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CALL TO ORDER

[Time: 00:00:02]

Mayor Lane: Well, good afternoon, everyone, or good evening. Whichever way you would like to call that. It's approximately 5:15. And I would like to call to order the December 4th, 2017 city council meeting and general plan amendment meeting. This is a regular meeting. And we'll start with a roll call, please.

ROLL CALL

[Time: 00:00:22]

City Clerk Carolyn Jagger: Mayor Jim Lane.

Mayor Lane: Present.

City Clerk Carolyn Jagger: Vice Mayor Virginia Korte.

Vice Mayor Korte: Here.

City Clerk Carolyn Jagger: Councilmembers Suzanne Klapp.

Councilwoman Klapp: Here.

City Clerk Carolyn Jagger: Kathy Littlefield.

Councilwoman Littlefield: Here.

City Clerk Carolyn Jagger: Linda Milhaven.

Councilwoman Milhaven: Here.

City Clerk Carolyn Jagger: Guy Phillips.

Councilman Phillips: Here.

City Clerk Carolyn Jagger: David Smith.

Councilman Smith: Present.

City Clerk Carolyn Jagger: City Manager Jim Thompson.

City Manager Jim Thompson: Here.

Carolyn Jagger: City Attorney Bruce Washburn.

City Attorney Bruce Washburn: Here.

City Clerk Carolyn Jagger: City Treasurer Jeff Nichols.

City Treasurer Jeff Nichols: Here.

City Clerk Carolyn Jagger: City Auditor Sharron Walker.

City Auditor Sharron Walker: Here.

City Clerk Carolyn Jagger: And the Clerk is present.

Mayor Lane: Thank you very much. Just a couple of items of business. Let me just say that we have cards, if you would like to speak on any of the subjects, there's the white card holding up over the city clerk's head to my right over here and if you would like to give us some written comments, on anything that's on the agenda, those other cards she is now holding up over her head for that purpose and we will read those cards, of course and the proceedings being of course.

We do have Scottsdale officers Jason Glenn and Tony Wells here to assist and I believe they are

directly out here in front of me, if you have need for them, they are the two -- more or less in the middle of that bank of blue shirts over there. The area behind the council dais are reserved for the staff and council access only and there are restrooms over here to my left, under that exit sign for your convenience.

PLEDGE OF ALLEGIANCE

[Time: 00:01:44]

Mayor Lane: Today, we have Pack 45 here. I believe it's a boy scout -- cub scout, pardon me, cub scout 45 here to lead us in the Pledge of Allegiance. Gentlemen, please come forward. Please stand if you are able. Any time you are ready.

Cub Scout Pack 45: Please salute the flag.

Mayor Lane: Okay then.

Cub Scout Pack 45: Please join me in saying the Pledge of Allegiance. I pledge 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 and justice for all. The audience may be seated.

Mayor Lane: If you want to turn the microphone around so you can face the audience. You will need to turn it around and go ahead and start at one end and follow through. There you go. Okay. And just let us know where you go to school, maybe what your favorite subject is and introduce yourself, certainly.

Alex Pflieger: My name is Alex Pflieger, I go to Basis Scottsdale and my favorite subject is English. I'm in the fifth grade.

Mason Shook: My name is Mason Shook. I'm in the fourth grade at Anasazi Elementary School and I'm the school treasurer.

Benjamin Scolozic: My name is Benjamin Scolozic and my favorite subject is reading.

Noah: Hello, my name is Noah Boa. I'm a fourth grader at Anasazi elementary school and my favorite subject is science and I will be famous some day.

Carson Fischer: My name is Carson Fischer and I go to Anasazi elementary school, and my favorite subject is science and my favorite sport is soccer.

Darren Greenly: Hi, I'm Darren Greenly and I go to Anasazi elementary school and my favorite subject is art.

Mayor Lane: Thank you, gentlemen. Thank you very much for joining us. And thank you for the

Pledge of Allegiance. If you would like to stay, you can go.

INVOCATION

[Time: 00:04:42]

Mayor Jim Lane: For in the invocation this evening, we do have Pastor David Joynt of Valley Presbyterian Church. Pastor.

Pastor David Joynt: Thank you, Mayor. Let's take a moment as our cub scouts leave.

Heavenly father, we thank you for the wonderful place you called to live and to do community together. We thank you for the creative artists who in museums and galleries inspire and educate us. We thank you for beautiful fountains and the culinary delights of our city and the wonderful mountains that frame every perspective and the change, the color with the clouds and the sun. We thank you for our resorts and parks, for the ever changing development to open new opportunities for working and living and playing, for our public servants who create and enforce our laws and our healthcare workers who add length and quality to our days. We thank you for every gift you give of time and opportunity and community that provide you with joy and purpose and we thank you for this season of sacred celebration.

We pray this in your great and wonderful name and all God's citizens said, amen.

Mayor Lane: Thank you, pastor.

MAYOR'S REPORT

[Time: 00:05:55]

Mayor Lane: A couple of items to report. We do have -- Scottsdale's economic development department received two golden prospector awards for economic development full forum. Scottsdale marketing brochure advancing the strategy, targeting the talent, as well as the broker appreciation event. Scottsdale development night, both earned an award of merit and we would like to congratulate Danielle Casey and her team on these achievements.

Danielle, if you could come forward and the economic development team to accept rewards will.

[Off microphone comments]

Mayor Lane: On Saturday morning, the city council and I are hosting a pancake breakfast in support of the Scottsdale historic society. The museum archives were flooded some months back and this will help to offset the expense of restoring of flood damaged items in the archives. Please, if you can, meet us between 8 and 10:00 in front of the little red schoolhouse and it's right down the pike down here, just across the plaza. And before you head to old town Scottsdale for your holiday shopping,

nearby farmer's market. To register for this event, or for information, log on to Scottsdale history.org and we would like to see you on Saturday. We would love to see you out there. It's for a very good cause.

No further presentations. We do have -- it doesn't look like we have any public comment cards. Is that correct?

Do we have any public comment cards? Well, public comment is reserved for citizens comments regarding non-agendized items with no official action taken on these items. Comments are limited to within the jurisdiction of the city council and speakers are limited to three minutes when that does occur. We don't have any public comment cards. There is another opportunity at the end of the session if, in fact, there's any request for that.

ADDED ITEMS

[Time: 00:09:01]

Mayor Lane: We have a couple of items, the Consent Item 2a was added to the agenda on November 30th, which is outside the realm of when it should be put on for public distribution on our agenda. And so we need to vote to include it on the agenda. And I would ask to -- if I could have a vote to move someone -- someone to move to vote to accept the agenda as presented or continue the items to the next scheduled meeting which will be December 5th, tomorrow. Do I have a motion?

Vice Mayor Korte: Mayor, I move to accept as presented.

Councilwoman Klapp: Second.

Mayor Lane: The motion has been made by the Vice Mayor and seconded by Councilwoman Klapp. No further comments. And therefore, we are ready then to vote. All in favor, please indicate by aye. And opposed with a nay. It's unanimous 7-0. Thank you for that.

MINUTES

[Time: 00:09:53]

Mayor Lane: The next order of business is a request to approve the regular meeting minutes of November 13th, 2017 and work study session minutes of November 13th, 2017. Do I have a motion to approve?

Vice Mayor Korte: So moved.

Councilwoman Littlefield: Move to approve.

Mayor Lane: All right, which one? We have the Vice Mayor making the motion and seconded by

Councilwoman Littlefield. I think we are ready to vote. All those in favor indicate by an aye. And opposed with a nay. It's again unanimous. Those minutes are approved. Thank you very much on that.

CONSENT AGENDA

[Time: 00:10:26]

Mayor Lane: We have Consent Items 1 through 2a. Let me see here, the extent of request to speak. Okay. Yes, I do have a request to speak on consent item 2a, and so I will go ahead and take those. I will call upon those people who requested to speak on 2a. Starting with, I believe its John Valentino. Is that correct?

John Valentine: Mayor and council, I'm John Valentine, I'm the regional director for Lifeline Ambulance. As a long-time provider of ambulance service, lifeline ambulance would like to thank you for the opportunity to serve the city for the past nine years. We are grateful and humbled that we had the opportunity to work alongside you and all the citizens during this time.

As the incumbent provider, we took exceptions to proposed terms of an RFP for many reasons but most important, because of the significant decrease in the level of ambulance care from advanced life support to BLS, basic life support. Serving the citizens of Scottsdale today. This should be alarming to the city council and members of the audience. This significant change in service model has not been highlighted during the RFP process. Upon the effective date of the enough contract, the highly trained paramedics will be replaced by EMTs effectively, decreasing the level of care on each ambulance to basic life support this model relies upon a misguided understanding that the Scottsdale fire apparatus arrive first on all the scenes 100% of the time before the ambulance.

That's not the truth. Currently at this time, Lifeline Ambulance are staffed with paramedics that do arrive at times on scene prior to the fire department and in some cases, these calls are very serious, not limited to cardiac arrest, serious trauma, strokes and pediatric emergencies. These critical calls could have a negative impact to the citizens of Scottsdale for delay of advanced life support. Most recently, a pedestrian was struck on Scottsdale Road and a Lifeline Ambulance arrived on scene four and a half minutes prior to the arrival of any engine company.

We understand the challenges of managing an EMS system, however, there are a number of questions not addressed in this proposal that should -- you should understand, as a material change to the services the citizens and visitors of Scottsdale receive today. We trust the city is dedicated to the safety and the welfare of the residents and visitors. We want to ensure that you are aware of the substantial change and material change before you.

Lifeline opposes this model because as I stated earlier, it's a decrease to the level of service that the fine citizens of Scottsdale receive today and will regress, and we will lose 33 paramedics from the city. For those reasons, I would respectfully and with full transparency ask that you remove this item from the consent agenda and take pause and further decisions around this most critical from the city

council. Thank you.

[Time: 00:14:19]

Mayor Lane: Thank you, Mr. Valentino. Next would be Gregory Empey.

Gregory Empey: Honorable Mayor Lane, distinguished members of the council, you are voting tonight not only for provider for ambulance services for the city, but also to make a fundamental --

Mayor Lane: I'm sorry, Mr. Empey, but if you could, give your name just for the record and where you live.

Gregory Empey: My name is Greg Empey, I'm a business manager for the union that represents the field employees of Lifeline Ambulance. I live in Glendale.

Mayor Lane: Thank you.

Gregory Empey: You are voting tonight not only for a provider of ambulance services for the city, but also to make a fundamental change to the 911 system serving the citizens of Scottsdale, your constituents. The ambulances serving the city will no longer be staffed with advanced life support paramedics but with basic life E.M. T.s. Scottsdale will be one of the few in the state that totally basic life support model for its ambulance service.

What does this mean? It means a lower level of care for your family and loved ones when the ambulance arrived on scene first. There will be no paramedic there to initiate lifesaving advanced interventions in cases of cardiac arrest, chest pains, stroke or trauma until the fire department arrives. It means fire departments, resources will be taxed to the limits and beyond. Engines and ladders will be out of service because they have to send both of their paramedics and the ambulance to the hospital to provide advanced life supports.

It means Phoenix, Tempe, Fountain Hills and Carefree will be called upon more often to provide mutual aid to call for the fire department's engines out of service. It means longer response times to get to you and your constituents and families and loved ones in their greatest time of need. Even a few minutes can be the difference between life and death. Time is heart, muscle and brain tissue dying in the instances of heart attacks and strokes. Every second quite literally counts.

It is not necessary for a fire department paramedic to ride into the hospital in every call. And other locations do it 20% of the time, thus keeping the resources available. Risk management becomes much less of a factor when the best possible resources are available.

We, the field employees of Lifeline Ambulance ask you respectfully for full transparency and let a frank and honest discussion take place about the system and then schedule a vote to choose a provider. Lifeline Ambulance has been providing advanced life support ambulance service since 2006. We have the personnel, the equipment and the resources of our parent company at the city's disposal.

At any time, AMR has 175 ambulances on the street in the metro area, to pull into the city if needed. The field employees of lifeline ambulance stand ready to serve. Thank you.

[Time: 00:17:58]

Mayor Lane: Thank you. Matt Garn.

Matt Garn: Good evening, mayor, city council and our guests. My name is Matthew Garn. I live in Mesa. But I do spend a lot of time here in your city, with my family, attending events, shopping and other fun activities.

I'm here not only as a representative of lifeline but as someone who does spend time in your city. I have a child with special needs that I often need to call on 911 for assistance. The way the system works now is if you call 911 in your city, the closest unit will respond. At times, it's the fire department that as an ALS crew, but if it is a more serious matter, a stroke, heart attack, trauma, an ambulance is also dispatched. Like what I said earlier by Mr. Valentine, sometimes that delay is quite -- quite long.

I want to tell you a story about my grandmother. My grandmother in her 80s had a sudden heart attack. My grandfather had to wait an extended amount of time while he got on the ground and tried to do CPR, while waiting for an advanced life support to show up.

I just finished paramedic school. Time is quality of life, even if it's more a minute. So I want you to take some time and think, if your family, at their worst possible day had to call 911. If one of your constituents who has entrusted with you to make a decision of what's best for them had to call 911, what would you want to show up? What quality of care? Would you want the best service available? That's the service you have now you there is no need to regress to a BLS system. Although I could help, I don't have the equipment to do what's needed to save that life.

I respectfully ask that the city council takes a pause, look at the whole picture, what would you want to show up at your house? Who do you want? Do you want the best quality of care or a lower quality of care? Take that pause and think about it and I leave that with you guys. Thank you.

