the interior, you'll be completely enveloped in the space will be defined by the actual archival collections and that's done through full heights shelving that lines the walls. The shelving will be a dark natural wood and is complemented by very textured carpet tile as the base finishes throughout.

There's also a technology wall that's integrated into the shelving unit which you see there on the left of the seating area, and it will have an integrative touchscreen so you can immediately access the discuss the heritage collection and other collections nationally if not globally. Above the space there's a natural wood structure for a future mezzanine level that provides illumination with L.E.D.s along its bottom edge and creates an intimate space for the project. And lastly, the project does include a Scottsdale Heritage Connection presence at the other four branch libraries with this interactive touchscreen idea that will provide connection and immediate access to the checks as well as other collections throughout the world. So I want to thank you for the opportunities of presenting this very exciting project, and I'm sure Bill, Carol and I are available to answer any questions you may have. Thank you.

[Time: 00:30:23]

Mayor Lane: Thank you. Carol and Doug, thank you very much for that presentation and all the work you've done in that area and to the board members who have supported it as well. Thank you very much and certainly we would want to encourage any all people interested in our history and how we maintain it and protect it, to be engaged to the best extent we can to help out to meet that goal. So thank you. Now we do have a request to adopt Resolution 11295, oops, I'm sorry. In fact to that point, if there are questions, and it looks like we may have one, starting with Vice Mayor Phillips. You may be called back to the podium to respond.

Vice Mayor Phillips: I don't have a question. I want to say with contention over the last couple of years, this is something everyone can wrap their arms around. I think it's an exciting very important part of our city, probably one of the most important projects anyone has undertaken in the last few years. I'm really proud of this and can't wait for it to come to fruition. So I'll make the motion to adopt Resolution number 11295.

Councilman Smith: Second.

Mayor Lane: Motion has been made by the Vice Mayor and seconded by Councilman Smith. Councilman Smith, would you like to speak to it?

Councilman Smith: Certainly echo what the Vice Mayor said. It's an outstanding project, long overdue. To capture the history of the city, and it's also an outstanding example of the community affirmatively stating their priorities for the city. Liberally with their pocketbook and vocalization here and design of this. So I commend everybody involved in it for not only your support of the project, but your effort in financially supporting it and moving it up the priority scale for the city. So I'm happy to second it. Thank you.

Mayor Lane: Thank you, Councilman. With that, there's no further comment. Then seeing none, we have the motion and a second on the table. We're then ready to vote. All those in favor, please indicate by aye and register your vote aye. It's unanimous. Again, thank you very much for the work you did, and we're glad to be able to support it at this end. As I say, the call out to the public in any way which that you can help with this process. It's a worthy cause. Thank you very much.

ITEM 24 - PAPAGO PLAZA REZONING (6-ZN-2018)

[Time: 00:33:19]

Mayor Lane: Moving on to our next order of business on the Regular Agenda. It's the Papago Plaza rezoning. The request is to adopt Ordinance 4377 approving a zoning district map amendment from commercial C thereto 3 to planned community P-C. District. Including adopting a development plan and amending PRC development standards on an 11-acre site. And second is a Resolution 11326 declaring the document entitled Papago Plaza rezoning to be of public record. We have the man himself. We have Randy Grant here. It's not indicated, but it's nice to see you, Randy.

[Time: 00:34:06]

Planning and Development Services Director Randy Grant: Thank you, Mayor and members of Council. I wanted to make a couple of observations to put this project and this item in context. As you know, this area of the McDowell corridor has been the subject of revitalization efforts for some time. It's in the process of transitioning from an area that was dominated by auto dealerships and Los Arcos mall into an area of technology, office and mixed use much it's a critically important part of the revitalization of the community, and it's been referenced in a number of planning documents including the 2010 McDowell Task Force which recommended that particularly at this intersection there be additional height and density allowed in order to stimulate revitalization. Since that time, ordinances have been put in place this are allowing what you're going to be presented this evening.

Consistently we've heard from the community that the things that are missing from this area are a boutique grocer, high-quality sit-down restaurants and other retail opportunities. And as you know, the post-recession economy makes it more difficult with online sales taking a percentage of the retail sales that we've traditionally depended upon. It makes it a little bit more difficult for commercial to take foot. In addition, the housing market has evolved considerably and there is now more demand for a mixture of housing including multifamily housing. One of the things that we heard in recruitment efforts for economic development in this area has been that we need more rooftops, and we need more income in the area, which can be attributed to a higher density and some of the multifamily units that we are now seeing being proposed are in the income categories that would incent and incline retailers

to come in.

Currently, this property is zoned C3 and probably the most easily financeable option would be to string drive-thru restaurants along both street frontages. I think we all agree that's not what we intend to try to incent in this area. So no matter how you may look at this particular project, it is the culmination of an effort to get revitalization in this area, and it is a proposal that provides for a signature corner in the city to be redeveloped with some of the things that we've heard the neighbors and others requesting. So with that, I'd like to turn it over to Greg Bloomberg to give you an overview of the proposal itself.

Mayor Lane: Thank you, Mr. Grant. Mr. Bloomberg, welcome.

[Time: 00:37:14]

Senior Planner Greg Bloomberg: Thank you, Mayor and Council. I'm Greg Bloomberg here to give you an idea of Papago Plaza. It's encompassing the 10 or 11 net acres. You have SkySong to the east and some general commercial and dealerships to the north. You've got another hotel use, I think over here that's been there for quite some time to the west and single family to the south and west of the site. Closer view of the site. The original center was built in the 60s. So obviously, this is a site that is ready for redevelopment. And that's just a different viewpoint of that particular site. The General Plan identifies Papago Plaza as a mixed-use neighborhood and the current zoning is C-3, highway commercial which is a general commercial zoning district, and if this case is approved, the zoning would be converted to planned community district which is what P-C stands for. Planned regional center which is PRC.

So just to give you some background how we got here. Again, the request is to rezone from C3 to P-C with the PRC underlying zoning. The reason for the rezoning is the current zoning, the C-3 which is somewhat antiquated does not allow for the proposed use mix which is one of the reasons they're trying to rezone the site. It includes amendments to the PRC development standards which development standards being setbacks, open space, and setbacks. The proposal calls for a mixed-use project consisting of multifamily residential, retail, restaurant pads, neighborhood grocer and a hotel. This site has prominence frontage on Scottsdale and McDowell Roads combined. We're talking about almost 1,500 linear feet of frontage. It's a prominent corner and it's located in a General Plan designated growth area as well as a southern Scottsdale character area plan or SSCAP for short, designated regional center. Both of those designations imply that this location is appropriate for more intense development. So let's just go quickly through the amended development standards.

I'll try to keep this as simple as possible. The first one that if the first standard that the applicant is attempting to amend is to increase the allowed floor area for residential. Currently the PRC allows 50% of the commercial floor area to be residential. The applicant is seeking to increase that to 275% of the commercial floor area. Now it started off at 360%. That's since been changed. So just so you can see that in the report. Just a consideration regarding that amendment, the existing development standard is in place primarily to promote a balance of uses.

The next standard is a reduction in frontage open space. With the current requirement is 30 square feet for linear foot of frontage. The proposed standard is 20 square feet for linear foot of front annual and the consideration there, is allows for buildings to be a little closer to the street frontages. The next

amended development standard is a reduction of the step back being the billing envelope and the billing setback from the property lines adjacent to residential zoning. In this case it would be single family. I have a graphic to show this.

The standard requirement for PRC zoning adjacent to single family residential is 50 feet for a setback. The applicant is looking to amend that to 20 feet to allow for these 2-story carriage units. This green area here with this line represents the existing required step back for the building massing. And when they came in initially, the applicant proposed this amendment to is that step back, and after some discussions with staff, that's been amended and actually, I think with the push from the Planning Commission and development view board as well, that's been amended to this change here. So instead of this, they're proposing this for the required step back. And this is the single family residential here, and this is the alley here.

Similarly, this is the parking garage, the commercial parking garage behind the grocer. Again here's the single family here. The standard requirement of 50 feet for a building setback is again proposed to be reduced to 20. And there is, this is the existing step back requirement, no. This is the provisional proposed step back requirement. This is the required proposed step back requirement. Now I know that there is a proposal in place. I couldn't put this on the slide. There's segments associated with these setbacks and step backs I know the applicant is going to go into in their presentation. In consideration for this amendment it allows for height and massing closer to the single family residential.

Another one of the standards is proposed to be amend side a reduction in the step back adjacent to the street frontages. The current requirement is a 1 to 2 step back beginning at 36 feet in height. The proposed is 2 to 1 beginning at 36 feet in height. So instead of going, it will be a little less of a slope in terms of building envelope and a reduction in step back adjacent to the commercial zoning to the west and rather than 2 to 1 beginning at 36 feet in height, that would change to 2 to 1 beginning at 44 feet in height. And the consideration there is that it allows for greater massing closer to the perimeter property lines.

[Time: 00:43:39]

One thing I wanted to point out just because it's usually a question for a project like this. There is no increase proposed to the allowed building height in the PRC district. The applicant is going with what is existing in that district. So here's the site plan here. The current site plan. It's a little different than the one you have in your reports. Primarily, I want to draw your attention to this location here. The original driveway, this is one of the issues we had with the project and we've been working with the applicant on for some time was the location of this driveway. Originally, it was proposed to go straight up here to McDowell. The applicant has since worked with the transportation staff to angle the driveway further away from the intersection, and transportation has accepted this solution. So that issue has essentially been resolved.

This is a drive-thru location which we've had some concerns about in previous hearings, Development Review Board and Planning Commission. I'll get into that a little bit later in my presentation. These are restaurant pads, and retail pads, proposed hotel, proposed grocer with the parking garage here. This parking garage would service all of the commercial including the hotel. There would be some surface parking along the main drive aisle and here by the drive-thru building. Then this is the

residential component here, which is apartments. Circulation plan: Two main access points off of McDowell Road. This doesn't represent the current proposal, but I didn't have a chance to amend that. Two access points off of Scottsdale Road, the SkySong intersection is signalized. The other three are not. And the residential is proposing gated entries, one location here and one location here. So this would all be gated here, not accessible to the general public.

These are the elevations. This is the Scottsdale Road elevation which you've got here. The single story pad buildings along the street, multifamily behind, hotel here. This is the grocer, and then this would be the parking garage behind the grocery building. And then this is the west elevation facing the single family residential. This is the parking garage the applicant is proposing some treatments to that garage to mitigate the impacts of the massing adjacent to the single family, and again, this is the multifamily residential. So the south elevation, so again a single family is over here. This is that parking garage, the grocer here, and the multifamily. Then this is the McDowell Road frontage.

