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#### **CALL TO ORDER**

[Time: 00:00:03]

Mayor Lane: Good afternoon, everyone. I would like to welcome you here for our July 5<sup>th</sup>, 2017 Regular Meeting. And it is approximately 5... Are we that late? 5:15. Pardon us for that. We ran over a little bit on the Executive Session. But thank you for being here with us.

#### **ROLL CALL**

[Time: 00:00:29]

Mayor Lane: We will start this meeting with a Roll Call, please.

City Clerk Carolyn Jagger: Mayor Jim Lane.

Mayor Lane: Present.

Carolyn Jagger: Vice Mayor Suzanne Klapp.

Vice Mayor Klapp: Here.

Carolyn Jagger: Councilmembers Virginia Korte.

Carolyn Jagger: Virginia Korte.

Councilmember Korte: Here.

Carolyn Jagger: Kathy Littlefield.

Councilwoman Littlefield: Here.

Carolyn Jagger: Linda Milhaven.

Councilwoman Milhaven: Here.

Carolyn Jagger: Guy Phillips.

Councilman Phillips: Here.

Carolyn Jagger: David Smith.

Councilman Smith: Present.

Carolyn Jagger: City Manager Jim Thompson.

Jim Thompson: Here.

Carolyn Jagger: City Attorney Bruce Washburn.

Bruce Washburn: Here.

Carolyn Jagger: City Treasurer Jeff Nichols.

Jeff Nichols: Here.

Carolyn Jagger: City Auditor Sharron Walker.

Sharron Walker: Here.

Carolyn Jagger: And the Clerk is present.

[Time: 00:00:51]

Mayor Lane: Thank you very much. A couple of items of business. We would like to let you know that we have cards for speaking on any, for Public Comment or for any of the agenda items. They are

the white cards that the clerk is holding up over her head. And if you would like to make any written comments, the yellow cards that she has over her head. That's on the agenda items. We have Scottsdale police officers, actually, two new police officers, or maybe not new, but sorry, new to our meetings here and we have officers Eric Bolles and Zachary Jaspersen, both here? Yes, right out here, on the, up on the upper level there. So they are here if you have any need for their assistance. The areas behind the Council are reserved for Council and for the staff, but we do have facilities that are located here over to my left under that Exit sign if you have need. If you have any difficulty hearing our proceedings, there are hearing assist headsets over here at the Clerk's desk. You can ask a member of our staff over there and you will receive one.

**PLEDGE OF ALLEGIANCE**

[Time: 00:02:02]

Mayor Lane: This evening, we have the Daughters of American Revolution, the Grand Canyon Chapter. They will be providing us with a Pledge of Allegiance here tonight. So if you could, ladies, please come forward and if you are able, please stand.

Daughters of the American Revolution: 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.

Mayor Lane: Thank you, ladies.

Daughters of the American Revolution: I would like to introduce to you, our newly elected vice general, vice president general of D.A.R. It's a big thing. So an applause would be really appreciated. Because she's great. Now she will have one minute to talk about D.A.R.

Vice President General: The Daughters of American Revolution was established in 1890 by four women, two from the south, two from the north, two that were married and two that were single. We are a nonprofit service organization. We have several committees that you can take part in, veterans, children, essays and I could go on and on, but I won't. Thank you, Mayor Lane.

Mayor Lane: Thank you very much, ladies.

**INVOCATION**

[Time: 00:03:37]

Mayor Lane: For invocation, Rabbi Kravitz is here for us. Rabbi, if you would please. He's our Scottsdale Police Department Chaplain.

Rabbi Kravitz: Good afternoon. In a world torn asunder by religious conflicts and ethnic strife, on a planet ripped apart by hatred and bigotry, and one-upmanship, give us hope. In sessions of

governance that introduce rancor, provide calm. As organizations spout antagonisms and fear, grant peace. When agendas far and near teach bigotry and exclude significant segments of human kind, show compassion. During gatherings purportedly of and for the common wheel, in programs created for all with all projects developed to assist even the least abled among us, dear God help us. No matter the name or title upon which we call upon you, despite the way in which we engage you in whatever spirit we find you, help us to no longer pursue division and contrariness. Help us to stop separating people by perceptions and labels. Help us to put a halt to discord as we join to become one community, open to all, in harmony. May the freedoms and the ideals of the constitution and the declaration of independence of the United States of America which we just celebrated yesterday, stand tall, high above the partisan bickering, negative stereotyping and name calling. Oh, God of us all, make the welcome symbol of America, identifiable for all to see with her beacon of freedom held high, always acclaim, give me your tired, your poor, your huddled masses, yearning to breathe free. Guide us to motivate and open and free society that stands as concord to the deliberative bodies appointed and elected. Dear God of us all, may those who are called to be our leaders be courageous, uplifted, compassionate and encouraging.