[Time: 00:21:17]

Mayor Lane: Thank you, Mr. Garn. Next and final is Mr. Bryan Gibson.

Bryan Gibson: Brian Gibson, 23200 North Pima road, C.E.O. of the Maricopa Ambulance. First of all, I want to say this journey has started a long time ago. You know two and a half years ago, you had -- we applied to essentially have one ambulance company in the valley, that's it. That was all.

The process of enterprise, free competition and bid processes is important. I used to run the largest ambulance company in this market for many years. I have been in and around the valley a long time.

I worked with the fire departments to make sure that the city gets what they want and this is a city process. You get to choose what is best for you and we get -- as vendors we get to be able to apply and respond to the RFP. We looked at the RFP in full disclosure and said we understand that paramedics and the fire department were responding on the trucks and continuative care. So the fire department starts and ends.

We paid a little over \$2 million in a brutal fight against the competition and we were discerned to be fit and proper and have the experience to run in the valley. I'm very pleased to be able to stand here before you today. And I'm pleased to provide the ambulance service for you and it reflects what you want for your citizens. And we are pleased to do it. Thank you.

Mayor Lane: Thank you, Mr. Gibson. It does complete the -- the public testimony on the subject, on item 2a. Councilwoman Littlefield, would you -- you wanted to make some comments?

Councilwoman Littlefield: I would like to ask Chief Shannon to come down and respond to this, and give us his view on what this is about. Thank you.

Mayor Lane: Well, you know, I tell you what we might do -- we'll take it and move to regular agenda.

Councilwoman Littlefield: That's fine.

Mayor Lane: I think that's what your request is calling out for. I think we have one other item on the regular agenda, one. Item one and two.

So I would ask for consent otherwise, the consent agenda, if we could, please, have a motion to approve the Consent Agenda item minus item 2a.

Councilwoman Klapp: I move to approve consent items 1 and 2.

Councilmember Phillips: Second.

Mayor Lane: Motion has been made and seconded. To approve items 1 and 2. And if we would then be ready to vote, aye if you approve and nay if you disapprove. All the rest are then accepted on the Consent Agenda.

ITEM 2A – AMBULANCE SERVICES CONTRACT

[Time: 00:24:40]

Mayor Lane: Now we move on to the newly appointed regular agenda item which is now 2A. And to that point, I would ask that whomever you would like or designate, Chief, to give us the background on this.

Fire Chief Tom Shannon: Thank you, Mayor and council, I can begin and if there's additional

questions and staff is required or any personnel, we can certainly go from there. I will just say that we have had a thoroughly vetted, a thoroughly examined RFP process that started with the acknowledgment that would be concluding an ambulance contract from a couple of years ago.

The point of clarification, Lifeline has no history in Scottsdale or very brief one. PMT ambulance has a long history in Scottsdale and through acquisition, as you may be aware, they were acquired by first Rural Metro and then by AMR. So it's a little bit disingenuous to suggest that there's a 12-year history of lifeline providing services here in Scottsdale.

And secondly, Chief Garrett Olson, some years ago, presented an ambulance response model, that ultimately drove home one point. In Scottsdale, we want to provide the highest quality care. We do that with an ambulance partner who understands that continuity of care, meaning from start to finish, that the same level of service is continued. We began that process in late 2010. So we are nearly 6 to 7 years down the road of Scottsdale firefighters riding into the hospital from door to door, in virtually every single case that included an advanced life support patient. Of course, there are rare occurrences for a variety of reasons that that isn't possible and we do transfer, to then advance life support service personnel within the contract.

What this contract details is an intended partner who understands that in Scottsdale, we want continuous care of the highest quality and that there can be no telephone game, if you will, of passing the patient from one person to the next. AMR and Rural Metro and PMT and Lifeline have outstanding personnel, there's no question about it, but in Scottsdale, we decided long ago, to take control of patient care and see that through.

There is no other call than the one we are on. So to suggest that out of service time or long delays in any other regard, may be a factor in this -- plays a factor in this doesn't hold water. There's only one call that our firefighters are on and that's the incident they responded to.

So I can assure you that we put this RFP out with the best services intended. We had two respondents, one respondent fully met the interest of the city, and I believe that's why you are getting to vote on that tonight.

Mayor Lane: Thank you, Chief. Any questions? Councilmembers? Okay. Thanks very much. Since that was moved to regular agenda. It stands by itself as a separate item and I would accept a motion to move on to this particular item.

Vice Mayor Korte.

Vice Mayor Korte: I move to accept agenda item 2A, adopting resolution number 10951.

Councilwoman Littlefield: Second.

Mayor Lane: Motion has been made by the Vice Mayor Korte and seconded by councilwoman Littlefield. We are then ready to vote. All of those in favor, indicate by an aye and opposed with a

may. It's unanimous, 7-0 to accept item 2a as was moved.

ITEM 3 – SIENA ESTATES GENERAL PLAN AMENDMENT AND REZONING (1-GP-2017 AND 10-ZN-2017)

[Time: 00:28:57]

Mayor Lane: We will move on to our regular agenda -- our actual and true and noted regular agenda items and we will start with item 3, which is the Siena estates general plan amendment and rezoning and that's 1-GP-2017 and 10-ZN-2017. And we have Taylor Reynolds and Jesus Murillo, the senior planner. Taylor, welcome.

Senior Planner Taylor Reynolds: Good evening, Mayor Lane and Councilmembers. Taylor Reynolds from long range planning. Here to present a brief overview of the general plan amendment and then I will go into the 1-GP-2017, Siena estates. The three major amendment requests you will hear tonight and then finally the amendment timeline.

State statute provides that each municipality may create their own criteria for developing a major plain amendment. They have four criteria which you can see before you. Of the three amendments tonight, all of them either meet the first or the second criteria in that they either meet the change in land use criteria or the area of change criteria.

In terms of the process, each submittal will be heard the same year that it is submitted. So we have the submittal deadline in May of this year with the hearing tonight. It requires a remote hearing, which we held at Cocopah middle school and then there is the city council board.

First, is the 1-GP-2017, and that's the grown circle at the right all the way on the southern tip of the city. 3-GP-2017 which is the orange dot, northern most dot and then 4-GP-2017, the red dot along Shea boulevard to the eastern most portion of the right side of this screen. And finally in terms of the timeline, all cases met the state statute requirements involving community involvement which includes that remote planning commission in of course and then finally tonight.

In terms of 1-GP-2017, Siena estates, it was a request by the owner to change the designation from rural neighborhoods to suburban neighborhoods on a 4-acre site which is located south of the southwest corner of McDonald and Cattletrack Road. This is a detailed area of site. Again, a change from rural neighborhoods to suburban neighborhoods, which meets that first criteria that I discussed previously so it is a major amendment.

The key considers includes seven family lots and site lines that are consistent with suburban neighborhoods. And it also meets the projected increase of this residential development type for this area of the community. And finally, this case met the terms of community outreach.

And with, that I will turn it over to Jesus Murillo, who will go through the zoning requests.

Mayor Lane: Thank you.

[Time: 00:32:53]

Senior Planner Jesus Murillo: Thank you Mayor and Council. Again my name is Jesus a planner here with the city and I will be presenting 10-ZN-2017, which is the zoning map amendment associated with the general plan amendment application that you heard.

Again just to briefly have a quick overview here. The site is located on the south, southwest corner of north Cattletrack Road and East McDonald Road. The site is majority surrounded by residential uses. There are some service residential uses that are located along the northern portion of the site and then across the street and there's also a water treatment facility directly to the east.

Currently the site is zoned R-143 and as you can see that's a zoning that continues from the eastern to the west, along the site, and the site was zoned back this -- since it was annexed into the city, along the northern portion you will see that there's service residential.

I will discuss a little more about that, down to the south, southwest, you see that there's a small pocket of R1-35 PRD which is a planned district. That means there were some additional administrative amendments for amenities and then R1-18 PRD which is a similar zoning to which this application is requesting. It's zoned to the R1-18-PRD. This would allow them to amend development standards for current proposal.

Just a closer look at the site, you will see that there are three parcels that are included in this request tonight. There's an existing sidewalk along the eastern property line and then as you can see, sunflower drive goes up through the property, but then it has been abandoned by the council. So there's no direct connection on to East McDonald Drive.

This graphic that you see here depicts the final plat that was recorded for what is known as Schaffner estates and this was actually platted in the county back in '56 and in 1961, annexed into the city. Shortly thereafter, there was a rezoning of the northern part to the service residential that you see today and it's the yellow parcels that you see here today that are subject to the current request.

The applicant is looking to get the amendment to establish a seven lot subdivision. As you can see here, they will all be clustered around one entrance of the site. Currently there's one parcel that enters off the streets that you see here. The applicant has requested the development -- the development standards and is seeking to provide an open space trek that's located along the eastern, western and southern property boundary. These areas that you see in orange are areas that will be dedicated as land scape, but will not be included in the track. It's an easement that will actually be preserved on each of those lots.

So to kind of sum up the request, the applicant is looking to take three -- three parcels of the existing subdivision and create seven lots out of it. The applicant is not required -- as per the current zoning to provide any open zoning space but has been asked to stipulate 23,000 square feet of open space. Currently it allows for 30 feet of structure. But the applicant has requested that it be stipulated that

even if they do meet the height that there is going to be a maximum of one story. So no second story available and that was from the request that they heard from some of the neighbors.

This is what the applicant proposes to the site. This is one of the graphics being approved with the development plan that's required with the request. This is how the applicant proposes there to be pedestrian circulation throughout the site, again with the majority of the sidewalk going through the open and another sidewalk in the perimeter. This is the landscape plan being proposed with the application and almost exactly a year ago today, the city council approved a rezoning of another case, a little further down the street that had a PRD and this was the landscape plan that the city council approved with that approval. City council approved a track to kind of make as one of the neighbors quoted, they felt Cattletrack felt like an alley. That applicant dedicated a tract and provided the vegetation that you see today and this current proposal looks to continue that same language along their frontage so that there's a similar continuity of vegetation along Cattletrack.

This is the wall plan that the applicant has proposed. The main reason for the wall plan is there was a neighbor who stated they wanted those areas in red to be more decorative. They didn't want it to be a plain land wall and this was the applicant's response to that.

So some key considerations with the project, on October 25th, the Planning Commission was presented the case, and they recommended approval with the vote of 6-0. In that vote, they included the project met the findings and the criteria that are required for the residential development district. They looked at and approved the amended development standards and they understood the lots would go from three to seven. They requested that the open space be stipulated.

There were two concerns from the neighborhood, one was foresight architecture, and the applicant's response to that was providing different architectural elevations as part of the development plan to show what it is that they are looking to express architecturally, and they were some concerns, excuse me, about the higher density and, again, the last comment was that the landscape track continued what was previously approved.

The staff is here to answer any questions.

Mayor Lane: Thank you very much, Jesus. And the applicant or the representative come forward.

Applicant Representative Carl Bloomfield: Good evening mayor and council, I'm Carl Bloomfield, from Mesa, Arizona and I'm the civil engineer working this project, with Steve Adams, owner of Adam Craigs Acquisitions. I also sit on the planning and zoning commission in the town of Gilbert. So I see lots of presentations of projects coming in. And it's comforting when you see a project and a developer that you know has done many other projects in the city, and so you know the level of care which you are taking.

However, Mr. Adams has not ever done one in the city of Scottsdale and I think it's important to introduce you to him and what he does and why he's an expert at doing what he does. Siena Estates Mr. Adams is the owner of Adam Craig acquisitions and he worked for many national home building

companies.

He worked for several before he broke out and started Adam Craigs and decided there had to be a better way where he could do a green and sustainable type housing, and do a better job of it. And so that's what he's done he's developed several homes in Paradise Valley, and in Phoenix, and the next total, even though they are less than 5,000 square feet, they pay less than \$100 for electricity just because of the systems he's incorporated in them. That's pretty great.

The other reason why it's important to introduce you to Mr. Adams is because he's lived in this area for over a decade. First in the R1-18 neighborhood south of this. He lived and owned there for a while and was a member of the H.O.A. board and then decided that he would build a home over on jack rabbit and built a home on jack rabbit lane on Paradise Valley which is only half a mile to the south. And because that home, and since then has started a family and with two young children, he decided he needed a more kid-friendly place. He bought a lot at the end of this project. He brought this lot right here and is building his home for his family right there. So with the close proximity and his history in the area, he's long -- he's long watched these homes and these lots and decided that, hey, now it's time to make this a better place, and so we have proposed this development here for you to do that.

We went through several iterations and felt like we came up with the best possible plan, one that mirrored -- these are the layout progressions that you have. We have the streets around there from each of the lots and when we took a look at that, we didn't think it created that sense of community that we have. So we created a cul-de-sac and mirrored, essentially what is there today, with the cul-de-sac to the west, however, with smaller lots because that's more economically viable. We have our development standards which staff has done a very good job of illustrating to you. So that's our proposed land plan.

And I don't think there's anything more I can bring to you, to help you understand this project than the developer. So we ask that you approve this and let us move on through the process.

Mayor Lane: Thank you very much. And that does conclude the staff and the applicant's request to speak on the topic. We can start with Councilman Phillips if there are comments or questions.

[Time: 00:44:05]

Councilmember Phillips: Thank you, Mayor. At this time, I would like to move to adopt Resolution, 10939, Ordinance 4322.