[Time: 00:46:40]

This item was heard as a Regular Agenda item and a nonaction item at the Development Review Board hearing on November 1, 2018. During the Regular Agenda, the DRB did recommend approval by a vote of 7-0 for the PRV review standards to refine the development plan to demonstrate sensitivity to the single family residential, pedestrian engagement, and quality of design. After the Regular Agenda, it was heard again as a nonaction item for the board to get back on the design elements of the development plan. During a nonaction discussion, there were concerns expressed about the location of the proposed drive-thru, proximity to, it's very close to a very prominent intersection for southern Scottsdale, and they recommended the applicant revisit the design prior to returning to the DRB. There was also recommendation from the board to enhance the space of the proposed garage to minimize visual impact on single family neighborhood. There was a recommendation to coordinate design of the main pedestrian Paseo off of Scottsdale Road with a courtyard and invite a more seamless and inviting pedestrian connection.

There was another request to encourage a mix of uses to encourage visitors to stay long or the site. Then finally, a request to provide more robust landscape adjacent to the single-family neighborhood. The Planning Commission then heard this case on November 14 and recommended approval with a vote of 5-0. They added stipulation number 16 restricting hours of delivery to the grocery store. To summarize, the proposed increase in residential flow area from 50% of commercial flow area to 275% of commercial floor area which is part of this request affects the balance of use. Proposed amendments to the setbacks and step backs, heightened mass and closer to perimeter property lines.

Stipulation number four, I want to talk about that for just a second. Stipulation number four which is currently in the report is now going to be stricken and replaced with a different project timing which we'll get into shortly. But the idea being of course that to give some reasonable assurance that the commercial and residential development will if not be concurrent, at least be close-by, close together rather than the residential being built first and then nothing happening for years after this. Proposal response the goals and policies of the General Plan in the southern Scottsdale character plan. Responds to community needs by proposing a destination pads and neighborhood grocer, and it's a parcel as I mentioned before, redevelopment of an underutilized investment in the corridor. That concludes my presentation. If you have any immediate questions, I'm happy to answer them.

Otherwise I'll turn it over to the applicant for their presentation.

Mayor Lane: Thank you, Greg. We've got a number of requests to speak on this subject. So we'll go to that first. I'm sorry. That's right. Thank you very much. Yes. If the applicant would like to make a presentation, then we'll go to the public testimony.

[Time: 00:50:48]

Applicant Representative Jason Morris: Thank you, Mayor, Councilmembers. Jason Morris. I appreciate staff's presentation and will try not to reiterate some of the points. From a planning perspective, how many plans the city of Scottsdale has adopted to support precisely the type of development we're bringing forward today. It's also an interesting position to be in in terms of there are a lot of speakers who I believe want to have some input on this site as we should. We're fortunate to be in front of Council and the Mayor with a project that has both staff support, a unanimous recommendation of approval from your DRB amongst whom thank you, Councilwoman Littlefield, and your planning division, all unanimously supported this project.

Yet we also realize there are so many details and this is such an important corner, we want to make sure we get this right. In looking at the e-mails I'm sure you've seen from the massive amount of support and those interested in refining this project, one thing that's been true in almost all of the e-mails you've received is the use of this property and the idea of bringing a grocer and new retail and restaurants and reinvigorating this corner even by the most ardent supporter. What is necessary and what design can we have and still have the uses proposed. As staff noted, this is a site zoned highway commercial. It's an old C3 site. When it was built and zones. I'm sure this was state of the art. Today it is not.

Some of the things I'll point out is unlike a majority of other commercial centers within the city of Scottsdale, that need or benefit from redevelopment, this site was built in an era where they are a series of visit that can't be altered. Whereas in a typical shopping center, you'll see walls being moved and buildings being expanded, they all have a typical size and space. That's not true. This is a 1960s era building that no longer functions. When I say that, we're talking about over a hundred thousand square feet. Of retail with approximately 5% occupancy. I'll also point out from a processing standpoint, as you're aware, the Council, every landowner looks for the most expedient way to redevelop their property. And the most expedient way is to take advantage of the existing zoning.

So for those in the community who have said we need more retail, this property owner did not just buy this property. This property owner has held this property and looked for an opportunity to redevelop it with its existing zoning. But there is not a market for this amount of retail at this location and in today's society. So we must look as we have done with this application for ways to reinvigorate the existing retail that can locate in this area and try to put a shot in the arm to this intersection while bringing back retail. The existing conditions, both the residential, the alleyway, adjacent to the site and Papago Plaza. I and staff referenced your General Plan, your growth area map and the southern Scottsdale area plan. There wouldn't be a better road map for what needs to be done, what the city has already shown through their planning efforts, and what the community is asking for by virtue of these plans on this site.

I don't believe the uses are in question. I think we've had a lot and will continue to have a lot of

discussion about design, but certainly what's proposed is supported by virtually every plan that's been written and adopted in the city of Scottsdale. And to give you some context to that as we look around this particular intersection and surrounding areas, we've got the SkySong development. There is new retail that's been successful, and there is residential that's been successful in this area. The aerial map shows not only the intense zoning but the acreage of this site. I point this out because we're talking about an 11-acre site. When we're looking for balance in a mixed use, I don't think we can do better than saying half and half. That's exactly what we have done.

This is five and a half acres of retail and commercial and five and a half acres of residential at this location. The concept plan as staff showed you includes a residential component and the retail which is focused mostly along Scottsdale Road but also goes into the project. We received that unanimous approval from the DRB and were given some leeway in how we requested that. We were trying to get the uses that the southern Scottsdale area plan and the growth plan all call for at this location. Put the buildings where they're visible along Scottsdale Road. Make sure as people are driving down Scottsdale Road and McDowell, they can see into the project. Create open space nodes and public area within the interior of the project.

Some of the things I'll point out as you look at this site plan. The center spine roadway that goes through the heart of the plan is both visible from Scottsdale Road and McDowell but more importantly, the way the roadway system has been designed, you can bypass this from a traffic standpoint and go around, which would allow this area to be sectioned off. You can put in bollards and I'll show an example as to how you utilize this area. It's a different pavement treatment and slightly raised so that area can be closed for festivals and special events. In the planning effort, we doubled the size of that area as a community space.

[Time: 00:57:52]

The buildings themselves are uniquely designed to not only play off of one another but also to play off the area in context in the pictures I showed you earlier between SkySong and the other new buildings in the area and the proposed and existing new residential in the area. This gives you a sense of the uses that staff has already referred to, but I'd also like to draw your attention to the corner parcel, which provides a good amount of space that doesn't exist now. If you can envision in your mind's eye having driven through that intersection right now, you have building and sidewalk. It's a 1960s design configuration, and it's a 1960s landscape configuration. That is to say the only thing that's growing is growing between the cracks and the asphalt. So this does allow that green space and gives you a focal point. And I think there may be an opportunity both on the interior and exterior to look at both building and art.

This is one of the references we made to the Scottsdale Road frontage. As you look, the idea is not to create something that is hidden from the public. There's enough interest between these buildings that that will allow even though the, obviously the pedestrians to enter into the project but more importantly those who are driving by to peer into the project and understand that there's activity in the interior of the project, and be really invited in to this environment.

I mentioned earlier that there's an opportunity for open space and public and community space within the interior of this. As you look at this exhibit, it's showing the hotel side interacting with the

restaurants and retail and showing how that roadway can be closed off. You know from the texture and the feel that this is a different area. It's not a traditional driveway. We're envisioning farmers markets, special events, that type of thing within this area. That also works well for the restaurant tenants and retail tenants. It creates a destination. The idea is to create something that someone wants to stay and enjoy rather than just utilize and leave. This gives you some other ideas of the property line condition as well as the schematics for how this is designed.

Staff referenced the DRB unanimously approved our development standards. Those were largely for the edge condition between this and the community adjacent to us. We have an old alley of 8 feet. It needs to be expanded. We're going to give an additional 12 feet of alley space to make this work and putting down the perimeter of this property carriage units. They're 2-story units and make for an excellent buffer between a residential neighborhood that can be two stories and the more intense project as you move closer to the intersection. Those carriage units are designed so they have no balconies that would look over into the residential, any of the windows are clear story windows that are above 8 feet in height. There's not any direct impact on the neighbors immediately adjacent.

[Time: 01:01:18]

This is the existing alley condition as I mentioned. The underground, the overhead lines shown here will be undergrounded. The alley will be improved and expanded. There will be a point of demarcation that doesn't exist now, and landscaping will also be included on both sides. Staff referenced the setback and buffer and really the justification for the unanimous DRB approval and also this really played into our planning committee approval which for want of beating the word "unanimous" to death, that was unanimous approval as well. Really what staff and Planning Commission were looking at at that point was how does this fit into the context? This shows that context, the nearest building that has any significant height is over a hundred feet away. With the garage itself, we've agreed to enclose the back side of the garage to make sure there's no garage impact, and it looks like a building adjacent to the grocer. Obviously the garage component becomes a very important part of the grocery use, because without that use, without that garage, you're talking about the sea of asphalt that exists there today.

I'll close with this, Mayor and Council. This project has been not only a point of pride for the development team but really a star application from beginning to end. I'd like to talk about what I mean by that. This application did not come straight from the applicant. It isn't a typical case where you're look at a limited amount of time, there's a transaction in place. It has to be rushed through. Instead of the first meetings we are were with neighbors. The first meetings we had were in neighborhood establishment to try to get a sense of what uses were asked for, what was going to be requested. As a result of that, the application before you doesn't just have a token amount of retail in order to justify a large amount of residential. What it has, Mayor and Council is a balance. We've got over 50,000 square feet.....

Mayor Lane: Jason. You're out of time at this point in time. You've been for a little bit. I've given you a little latitude.

>>

Jason Morris: I appreciate that.

Mayor Lane: There will be sometime maybe not to the extent we sometimes allow if there are things that need to be responded to from the Public Comment.

Jason Morris: I'll look forward to it, Mayor and look forward to your support.

Mayor Lane: With that, we do have a number of requests for public testimony. We had some 20 requests, and it does not look like any of it has been joined up with one another. So they're separate requests. I'd like to try to keep this to two minutes each on this so that we don't have too much time that we have to go on with this. Depending upon, well, that we're able to cover and make sure everybody is heard in a reasonable amount of time. I'd like to start with Sonnie Kirtley.

[Time: 01:05:05]

Sonnie Kirtley: Good evening, Mayor, Council.

Mayor Lane: I'm going to go ahead. I think we have three minutes. Up to three minutes.

Sonnie Kirtley: I don't need more than a minute.

Mayor Lane: If you don't need it, that's fine too. I'll go ahead and allow three.

Sonnie Kirtley: Do you want me to give it away?

Mayor Lane: None of that. Anyway, we'll go ahead with the original three minutes.

Sonnie Kirtley: Sonny Kirtley, chairman of COGS. Our address is on file. We followed this through the DRB and the Planning Commission, and there will be a lot of people that will have comments about their specific issues. Our issue at cogs is yes, this is a signature corner just like Randy Grant says. I served eight years ago on the McDowell Corridor Task Force, and yes, we envisioned changes to this intersection, and we appreciate the applicant being willing to finance and come up with a project. Tweaking is important. Signature corner. There it is. So why is it going to have a coffee vendor on the signature corner? Why isn't that moved back so we have more landscaping and more setback there so that is identified as a special corner in this town. Public art? Perfect place for a signature welcome to Scottsdale public art. Thank you.

Mayor Lane: Thank you, Ms. Kirtley. Thank you. I will ask, please, we do not have displays of either appreciation and/or of disagreement. So if you could, I'd appreciate your sentiments, but I appreciate if we could control that. Sandy Wassermann.

[Time: 01:07:01]

Sandy Wasserman: Good evening, Mayor and Councilmembers. Sandy Wassermann, resident and homeowner in south Scottsdale for over 20 years, proud member of the community here speaking on behalf of the Scottsdale alliance, and hoping you will approve this rezoning tonight. It is something that has been needed for a while. I have not as active as I have been in the community. I've not heard of any other potential developments in the neighborhood. It's not perfect, but it's far better

than what currently exists. And we hope you will approve this rezoning and with a little bit of tweaking here and there with the developer, the next time we see it, we hope it will be well on its way further under construction. Thank you.

Mayor Lane: Thank you, Mr. Wassermann. Next is Lindsey Jensen.

[Time: 01:07:57]

Lindsey Jensen: Hi. So I live and I work at the SkySong complex, and I have lived there for almost five years now. This proposed project is something that me and my peers and my coworkers have all wanted for a very long time. Papago has been not well used. There's nothing over there. There's no restaurants for us to visit. We really want the grocery store. We wanted restaurants. As somebody who rents an apartment at SkySong, we don't have enough housing. We need that as well. I'm very excited about all aspects of this project. I think we need more of the mixed-use space. I hope you approve the rezoning and that construction can begin soon. Thank you.

Mayor Lane: Thank you, Ms. Jensen. Melia Dunn.

[Time: 01:08:51]

Melia Dunn: Hi. And thank you. You got my name right. Melia. It's not always pronounced correctly. I too am a resident and condo owner in south Scottsdale and have lived here about 12 years now. What excites me about this project is a connection to accessibility for all walks of life. I am a condo owner. I know there's a lot of single-family homes in south Scottsdale that are available. We also need to make space for renters and folks of different socioeconomic statuses, different lifestyles. I've recently discovered that the city has a phenomenal campaign Scottsdale for all. And so I think the diversity of lifestyles, the diversity of living choices, and the diversity of business that this opportunity can bring is really exciting. So thank you.

Mayor Lane: Thank you, Ms. Dunn. Margaret Dunn.

[Time: 01:10:10]

Margaret Dunn: Hi, good evening. I'm Margaret Dunn at Miller and Osborn a new resident of downtown Scottsdale. I also have owned property on 74th street and McDowell for about 15 years. Before SkySong, before any development, I took that old dingy car wash and made a little something out of it. So I have believed in McDowell Road for a very long time, Virginia and I together have done that. But every day, I drive through that intersection numerous times, and I look at that Papago Plaza, and God bless. It's time for you to go bye-bye. I bank at Wells Fargo and get coffee at Dutch Brothers, and I look at that Papago Plaza and we all know it's time for it to have a new development.

I thank these developers for putting so much time, so much effort, and I think the Planning Commission and the DRB, which I was once a Planning Commissioner, and once on the DRB, their time and energy and effort to really review all of these plans, it takes a lot of volunteer hours. And unanimously approving something? That should give us a sign of approval, because they really go through things with a fine-toothed comb. I remember that. So as a property owner, as a resident of Scottsdale for

28 years, as a business owner in Scottsdale for 28 years, I love this city. I just don't love Papago Plaza, and it's time. It really is time. What I fear is if we let this opportunity pass us, then what will happen? What will happen to that corner? And nothing's ever really perfect. Is it? So I hope that you approve this. It has my huge support. So thanks for your time and thanks if your service as well.

Mayor Lane: Thank you, Ms. Dunn. Please, I appreciate the sentiment, but not the display. Austin Jack.

[Time: 01:12:34]

Austin Jack: Mayor Lane, Vice Mayor Phillips and members of the Council, my name is Austin Jack. I'm a Scottsdale resident with my address on file and a taxpayer, small business owner and also one of the lead experts on the Scottsdale Gateway Alliance's revitalization effort. I'm sure you all remember me presenting the exceptional data we presented to the Council on behalf of the community when we asked what do you want to see in your neighborhoods? And this project embodies exactly what we learned from the neighborhood. This mixed-use project has so many advantages, not just for the city's economy but for those living in the surrounding areas. And it would behoove the Council to pass this project to not only contribute to those tax-paying dollars that are funding a lot of the city utilities and operations within Scottsdale but also to bring new light to southern Scottsdale and let people see that.

The brewery and SkySong are not only the new developments in these areas. When the 101 and 202 were built averting traffic around the corridor, it left this area blighted and empty, and there was nothing really going on. Now we have an opportunity to truly revitalize and capture the essence of what Scottsdale is, and not invest so many dollars in the north and in old town but really look to our southern residents, increase of values of those properties and allow people to take advantage of these new amenities. Thank you for letting me speak and thank you as well for your service to the Council.
Mayor Lane: Thank you, Mr. Jack. Jeff Berghoff.

[Time: 01:14:25]

Jeff Berghoff: Thank you, Mayor and Councilmembers. I'm a landowner across the street. I own four acres and run my small business out of there. In 2010 during the height of the recession when I bought this old dilapidated car dealership, I took a risk. That risk was to bet on the future. Today I think we're seeing what the future could be. I'm excited about that. I got involved in the neighborhood and got involved in the, was a founding member of the south Scottsdale Alliance. We went out and polled people and took surveys and learned what the community wanted, and what you see forth, we gave that to the developers, and worked closely with them. And is the project perfect? Maybe not. I think that it's exciting to see what could happen, and is a person who employs people who live in the neighborhood, they're excited about what this Papago Plaza can be and to be quite honest, I'm look of looking outside of my office window and seeing it. The Scottsdale Alliance supports this. I support this, and I'd love to see this be voted yes, thank you.

Mayor Lane: Thank you, Mr. Berghoff. Grace Gavin.

[Time: 01:15:54]

Grace Gavin: Good evening. Thank you, Mayor, Vice Mayor, Councilmembers. I live at 1325 North 71st street, directly behind this project that's going up. My alley is their alley. So I'm concerned as well as my husband, and we've e-mailed the Council, about this parking structure that's going up behind my house. It feels like it's going to be about a hundred feet from my bedroom window, and I'm seeing tonight, and I'm like what I'm seeing. I want this to be developed, but I'm concerned about the construction that's going to happen. How much noise is there going to be? Are we going to, is there going to be -- am I going to be able to sleep at night, you know with all the construction? Right now, 5:30 in the morning, there's people out there blowing leaves and waking us up, you know, and we're concerned about the noise.

I have my neighbor here. She lives next door to me, and I'm sure there's other people on the street that are very concerned about what's going to happen when all the construction starts. So I would like to know if we're going to be reassured as the residents on that aisle right directly behind this project if, you know, you're going to step by step let us know what's going to happen when, and just reassure us that, you know, we're not going to have to deal with the noise, and then when it's all built, is there anything going to be noise we're going to have to deal with at night?

Now you all want all these retail. We do want more retail. We don't want more residential. We think there's already too much residential, they're still building more residential on McDowell Road right across the street. And I just, we don't feel the residential is needed. So that's what we're concerned about. Too many people coming in, and you know, is there going to be enough water for everybody? What's going to happen when you put the electrical under the ground? Are we going to have to get generators? I don't know. So we're still just very scared about what's going to happen when it does happen. Thank you.

Mayor Lane: Thank you, Ms. Gavin. Christie Lee Kinchen.

[Time: 01:18:43]

Christie Lee Kinchen: Good evening, Mayor, Vice Mayor, City Council. I'm here to speak today for my friend Allison who lives mere feet from Papago Plaza who couldn't be here today. I've lived on 71st Street and Moreland for 14 years and Papago Plaza is in my backyard. For years I wanted to bring a place that wasn't covered in concrete, a place where I could run to get milk, a place that will reflect the pride we have in our neighborhood. Instead all we've gotten is condos, apartments and trilevel single family homes and our hope for revitalization is diminishing. Every year I already can't make a left turn. I strongly disagree with putting more apartments, living spaces and I another hotel in Papago Plaza for the traffic constraints alone. It is unsafe and irresponsible to put so many people in place to navigate. Right next to a strip club and an empty lot. We need more stops, restaurants and retail space, not places to house people. I've attended many meetings over past couple of years. We were told we were getting restaurants and retail. Apartments went in on McDowell to the left and more to the east and then SkySong condos. Then single-family tri-levels. The trailer park has more housing coming in and the empty by 64th and now apartments and another hotel.

We have the bodies now, but where are the things for people to do? This is an iconic corner in south Scottsdale in desperate need of a restaurant, family-friendly activities perhaps a splash pad, grassy areas and a retail space that we can grab necessity. I will not support the project as proposed. 3

Restaurants, A Drive-thru and an Aldi grocery will not help us am we want people to come in the area and stay in the area, not live there and drive away there's nothing to do. The proposed project will not meet any of our needs or something that we can be proud of. It will create more traffic, more bodies and people wandering around with nothing to do or driving somewhere else causing more traffic because they're still in a wasteland the retail. The retail space needs to be as big as it is now, a relook. It was zoned for business. Just with a fancy update. Give all these people something to do, someplace to go and give our neighborhood that sat years in a desert of nothingness something to be proud. We're desperate. You have neglected us far too long. Please do not approve these plans as they are. Keep it zoned business. Scottsdale can do better than not perfect. If it's not perfect, Scottsdale deserves better. Scottsdale deserves the best. We count ow guys to give that to you.