Mayor Lane: I'm sorry, councilman, we have to -- one depends on the other and we have to vote separately on the ordinance and the resolutions.

Councilmember Phillips: They are all separate? Okay. So resolution 10939.

Councilwoman Klapp: Second.

Mayor Lane: Motion has been made by Councilman Phillips and seconded by Councilwoman Klapp and approving resolution, 10939. Seeing to further comment, and therefore, we are ready to vote. All of those in favor, please indicate your vote. It's unanimous approval of that resolution.

Vice Mayor Korte: I move to approve ordinance 4322.

Councilwoman Klapp: Second.

Mayor Lane: The motion has been made by Vice Mayor Korte and seconded by Councilwoman Klapp on the approval of ordinance 4322. We are now ready to vote, since there's no further comment. All of those in favor, please register your vote. Aye. It's unanimous approval on that ordinance 4322.

One remaining item on this particular item is resolution 10940.

Vice Mayor Korte: I move to approve resolution 10940.

Councilwoman Klapp: Second.

Mayor Lane: The motion has been made by the Vice Mayor Korte and seconded by Councilwoman Klapp on the approval of resolution 10940. We are all ready to vote. All those in favor, please indicate by aye. Those opposed with a nay. It's unanimous approval on this item.

I have want to thank you very much, Mr. Bloemberg -- Bloomfield. Sorry about that. That completes, item 3, the Siena estates general plan amendment. If you are here for that you can stay, otherwise quietly leave.

ITEM 4 – 7676 E. PINNACLE PEAK GENERAL PLAN AMENDMENT AND REZONING (3-GP-2017 AND 11-ZN-2017)

[Time: 00:46:17]

Mayor Lane: Our next item is 7676 East Pinnacle Peak general plan amendment, and rezoning and that's 3-GP-2017 and 11-ZN-2017. Again, we have Taylor Reynolds and senior planner and Jesus Murillo, our senior planner here. Taylor?

Senior Planner Taylor Reynolds: Okay. Again, Taylor Reynolds with long range planning here to present 3-GP-2017, 7676 East Pinnacle Peak. The subject site is located to the northeast corner of Miller and Pinnacle Peak roads in the northern portion of the community where the applicant is asking to change the land use from office to suburban neighborhoods.

Again, citing the criteria previously, this meets both the first and the second criteria and it's a major amendment.

Some key contributions of this case include the addition of a single family subdivision, with a density and site plan that align with both the definition of suburban neighborhoods, as well as the projected increase of this residential type in this portion of the community and then finally the proposal implied the city's desert scenic roadway policy. The neighborhood residential subdivisions between 1 and 8 dwelling units per acre and more specifically in the northern portion of the community those subdivisions that preserve environmental features through meaningful site planning. As such, it includes the stated density of 12.8 units and a wash that bisects the northern portion of the subject site.

In terms of general plan policy being met, desert scenic roadways are major thoroughfares to provide openness in the desert landscape setbacks. This particular classification of scenic roadway does not have a particular dimension or midst. It proposed to provide minimum width along Miller and Pinnacle Peak roads similar to what is existing in the area.

Finally this case met the state statute requirements, that I discussed previously. And with that I will hand it over to Jesus Murillo who will walk you through the zoning request.

[Time: 00:48:55]

Senior Planner Jesus Murillo: Again, good evening, Mayor Lane and members of the Council. Jesus Murillo. I present to you 11-ZN-2017, which is associated with the general plan amendment that you just heard.

A quick overview, it's located on the northeast corner of McDonald Road and East Pinnacle Peak Road. You can see clockwise, it's predominantly residential. There are some commercial uses. They are located to the south and the southwest and then across the street, we have the silver stone development which is the old rawhide site and of the four corners the Silverstone development is the only one not within the environmentally sensitive lands overlay area.

A closer look at the site, you can see that the P.F. Chang's headquarters is centrally located. It's not quite aligned with the driveway you see to the south. Also through aerial, you can see that there's one piece of sidewalk located on the southern half of the development, along the western boundary there. So the site is currently zoned SR-ESL which is a service residential and leads for commercial offices and is something that's more residential friendly and as you can see, to the west, you have the townhome resort designation. The majority of the site, again, is residential, with the C-1 and C-2 down in those areas for commercial use.

Back when this site was annexed into the city, it came in as R-1-43 ESL and then they approved the S-R district to allow for the offices. There were supposed to be two wings that pointed to the south, a central area and parking surrounding that. Phase two was to bring the northern two wings and then additional parking. As you can tell from the site plan, only the southern two wings were actually constructed.

So the application is asking to that site plan and that zoning to allow for an R-1-10 PRD ESL and that's single family residential use with the plan residential unit within the ESL. The applicant is requesting to use the PRD to amend development standards for a little higher percentage than what ESL itself allows for an amendment.

This is the site plan that the applicant hopes to establish if the case is approved. There's a 55-lot subdivision and the circle that you see there will identify those lots that will be limited to one story construction.

So some important things to note, there's office. Currently the density would be 236 lots. The applicant is asking to -- for the approval of 55 on the site of. Although the majority of site has over -- over half the site is in natural state, only those areas that you see in green are actually dedicated as natural area open space and as you can see, it kind of -- the layout is very similar to the anticipation of the other two wings being constructed.

This is how the applicant plans to play this out, from the north end the majority of way down along the eastern boundary and there will be scenic corridors for easements along the Pinnacle Peak and Miller road and there will be an AOS located there. This is the circulation plan that the applicant proposes to have approved with the development plan, and as you can see, now the entrance for in and out will be off of Miller, no longer off of north 77th, which I believe was also at the request of some of the neighbors and north 77th street will now align to make it much, much -- a much better situation with the driveway located to the south. This is how the applicant proposes to lay out the vegetation. The landscape plan that shows more region versus actual material.

So this is a little busy, but in case you had questions open it, I wanted to make sure I had it there. The two columns are to the far left and the far right. Currently, the density that's allowed with the existing zoning, the 12 units per acre, they are asking for 2.8. The naos and the open space that would be provided with the open space is 6.12 acres and then the quick ESL, they would be required to provide 4.3. This is half an acre more than required. Currently the building is 18 feet for the site and the politic would now be allowed to have 24 feet in height and again those lots limited to one-story construction.

As part of the conclusion here, this was also presented to the planning commission and in that -- in that presentation, the analysis showed that the project met the findings and the criteria for the planned residential district. Again, the inclusion of the dedicated scenic corridor easements, the overlay which requires the dedication of open space and natural area open space. Again amended development standards higher than allowed normally by ESL and the applicant is proposing that they have the natural area open space.

At that planning commission hearing on October 25th, the planning commission recommended approval with the vote of 5-0. Along with that the applicant requested to amend their application a little further. The original zoning allowed -- required for there to be a 30-foot setback to both the building and the face of garage. The applicant had requested amending that to 15 feet and at the planning commission hearing requested that an additional 2 feet forward to the face of building and

increased it from 18 feet to 19 feet to the face of garage. The applicant also, because the discussions with the neighbors includes lots to 20 and 21 and 22, to the one-story limited construction.

That concludes staff's presentation. The applicant is here to give their presentation, and again staff is here to answer any questions.

Mayor Lane: Thank you, Jesus. Does the applicant desire to come forward then, please?

[Time: 00:55:50]

Nick Wood: Mayor and members of the council, my name is Nick Wood. My address is One Arizona Center and I represent P.F. Chang's.

Let's see if I can make this thing work. Okay, here we go. Okay. The site has been P.F. Chang's headquarters for 14 years. When they purchased this, they were not a big international company as they are today. Today they have a presence not only in the United States but they are in Mexico, Central America, South America, Europe, and the Middle East. And they felt that it's time for them to move on. Basically to find a much more high-profile site along the 101 corridor and as I shared with you, they are committed to staying in Scottsdale. Danielle has been kind enough to help them and actually, they have identified a potential site today, which I can't share with you but I think you will be very excited about it once they are able to make it public.

They came to me and said, you know, Nick, we want to dispose of this site. What are your thoughts? And I said, tell me more about as a corporation, how do you feel about what you leave behind? And they said, we want to leave the site better than what we found it. Well, of course, today its SR, which means you can have up to 240 dwelling units when they wanted to. They talked to a broker. Look, we can sell it to a call center and, of course, the problem with that is the traffic that that would generate would be a real problem. They were concerned about what that would do to the immediate neighborhoods and the multifamily, its 240 dwelling units, again, that's not something that the neighbors in the r-1-10 to the north and the east would want to see.

And as you can see in the aerial, those lots, particularly those that back up to the site, they are very large homes, and, you know, r-1/10 parcels but there's not a lot of room in the back. When you look at the back of house to the wall, there's not a lot of room, just enough for a small swimming pool. Even though there's a grade separation between the back of their lots and ours, it's a 10-foot difference between our property and the top of their CMU wall, basically, they didn't want to have multi-families and they want to do the r1-10 zoning and since we didn't have buyer or developer at the time, we hired LVA. They are the finest land planning group in Scottsdale and they did so many projects in north Scottsdale but they know what works and they know what works on this site and they have a great relationship with staff and Alex is here tonight if you have any questions for him. But they came up with some great ideas with respect to the design.

And then, you know, you know me, right? I'm all about inclusion. So we had meetings now, unfortunately we couldn't go door to door, because we have gated communities to the east, to the

north and the west so we did it through public meetings and outreach. We had one meeting with them. We had 60 people show up. Very interested and very concerned, of course and then we had a subsequent meeting where about 16 people showed up.

As a result of those meetings they gave us a lot of ideas and suggestions and concerns because we asked them, if you like, it tell us you like it. And if you hate it, tell us you hate it. And we'll go to work and roll up our sleeves and see what we can do. And that's what we did and that's how we ended up with this plan.

One the concerns we always hear is traffic. It's an office building right now and the traffic generation from this project is less than half of what is generated today with 250 employees on site, for example. Then there was the wash. The wash, there's a lot of wildlife that uses it and we need to protect the washes in north Scottsdale. So Alex and his group went to work to figure out how we can save the wash and keep in mace. And sure we can cross it and the culverts and enough room for the wildlife to go back and forth and have the thing work.

There was privacy. You know, even though we are lower than our properties next door to the north and the east, there was concern about two stories. And because of the close proximity of their home to the lot, they want to make sure that we don't have two stories where people can look into their backyard or windows.

So as you heard, Jesus say, that we have agreed to one story, all the way along the perimeter on all the units and even lots 20 and 42 and 21, I believe, it is. Now, the good news is we now have Cal Atlantic under contract. Assuming they go forward, they done even build two stories. So it even works out even better. But Cal Atlantic now is very excited about bringing this project forward and they have three projects in the city of Scottsdale.

Down there in the right-hand side for 77th street, that intersection today as Jesus showed you is dangerous. It's offset, there's a lot of traffic that comes in and out of the site because it's an office. We share that with the Lavista project to the east. We agreed to move it on to our property, all the way on to our property, at our cost, our nickel and also not have any access to it. So it will become exclusive entry in and out of Lavista which helps their project and gives, I think, more value to them.

And lastly with respect to our entry on Miller. When we spoke to the folks across the street, you know that townhome project is an interesting grade. It starts a little higher on north and slopes down as you get closer to the south. So we actually moved our entry way, even a little bit farther south so we don't have car lights going in and out of people's windows and people enter and exit the site.

So all in all, this was a tremendous effort, with a good team. Your staff as usual, was so helpful, gave us great guidance. And this is the result of the efforts that he made with the neighbors and the neighborhood leadership.

We are fine with all the stipulations and I would be happy to answer any questions you might have.

Mayor Lane: Thank you, Mr. Wood. I don't know whether we have any further -- well, we do have -- actually, Councilwoman Littlefield, do you have a comment or a question or a motion?

[Time: 01:02:24]

Councilwoman Littlefield: I would like to make a quick comment. I followed this project fairly closely. I was at the first open house when they held it. And I would like to commend Mr. Woods for the work that he has done on this. He has really gone beyond, I think what is usual. He has worked with individual residents, and people and all of their concerns and I think he has done a fantastic job here.

I recommend it very well and I would like to start this off by making a motion to adopt resolution 10941, approving a major general plan amendment to the city of Scottsdale 2001 general plan to change the land use designation from office to suburban neighborhoods on this 19.7-acre parcel.

Councilwoman Milhaven: Second.

Mayor Lane: And we have a first and a second on that motion, but if we could hold for just one moment. Other than Mr. Wood, we did have one other request to speak, if -- and that is Ed Toschik.

[Time: 01:03:34]

Ed Toschik: Mayor and council, my name is Ed Toschik, I live on east Mariposa Grande Drive in Lavista. And Lavista is the subdivision that surrounded this P.F. Chang development. And this group has put together good meetings and we have made requests and I would just like to ask that it be stipulated as part of the general plan amendment development and the rezone case that the following items be stipulated. Realigning the 77th street and moving the Lavista monument which is now on 77th.

And number two, enter on Miller only, as was explained. Number three, single story adjacent to the Lavista residents which was explained and limited to 55 single family homes and lastly, improve the road and the sidewalk at least to the north property. This is on Miller. To their northern property boundary. And I request that those be stipulated. Thank you.

[Time: 01:04:52]

Mayor Lane: Thank you Mr. Toshnic. I would only ask if any of those are already stipulated? Can staff respond?

Senior Planner Jesus Murillo: All of those are stipulated, except for the monument sign. That's the only one that staff heard that are not currently in the stipulations.

Applicant Representative Nick Wood: Mayor and members of council, sure, we will move the

monument sign.