Mayor Lane: Thank you. Jason Alexander.

[Time: 01:22:08]

Jason Alexander: Hello. Jason Alexander. 9976 East Jasmine Drive. I live in north Scottsdale. I worked at SkySong for six years. And I agree that this plaza absolutely needs to be redeveloped and I agree that this plan offers some good things. I think it's a good start. I think it can be better as other people have mentioned. Every project in Scottsdale, I think ideally should say yes to three questions. Is it healthy growth? Is it financially disciplined and financially beneficial? And is it a partnership between the residents and the City Council? I think this one comes up a little bit short on those measures. I think it can be improved and I hope we'll consider those improvements.

This picture really spoke to me very much because when I first looked at SkySong, there were two buildings there. I was one of the first tenancies, and now you drive down this road, and it feels almost like driving down a canyon. This is not what the neighborhood has been in the past. I don't think it's what the neighbors want. And I think again looking at this next picture, you see the parking garages right next to the houses as people have indicated. This is not exactly what they're looking for. Let's compare it on a few really top-notch mixed-use facilities. The Quarter up at Scottsdale Quarter or High Street at Desert Ridge. All the retail is on the ground floor. The public spaces are much more defined in some places as others have mentioned, a splash pad for example. This is trading 120,000 square feet of retail for 50,000 square feet of retail. It is trading down for the residents.

This will not be the healthy growth they're looking for because as many have told you, there are lots of other apartments coming in. They don't want more residencies. They want more retail. This will not help the city's retail sales tax as much as we'd like, because of the lack of retail comparatively speaking, and again, it's not really the partnership we're looking for. While Mr. Grant and others from the city have talked about the zoning exemptions and how they have tried to work through some of these zoning issues I pulled some of this out from the planning document itself so you can see bullet point by bullet point what these zoning exemptions are. The biggest one right here. 360% increase in housing. Here's more right here. Pretty much every zoning variance you could ask for is being given. I'd ask that we rethink those things like burying the parking garage like that we have at South Bridge, like some of the other premier mixed-use facilities. It's a good start. We all agree this needs to be redeveloped. But let's do better. Let's not settle. Let's make it perfect. Thank you for your time.

Mayor Lane: Thank you, Mr. Alexander. Alex McLaren.

[Time: 01:25:27]

Alex McLaren: Good evening, Mayor, members of the Council. Alex McLaren 7624 East Osborn Road. I'm very familiar with this plaza as well, and I agree it needs to be redeveloped. I agree with rezoning the parcel. I agree that there should be incentives which were given. I can understand the connection between increased using the residential to anchor the rest of the project, but I am concerned about the massiveness of the residential portion. Again this is from the submittal by the applicant.

This is a prospective from the northwest, which shows the residential units, and I think the applicant said that they split the parcel 50% between residential and commercial and restaurant. I'm sure that's right, but it just seems from this perspective that the apartment units are pretty massive. I think this was also shown earlier. This is the perspective from McDowell Road looking towards the apartments. You can see the width of the apartments and the width of the commercial. So my concern is the massiveness of this apartment complex. And I realize that there is the need for the residential to back the commercial, but I just feel this is too intense. Again this is the circulation element. You can see the apartments and also all of the restaurants and grocery, and the parking garage in here as well.

I think someone mentioned different alternatives. An alternative might be to break up the apartment complex, the apartment complex into smaller blocks and put them around inside the development similar to what they did at Kierland Commons. Those are individual buildings with commercial and restaurants in the base at the ground level and apartments built over those. That's something that could be done, could be looked at. I know that, I agree that the property needs to be redeveloped and rezoned. So I'm not exactly sure if I support the project or not. I support the rezoning but not necessarily this one. Thank you.

Mayor Lane: Thank you, Mr. McLaren. John King.

[Time: 01:29:14]

John King: Good evening. I'm John King, 7834 East Palm Lane. Thank you for hearing me today. Papago Plaza part of my youth. But the truth is it's old and decrepit and needs to go. I think this new development there are really good ideas but I'm not wild about the zoning variances that have been granted. I drive around town, if you look in the document, first thing it says, it's a request to consider. It's not unanimous. It's not a done deal. We hear today nothing really perfect. Maybe we can strive if something pretty darned close to perfect. So when I look at this, I look at all the digital ink that was devoted to quality of life and the look and feel of Scottsdale and how much we all love living here. That's great. Then I look at setbacks and step backs and I see a tunnel. I love SkySong. I'm kind of disappointed they're going to build a fourth building now. They're going to close off that corner, and I won't see that building anymore. I go down around ASU, but don't you feel like you're in a tunnel. That's what I see here. Just another tunnel. The height, Mr. Bloemberg mentioned there's no difference in the height. It's minor. But the setback is where you'll really notice that height difference.

Congestion is another issue. All this housing requires cars and people, and people here just don't do mass transit. So what we're going to have is this nasty mess of traffic, and it doesn't look like there's enough parking. Final point I wanted to make is I don't know how many of you have been in Aldi. It's not a Starbucks. It's not a Trader Joe's. So in closing, we're taking what could be a signature corner and turning it into an ugly corner. And I'd really like to see the lady who talked about putting some public art there or something to welcome people to Scottsdale. That's what we need. Thanks.

Mayor Lane: Thank you, Mr. King. Jon Mann.

[Time: 01:32:03]

Jon Mann: Thank you. Jon Mann. I live on Coronado less than a couple blocks away from this development or Papago Plaza. While I agree with everybody else that redevelopment is needed, this is too much and too soon with everything else that is going on in that area. There are literally thousands of units have been built and being built or proposed for that one, you know, one little area within a half mile in every direction of that intersection. The density is way too high. There's been no changes in the circulation of the streets or any plans to, there's really no place to put people.

When the applicant says that they're bringing restaurants, there's actually less restaurant space in this new proposal than what's currently there or what was there before they started forcing people out. There were many restaurants in Papago that we like to go to and eat on a regular basis. Most have closed up and there's no place comparable for them to go and this is gone or will be gone. We also, none of these developments that have been shoved into south Scottsdale, there's been no consideration for recreational facilities for the residents. There was a proposal to upgrade Eldorado and El Camino Parks but the residents vetoed that even though the rest of the city supported that. We need to get more recreational facilities for all these new residents that are coming in, and it's not just the apartments.

The single family homes are being turned into friendly units instead of 2 or 3 people in there, you have 7 or 8 college students living in one 3-bedroom house, and the density while is good and helps maybe a more walkable space if we can bring in more development close together, we also no need to make sure we have the infrastructure to support that density and this project does not help that. It actually hurts it. In addition, I can't help but thing for the people there on 71st Street, I know I wouldn't want a large parking garage in my backyard. I don't think any one of you would appreciate if the people who live next to you put up a 3-story parking garage that was open and operating at all hours of the day and night. This should too much for that limited space. Thank you.

Mayor Lane: Thank you, Mr. Mann. Mr. Norgaard.

[Time: 01:35:12]

Mr. Norgaard: Good evening, City Council, Mayor. Thank you for allowing us to speak at these public forums. I'm a local resident in the area and live about half a mile away from the referred Papago Plaza and have been living there about ten years. We're fortunate to live in a great neighborhood. It's a very popular area. The ZIP Code is one of the most popular in the city. Just the old apartments and condos that are going up replacing old car dealership and old run-down businesses.

Next up on the list is Papago Plaza that I think we all need agrees to go. It is definitely in need of some upgrades. Most people would welcome the redevelopment of the plaza. We don't want another massive condo or apartment complex reaching a hundred feet in height. I count multiple projects in this area. This project McDowell and Scottsdale Road, the proposed project on the 64th street and McDowell, we have three condo complexes built on McDowell west of the 70th street. We have the proposed at Kia car dealership and 572 apartments on McDowell and Miller which is an apartment building that ironically enough replaced a full-sized grocery store. Authorize there's a proposed project on Scottsdale Road and palm lane which is across from L.A. Fitness. What we need is a full-sized grocery store, good retail options. I think I mentioned here the local Fry's on McDowell and Hayden is well above capacity. Just ask my wife when she sells avocados.

The proposed includes a small boutique grocery store of about 20,000 feet. That's simply not enough to support all these apartments and residences going into the neighborhood. Is this really a healthy growth for the city? Did the city listen for what the residents actually want? Do they want more apartments or more retail? If not, I would highly encourage and you also the developer to go and look and see is there any way to incorporate more retail space in this development? I ask do we actually need more condos or could this be supported and financed in another way. I understand these things have to make financial sense in order to go through. I thank you for allowing me to speak.

Mayor Lane: Thank you, Mr. Norgaard. Andrea Alley.

[Time: 01:38:08]

Andrea Alley: Thank you, Mayor Lane, Vice Mayor and Council, thank you for hearing all our comments. South Scottsdale alliance, your stickers are really cute. I don't ever remember getting an invitation to give me feedback on Papago Plaza. They want you guys to believe that there's wide community support, but you know as well as I do that the e-mails you have received this week and the past weeks say otherwise. I grew up in the foothills of the Papagos and Sherwood Heights. We later moved to Arcadia but stayed on the Scottsdale side.

I am convinced there's no better place to live than south Scottsdale and recent news media confirms that. According to the Phoenix business journal, 85257 is number one in pride of homeownership based on factors such as sales price and volume. McDowell Corridor and number one for the wealthiest household hotspots in Phoenix. We're already the most densely populated corner of the city and a trap rapidly transitioning neighborhood. We have the rooftops and income to support the retail we're asking for. I suggest that the developer revisit the data that says otherwise. Papago's redevelopment will redefine south Scottsdale's area for decades when there are already apartment proposals and completed projects within blocks of this.

Why don't those count for density to support more detail in this project? We can all agree the property needs to be redeveloped and there are things to be celebrated about this proposal. No one is trying to stop it. It simply isn't enough. We all dream of raising our kids in a place they'll always call home. Please consider the impact this will have on real families who all want the same thing. This is a community literally begging for retail, services, and open space to enjoy together with our families and our neighbors. This is what was promised in the south Scottsdale General Plan, and it's time to deliver.

This is an opportunity for all of you to be heroes in your community and work with us to create something great, not just another mediocre apartment block. Please put this vote on hold until you can gather more feedback from the community. Remember, we are the future of Scottsdale. I don't need to remind what you Scottsdale did last month. You don't need developer money to win an election. You need us. Now let's put our heads together and make it perfect. Thank you for your time.

Mayor Lane: Thank you, Ms. Alley. That does complete the public testimony. Thank you all for your comments. And testimony on project. Mr. Morris, if there are items you would take a few minutes to respond, can we get on with whatever.