Mayor Lane: So indicate or amend what we need to vote on as far as that is concerned. Okay? All right. That completes the comments on that.

We do have the standing motion and let me ask, Jesus, with that adjustment, would that go into the -- pardon me, Jesus. On which item would we need to note that added stipulation?

Senior Planner Jesus Murillo: Mayor, I believe if we were going to add, it would be added to the zoning case. My only concern is that I don't know the location of the monument sign and if technically it's not on land that they own yet, I don't know if it can be stipulated. It might have to be a private agreement between the two applicants and that's why I was conversing to figure out where the location of the monument sign was.

Mayor Lane: I see. Thank you very much. So at this point in time, we cannot amend because we not have any indication that they own the land presently to be able to do that.

Yes, certainly Mr. Woods.

Applicant Nick Wood: Mayor, members of council, the monument sign is not on our property. I agree with staff. I give my word on behalf of our client that we will do that as part of the agreement with them and we won't -- we won't let them down.

Mayor Lane: Very good, Mr. Wood. Obviously it's at your discretion as well. So -- but -- so that he is the best we can do right at the moment. So with that, now we do have a motion to adopt resolution 10949. Would the second like to speak to it at all? And so that motion has been made and seconded.

I think we are then ready to vote. All of those in favor please indicate by aye. Those opposed with a nay. It's unanimous on the approval of that resolution, 10941.

Next item is our adoption of the ordinance number 4323.

Vice Mayor Korte: Mayor, I move to adopt ordinance number 4323.

Councilwoman Littlefield: Second.

Mayor Lane: The motion has been made by Vice Mayor Korte and seconded by Councilwoman Littlefield. Seeing further comment, I think we are ready to vote on that. All of those in favor, indicate by aye. Those opposed with a nay. Yes, we are unanimous on that then.

And then the last item on this particular item, is adoption of resolution number 10942, declaring the document entitled 7676 east Pinnacle Peak development plan be a public record. Do I have a motion?

Councilmember Phillips: Mayor, I move we adopt resolution number 10942.

Mayor Lane: The motion has been made by Councilman Phillips.

Councilwoman Littlefield: Second.

Mayor Lane: Seconded by Councilwoman Littlefield. No further comments being seen. We are then ready to vote. All of those in favor, please indicate by aye. Those opposed with a nay. The motion is unanimous on resolution 10942 as presented.

And therefore, we have completed our work on item 4. Thank you very much, staff for your participation all the way around. And from the input from the public as well.

ITEM 5 – BELL GROUP SELF STORAGE

[Time: 01:09:00]

Mayor Lane: Our next item is Bell Group self-storage general plan amendment and rezoning on 4-GP-2017 and 9-ZN-2017. We have -- you know, I'm not sure if I overlooked Sara supposed to be.

Senior Planner Taylor Reynolds: I'm just filling in for tonight.

Mayor Lane: Very good, Taylor, if you would proceed.

Senior Planner Taylor Reynolds: Taylor Reynolds here to present, 4-GP-2017, Bell group self storage. This is a request to change the existing land use designation from rural neighborhoods to commercial on a 3-acre site, located at the southeast corner of Shea and 116th street. This is a detailed aerial of the site.

So the applicant is requesting, again, to change from rural neighborhoods to commercial on the eastern portion of the site, and this request will maintain the cultural institutional or public use designation for those areas of the subject site that align with the power line corridor.

Again this meets criteria one as I discussed previously and key items of consideration include a requested change on those portions of the site outside of the power line corridor.

The requested changes, and furthermore the proposal implemented the city's scenic corridor policy. The scenic corridors are designated of 2001 general plan. They propose an average 100-foot depth along this corridor with a minimum depth of 80 feet which is consistent with the scenic corridor design guidelines and finally, the case has met the state statute requirements for community outreach. Again, I will hand it over to Bryan Cluff this time for the zoning request.

Senior Planner Bryan Cluff: Good evening, Mayor Lane and members of council, I'm Bryan Cluff with

the city's current planning department. And just to recap the zoning district map amendment request, it's from service residential planned community district to neighborhood commercial, C-1 district on the 4.6-acre site.

And this is the current zoning map. You can see to the southeast is some existing single family residential zoning and across the street is the service residential, as well as to the west. And to the south, as the r-4 multifamily zoning district and the proposed zoning of neighborhood commercial.

And just a quick summary of some of the zoning history. In 1990, the site was zoned S-R-PCD. This PCD covered approximately 382 makers north and south of Shea in the area of 108th street and 16th street. The most recent approvals included two office buildings with limited floor area. The zoning approval included a stipulation that limited the buildings to 12,000 square feet.

Also a part of the applicant's proposal is to remove the planned community from the designation and PCD allowed for the cohesive plan development, including multiple uses and the infrastructure to support those uses. The majority of the PCD and infrastructure installed and the removal from the PCD is not anticipated to impact the remainder of the PC.

This is the applicant's proposed site plan. Which consists of a new internalized storage community facility with approximately 106,000 square feet and 700 storage units there's one level above grade and two levels above and the building height is proposed at 18 feet currently and the applicant has agreed to a stipulation at that 18 feet inclusive of all mechanical equipment and roof top appurtenances.

You can see as Taylor mentioned before, this red line indicates the proposed scenic corridor easement along Shea and the green shaded area here towards the east designates the required 50-foot setback adjacent to the residential development. Access to the site is off of 106th street through Shea through the cul-de-sac here. This is an existing parking lot which belongs to the offices to the east. Access is through the proposed parking area.

This is the quick comparison of the development standards of the current S-R designation compared to C-1. The floor area ratio is not limited in the S-R district but the limited building height, as well as the larger open space requirement does restrict how much building you can fit on the site C-1 allows a maximum of .81. Building height in S-R is limited to 18 feet. The proposed C-1 district is allowed 36 feet in height. Open space in the S-R district is 24% minimum. The C-1 district with the proposed development would equate to approximately 14.8% for their open space requirement, but I will note that the current proposal with the scenic corridor easement and the setback on the east side does include about 64.5% of the site as open space. And setbacks from single family residential, service residential currently doesn't have any setbacks adjacent to residential although this was a previous zoning stipulate that required a 40-foot setback. The C-1 district requires a 50-foot setback.

Some of the key considerations related to the zoning requests is that again the applicant has agreed to stipulate the building to 18 feet and that's inclusive of all mechanical equipment and roof top appurtenances.

Another item to note is the other commercial land uses which are allowed in the C-1 district. The applicant is proposed internalized community storage which is a lower intensity land use compared to the other uses in C-1. Some of the other uses allowed could be retail, restaurant and personal care services, also allowed subject to use permit and uses such as car wash and gas station and live entertainment could be approved by city council. And related to those land uses, the applicant has agreed to deed restrict the property land uses allowed privately. That would be a private agreement between the property owner and the adjacent neighbors.

And I will let the applicant go into more detail on that because they have been in communication with those neighbors. This has been a substantial amount of neighborhood involvement and we did get a legal protest committed by the adjacent property owners.

Just for reference this was the staff's analysis of the legal protest that was submitted. The hatched area is the development site and the blue area is the zoning affected area per the state law requirements. The yellow lot here to the east as well as one condominium owner here to the west are the property owners who signed on to the legal protest and the green area is the area that overlaps with those property owners and the zoning area. And that equates to 14.02%, which does not -- which does not meet the minimum 20% required per state law. So the submitted protest was determined to be invalid.

And the Planning commission did hear the case at their October 25th meeting, and they continued the case to the November 8th meeting, with direction to the applicant to work with the neighbors to address some of the concerns that were identified, as well as providing use studies and line of site exhibits for further consideration. And then at the November 8th Planning Commission meeting, they did recommend approval of the case with a vote of 4-3.

And that concludes staff's presentation, and the applicant is available and staff is here for any questions.

Mayor Lane: Bryan, I have a quick question and I don't know if you can go back a couple of slides to where you indicated a percentage of open space. Right there. What is being designated to C-1? You have that indicated as 14.8%; is that correct?

Senior Planner Bryan Cluff: Mayor Lane, 14.8% would be the minimum open space requirement based on the C-1 district requirements. The submitted plan proposes about 64% open space.

Mayor Lane: Okay. I want to be clear on that. So it's -- it's about 50% more if I were just to take this percentage numbers from what the minimum is required. The other is the setbacks. There is no setback required? What exactly does that mean? Property line?

Senior Planner Bryan Cluff: On the --

Mayor Lane: The S-R?

Senior Planner Bryan Cluff: That's correct. There's not any specific setback requirements adjacent to the residential in the S-R. It's supposed to be a lower scale development and it would be subject of the development.

Mayor Lane: But it could be approved at property line?

Senior Planner Bryan Cluff: Potentially. As I mentioned this' a zoning stipulation that requires a 40-foot setback on that boundary specific to the site.

Mayor Lane: Very good. Thank you, Bryan. So if the applicant would like to come forward?

[Time: 01:19:40]

Applicant Representative Jordan Rose: Thank you mayor, Members of the Council, my name for your record is Jordan Rose, and with me is George Bell and George Bell, Jr., my planner and our architect and our traffic engineer team. Thank you, again, for your staff and for their time, and thanks for pulling that up for me.

Okay. The general plan amendment, we are only here as a major amendment, really because of what was frankly an error and you can see this in 1999, this site, the triangle that just was circle was zoned for office. It had been zoned for commercial resort, and then it became zoned for office.

And when it did that, interestingly, the next year when the city went to the public for the general plan, instead of including that as office, as it would be consistent with the zoning, it became rural neighborhoods, which was just -- which just doesn't make too much sense given that this site could be developed as an office, which we will talk a little bit more about in a second. That's why we are here on a major general plan amendment, it was to correct an error.

I want to talk about storage and the common use and the ability and the real necessity in residential communities because some of the neighbors and some of the things that they have indicated have others. Here's a site Williams and Miller, we took the property values from the surrounding area and you can see they are really high! \$275,000 to \$880,000. The storage in the residential community, if it's done correctly is certainly not going to negatively impact the area.

Here's a great example. Life storage at Jomax and Alma School. That is arguable where the red star is the welcome to the K-Hovnanian Summit. It's priced between \$600,000 to \$1 million. You may remember it. You can see it while you are driving by the beautiful mountain. It blends. It's lovely. There it is. It's welcome to that community and that's not a problem for property values. Life storage at 74th and Shea, again, values between 450 and \$750,000.

So there's a lot of testimony at planning commission about how this storage facility might be not welcome to the Montana ranch subdivision and I just wanted to take this little car and drive it down Shea and kind of show you what I saw and what we saw when we did that. And I would say that as

we went from 114th Street today to the subdivision gate, it took me two and a half minutes.

So from our site -- I'm sorry from our site to there, it took two and a half minutes. What I will see even before I get there is a vacant commercial zoned property, and then the mirage crossing offices which are pretty prominent up on the road. I keep driving and you can see, those are higher than what we were stipulating. That's taller than what we were stipulating. That's right adjacent to us. You can see across, there's a 28-foot office and a HIV storage facility. We are -- life storage facility. And there's offices on north side of Shea and the additional commercial on the north side of Shea and I will keep driving and show you, I get to the bank across the street and the retail, which are 25 to 38 feet open the north side of the property here.

This is our property, the power lines on our property. You can see it's -- it's kind of covered by a little bit of scrub. And then you can see the additional offices on the north side of Shea.

So I'm passing all of this. I'm passing more additional offices and I just keep driving and I drive down through and I can see some of the Montana Ranch yards backing on to Shea and now I'm driving through that residential. I have probably forgotten about a lot of those offices and then right when I turn to 120th, I see an office and a church and there's the offices on the north side of Shea and the church with the preschool on the south and I drop down and go south to my gate and across from my gate, here's the entrance. It's beautiful. And across from my gate is a church parking lot entrance, directly across. So I would argue that the welcome to the community was a self-storage that's two minutes, you know, away, through all of this is not.

So what does our site look like today? Well, it's dirt. It's a dumping ground for stuff. You have driven by there. You know that. And then there's -- you can see in the left, the very left, there's a radio tower that was placed there illegally and that's apparently broadcasting to the community in times of an emergency. So this really is a perfect location for a low-profile self-storage.

This north Scottsdale area, the mini storage association had a conference up in Phoenix a couple -- maybe a month or two ago and they indicated that this north Scottsdale was number one underserved market in the whole southwestern United States.

And you can see that our national average -- and this' a storage expert here today who can speak more to the actual demand and the population. The four other storage sites that are within this three mile area are way above average in occupancy. So an occupancy rate for a typical self-storage is 88% and that's because I guess the business model is you have to keep some empty so you can continually raise your rates in. This particular area, these are occupied at a range of 94 to 98%. That's a crazy number in this business. So there's a necessity in the market. And that's why our clients are here today.

[Time: 01:25:32]

We have a Realtor that opined that there would be better value because it would block the two residents that are nearest to it from Shea and from those heavy power lines. We have lots of

neighbors in support. You have the letters in the packet and the west side of the street and the north side of Shea, just east of the site. The property owner at the culinary school, and the Mirage Crossing and Condo Association. It's adjacent to the two neighbors here.

I'm showing you the northern most is the Falen and the southern is the Magarelli's, the distance is between 125 and 200 feet. I think Mayor asked the staff, what is our setback. We are stipulated to this setback and we are exceeding that setback.