[Time: 01:41:12]

Jason Morris: It's malpractice if I don't speak if given an opportunity to speak. I would like to say a few words. I have to say both the proponents and the opponents of this site do share a dialogue. I'm sure you heard what we heard which is this does need redevelopment. I don't think there's opposition to the rezoning. That's not what I heard. What I heard was twofold. Either more retail opportunities and I think we heard that from Ms. Alley. She gave an excellent discussion of what the neighborhood would like to see and through her eyes. We do understand that. And the other thing we heard was apartments. It was about apartments. More retail, less apartments. The zoning category we're requesting tonight does that. It allows for a mixture of use.

Your last three land use plans for this property call for exactly what we're proposing this evening. It's why we have staff support much it's why we have DRB support. I want to point out when I say DRB support, because of the zoning category we're requesting, it's somewhat unique in Scottsdale that we were asked to go and the process is we went to the DRB first. It was our first public hearing to discuss amended development standards. That's what was approved unanimously so that we could move on to the Planning Commission that then looked at the underlying land use, which was again approved unanimously. If we are successful this evening, and enjoy your support for the rezoning, we are not done. We have another hearing before us that speaks to what much of the opposition was referencing tonight, and that is the design.

What will this look like? What do we get in terms of the retail versus the apartments? How close are they? What is the landscaping? Are there opportunities for art? Are there public spaces? What are the colors? What are the textures? What are the materials? That hearing is yet to come. We anticipate it will be a spirited conversation on that issue. That being said, I'll also harken back to the first comments I made at the introduction, which was no property owner relishes the opportunity to hire a design team and spend nine months in a city process. It's not that you have an unpleasant process, but it's not the best use of a developer's time. They would like very much to take advantage of the property they have and the zoning they have.

Today they have retail zoning. It has been retail zoned since 1960. If this developer could take advantage of that square footage and have additional retail, that is the best bang for their buck they could possibly ask for. They cannot. The only way to get that retail and support that retail is as was referenced rooftops. And I'll close with this, Mayor, because I know there will be additional questions, and I'll address the existing issues or individual issues, as we look at the 3-mile radius and every retailer,

every national and local retailer and restaurateur looks at who they can draw from three miles, because that's an easy drive to this site or an easy walk. Unlike most sites, if you include, and I have an exhibit that will illustrate, this the 3-mile radius for this site includes Papago park where there are no rooftops and never will be. It includes parts of the reservation where there are no rooftops and never will be. And it includes a large swath of industrial that lies between Scottsdale and Tempe that is essentially a county island wasteland that will not be residential. That has a very large role in wanting more rooftops to support the retail that everyone tonight said they would like. Again, I'm happy to answer and address all of the individual questions that come up, but as an overarching goal, we're all on the same side here. And we do want to make this as close to perfect as possible. But we know what's being requested is exactly what your plans call for, what the development team is look for, and even what our opponents have suggested. So thank you.

Mayor Lane: Thank you, Mr. Morris. You might just stand by. We might have some questions directly for you. Excuse me. Starting with Councilwoman Klapp

[Time: 01:46:28]

Councilwoman Klapp: I have a question related to the apartments, and I don't know if you're the best person to answer it or if the people that will be developing the actual apartments want to answer this, but if we could get an explanation of the studies they have done to determine how many apartments should be built, whether there is a market, because we're hearing from people there's too many apartments. I'd like to know more about the research that's been done into apartments for this corridor as well as the demographics that will be in these apartments.

Jason Morris: Thank you very much, Mayor and Councilmembers. I'm going to ask Ian Swergel from Alliance Residential to address that specifically.

Ian Swergel: I'm with Alliance Residential to answer your question. Alliance is a local-based company. We manage about 14,000 apartment units across the Valley, a lot of them being in Scottsdale's borders. From the management research that we have, we know where people want to be. We know what people are looking for and what kind of finishes and units they want to see. That's allowed us to have some successful developments throughout the valley over the last 10, 15, 20, 30 years as a company. Specifically to this site, we see this as a great demand given the adjacency to both downtown Scottsdale and to downtown Tempe which is has been bringing a lot of employment as well. It's serving both communities.

Not everybody can afford or wants to live in downtown Scottsdale and there aren't a lot of opportunities for rental in this location. We've had success building high-end locations. We design them such that they can support people making, 88% of the units designed here can be afforded by household which is either one person or two people making \$75,000 together. So we designed them so that they can be affordable to the community. At the same time, we expect and have had a lot of success attracting a high-end demographic that the average incomes are closer to \$95,000 to \$100,000 on aggregate in other Scottsdale locations.

[Time: 01:48:55]

Mayor Lane: Thank you. That is helpful. Thank you, Councilwoman. Jason, I have a couple of quick questions with regard to some of the logistics that have been discussed by some of the folks who have contacted us and spoken tonight. One is traffic. You know, even in the high time of the artificial economy that we had before the crash, this area of town, number one, this site was essentially in an abandoned state for a long, long time. I'm sorry, not this site, but the site across the street, where Los Arcos mall had been. It was not supported by the surrounding community. And the specifics of that I can't tell you other than the market didn't allow for it. It was a very high time for the area.

But one of the things that we have discovered as the car dealerships ended up closing by virtue of the free and the relocation by the equipment manufacturers dictating to those dealerships they needed to be aligned in a different way, in a different market. Those two went abandoned. Again I'm probably misusing abandoned. They went empty or unused for a decade or more. Part of the task Force decided we need to do something different. And of course one of the things we did in 2005 was the largest investment that the city has ever made in a public-private partnership of sorts with ASU foundation, with the development of the commercial space at SkySong. This specific desire there was this is just to put it in context as well. I think it's something Randy was referring to a little bit too, but specific indication there was to try to recover this entire community by having a catalyst with commercial office space specifically.

[Time: 01:51:06]

But even ASU and ASU Foundation found that they needed to amend the contract we had with us in order to have multifamily, because of the employees they were looking to attract and have in the area. And they have done very well in doing exactly that. And it has been the impetus for a good deal of redevelopment and other services that have come back to the area, and this is certainly one of them. You know, if I were to personally echo terms, there is no project in town here that is perfect in everyone's eyes. But there is one thing about it. The market does have a tremendous strength in dictating what any owner of the property, and the rests with them within the law of our ordinances and that and what they do with the property. And there can be agreements as to how we might weigh some of those options certainly. But personally, I see this as a project that does fulfill the mission. It is something that is not going to be commercial in the same sense that SkySong was, because that market has changed a great deal.

It's not to say we don't have those needs. Fry's, just east of Miller Road there on McDowell, it invested \$2.5 million in expanding and improving their product there. And I see that they seem to be doing very well. The Bashas that was indicated on the Mark Taylor apartment sites which are just to the east of SkySong, those were, they rolled up that property in order to do that. The demand has been extremely high there. Extremely high. And the Bashas that was there and the other stores, some had been closed for a long time and sat abandoned in a strip center there. Bashas' itself went through bankruptcy during that period of time and ultimately that store was slated to be closed in any case. So we can certainly look for something better.

But sometimes we have to just be, there has to be some consideration, because of a lot of different opinions on this as to how we best effect this and it works to the betterment of the community. I'm a supporter of this plan. I've listened and heard a few things that there might be some consideration for some stipulations that I think are, I don't know whether they're in the current package right now, that

can be considered moving forward, and those are things, I think, we need to discuss, and work on. But on the overall, with some fine-tuning, I think we have at hand something that if we can work with it, we should. And the other option is to let it sit there as it is, which is not doing any of us any good, and there is always a time factor in anybody who is trying to invest in our great city. We hope that it's a good project.

So with the thing I wanted to ask and to address, and this may go to staff, for years, the intersection of McDowell and Scottsdale Road and the roads that, obviously, Scottsdale Road and McDowell and that area have been underutilized from the standpoint of traffic. I remember some pretty profound numbers because when the commercial went away and commercial has a much greater impact on traffic than residential does of any sort. When that went away, I heard a figure, and Randy, maybe you can confirm this to me, that we were at 41% of utilization. If that's, maybe it was 40% less than utilization. We were talking about capacity or below capacity, 64 and 63% on McDowell Road west and McDowell east. That's a significant number if those are the right numbers and thank you for putting those up. I think that is immensely important when we consider what the impact of this versus a full commercial center would be.

[Time: 01:55:37]

Now, that's not to say you don't want the grocery store, and maybe this is an adjunct to the Fry's that's available and some other stores within a mile to the north. I'm not sure what's to the south. It's probably in Tempe and more than a mile. Nevertheless, that's a big factor as far as I'm concerned in responding to that. That is one of the lowest utilization intersections and roadways we have in the city. So there is capacity. And that capacity is there because there's nothing going on with a lot of the property that is now being revitalized and reworked. I also want to point out the other issue is we're not really talking as much about multifamily housing on the east, I'm sorry, on the north and south and the west McDowell, west from Scottsdale Road. These are townhouses. These are single family dwellings. Their impact on the same basis is even less so. That's been a nice add to a commercial roadway where we now have single family homes. Now they may be 2 or 3 story homes or townhouses as they would be, but those don't add into the factor as much. I was going to come up to a question with you, but....

[Time: 01:57:00]

Jason Morris: I wanted to address that by providing that exhibit, Mayor. I appreciate your raising that. I didn't talk about traffic, and some of the residents who showed up today, obviously, are concerned that this is an overbuilt intersection. You also referenced stipulations. One of the things the residents, both those in favor and those who have expressed concern have asked for, they need some assurance, this is not ultimately going to be an apartment building and some vacant property. And to that end, we have worked with staff, and there are two stipulations. There's an infrastructure stipulation that requires that the infrastructure is not just done for half of the project. The infrastructure must be done for the entire project at the outset. So that everything can be built ultimately simultaneously. That the apartments will not lead this project.

Secondly, to be more specific to that end, there's a proposed stipulation that your planning staff has reviewed and your legal staff has helped draft that guarantees that the first buildings coming out of the

ground will ultimately be on the retail side. It can be simultaneous with the residential phase, but the apartment phase, the residential, cannot proceed without some aspect of the retail. That's something we'll be offering in addition.

Mayor Lane: Offering now if I might ask staff, has that been stipulated on both counts Mr. Grant, maybe you can respond to that, please.

[Time: 01:58:37]

Randy Grant: Mayor Lane, members of the Council, we have prepared a stipulation that would replace stipulation number four in your packet. I'll read it into the record. It's called project timing. Phase one, the retail phase of the development shall include a minimum of one building of the retail component of the development as depicted in the phasing exhibit, graphic to be included as part of the development plan approved by Resolution 11326. No part of the stipulation shall be interpreted as to prevent multiple phases from being constructed simultaneously, period.