Under the current zoning and I say this more for the residents who are here today, who may not understand. This the site could develop today far more intensely as an office. That's a -- as an office, that's approved today. Yes, you don't have to believe me. It can be taller than what we are asking for. It can be 18 feet plus 25% allowance for architectural embellishments and mechanical equipment. It could develop like that, just through DR board or charter school and that's no hearings, no hearings, charter school, much more intensely.

So the traffic is -- our self-storage is at 128 trips. It could be 1,000 times more. A day care facility is also currently approved at 470 times more.

The proposed facility is much more sensitive to nearby neighbors and we will stipulate to all of those things that the staff has indicated and they are in your stipulations today. We stipulate to the 64% open space if that's helpful.

It's compatible -- let me show you the other thing I wanted to make sure, the residents understand is this is a low-profile building. This' no roll up doors. This is not that type of storage. This is not a boat storage or an RV storage. There's no outdoor storage. It's climate controlled. It's heavily secured. You have to drive and park and then bring your small items into the storage facility. This is what it looks like. It's a storage facility that looks like an office building but it has no traffic. They want no lighting, except for those that come on in emergency. There's no lighting as opposed to the office.

We have offered to apply for a variance and allow the neighbor to keep the illegal cell phone tower on our property. We will do that. We have offered to construct a platform because there was some testimony about viewing sunsets and we haven't heard back if that's something the neighbor wants if so we will do that. If not, we appreciate the conversation. We offer to deed restrict it to only allow for storage facilities so legally those two abutting property owners are the only ones who can lift that restriction. We don't even really need that and the neighbors haven't responded to it, because stipulation number one that your staff has included stipulates us to conform to this site plan here today and if we change that, it's a rezoning. We have to come back to you for approval. So the council will take full control. This will not be another commercial site in the future, it comes back to you for approval.

The building height limitations. No architectural amenities. We would provide an hours of operation stipulation, 9 to 6:00 with an on-site manager and 5 to 10 with key card access only which is completely different than an office billing or a day care -- building or a day care or charter school that

is not regulated.

I would ask -- I know I have a five-minute rebuttal, but if I can just go into my time. If I can just take that off the end so I can be fluid about this presentation?

[Time: 01:29:41]

Mayor Lane: I'm sorry, what was the request?

Applicant Representative Jordan Rose: Oh the request is just that I have a five-minute rebuttal period and I would prefer to just to go into it and then take maybe a minute

Mayor Lane: We do allow that period of time to respond to items that might have come into question.

Applicant Jordan Rose: Right, thank you. So storage is also compatible with this neighborhood. We went

Mayor Lane: So I'm sorry, do you want to add it to your time now --

Applicant Jordan Rose: Yes, I'm sorry Mayor. I keeps going while I'm talking. But I would need approximately two minutes to finish and I would take the other three minutes at the end, if that's okay.

Mayor Lane: Okay.

Applicant Representative Jordan Rose: The storage is compatible with this particular neighborhood, and you can see the power lines and this is inside the neighborhood. The power lines and the views of Shea and more intense power line development, this is really the side of the Montana Ranch that's impacted by the storage that's closest to the storage.

I think the packets and the neighbors certainly have copies of this. We did a line of sight of the Magarelli and the Falen residence. We can see this is the same height of their home. Their home is about a foot higher but that's it. And so it's -- again, it's about 4 feet lower than what it could be today. So you can see what this looks like and then here is the Falen residence, it's about the same height, our building will be.

And here is -- I think this exhibit depicts the view west if you are standing on their decks or patios and you are looking west and you can see the yellow part. That's where the unencumbered views are. I would say 90 to 120 feet away, and at 18 feet, it won't encumber the view anyway. If that doesn't help, here's an actual picture of the residence, the Falen residence. We are planting trees and then the building is, again, the same height, essentially as the residence itself and it looks like the office building. We have offered to come and ask the Magarelli and Falens what kind of trees they want. This is the Magarelli residence and it doesn't impact the view.

So the site was zoned in 1999 for the hotel and resort and in '99, it was rezoned to office. I want to point out that the nearby neighbors in 2000 opposed this. And here's they say I'm opposed to this and the developer is failing to meet with us. It's the same thing we have heard here. And then here, again, on another hearing, Mrs. Falen and Miss Magarelli. And so we did get to meet with the Magarellis and the Falens at their home on the 14th of November after the Planning Commission vote.

The three things that we agreed to, or at least we thought we agreed to is one, we would provide a drafted deed restriction. We got that to them in a day and a half. They told us that they had a lawyer opinion that their value would decrease and that they would share that with us. We still haven't seen it. We saw something from a Realtor that was written a couple of days ago in your packet that you just got.

And then third, that they would let our architect come in and help design whatever sort of architectural amenities, a fountain or anything like that.

Mayor Lane: If you want that remaining time, you are at that. You would have to discontinue right now.

Applicant Jordan Rose: All right, Mayor, I will eat up a little bit more. We checked back in four days later, no response. Again, checked back a couple of days later. It was Thanksgiving. No response. Asked to provide a copy of the information, checked back again, and hate to be the pest, this is the seventh email. They wrote me back and said, are you available, Friday, Saturday, or Sunday afternoon. And we wrote back within about 20 minutes and said 1:00 on Friday that would work. That was a couple of days ago. No response. No response. So about 12 hours later, I wrote and said, hey, assume that doesn't work for you. We changed our travel schedules or whatever, but we haven't heard from them and then got the packet.

Anyhow, the neighbor hoods have suggested Christmas tree farms and they don't want the people to stay there. They enjoy the dirt. 1 acre residential homes and we want offices and day care which I don't understand that and that's certainly not what they had indicated before.

And so I would just finally end on the Realtor opinion that we did get today, it was just written a few days ago but they said the enjoyment of the rear yard will not be existent if this goes in, this is 95 to 100 feet away. I don't think the Realtor had information. They said there was an increase in light pollution. They have said the elevated height would give them no view of anything, and we're not going with any elevations and there will be lurking patrons. We have a low profile. This is the least obtrusive view. One of your planning commissioners called it a benign use. And that's for the entire area.

Thank you very much. I appreciate it.

Mayor Lane: You have no time for any response.

Applicant Representative Jordan Rose: No time.

Mayor Lane: So you are done. We do have approximately 30 cards. I will take the single card from two minutes from three. And I will allow for those who have donated time.

We will start with Patty Badenoch, and as I said, on a single card it will be two minutes.

[Time: 01:36:02]

Patty Badenoch: Good evening Mayor and council, my name is Patty Badenoch, 40 year resident. The fourth bullet point, under community values respects the environmental character of the city which includes this distances and views and scenic corridor. Does this do this?

Page 5, states development and revitalization and redevelopment decisions including the rezoning, infrastructure planning, must meet the needs, to the neighborhoods in the context of broader community goals. Is this a need? Page 18, Scottsdale's mission, ab, and then c promotes the livability of the neighborhood and sustains the quality of residents for all. This projects meets none of the above.

Scottsdale values physical settings that enhances people's sense of place and comfort, public and private spaces, incorporated within and linked to adjacent developments that enable comfort, human scale and social interaction. Does this do that?

Under goals and approaches, bullet points 1.3 encourage projects that are responsive to the natural environment, site conditions and unique character of each area while being responsive to people's feeds. Does it do that? Page 60 criteria tore the general plan under land use development. Land uses to provide opportunities for the design of uses to fit and respect the character scale and qualities of uses, that exist in the community. Does it do that? Page 103 under neighborhoods, vision statement, the last statement, and in most cases neighborhood preservation and enhancement considerations will take precedence over other competing considerations. Will this be honored?

Finally, a major plan amendment should not take away a property owner's view of corridor. There's no dire necessity for this. It's simple and shameful as that.

Mayor Lane: Thank you next is Quinton Smith and you have some donated time from Sharon Fishman, from Rob Samski and Dana Falen, Carol Samski.

[Time: 01:38:40]

Quentin Smith: Mr. Mayor, how much time will you be able to allow me?

Mayor Lane: Five minutes with the donated time.

Quentin Smith: I will go as quickly as I can. Thank you very much, Councilmembers and Mayor.

The -- when I first moved here I was convinced to move to Scottsdale by two people, Herb Drinkwater and Dick Bowers and the quote there from the mayor to me is one of the things that I and other homeowners have kept in the forefront of our thinking.

The key question that we would like for you to have in your mind as I go through this, I'm not going to read to you, but does this particular project warrant a change to the general plan and is it necessary to -- to the community and does it make sense to trade the downside for 95 homes and homeowners for a very small return to the city that benefits only one entity? My friend that just got finished went through some of the things that are relevant to whether or not this fits given what the statutes are and what makes up a change to the general plan. But I point you to what is in the change of the public interest.

In red, in the selfish interest of one group or firm, does this project warrant special treatment for a person, group or firm, versus the homeowners? We have already talked about what the criterias are, but I point to two things that jump out. Does it enhance the community and does it fit the land use? In our view, the Bell proposal doesn't enhance our community and it does not fit the community as it currently exists and it does not necessarily warrant a substantial alteration. So in our mind, what is special about this project that warrants being approved.

There are four fundamental arguments that the developers put forth. The surrounding area needs self-storage capacity. That's not true and I will tell you why. The only feasible development for the parcel is a self-storage facility. That's not true and I will also back that up.

And then also there's a neutral department. And it's ludicrous. There are certain concessions that they have talked about but there's a loophole that makes them somewhat invaluable. The other thing is, and this is stuff you already know, this is no C-1 south of Shea at all, period. And this would be the first time this would happen between 96th Street and 136th Street. So the question again is: Does this warrant a change?

The real service area is in this triangle and between the point at the top left, bottom right and where we are, there's 4,313 units already there. So the question is the new capacity needed. Across from us less than .15 miles is 600 units here, 650 here. Just for perspective. In terms of the capacity, this is, very, very important. The numbers put forth by the developers, the 6.19 but they mention a 4.83, that's where the Phoenix, mess, Scottsdale area, not for Scottsdale as they listed before with their own document. They say it's for the whole area.

So the bottom line is even without the Bell project, I point to this number here. That's the existing square footage. It would put the capacity at an overage of this amount and it turns over 49% of the units turn over inside of a year.

There are alternatives that -- they say there are no alternatives. There are some. Nurseries. Solar. We have looked at solar, particularly, as it relates to the environmental impact and it says solar simply, you might want to take a look at. And we know that we could put that in and power 164 homes. I'm running out of time. This is a little shorter than what I thought it would be.

This is about taking the value from Proposition 207 that if it impacts the homeowners and reduces fair market value and from the Realtors who have done assessments, the approximate loss is more than 4 million. Some other things that -- and I beg you just for --

Mayor Lane: No, Mr. Smith. Go ahead for one more minute, in any case just on the count cards that you got.

Quentin Smith: Just some misrepresentations. The picture they put up before shows from the house to the backdrop. Houses for people start at their wall. So it's actually 50 feet, not what you saw before.

Another misrepresentation is looking at nobody sits at the top of their house and looks out. The real representation. This is a 6-foot wall right here. This is a person about 6 feet tall. That's what they actually see and get blocked. Just for orientation to that, that cactus, that's one of the homes. When you put up something that is 18 feet, it obliterates that. I measured that. That's my measuring stick there. That's 18 feet to the top. That's what they get blocked from.

Terrorism, drugs and theft, and it creates a blind spot between their wall and the west wall of the community. You know, you open a Pandora's Box with a C-1. We have the signatures, although it's voided. This gives you an idea of who has signed up.

The value equation is they will make roughly 2 million, plus or minus, they will clear about \$400,000 to \$500,000. They will have a chance to flip it. The homeowners may lose up to \$4 million. So we don't see a real imminent reason to move on this and it presents a financial risk for the community, not in the public's interest and the question is: Does 95 homes versus this one project make sense to make a situation and we ask you not to approve it and deny it and more importantly, encourage the landowner to talk with the residents directly to be able to come up with something and make sense for both parties. Thank you very much.

Mayor Lane: Thank you, Mr. Smith. Appreciate that. Next would be Lori Jacques.

[Off microphone comments]

Mayor Lane: I'm sorry. I don't know who you are talking about. Actually, I can't take this direction. If you want to give it to the -- [Off microphone comments]

Mayor Lane: And what is it, doctor -- it happened to be the last one in the pile, but nevertheless, yes, if Dr. Zuhdi Jasser wants to come forward, he has additional time from Maureen Magarelli and Don Edwards. We will go with four minutes.

[Time: 01:47:32]

Dr. Zuhdi Jasser: Thank you Mayor Lane and thank you, City Council. I appreciate the

opportunity -- sorry, I have a flight to London for an E.U. meeting I'm attending.

I wanted to send you the message I live on Gold Dust which is a stone's throw. We purchased four years ago. I have been a Scottsdale resident for 15 years. I had a property at Scottsdale Ranch and moved into Montana Ranch and purchased it knowing this was an empty parcel but zoned as S-R and not as commercial.

The entire presentation, I certify this as amazing that I'm supposed to be tit for tat, with a high-priced attorney and developer. I get it. I'm a free market person. This is nothing against golf storage. It could be any commercial endeavor. If this was your house. If you lived a stone's throw away, you weren't even abutting it. It was your Montana Ranch, would you vote to shift a residentially zoned area in commercial, which would be a bait and switch for how we all purchased our house.

It would be dishonest and tell the Scottsdale citizens that they could move into any empty commercial and this could include live entertainment. They could make an agreement, a private agreement. They may get bought out by somebody but it's not what the character of Scottsdale is and I want to quote Kelsey Young from the planning commission who actually voted in our favor the first time around, who said I lived on that side of Shea and so this shifts the character.

We entrust you as our fiduciary, to keep ethically and morally, the general plan of Scottsdale and you are allowing one business and one firm to come in and basically say this all looks good. We checked with the neighbors. I didn't meet him because he could be the greatest business in America and I don't want a commercial enterprise zone.

There's a reason -- there's a definition for commercial than S-R. That's why we don't mind charter schools or nurseries or whatever it might be. We are zoned that way. That's how the plan was. It's unfair and if you felt you would vote for this, if it's next to you, then fine. I find it hard to believe that a Scottsdale citizen that moved into and next to empty parcels would say it's okay for it to be changed to commercial, simply because the developer spent tons of money on doing whatever it might be to appease whatever demands we might have as neighbors when, in fact, it changes the entire plan and shifts the character of the neighborhood and does affect value. It does affect crime rates and it does affect, if you look at storage facilities.

And by the way, there's a storage facility across the street. There's three actually within half a mile, live storage, whatever they might be. To say that there's a need for another storage facility is just absurd.

So whose rights do you represent, a developer business or do you represent the rights of the citizens that bought in a noncommercial area south of Shea? If you vote for a zoning change, you vote for the rights of that developer versus the rights of all of the homes here in -- south of the Shea corridor. And the message you send Scottsdale citizens is that if you move next to an empty parcel, you know what, we can't stop a developer from moving in and changing that and bait and switching the entire thing.

So I hope as you vote tonight, you think about the message that is sent to the rest of Scottsdale to what SR residential zoning could be changed to that could affect their properties of the character of the Scottsdale, the city of Scottsdale that you represent on this board.

Mayor Lane: Thank you, Dr. Jasser. I'm sorry. We try not to applaud or boo as it's not in the nature of our business here, but I appreciate the sentiment. And thank you, Dr. Jasser. Next is Ross Smith.

[Time: 01:52:00]

Ross Smith: Good evening Mayor Lane and members of the council. My name is Ross Smith. I live at 9140 East Jenan in Scottsdale. I have been a resident in Scottsdale for 47 years. Love it.

I'm a real estate agent for the national commercial firm Marcus and Millichap and I was retained by the landowner to market the property and introduce the property to the Bell group. Early in my career, I served as a planning staff member for the city of Scottsdale. I worked here for 12 years. For the last five years that I was here, I was long range planning manager and after that I was retained by the Arizona State land department to help draft the urban lands act and implement the program. That is, intended to generate revenue for the Arizona schools, K through 12 schools and does so. It's been in business for 100 years. I also served on the planning commission for six years and I had the opportunity as you have to sit on that side of the dais and consider rezoning cases and general plan amendments and struggle with the decisions that would be best for the community.

It's my opinion that self-storage is a passive use, that's appropriate to buffer between residential and commercial-type uses. And this is particularly the case where the applicant here has committed to develop the property and development standards far lower, and less intense than the current zoning of the property. And, in particular, there will be much less traffic and activity on the site with the self-storage project in particular, because they have committed to have no outside access to the units, very quiet and very low traffic, much lower --

Mayor Lane: Mr. Smith, you will need to wrap it up quickly. You are out of time.

Ross Smith: It will be much less intense than a charter school or office uses or day care center. So I would urge you to approve the project and appreciate the time. Thank you.

Mayor Lane: Thank you, Mr. Smith. Roby Sparks. To be followed by Gary Jestadt. If you could be available.

[Time: 01:05:06]

Roby Sparks: Good evening, Mayor. My name is Roby Sparks. Please let me tell you my experience with storage units. My husband and I bought into a luxury gated community where there was no crime, zero. After several years, storage units were built next to our fence and gated community. The crimes started immediately. From the workers who were building the units,

thereafter it was built and then the crimes were from the traffic coming to and fro from the storage renters. It was continuous.

When we went to sell our beautiful home, we got less than one half of what we bought the home for. The community values went down so much after the storage units were built, while all the surrounding areas stayed the same or went up. I bought my home here in Montana Ranch thinking that I could replace my former dream home with this one. I have purchased this one as is. I have been planning to invest a large amount of money into this home.

After hearing that storage units may be going in, it makes me not want to relive the financial nightmare that I suffered when I lost the home value from the crime from the storage units. Please help me to protect my investment in this area for people like myself. They won't be willing to put the kind of money that I'm getting ready to spend which is my life's savings in property improvements. Please don't make me fire sale my house. I wish that you would also consider opposing this zoning. I personally have lived the nightmare and the financial devastation of what it costs.

Mayor Lane: Thank you, Ms. Sparks. Next is Gary Jestadt to be followed, I believe it's Nick Belson.

[Time: 01:57:26]

Gary Jestadt: Mr. Mayor and Councilmembers, thank you for the opportunity to speak tonight. My name is Gary Jestadt, 178007, North Perimeter Drive in Scottsdale. I have been a real estate broker for 30 years and I have been involved in the real estate business for approximately 40 years. Our firm owns the property immediately next door to the west, the culinary institute is the tenant in this building.

Because of the experience I think that I have had in the real estate business, I feel somewhat qualified to, you know, render an opinion of value in terms of proper land use and zoning. You know, tonight's zoning board hearing is of interest to our company because we were concerned about the parking. The culinary institute trains the future chefs the world and they have a student population that at times can be quite large and we didn't want to have this particular project encroach into that parking. So we have met with the developer.

We understand the scope of this development and find it to be the least impactful development in terms of parking and our business at that particular site. There is less noise pollution. I think the overall design features are high quality. I think they will be an excellent neighbor for us and for the residential portion.

You know, large power lines bring certain constraints to a development site. These are usually not the most desirable locations to locate development. Certain uses are more compatible in these areas. I think storage facilities would rank high on the list, as appropriate uses in these areas, while other uses --

Mayor Lane: You are out of time. If you could just wrap it up quickly.

Gary Jestadt: Okay. I think while the uses are permissible, I think storage represents the lowest impact trafficwise and noisewise and our company is in full support of this development.

Mayor Lane: Thank you Mr. Jestadt. Next is Nick Belson, I believe it is. Followed by Mike Leary.

Jim Ellison: I'm Jim Ellison. I hope that's my address is 18254 North 83rd Street.

Mayor Lane: You are Jim Ellison? No, I have a Nick and it certainly looks like a "B".

[Time: 02:00:53]

Nick Belson: Mr. Mayor, members of the council my name is Nick Belson, I lived here for 34 years. In that 34 years, I have sold over 215 homes mostly in Scottsdale, luckily three in Paradise Valley. For my 3%, I have been asked to say that there is factually no question that the real price of these homes will drop considerably and they are difficult to sell anyway because of the lines that are over the top of them. So homes \$1.2 million, a mile or more north of here, are going for \$750,000 or \$800.

The reason that an office building or a hotel was not built was because it's not viable. That's why they weren't built. No other reason. So now we come down to self-storage. Thank you.

Mayor Lane: Thank you Mr. Belson. Mike Leary. Followed by Jamie Blakeman.

[Time: 02:02:07]

Mike Leary: Thank you, Mr. Mayor and Councilmembers. I rehearsed this for three minutes so you will have to listen real close to make the two. I'm a Scottsdale resident for 30 years. I have been doing commercial real estate development for 40. First, ten years was as a senior staff member. I used to sit over there. Then I developed the 400-acre north site project and the last 15 years I have been doing commercial development consulting.

The application before you is actually for a major general plan amendment, but it should not have been. And the only reason is there were mistakes between the -- with the adoption of the 2001 plan. Here's how it happened. The 1980 classifications included 22 land use classifications. In 2001, it was reduced to 12. As a result of the reduction of the land use categories, the map was changed. And in that map, this was the -- this was the 1989 land use.

This is the property here. Office, and you can see the line here, defining Montana ranch from it. It clearly was not included in this. Back in the 2001 general plan, they combined classifications for office, retail and utilities, public uses, and commercial industrial. This is what happened, in the 2001 general plan. Oh, I was wondering where the timer was. What happened was there was simply a drafting error. When they redid the plan, they took the line and they just turned it.

Now there are a couple of other are errors. The plans for the transition corridor was cultural

institutions and public uses and no reference to the public utilities. They also shown the transmission line off in McDowell mountain ranch. So, again, without those mistakes, this plan would not be for you tonight. It was filed as a minor general plan amendment. Staff had the ability to make a determination major minor, but because the application had been filed and it had been noticed it was decided with staff to follow through with the major plan.

Mayor Lane: Thank you, Mr. Leary. Jamie Blakeman. Followed by Troy Jarvis.

[Time: 02:04:38]

Jamie Blakeman: Good evening Mayor Lane and members of the council, I'm Jamie Blakeman. I was a traffic engineer for this study. I just wanted to go a little more into detail on the traffic reports. Jordan Rose touched upon it.

So first, here I wanted to point out that we did a trip generation for self-storage. The first thing I wanted to point out is that the initial report was based on 79,000 square feet it has been reduced to 77,500. So these numbers are actually more than what they should be, but this is at proved report numbers. So here we see that self-storage, it really is one of the lowest trip generators out there. It's approximated to generate on average weekday 131 trips.

Now, when we take a look at the existing zoning, we try to be practical of what could go on this site and reasonable. As you can see, there was not a limit on the F.A.R., but we limited the F.A. R. uses and that's why we look at three different uses. We looked at an office use, a day care use and a charter school. We looked at nearby developments to see what sizes there were and we used similar sizes. So as you can see here, compared to our 131 one developments as a self-storage, these numbers are much higher. 910, 741, and nearly 1700.

So with this 131 trips, we looked at what its impact is to Shea boulevard as well as Frank Lloyd Wright as you can imagine, Shea boulevard already has 39,000 vehicles per day and Frank Lloyd Wright has 21,500. This is less than 1% increase on traffic. So there's really very, very minimal impacts in terms of traffic. Thank you.

Mayor Lane: Thank you, Ms. Blakeman. Next would be Troy Jarvis, followed by Carol Mixen Krendl. And Troy has one donated card from Alyssa Berry. So make it three minutes then.

[Time: 02:07:00]

Troy Jarvis: Great. Thank you, Mayor, Council. My name is Troy Jarvis. I'm president of the Jarvis Group with Launch Real Estate. I have been in the Scottsdale valley area for 23 years. I'm personally aware of this development. Because I was trends with Tim Heddlestead who was part of the development and I officed in Mirage Crossing and I have done most of my business in the Shea corridor.

I wanted to pose the thoughts that this will detract on the values of the property. In my opinion, in

this real estate market is that I think it's going to actually help or be an asset to the two homes that this affects. If you look at the map, basically, Montana Ranch, if you look at the development, it impacts two, maybe three parcels. It doesn't impact anybody else because the main entrance is off 120th street. So this development or this storage unit will not impact Montana Ranch. It impacts three properties.

When I look at the values of properties, there's four basic issues when you are dealing with properties. First of all, there's a deterrent in the power lines. And part of that article I have shows that power lines reduces according to appraisers 10 to 12%. Reduces the values of properties. That's already there. We already know. The benefit of this property is that it shows dimension. Right now, it shows that almost -- these properties are underneath the power lines. With this piece of property, we'll take a buffer, basically to show that dimension for a new homeowner.

Secondly is the traffic, and we saw that the traffic on Shea is a deterrent to back up or side to a busy street. Well, this property will also help with deterring from the noise and so forth like that.

Third is backing up to vacant land. When a property owner goes to purchase a home, if there's vacant land behind it, they know that at some point, that could be developed. It could be rezoned. It could be whatever. Most of the homeowners or buyers will not purchase a home, not knowing what's there. When this is put in, this will show that there is a structure that does not have the -- it keeps the privacy of their property. It's 50 feet back. It's a low elevation.

In my personal opinion, this storage unit will actually help the two to three properties that back to it, and will also not affect Montana Ranch. Thank you.

Mayor Lane: Thank you, Mr. Jarvis. Next is Carol Mixon Krendl. Followed by Richard Frisch.

[Time: 02:10:22]

Carol Mixon Krendl: Thank you. Good evening, Mayor and Councilmembers. My name is Carol Mixon Krendl. I live in Tucson and my favorite study in school was music. But somehow, I ended up being a self-storage expert and what I did was I analyzed this site and everything around it to know -- and you can see quite a few storage properties there, however, it is still an underserved market.

Unfortunately, sometimes people don't like storage, but we are a really good neighbor, and I have operated a lot of self-storage properties and developed about 200 all over the world and I feel very confident in what I'm saying and I take it very seriously when some property owner, such as Mr. Bell comes to me and says, can we build this here? Because the problem is when you have a lot of other storage around in the area, you have to know whether this is going to be a viable site or not and I absolutely believe that it will be viable. And I think it will be a good neighbor, even though some people might say that this might be crime and things.

Generally in storage, we don't really have those problems and especially when you have good proper

management which Mr. Bell has agreed to do, and a lot of changes that he wants to do, even for the people in the neighborhood. But I think that this is going to be a really good thing for the owners, even though they may not think it at this point. And it's not going to hurt the values of their properties and especially when you have those other factors of the -- certainly that Shea is a very, very busy boulevard. So you look through something like that and you see that there already is a lot of traffic, and so those homes again that traffic, and, again, I think that storage, we absolutely have a demand, still in this area.