Mayor Lane: And in addition, and I'm sorry if I missed it, the aspect of the infrastructure being built before anything else or completely for the entire project.

Randy Grant: And Mayor Lane, that is a part of the stipulations that are in your packet.

Mayor Lane: All right. Very good. So those are a couple of things that certainly that struck me as far as that's concerned. Now there's the other item that I was, in the initial renderings I saw, I believe, and maybe there's a stipulation to this effect too, is the added vegetation and particularly on that facing wall, and that walkway that's going to be generated by the, to allow residents to come into the process from behind, nevertheless. But the parking garage. Is that something that has been stipulated to? And if so, has it been specifically indicated as to how that might take form?

Jason Morris: Thank you, Mayor. Specifically, we have created new site plan that details exactly where that landscaping is. And I want to clarify what we're talking about. I believe we're talking about the same area, and that is to ensure that the area on the west side of the parking structure for the grocer and the retailer is both landscaped and there's a pedestrian pathway adjacent to the alley that's being improved. We have agreed to do that. Our site plan, and I should take a step back. It's interesting there were three retail shopping plazas that were referenced during the Public Comment. Ironically, all three of those shopping plazas, Kierland, the High Street at DC Ranch and the Quarter were all under the control and design of our lead architect Jeff Brandt who is here in the audience. I can assure you the whole concept here is to create something that is iconic, that's worthy of this corner and worthy of this portion of Scottsdale and really any aspect of Scottsdale and the valley.

With that as a preface, I'll say in this area, adjacent to the structure, we have created an additional landscaped strip. There is an alleyway that currently is only 8 feet in width that has no point of demarcation. You remember from some of the earlier alley photos that I can share with you. That's an additional 12 feet to create a full alley width which will then be improved. With regards reference the existing overground electrical lines will be put underground within the alley. And then adjacent to that will be landscaping and a pedestrian pathway so that residents within the community don't have to walk out to Scottsdale Road but can instead use this landscaped tract to get into the retail.

Mayor Lane: So there will be the elimination or undergrounding of the power lines on the southernmost portion of the property that are currently above ground lines?

Jason Morris: Right that's true of the entire alley width. The lines that are adjacent to the property all the way around. This area in particular is being improved as that pedestrian access point from this condition today.

[Time: 02:02:53]

Mayor Lane: Yes. If you could go back to that other graphic, please, back there, yes. There was some talk, and I know there's been some concern about whether or not there is some open space, a gathering space. You mentioned it in your presentation, and I'm presuming it's that darker brown area between.....

Jason Morris: This area.

Mayor Lane: The street side buildings and it looks like the hotel. That's public open space, and you said it could be shut down, but is the intent to have it as a roadway?

Jason Morris: Mayor, the answer is yes to both. It is in fact open space, and it will be utilized for planning and programming. The owner is in the operators will shut that area down at this point here and at this point here on the north with bollards so that we can have either events, there can be fashion shows. There can be farmers markets and also be music and other events that would be right in front of the restaurants and adjacent to the hotel. So that is the concept, that is the intent. The main roadway system is designed to go between the hotel and the residential and come around this way, which also provides direct access to the garage. This area, because of the paving pattern, because of the elevation and traffic controls, while it can be a roadway at times is not going to be your direct route to any of these areas.

>>

Mayor Lane: Now one final on that. But normal day to day operation, it will be open and is there parking on that street?

Jason Morris: There is.

Mayor Lane: That would be the intention.

Jason Morris: It's what is known as teaser parking is shown now. This is actually the idea is to not create cars in any areas around this. This has been expanded and been doubled in size. I think I referenced that. Originally those believes were closer together. We have rearranged these buildings to create the open space in between that also permits a splash pad, some of the things the residents were wanting to see in programming will be in that area, the fountain, the splash pad, the gathering space.

Mayor Lane: And we all here know that the apartments are fully parked. We do know that. A comment was made and just for the record, a comment was made by someone about not having

adequate parking. Parking garage is mostly for commercial.

Jason Morris: Mayor, entirely commercial. The parking for the residential is underneath the residential structures and separated and segregated from the commercial shopping. So that will not be an issue. We're parked at code or above, and none of it results in massive swaths of asphalt. I should also point out that the program space that's intended between these buildings is also going to be utilized by the restaurants themselves. They'll be allowed to have activities and programs within that space.

Also Mayor, one of the, and frankly, we got, we created this exhibit today, and this is an exhibit we're share with the Council some of some of the questions that have come in digitally in the last 8 to 10 days. But typically as I bring cases to the city of Scottsdale, an exhibit of this magnitude are really DRB type exhibits. What we haven't talked about exactly where the splash pad is or the number of trees or the square footage of the common area, that's typically because we would do that at the design review level. And the development review development. But in this instance, we have gotten a little bit ahead of ourselves so we could address these tonight. I should also point out that this area here which is actually in the residential building has been converted to residential so that you have residential on both sides of the street, and that it's activated for the residents. It's not bringing two separate projects together.

Mayor Lane: Is it the intent to have retail?

Jason Morris: That's exactly, Mayor, what that area will be.

Mayor Lane: For the apartment complex, but as well to the public?

Jason Morris: Correct. And in total, we're talking about in excess of 20 separate users, retail users, either retail or service. Some of these may be salon and service users but over 20 separate users that will be accommodated in this space. The concept it's just a handful of restaurants or 1 or 2 uses is somewhat of a misnomer.

Mayor Lane: And I'm sorry. Are you including in that number the grocery store?

Jason Morris: Yes.

Mayor Lane: Thank you. I appreciate it, Jason. Councilman Smith.

[Time: 02:08:15]

Councilman Smith: Thank you, Mayor. Jason, I'm going to clean up after you for just a little bit. A moment ago you said the first floor under the apartments there was going to be converted to residential. I'm confident you meant commercial.

Jason Morris: Thank you very much, Mayor. Yes.

Councilman Smith: I think that's probably an important clarification to make for the public. There's

been a focus just on the restaurant pads and whatever, but from what I've understood from what you've handed out, there is an intent to have a fairly significant commercial component as you say nail salons, cleaners, whatever they are, the kind of services that a neighborhood uses.

Jason Morris: Yes, sir.

Councilman Smith: Okay. Now that I've corrected, you mentioned earlier a statistic that was in the Council report. This 360% of gross floor area, you said it was now 270. I don't think we ever gave you a chance to explain how we get from one to the other and what that really means.

Jason Morris: Thank you very much. And Mayor, Councilman Smith, if I can elaborate on that without putting anyone to sleep, the district itself has a requirement that there be an amount of residential versus the amount of commercial. And that's judged in floor area ratio. And I want to make that clear. It's not a density question. And in fact, we are below the density for this zoning district. We have not maximized the number of units here. It's strictly a floor area ratio. And what that means, and why that has affected us in the way that it has, we're only entitled under this zoning district as it's written to have an amount of residential based upon our total amount of square footage, 50% of the, total amount of square footage. In essence, if we didn't touch that number, we would only be able under the code to build roughly 38 to 40 units with those numbers.

Instead, and the reason for that, and the rationale and why we have asked for that amended development standard is because retail, as you're all well aware is on a single level. Retail, it's very rare you have multiple levels of retail. But in almost every case in today's development world, residential especially multifamily residential is on multiple floors. So the request we're asking is to have more than 50% of the retail, and why that number is changed is because the original calculation didn't include all of our retail. We have expanded some of the retail and as I pointed out, an apartment building has multiple levels of floors which raises the floor area ratio.

Councilman Smith: Thank you for the explanation and the key words I was waiting for you to say was part of the change was because you expanded the retail.

Jason Morris: I'm sorry I wasn't more succinct.

[Time: 02:11:32]

Councilman Smith: Take as long as you want. Can you describe the apartments like how many apartments there are anticipated there. I know we're not down to the final description or size or whatever.

Jason Morris: There are 270 units proposed with this site plan.

Councilman Smith: And a different and unrelated question. We have talked a lot about this whatever you call it, the plaza in front of the hotel, and the restaurants, the paved brick area. Where is the entrance to the hotel? Is that on the east side or the west side?

Jason Morris: Mayor, Councilman Smith, the area, this area here is the entrance to the hotel. Sort of

a confluence that this road and this road. There's a little bit of an entry feature in this area, but the entry is essentially the southern portion

Councilman Smith: I think I'm wondering if you closed the road off, how would somebody get to the hotel?

Jason Morris: Through the southern entrance of the hotel

Councilman Smith: But not driving there.

Jason Morris: The parking garage will have reserved parking for the hotel, specific spaces.

Councilman Smith: Okay. Next unrelated question, talk about the corner property. Some people have described it as a drive-thru Starbucks, whatever. And maybe you don't have a defined lease on this, but what's the intent?

[Time: 02:13:07]

Jason Morris: Mayor and Councilman, in this instance, there's a little history to that. When we originally filed this case, it did not include the corner parcels. The reason for that is although my client owns the majority of this property, that corner parcel by itself was owned by a third party. And the third party was not interested in pursuing a rezoning or pursuing redevelopment. The bank is an existing tenant. As you're aware, the bank has an existing drive-thru, a multiple-lane drive-thru and it's been in place for many, many years. After staff's initial review, it was staff's request and encouragement to include that for multiple reasons. One, it is the most visible portion of the property as you're approaching southbound on Scottsdale Road. And as you're going eastbound on McDowell. And certainly westbound to some extent as well. And as well as the fact that it would to some degree not fit in and not really look like a part of an overall development plan.

So over approximately 6-week period, this property owner, my client pursued a deal with that property owner, but it was complicated by the fact there's an existing bank and an operating bank. In order to make this work, what will occur is the rest of the retail will be developed. A space for the bank will be provided. The bank will then close when that building is complete, and they will close one day at existing location and open up at the new location the following day at which point the applicant will have the opportunity to redevelop that corner. So it will be essentially the last retail building built. And that building will be further away from the intersection. It will allow more open space and meet today's standards rather than 1960s standards and the idea, despite the fact that it was singled out as an example of what may not be desired, the reality is it is a multi-tenant building. It's not just a drive-thru pad by itself. There will be a restaurant in use that will have that drive-thru, and we're showing that and anticipate that will be a coffeehouse. But a user that you're likely familiar with. And the balance of that building will be a retail building. So you'll have other tenants in that building. With that, I did suggest, and I heard loud and clear from other members of the public there is an opportunity for public art at that intersection. In fact it doesn't exist today, and it will exist by virtue of this redevelopment.