And that's what I'm good at doing. I'm good at finding and determining whether there is going to be a viable project and it will be a viable storage project. And if it were mine and I were doing, this I would be so happy to get it started and to make the contingencies that you have for the peoples of this community. And I have really never seen an owner do as much as you have, Mr. Bell to try to work with a group and I hope you all believe and understand what I'm doing and I'm here to help in any way to make it a real great project.

Mayor Lane: Thank you, Ms. Krendl. Next is Richard Frisch. Followed by Vicky Falen.

[Time: 02:12:46]

Richard Frisch: Mayor Lane, City Councilmembers, thank you both for your service and for the time to -- for us to present on this. I -- what I would say, I'm Richard Frisch. Our backyard is about 100 yards from the back line of the storage facility. It's in site. It's around. We know where it is. It will impact our property.

About a month ago, we discovered we were in the midst of having to change jobs and our house, rather than having Realtors who are offering opinions, we have a house that is actually for sale right now in Montana Ranch. And it's a house impacted by this message and I think what the Bells and Ms. Rose have failed to understand is that it is storage. It is storage.

And as the previous speakers said, there are perceptions about storage. We had six people look at our house in the last three weeks. Three of them walked away because of the power lines. They didn't want even to look. The Realtor said that if the motion gets approved tonight, we have to list that on our listing of information on our property, because it has a material impact on the -- on the residual value of the property.

I plead with you, there is a stigma around storage. There is a stigma around -- around power lines. If you approve this, you are doubling the stigma associated with those properties, the 12 or 15 properties who are going to have negative impact values and the rest of the ranch who is going to be impacted by what those properties sell for.

Finally, I would say, we have a sales brochure on our house. And I plead with you to reject this amendment. I said to my wife, if this passes, we will be sitting on Albertson's on Saturday mornings passing these out. So if you want to save a marriage and save a neighborhood, I plead with you, don't approve this amendment. Thank you.

Mayor Lane: Thank Mr. Frisch. Next is Vicky Falen followed by Jim Ellison.

[Time: 02:15:20]

Vicky Falen: Can I get another minute since it's my backyard?

Mayor Lane: In fairness, it's all speakers. Sorry about that.

Vicky Falen: All right. Well, my name is Vicky Falen. I live at 10520 North 117th place. My husband and I bought our lot in --

Mayor Lane: Would like you to speak into the microphone?

Vicky Falen: We bought our lot in 1998, we finished our custom wheelchair accessible home in 1999 and that's my husband sitting over there. Since I only have two minutes, there's a lot of things that's going to happen to our life if a commercial is in our backyard and when one of our doctors heard about it, she felt so compelled to right a letter and I won't read it all but at the end, she goes, is this project so important that it justifies further crippling of this man?

The only thing my husband can do by himself is to somehow open our glass doors. We have four sets in hour house. We built it for sunsets. He's got a bruised or a broken finger trying to go outside every night. He watches sunsets. Sometimes I -- you know, he comes and says, hey, you need to come look at this but that's the only thing he can do by himself. Needless to say, I'm sure that's not a compelling thing you would like to do.

I did do a legal protest, and I did it twice. Let's see, I don't want to give up my legal rights or anything, but with the new laws that went into effect, this legal protest was denied both times. Myself and my neighbors we went to meet with Randy grant in Scottsdale on October 10th, private meeting. This is a map of the buffer that he said that they would be using to figure the legal protest. When I got the denial letter, there's the new one! Which one isn't alike? Sorry about that. I got -- which one isn't alike? This one is square and this one is a different shape. And so they used this map as the map that they denied it.

Along with that, we have the opposition petition, we had the 95 homeowners of Mantegna ranch fill out. Every single homeowner is opposed to this that we talked to. That's pretty common, isn't it?

Mayor Lane: I will undoubtedly give you that extra minute. If you want to wrap it up, please.

Vicky Falen: Our property values, we did have it evaluated by a competent long-time Realtor. My home will lose at least \$112,500. My neighbor's will go down over \$156,000. Those are true losses.

This platform that Mr. Bell says he wants to build will be \$25,000 or \$50,000. So those are costs that I'm going to, you know, expected to be reimbursed for. The landscaping is 35 to \$40,000 to put

enough trees up to block that eye sore. There are no commercial in the south side of Shea by design. No other commercial in Scottsdale has access to Shea.

And --

Mayor Lane: I would ask you now to please wrap it up. I have given you the extra time.

Vicky Falen: Okay. There is a vacant lot -- I have to leave? I didn't understand.

Mayor Lane: I have given you extra time and then some. I said to wrap it up. It sounds like you are continuing on. So I'm sorry but I did give you the extra time, but --

Vicky Falen: Okay. Thank you.

Mayor Lane: Next is Jim Elson, followed by David Richard.

[Time: 02:19:56]

Jim Elson: Mr. Mayor. Members of the Scottsdale City Council, my name is Jim Ellison, 15254 East 82nd Street and I think I have the name right this time. I just give you a little bit of background and Mr. Bell has called me to objectively kind of analyze where he is.

So I'm here speaking basically for two issues. One is to tell you what my relationship with Mr. Bell is and speak a little bit about his character and then objectively analyze the proposed rezoning use. Over my career I have been a Realtor since the '70s and years ago have been on the DR board. This particular case reminds me of a zoning case we had in the early 2000s. It was very contentious and involved the southeast corner of Bell and the 101. We worked with city staff. We worked with coalition of Pinnacle Peak, many neighborhood associations and ultimately we were successful and we had letters of commendation from coalition of Pinnacle Peak. So this just speaks to Mr. Bell's character as a developer.

And then secondly, just analyzing the site plan and literally, it's just been a couple of days that I have looked at that, but I would also like to tell you -- to tell you that I lived off 124th and Shea for over 25 years. So I'm well -- I'm very familiar with this site. I'm familiar with the development that happened on Shea when I moved out there. The only shopping center we had out there was off of Scottsdale Road and Shea and I'm familiar with it and I'm sympathetic with neighborhood. Again, looking at the use and I have done many warehouses. I have done a lot of multi-use industrial projects and a number of offices and this is -- and I'm familiar with Scottsdale percentages and coverages.

Mayor Lane: We are out of time. Will you wrap it up?

Jim Elson: I want to actually confirm kind of some of the other low intensity comments that have been made on this project and just as far as the development I would have to support it, just being

objective about it.

So thank you for listening to my comments.

Mayor Lane: Thank you, Mr. Elson. David Richards. Followed by Frank Magarelli.

[Time: 02:22:48]

David Richards: Mr. Mayor and Mr. Councilmembers, my name is Dave purchases and a wanted to express my objection to this proposal and it's really -- I went and I looked at the priorities the city of Scottsdale had laid out and I could not find one of the priorities that this directly contributed to the success of those projects.

Additionally, I wanted to look at who really is winning here or is there a winner or is there a loser? That's a good question. And as I looked at it, I look at the homeowners and being one, there is an unfavorable valuation that could hit us. And I don't think people have taken into consideration the emotional ties to their homes. I go on a trip and I love coming home. It's relaxing. It's what I know and it is important to me.

It's also important to me because I served this country during a very unpopular war named Vietnam. In there, I was awarded some medals and one of those being a purple heart. And I was fighting for freedom. Not just for myself, but for my children, for the American public because I love my country.

I have no problems with people who elected to go to Canada. That's being an American. You express your feelings but if I look at this there's also the potential spillover crime that could happen inside the development. Also, you will have a bunch of unhappy homeowners who are also taxpayers and voters.

And if I look at the city, this project, like I said doesn't directly support the five priorities that the city has laid out. The development of homes which leads to the devaluation -- the devaluation leads to property tax potential losses for the city. So it's not all win/win putting this in.

And lastly, I think there's a public relations and then the in the end is developer. It appears that the opposite will happen to the homeowners, as the group feels so strongly that there's no devaluation, then I would say put up the money and protect the homeowners in the future. Thank you for your time.

Mayor Lane: Thank you, Mr. Richards. Next would be Frank Magarelli. Followed by Mike Wilson.

[Time: 02:25:54]

Frank Magarelli: My name is Frank Magarelli. I live at 117th place. I don't know what else to say. It's all been said. It's up to you guys. I mean you have to think this out.

What's the moral end of this? 95 people, 95 homes losing almost \$5 million. I'm Magarelli, the guy

who loses almost \$200,000. I have been here 20 years. I drive 80 miles back and forth to work every day. Every day, just to get back to Montana Ranch. I built a beautiful home and now I have to put up with this.

It is true. Read the FBI crime rate. They said across America all the storage units have created crime across America, all the storage units have devalued our houses. What more is there to this? Do we give this one man all this? And take it away from 95 people? Is there even a question here? I don't have any more to say. Thank you.

Mayor Lane: Thank you Mr. Magarelli. Next is Mike Wilson followed by Loran Marshall.

[Time: 02:27:34]

Mike Wilson: I'm Mike Wilson and I represent the Mirage Crossing Condominium project which is a commercial development, and it's immediately west. This is an 80,000-foot commercial development.

I'm here to speak in support of storage on Shea. The last 20 years there's the potential for higher intensity, and more invasive uses on that property. It could have been day care and charter schools. Our board is more enthusiastic about this use because we share a drive by virtue of easement with this development and we think it will be the least intrusive use.

We are also happy to see somebody coming in potentially to take care of this site right now, it's a site of a lot of dumping. We are also enthused that it's not the typical storage facility where it's made out of a corrugated tin and low looking shacks. It's air conditioned, enclosed, and it's architecturally attractive. So I'm here in support of it. That's all I have. Thank you.

Mayor Lane: Thank you, Mr. Wilson. Next is Loren Marshall followed by Lori Jaques.

[Time: 02:29:03]

Loran Marshall: My name is Loran Marshall and I have been with Realty Executives in Scottsdale since '91. Have been in the valley since about 1980. And I have had experience in development, was involved as a prime owner of a PUD. So I know a little bit about that.

Whether you are selling properties and looking at neighborhoods, the number one thing is curb appeal. And I have got one listing right now in Montana Ranch, and the other day, we had a sales meeting, with over 100 agents and realty and Shea, and when they found out it was going to back up to power lines and what is proposed to happen now, it hasn't been shown once.

So I'm representing the estate plaintiff Nyman Rakes and his family. Because that home is setting now vacant. And that is located at 10070 North 118th Street in Montana Ranch. Curb appeal, as I said is just so important. And then you go to also Mr. Rake's -- when he bought the property and was getting ready to build, he went to FEMA to find out what their thinking was as far as that area for this

development. So self-storage units, I don't know if that's going to be a good thing. Thank you.

Mayor Lane: Thank you, Mr. Marshall. Next is -- I believe it's Lori Jaques.

[Time: 02:31:12]

Lori Jaques: I'm Lori Jaques. I live at 11500 East Cochise Drive which is the Mirage Crossing condominiums. I live directly on the entrance to this proposed project and I spoke with Jennifer Hall in June, late June regarding my concerns about headlights into my bedroom and my living room all day and all night, especially in the night and evening when people are going in and out until 10:00 at night. I have not heard from her or anyone else in regards to my concerns and how they are going to correct that. So that's one.

Two, I oppose this, obviously, and I don't understand why you can't revitalize the north side of Shea where there's plenty of lots available to build a storage facility where there's no residential behind it. I feel for the people in Montana Ranch, because it is 50 feet from their back wall. I'm not directly behind them, but I get the lights and the traffic coming in. Everyone buys a home for a reason, because we love where you live.

I ask you to take a moment and think about your home, how luxurious it is or how cozy it is or your backyard, how lavish it is or how small your patio is. You love that backyard. That's your retreat you do not want to come out there and see a wall or boxed unit in your backyard. If you can visualize that in your backyard, great. So be it. We don't want it in ours and I just don't see the need for it when there's two of them directly across the street. There's not much more we can say. We have pleaded our case. We trust in the process and we hope that you do what's right for the community and the residents. Thank you.

Mayor Lane: Thank you, Ms. Jaques. That does complete the public testimony on this topic.

So it comes the time now where the council will have questions of either the staff and/or the applicant, but I would look toward the councilmembers if there's any request to speak on this subject or to ask a question or a comment. If there is no question or comment -- okay, Councilman Smith.

[Time: 02:34:04]

Councilman Smith: Thank you, Mayor. I would like to think that I represent citizens. I certainly ran on that premises and I stand as your advocate in the aggregate.

Sometimes the interests of a citizen as a whole are not the same as the interest of the nearby neighbors but you have all heard me talk in the past about one of the things I'm concerned about, which is maintaining the balance between commercial and residential. Meaning that every residential community needs a certain amount of dedicated acreage to provide the services and the needs of that area. And it's extremely difficult when we try to take a piece of residential property and convert to commercial and I have, in a sense warned myself about this and warned the citizens

about this when we take the easy road out sometimes and take a piece of commercial and say let's turn it into residential.

This is a situation where we are in a sense, trying to convert commercial into residential, or the other way around. And it is predictably difficult. This one is maybe not as difficult as most, because this is not really going from pure residential to commercial. It's going from something called service residential to commercial. And that's an important distinction in my mind. So what I'm looking for, is a balance for the neighbor and a balance for the citizens, something that says that they are not going to be impaired more than they already are.

And I listened carefully to the presentation and for the service residential designation there. I feel, well, let's stipulate. It will never be residential, not underneath the power lines and I think we all know that. So if it's going to be anything, it's going to be the service portion of that designation, which means that it could be a care center. It could be a school. It could be a bank, a medical laboratory and a whole host of other things.

But this particular project is promising us that it will have a height of 18 feet, which is no higher than what would be allowed under the service residential. It's going to have limited hours and as far as I know, service residential projects do not necessarily have limited hours. It's going to have some of the lowest uses of traffic of almost anything that could be put there, the term is called benign use and a variety of other things but the truth of it is just not many people go to service facilities. It's probably going to have greater security than any service installation that might go in. 40 cameras spread all around to -- to provide security for the site.

It will have far more open space than what is required. I think they will have 65% open space and if we had the service kind of entitlement that already is zoned there. It could be done with only 24% open space. And much has been made of the setback, only 50 feet from the neighbors but reality is for the service project were brought to us, already zoned, it won't have to have 40 feet.

So somebody asked one of the speakers -- one of the speakers asked, would you vote to switch from service residential to commercial? And I think I -- I honestly answered that question for myself. I would be stressed to be located next to a service residential area in the first place. I would probably be quite satisfied, frankly, to have this project taking the place of what else might go in in its place. So I'm not switching from residential to commercial. I'm switching from some service application to commercial.

I think the applicant has made an extraordinary effort at trying to sensitize the transition and to sensitize the imprint that he has on the neighborhood and be a good neighbor. And I do believe that this is representative of the broader citizen interests in my opinion.

I don't know whether others would want to talk about, it but I would make a motion to adoption Resolution 10943. Thank you.

Mayor Lane: The motion has been made on adopting this motion.

Vice Mayor Korte: Second.

Mayor Lane: 10943. And seconded by Vice Mayor Korte. Would you like to speak to it?

Vice Mayor Korte: No.

Mayor Lane: Okay. The motion has been made and been seconded but we do have some others that had requested to speak on it, starting with Councilwoman Littlefield.

[Time: 02:39:36]

Councilwoman Littlefield: Thank you, Mayor. For me, this has been a very difficult major general plan and zoning case. Like most of us, I have spoken to the applicant's attorney regarding it and with groups of affected citizens. I read the reports. I went to an open house. I relistened to the planning commission discussions and debates.

It's an odd piece of land and as I see it, it has very limited usefulness. I have to commend the developer, Mr. Bell, for his work in trying to bring the interested parties together and to find common ground. I believe he's been diligent and honestly committed to try to find a compromise position with the residents. It is unfortunate that it has not happened but I do want to thank you, Mr. Bell, for your efforts.

As I listen to the people speaking before the Planning Commission on the 8th of November, certain conclusions became very clear to me. All of the speakers who were against the project were residents, who lived in the area, and believed they could be negatively impacted by this project. Either in quality of life or a possible decrease in their home valuations. Several homeowners have received valuation analysis from professional real estate agents in.

This case, 100% of the residents I spoke with listened to and who came before the Planning Commission were against this change. All felt the storage facility would negatively impact their neighborhood, lifestyles, home values and quality of life. Several said they checked with the city regarding the land use and what could be built on it before they bought in Montana Ranch. They thought they had their bases covered.

All of those who spoke for the project had professional or commercial interests in the area but did not live in Montana ranch. Indeed, several did not even live in Scottsdale.

The general plan for our city is a citizen approved and ratified land use plan for the entire city. It blankets us. With we buy land in Scottsdale, either residential or commercial, the land is designated for certain uses within that plan. A major general plan amendment request is just that, it's a request for a major change to the citizens' vote and I do not take that lightly, especially when there is unanimous negative input from the citizens who will be directly impacted from that change.

Changes to the general plan, especially major changes like this one, are not an automatic right of landownership. There has to be reasonable expectation that such a land change, which counters a citizen vote will benefit the city itself and the citizens who will be near it. Or at the very least, they will not be harmed by it.

I have made pages of notes on this issue to myself, regarding all the various terms, the conditions, the changes, et cetera, as they have gone through the process. And finally, I just asked myself, what is really at issue here? What are we truly being asked for and who do I represent when these kinds of land use issues are made and decisions are made?

I represent the citizens. That's the reason I ran for office in the first place, to listen to you and to give voice to those who look to the city council to protect their neighborhoods and their quality of life. It's how our system of government is supposed to work. With 100% of those affected citizens say no and ask us to deny this change to our citizen approved general plan, I believe it is my responsibility and my obligation to listen to them. These are the people who came here, who bought here, only after doing their due diligence for the area, and I believe they have the right and the expectation that this city council will use their positions and concerns as a top priority.

Personally, I'm not 100% sure that in denying this change I am doing the residents a long-term best interest, but I do not know that for a certainty. And my personal opinion does not change the desires of all of these citizens that live in the area. 100% of the speakers here tonight who live in the area and spoke this evening do not want this. All of the speakers who spoke in favor of it do not live here and will not be personally affected by this change. I don't remember a time when there has been 100% of the people in the area who are against a project like this. I don't remember ever seeing it before.

I believe it would be irresponsible for me to ignore your voices. Therefore, I will not be supporting this major general plan amendment this evening.

Mayor Lane: Thank you, thank you, Councilwoman. I appreciate the sentiment but I appreciate also that we do not try to exhibit both applause or booing. As a protocol we would like to uphold. Councilman Phillips.

[Time: 02:45:45]

Councilmember Phillips: This is a difficult one for me also on a lot of difficult issues. A year or so ago, we had the same issue at 128th and Shea when a charter school came in and we can't tell them to come in and we tried to find some safety issues and all the neighbors were against it, and all for the same reasons because the property values would go down and there would be crime and all kinds of stuff. And I sided with the neighbors and you helped them fight it. And, you know, in the end, that passed anyway.

But what happened was because we fought it, and all the meetings we had with the developers we did a lot of good things out of it. So had we not done that, I think my fears would have been founded in

that I didn't want a school on Shea when people are driving 70 miles per hour. But because of the resident support, and working with the developer, we got a long street added -- cut into it, deceleration lane. We got a little porch off so they couldn't drive into the neighborhoods. We got two lanes turning out to get the traffic out of there as fast as possible. A bunch of things that we got although I didn't want the project, in the end working with the developer we got a much better project out of it.

I was kind of sad to hear that the residents here didn't really want to work with the developer as much as they could have. I think you probably have gotten a lot more concession out of this, had you done so. You did get a lot of concession as it is with the 18-foot and the 50-foot setback.

The thing about this staff that whoever made this error of not including it in the proper designation in the first place, kind of helped the residents because now you had something to fight, because it has to be a major plan amendment. There it was and now you have that to work with.

I should probably, you know, do due diligence, whatever, say that I was a builder in the '90s and I bought a property in Montana Ranch and I thought this will be a good investment because I can get this cheap because nobody wants it up to the power lines. The power lines were a bigger deal than I thought they were. In fact, this property backs up to that easement and if you go back in the yard, you can hear the power lines crackling and there's just nothing you can do about that. You can't stop that. So I sold that house at a loss. I didn't make money on it. It hurt me.

So now that we're talking about -- and by the way, I mean that never came up as far as -- I'm three houses away from these properties that are being affected. That never came up as far as well, what's going to be built there? We never got that far. It was just power lines, good-bye, turn around and take off.

So when I first heard about this coming up, that was my first response, was you have the power lines, no amount of building is going to change that fact. You won't get rid of it. And now we listen more to this, and I think about this project, you know, the concept of what it's going to look like, the height and stuff. I feel that had I built that house today, and I was trying to sell it today, it would still be the power lines. I don't think anybody would say, well, what's that building over there. I won't move in here because of that building over there. I don't think that would enter into it.

Now to one gentleman's point who is selling now, that the thought of the stigma of a storage unit, people say, what storage unit? Oh, I don't want that either. When it's done and built, I don't think they would say that but because nothing is there now, you have this visual in your mind of some ugly steel building with Barbed wire around it or something. So you would have to get past that as far as -- unless and until that thing is built. I think once this is built, it will be a nonissue. I just -- I'm sorry, I believe that.

You know, the traffic, everything else, I mean what you are allowed now, like basis school, great hearts can say, hey, basis school is up the street. We can put a school here and nobody can stop us. And God, you do not want a school there! You know, the day care center, that doesn't sound like a very

good thing. Office building, you know, what people want to work at night in their offices with their lights on, and you will be calling us and saying, you know, this guy is up at 12:00 at night and he won't turn his office light off. And you don't want that either. And plus the height will be higher.

I have had in the past where I had to vote for projects that I didn't like, and it usually was because I was afraid of what could go there. And I think this is a good example of that. I think sooner or later, something is going to be built here and God only knows why, because it's under the power lines and I wouldn't build under the power lines. Thank you for taking that initiative. I hope it works for you.

I think maybe storage units are the only thing because nobody is living there. Nobody is buying property there, they won't lose any type of investment. There's not a lot of stuff you could build there.

Did I drive through there. I did drive through the cul-de-sac and there's dirt, mounds of dirt and people are using it as a dumping station right now and so that ain't pretty.

So I think at the end of the day, you know -- and this was -- when this was zoned to office commercial in the past -- I mean, service residential in the past, the guy who was going to build that office building, that we would be getting calls and complaints about today, never built it.

Will Mr. Bell build this storage unit? I guess we can hope so because it's better to have something built there than to have the uncertainty when you are trying to sell your house, saying we don't know what can go there because the council can approve anything. So maybe it's just better to have something and have this thing done with. So if you are going to build, I hope you do.

Oh, one other point too and I have seen this happen too. And I never brought this up, and maybe I shouldn't, but, you know, another way around this is the applicant could have come to us with a text amendment to include storage units in residential service -- or service residential areas. That happens all the time too. To people can get -- I think it happens mostly in automotive. So he could have done that and went that route and then we wouldn't be here tonight either. He just would have got it anyway and had they zoned in the proper way, we wouldn't be here.

Since we are here, and since, you know -- of the uses that could go there, and although I would -- I would love to not vote for it, just because the residents don't want it but I think in the end, you are going to get something worse. So I'm going to have to go for this. Thank you.

[Time: 02:53:50]

Mayor Lane: Thank you, Councilman. You know, there's a couple of things that have occurred in the process of the use of this land, through the general plan and the general plan, as everyone probably does know sitting in this room is part of a state statute, growing smarter and the general plan requires that we have an ability to not only assess the use of the land and frankly designate it, but we also have an absolute obligation under the law, to consider a property owner's right to use his land as his or her land, as conditions or other things change. We wouldn't be here at all and I think it's well

accepted fact that this is a mistake in the general plan to begin with. So that's one thing that sits with the city, as our responsibility as far as that is concerned.

But it really doesn't change much of the other facts with regard to the underlying zoning. The underlying zoning does allow for certain things to occur on that property. And from the standpoint of the location and the immediately affected households, I would have to say as was outlined before, it's an awful lot of consideration for the fact that it is in close proximity to high tension lines, as well as proximity to the traffic on Shea and those are things that can't hardly be overcome.

I don't know what everybody's decision -- what decisions they make when they select a piece of property, but I do know they are major factors. Certainly they were for me when I built my home.

But in any case, I think there's a real situation here when we think about -- we all are moved and want to be aware of the perceived consequences on vacant property and vacant land, which in this case somebody moved next to as well. Everybody is concerned about how that may get developed.

In this case, you know, we look at traffic. We look at the design. We look at the height restriction, self-imposed. We think about the application and just the amount of activity. The fact that -- and I think this is a point that was made earlier on, this actually ends up -- and can be, particularly the vegetation, it's also indicated that's going to be stipulated on that property. It becomes a buffer of sorts from vacant land number one and maybe land that's not maintained right now and it becomes a dumping ground. I have not really heard nor do I know from our own police department that we have a problem with crime perpetuated by storage units but I do know vacant land and under high tension lines where it frequently can be a gathering place as well, that it can become a problem that way too.

The most obvious thing is what high tension lines do to property values when you buy it. If you didn't consider that on the front end, it's probably something you should have.

But in any case, in this case, I think voting against this would be absolutely to the detriment of what will eventually come and there will be something that will eventually come. And there -- there will be little to be able to now have something 40 feet versus 80 to 125 feet of setback and set back of 100 feet from Shea boulevard, all of the -- all the consequences of setbacks that have been either accepted or amended to be increased by the owner of this property.

So with all of that, I'm hoping that -- that a positive vote for this will allow this to be built and to be seen in the long run as something that I think is going to be positive. If nothing happens to the property, I'm not even sure that's a good result for the neighbors, particularly for the entire development.

So in any case, the motion is on the table, and has been seconded. Unless there's any further comments by the councilmembers, I think we are then ready to vote. And I would ask all of those who are in favor to indicate by aye and those opposed with a nay. The motion passes 6-1 with councilwoman Littlefield opposing.

I thank everyone for the time and cooperation.

Oh, I'm sorry, yes, that was the first of two. And second item is to adopt ordinance number 4324, approving a zoning district map amendment from service residential.

Councilman Smith: I so move.

Councilwoman Klapp: Second.

Mayor Lane: The motion has been made by councilman Smith and seconded by Councilwoman Klapp. All of those in favor, please indicate with an aye and those opposed with a nay. That motion passes 6-1 with councilwoman Littlefield opposing.

Again, thanks, everyone, for -- thank you very much for your input and I appreciate your cooperation this evening.

[Off microphone comments]

ADJOURNMENT

[Time: 02:59:30]

Mayor Lane: So that being the last item that we have on our regular agenda, there's no further public comment items or mayor and council items. With that, my thanks to staff for the presentations and the work on this as well, and I will ask for a motion to adjourn.

Vice Mayor Korte: Move to adjourn.

Councilwoman Klapp: Second.

Mayor Lane: All those in favor, aye. We are adjourned.