Councilman Smith: Okay. I think almost anything that not with in there might be more attractive than a drive-thru bank. Just because of its age, and it is a signature corner. I think people do

appreciate the fact that the intent will be to pull it back from the street. Now a different question. Why should I not be concerned about the 20-foot setbacks that you're asking for on the McDowell Road as opposed to the normal 30 feet setbacks?

Jason Morris: Mayor and Council, I think the majority of that amend development standard where we were asking for a change from the 30 feet to 20 feet, and you're right, it is something that should catch your eye as it did. But I think our rationale certainly is the DRB saw it and unanimously approved it is that it makes sense given their other restaurant buildings in the area that are set back a little bit further and don't get the attention and don't get the patrons and the interest that you do if you are actually closer to the street. The closer you are to the street, the more opportunity there is to do two things. One, it brings you more in line visually, but more importantly, in this instance, we took that additional 10 feet and put it as open space on the interior of the project, which is precisely what we heard today from even those who weren't supportive is there should be more gathering space, more open space on the interior. We exceed that open space requirement overall. We moved it by 10 feet to the interior of the project.

[Time: 02:17:49]

Councilman Smith: Okay. I think those are the only questions I have. I'll comment that and first of all, talking about the open space, I recognize that the open space, you're providing here is in excess of what's required, and I think that's something that everybody wanted in a project. You haven't talked a great deal about the low-rise developments around the alleyway abutting to the neighborhood. But I think that's a novel and appropriate transitional design element that will soften the impact of the entire development on the neighborhood, and I think that's, I commend you for that.

The garage will probably always be an issue. I think you have made a commitment to address that if you will the east side of the garage that faces the neighbors. And there's really no way to mask the fact that it will be a tall structure, but there are, as we have talked about, ways to soften the effects of it being a garage. And we have even, as you know, talked when we met about likewise softening the east side of the garage, that portion which is visible from Scottsdale Road. It need not be visible as a garage. It could be visible as some other treatment on the exterior.

I would offer an opinion or an observation that this is one of the few projects that I've seen in my tenure here that is genuinely a mixed-use project as at least I interpret the intent of the actions we have taken or the requirements that we have proposed. And by that, I mean, it does have the elements of residential. It has the elements of commercial, even a hotel and grocery store and whatever. So many of the projects that we see coming here as multifamily units, the mixed use is either a much smaller portion of the project, or it's in fact a neighboring establishment that they're taking credit for, and I really can't see penalizing this project because we have other multifamily residential there that has not complied with this as a standalone project, I think you all have, and there's also, I'm not telling you anything you don't know.

I'm not real fond of apartments. I would rather see units of housing that have an ownership component to them, whether it's condos or whatever, but I recognize that when you do put together a genuine mix-use development like this, it's going to be difficult for somebody to make a housing investment in a condominium or whatever in close proximity to a hotel and the other commercial

components. So if you have a genuine mixed-use development, it almost demands apartment kind of space. So I think there are a lot of positives about this project. I think most of the other questions you're going to have will be answered when you come back as you say, with DRB and more specific, building designs and trees and colors and all of that sort of thing. But I appreciate the project and appreciate you bringing it forward.

Jason Morris: I truly appreciate your commentary, sir.

Mayor Lane: Thank you, Councilman. Councilwoman Korte

[Time: 02:21:41]

Councilmember Korte: Thank you, Mayor. So this has really been a difficult case for me. I think Mr. Morris and owner of the property and developer understand where I have come from the last two weeks of conversations. Perhaps some of you don't know, but I was vested down on McDowell Road. My family was vested down on McDowell Road for over 40 years, and we witnessed the rise and fall of this area from the 70s all the way into the late 90s into 2006, 2008. And personally experienced the negative economic impact of the dealership closures. That was a hugely negative impact not only to the area but also to the city's income, sales tax income representing about, losing about 9% of our general fund income. That's a huge loss.

So I have taken the time the last couple of weeks to speak with many residents and business owners and more, and believe that it's really important to make the right decision here. This is a signature corner. It's an iconic corner, and what we do here will represent and catalyze the continued revitalization of this area. It's really going to determine what we, how the southern part of Scottsdale continues forward. And it must stand that test of time. This corner, this iconic corner and this development impacts more citizens than just the 750-foot radius that perhaps were those that were invited to comment and be a part of Public Comment. And I quite honestly am not satisfied that Public Comment and public outreach was adequate, because being an iconic corner, this impacts really all of us in Scottsdale. All of us in Scottsdale want this southern part of our city to be a dynamic center of commerce, be a quality sense of place for raising a family and enjoying what Scottsdale offers.

So I've always spoken with a majority of design review board members and Planning Commissioners, and was interested and surprised that a common theme from majority of those individuals that I spoke with, that they were surprised that there was no neighborhood opposition at their meetings. And I'm kind of surprised at that too. That really supports my supposition that I believe a more comprehensive public outreach process needs to happen, and with that, I would like to stipulate in this development agreement that a comprehensive outreach process to residents and businesses to provide the opportunity for input, and to be listened to. And I would like to include that as a stipulation.

So I know that time is money, and so I would like to stipulate that to occur in January, that then perhaps this comes back to DRB in February. And I do that because I really believe that we have a developer that's willing to listen and willing to listen to what you want as a community, and I think that's important. So some of you, you know, and I wrote down most of the comments from our Public Comments, and you know, I think a common theme from that was this isn't a perfect project, but it's good enough. But you know, we as Scottsdale and on McDowell and Scottsdale Road, you know, that

iconic corner deserves and demands higher standards than just good enough. So my message here is that I know that this is not the design. I know that that is going to move forward through a public process but also through design review board, but I'm expecting as a City Councilperson that the architectural design and the landscaping is higher standards. We deserve that. I am also concerned about this open space, and you know, you can talk about that plaza all day long, and it's kind of like, you know, that lipstick and the pig thing, you know.

I'm sorry. I'm not buying that's open space. I'd love to see open space that is dedicated open space, and it's not a drive-thru. In reviewing all of the packet material, that roadway between the apartments and the retail is a major transportation road, and with parking. I would like to see a dedicated open space for gathering for community, for helping to create that sense of place. I am concerned about the intensity of the apartment building, the massiveness. That was another general theme in Public Comments. And not being a developer or a designer or architect, but perhaps we could break up some of that and allow a few corridors and again, some open space for the public. And finally, I really like what you to say, Mr. Morris, regarding the corner. I'm concerned about a drive-thru on that corner. But I'm sure that will be worked out. But to set that back a little bit and provide some public art on that corner as a tribute to this iconic space, I think, is important. So these concerns as well as the stipulation for a more comprehensive public outreach process, I think will go a long way to building public trust, and I think that's really important in today's environment. Thank you.

[Time: 02:29:28]

Jason Morris: Thank you, Mayor and Councilwoman. We were anticipating in moving forward with DRB. Typically that would take place in January. I haven't personally worked with a better team on a project really in all disciplines from the architecture to the actual development and uses. So I'm confident that the things that you mentioned can be addressed if we take that pause, and I think that team's willing to take that time and come back and do a DRB.

Councilmember Korte: Thank you.

Mayor Lane: Thank you, Councilwoman. Just for clarity, we're talking about a further outreach. Are we talking about what we would expect?

Jason Morris: From what I heard from the dais, Mayor, what we're talking about instead of going forward with DRB, perhaps going out to the neighborhood again with a notice, I don't know that that's been defined but certainly if we want to go out a significant amount further than the 750, we'll catch a larger group of not only the residents but the businesses, meet with them, get some feedback much it's likely going to be more than one meeting based whap I'm hearing. I think the first meeting would likely be an opportunity for us to come with pad and paper but no real plans and then come back and see how we have addressed what we hear.

Mayor Lane: And then come back to the DRB with that information as well as the DRB meeting.

Jason Morris: That is our thought.

Mayor Lane: Very good. Councilwoman Littlefield

[Time: 02:31:14]

Councilwoman Littlefield: Thank you, Mayor. I find myself in pretty close agreement with Councilwoman Korte. She had a lot of comments I had written down from my own notes. First I would like to kind of start with the DRB. I was the chairman when that came before us, and I did vote for it, because we didn't want to stop the project. But I think the overall consensus of the entire board was disappointment, because we wanted something more for this corner. This is one of the more important corners in Scottsdale. It's one of the oldest most established, most well-known, most used, and we want something that's going to last for 40 years. We think you're the people that can do it. So we didn't want to stop the project. But we had a lot of concerns, and I think we voiced them pretty clearly. Public access was one.

The massiveness of the hotel, I'm sorry, the residential was one, because it kind of overpowers everything else. I'm still not happy with that massive building. I would like to see perhaps more separate buildings or if we can't do that, at least variations of height and density and look and feel and texture so it doesn't look so gigantic on the road. A lot of the concerns that the D.R. had as far as retail, and we needed more retail, put more retail in, I understand you have to have the residential and the retail to balance.

I understand that's the way this property can work for you, but I think you have done some of that. I also believe that you need to let people know that you have done that. And that was not clear up until the time when I met with you in the backroom up there that you have done that. I had not heard it. So it needs to be made aware that there will be more, and that what that kind of retail will be, so that's kind of interesting. We wanted also something to draw people to the location. That was huge for the D.R. There's nothing there to make people to just want to go there for fun, to go have some dinner and then have an enjoyable evening doing something, because there was nothing to do.

[Time: 02:33:50]

I am concerned as is Councilwoman Korte about using as road as part of your open space. That is a road. I don't know about you guys, but I don't like kids playing in the streets. So I want to have an open space that's dedicated to something that is open and open to the public for activities, whether it's a splash pad, whatever. I don't know, but it needs to have a genuine location for that. And I don't see that there. That's something I personally would like to see go in. I said the breakup of the building or at least a little bit of look-feel-texture, break up judge of it. I like what you have done along the outer edge towards the subdivision to the residences are that existing. I think that's a really good thing and something we had mentioned in D.R. So I'm happy with a lot of that.

Some of the, sorry about that. Some of the things that I did have mentioned in here is outreach, more outreach, and again it comes to what it actually is at this point in time, because this is different from what came before us. As you modify this, as you go through, if you do your outreach with the residents and other businesses, you know, make it up-to-date, make it a little bit more total in that respect. What else did I have in here for notes? Oh, I find myself in a very odd situation tonight, because I am in agreement with Alec McLaren. I liked what he had to say. His comments were right on target, and so I think you should listen to that and pay some attention to that also.

We want the public art on the corner of McDowell and Scottsdale Road if you're going to move that believe back anyway and have more space, that's a perfect welcoming place for people coming to Scottsdale. It could be planned better, so let's plan it that way and have some open space and some more welcoming features, some public art that would bring people and say oh, yeah, we've got to go here. That kind of stuff. Let me know what kind of retail you're going to be bringing in. I understand most of it's going to be service. That's because of the changing technologies that we're facing today. I understand that too. Let's let people know what will be there and get their input for something that maybe we left out or forgot, because I'm not a developer either. And I'm not a social engineer. I think that's basically what I had to say. I'm agreeing to move this on for the next phase and the next study. And I hope that it comes back to us as the ideal, but if it doesn't, perhaps more toward the ideal and we can go ahead. I thank you very much for your presentation tonight.

Jason Morris: Thank you.

Councilwoman Littlefield: And for the work you have done on this since we met.

Jason Morris: Thank you, Mayor and Councilwoman Littlefield. I've never had so much anticipation for a DRB hearing. Between the comments that were made at last DRB and what I'm hearing tonight, I might bring another zoning attorney with me.

Councilwoman Littlefield: We're not that bad.

Mayor Lane: Thank you, Councilwoman. Councilwoman Klapp

[Time: 02:37:40]

Councilwoman Klapp: I've been probably over the last six years involved in a lot of discussions with people in south Scottsdale about what it is they want, how they want to see their neighborhoods evolve. I've attended focus group sessions. I read the research that was done on south Scottsdale, and in all cases, the things they were asking for are basically incorporated in to this plan. They wanted a grocery store. As I understand it, Aldi's is associated with Trader Joe's. And so this is, I think it's being depicted as a grocery store that's not very acceptable. I think we probably don't know enough about Aldi to make that opinion.

People want retail. Yes, there's retail provided here. There's probably a desire for more retail, but I believe that the amount of retail that's being provided here is probably appropriate, and I was in the retail business for many, many years, and I know that retailers will not go into an area unless there's proper demographic, and proper number of rooftops. So this project adding rooftops and bringing in people that can spend the money at retail is certainly going to attract the retailers to this location, and we know that one grocer is very interested now, but we don't know who the others will be, and of course as was mentioned by everybody, we'll see more of what will be happening with retail when we see what's presented at DRB.

People in the area that I have talked to have been okay with some more additional height on this corner. If they got some other things along with it of which they're getting. With the additional residential,

there will be more amenities provided to the neighborhood, which I think is exceptionally important to this neighborhood. It is a family neighborhood, probably more so than north Scottsdale. So there needs to be provisions made for families to use the open space, and I have passed on to the developer before tonight comments that had been given to me about we would like to see a splash pad and see more green open space, and so we'll see what comes back to us in DRB.

There also has been and I've seen this myself and thought about this many times, a need for more events in south Scottsdale. We plan them other places and do it all over downtown, but there really needs to be more events in south Scottsdale. If there's a place that can be used for event space, I don't really have a problem with the space being converted to events when it's needed and converted back when it's not, because you can't events there all the time. If there can be some thought put into how the events would occur there, and communicated better in the public meetings, that would be great.

For the one person who mentioned the undergrounding power lines, this is really great for your neighborhood. I know you may not know that. To have those power lines undergrounded behind your property is going to be a tremendous benefit for you. It will not affect the electrical supply that you receive. It will affect the aesthetic of your backyard. You're going to be really happy to have those power lines gone. Most people beg us to put power lines underground. So you're getting something that probably other people aren't getting right now.

And it is a provision of a development that they provide some component, I think it's 1% of the construction costs to public art. So if it goes on that corner, all the better. I also welcome the stipulations that were explained to us tonight. As I understand one of them is that all of the infrastructure will be built. Second one is the first buildings will be retail. And the third one that was added just now was that there will be outreach before coming back to the DRB. Outreach will be in January, and then it will go to DRB in February. I have wanted to have more outreach myself because I've gotten the same e-mails that everybody else has gotten. I've tried to talk to people as much as I could or respond to e-mails. I do think more public outreach is necessary and I'm glad we're going to do that before it comes back to DRB. I'd like to make a motion to adopt Ordinance 4377, Resolution number 11326 and including the three stipulations that I mentioned in my comments.

Councilmember Korte: Second.

Mayor Lane: Motion has been made by Councilwoman Klapp and seconded by Councilwoman Korte. Any comment on your second?

[Time: 02:43:03]

Councilmember Korte: I would like to ask our attorney, how specific do we need to be on the stipulation for the additional public outreach?

City Attorney Bruce Washburn: You could make the stipulation as general as you want to. The more general the stipulation, the more it will be within the discretion of the applicant as to what is required to conform with the stipulation. If you have specific things you want, you need to put those into the stipulation. I was listening while you were talking and thinking something like a stipulation that said,

you know, prior to the next presentation that the Development Review Board, the applicant or developer will conduct at least two additional public outreach meetings with notification going to, pick a number, all properties within a thousand feet, something like that, but need to talk with the applicant to make sure they would be, that's something they would be agreeable with. Does that sounds something along the lines of....

Councilmember Korte: Yes. Very much so. I was toying with what that radius is. Is it a thousand feet? Is it 2,000 feet? Is it a half mile? I don't know what that is. I would also like to stipulate that this public outreach is facilitated by the city.

Bruce Washburn: My thousand feet was based exclusively on my plucking the number out of the air.

Councilmember Korte: So was mine.

Bruce Washburn: So facilitated by the city. Let me talk with Planning. Can we have like, Mayor, could we have 1 or 2 minutes to discuss this stipulation?

[Time: 02:45:09]

Mayor Lane: Yes. That would be fine. There's one clarifying point that the Councilwoman wants to make.

Councilwoman Klapp: I'd be okay with you having that conversation. But I guess it was my intention that the developer would also do outreach. So if you're going to have city outreach, I think there should still be some developer outreach. I think that was what Mr, what the attorney was mentioning that he wanted to do some additional outreach as well.

Bruce Washburn: The stipulation as I have proposed, it would put the obligation exclusively on the development I understood Councilmember Korte to want the city also to be involved.

Councilwoman Klapp: So that would be a joint outreach. Is that what she's asking for?

Councilmember Korte: That's my concept, yes.

Councilwoman Klapp: That's why you better talk. After you're done, I have one another stipulation.

Bruce Washburn: Just give us a few minutes. Thank you.

[Time: 02:47:31]

Randy Grant: Mayor Lane.

Mayor Lane: Yes, Mr. Grant.

Randy Grant: I wanted to clarify, there was a comment made about 1% for the art. This is not in the area where 1% would be required. You have a stipulation regarding public art, and we would be

looking to follow up on that, but I didn't want to leave the impression with the applicant or you that 1% of the art is required.

Councilwoman Klapp: That was my other stipulation I was going to make after we resolve the issue of the public meetings.

Randy Grant: Thank you.

Councilwoman Klapp: I'll make that addition as soon as we get done with this conversation.

Randy Grant: I think we would recommend a stipulation that Tim is going to read into the record.

[Time: 02:48:20]

Current Planning Director Tim Curtis: Mayor, members of the Council. We came up with and tell us if it needs to change, but the reading would be prior to first Development Review Board hearing, the applicant shall hold two additional public outreach meetings facilitated by city staff with notification within 1,500 feet of the property which is double what we normally do.

Mayor Lane: I'm sorry. If there's a response to that, in the affirmative....

Councilwoman Klapp: That does not mean that there would be any reason the developer or the applicant could not do some of their own outreach too. This would just be stipulated as the city having two meetings.

Bruce Washburn: This is the applicant doing the outreach with facilitation or in cooperation, I can't remember exactly what the language was. The city will also be involved consistent with Councilmember Korte's desire to have the city facilitate.

Councilwoman Klapp: That's not what I heard. I thought he said the city would be doing the outreach. Maybe I misunderstood. Could you please read that again?

Tim Curtis: Certainly. Prior to the first Development Review Board hearing, the applicant shall hold two additional public outreach meetings facilitated by city staff with notification within 1,500 feet of the property.

Councilwoman Klapp: Okay. That's fine. And the fourth stipulation would be this was a document we had up there. I didn't know what it was. The applicant shall provide art installations within the retail component of the project as well as at or near the southwest corner of the intersection of Scottsdale and McDowell Roads. That would be a stipulation in the agreement.

Randy Grant: That's correct.

Councilwoman Klapp: So that's fine, those four stipulations.

Randy Grant: And we also would remind you part of this is striking stipulation number four. It's been

superseded by the project timing stipulation.

Councilwoman Klapp: Yes.

Mayor Lane: We have then the motion to clarify. Second agrees with that change. So we have the motion and a second on the table. Seeing no further request to speak on the subject, I think we're then ready to vote. All those in favor, indicate by aye, those opposed with a nay. It's unanimous then. We'll move forward.

Jason Morris: Thank you very much.

Mayor Lane: And thank everyone for participating in the process. Thank you very much.

CITIZEN PETITION

[Time: 02:52:04]

Councilmember Korte: We've got a petition.

Mayor Lane: Oh, yeah. We do have, to continue the meeting, I'm sorry, if you could, excuse me, if you could, if you want to exit, please do so quietly. We do have a petition that we need to consider, and certainly an adjournment which we have not done as of yet. Okay. There is no further Public Comment. Citizen petition, we all have it at our seat, and it was presented by....

Councilman Smith: Mr. Howard Alper.

Mayor Lane: Thank you. Where did that come from?

Councilman Smith: It came from me, Mayor.

Mayor Lane: I thought it was God announcing it from the ceiling.

Councilman Smith: I would make a motion that we direct the City Manager to investigate the matter and prepare a written response to Council with a copy to the petitioner.

Councilman Phillips: Second.

Mayor Lane: Motion has been made and seconded to move it forward to the City Manager for review and return to us. Did I get that correctly?

Councilman Smith: Yes.

Mayor Lane: Okay. Very good. Then I think we're then ready to vote. All those in favor indicate by aye for approving and nay if you disapprove. It's unanimous to move it forward. City Manager understand the direction?

City Manager Jim Thompson: Yes, sir.

Mayor Lane: All right.

ADJOURNMENT

[Time: 02:53:01]

Mayor Lane: With no Mayor and Council items, with that, I would ask for a motion to adjourn.

Councilmember Korte: So moved.

Councilwoman Klapp: Second.

Mayor Lane: Motion made and seconded. All those in favor indicate by aye. We are adjourned.
Thank you very much.