Teach us and them, oh, God of us all to learn respect, not mere tolerance, especially when views may differ so that reasoned discussions will be made to be inclusive and supportive of all, whatever their background. And God of us all, guide those who participate in the critical activities, the deliberations, meetings and efforts that flow from this Council. Motivate them to prayerfully consider equality, and justice for all, with deprecation for none, and acknowledge that in the real world being open for business is good business. When offered opportunities in our family lives and in our business lives, we must work diligently towards success. When shown the way from discrimination, help us, o God of us all to take the enlightened welcoming path of inclusion. Guide us by your light, o God of us all, and by the light of our welcoming American Statue of Liberty. May that light glow and burn brightly as we do rightly. Wrapped now in our personal thoughts, and guided by our internal appreciation of what is ethical and right we conclude with thanks, amen.

#### **PUBLIC COMMENT**

[Time: 00:07:24]

Mayor Lane: Thank you, Rabbi. Next order of business is Public Comment. And this Public Comment is reserved for non-agendized items. No action will be taken and they are limited to the jurisdiction within the City Council. The speakers are limited to three minutes each with a maximum of five speakers. There will be another opportunity at the end of the meeting. We have one request to speak at this time, and it actually is not for Public Comment. It's for an item. So we have no Public Comment, at least not that I know of right now.

#### **MINUTES**

[Time: 00:07:58]

Mayor Lane: So next order of business right now is our approval of the minutes and I request to

approve or if there are any comments, adds, deletes or otherwise for those minutes but otherwise a request to approve the Regular Meeting minutes of June 13<sup>th</sup>, 2017, and Special Meeting minutes of June 13<sup>th</sup>, 2017. Do I have a motion?

Councilmember Phillips: So moved.

Councilmember Littlefield: Second.

Mayor Lane: The motion has been made by Councilman Phillips and seconded by Councilwoman Littlefield. We are ready to vote for those minutes. All of those in favor, please indicate by aye and register your vote. It's unanimous. The minutes have been approved.

### **CONSENT AGENDA**

[Time: 00:08:40]

Mayor Lane: Let's move on to our consent items 1 through 7.

At this time, I have no cards of any comments with regard to the agenda of the consent items, and Councilman Korte whether it's a comment or a motion.

Councilmember Korte: It's a motion, Mayor. I move to approve Consent Agenda items 1 through 7.

Vice Mayor Klapp: Second.

Mayor Lane: The motion was made by Councilmember Korte and seconded by Vice Mayor Klapp. And we are then ready to vote on those consent items as is indicated. All of those in favor, indicate by aye opposed with a nay. It's unanimous then. The tally is 7-0 for the approval.

### **REGULAR AGENDA**

Mayor Lane: Consent items 1 through 7 moving on to the Regular Agenda items 8 through 10.

### **ITEM 8 - ASSOCIATE CITY JUDGE REAPPOINTMENT**

Mayor Lane: Our first Item 8 is Associate City Judge reappointment. A request to discuss, consider and act on the possible reappointment including terms of employment of James Blake, Associate City Judge, to a term of four years, as set forth in city code to begin on September 8<sup>th</sup>, 2017. We have Ms. Brown here, the Human Resources Director, here for this issue.

Human Resources Director Donna Brown: Thank you.

Mayor Lane: Ms. Brown.

[Time: 00:10:08]

Donna Brown: Good evening Mayor Lane and members of Council. On this evening's agenda, you will consider Judge James Blake's judicial reappointment as Associate City Judge for a four-year term to begin on September 8, 2017. As indicated in the Council action report, the Judicial Appointments Advisory Board, known as the JAAB unanimously supports of reappointment of James Blake. You will hear from Judge Bruce Cohen, the chair of the board, for the recommendation. But first, I would like to share some information about the JAAB.

The JAAB makes advisory recommendations to the City Council regarding the appointment and reappoint of full-time city judges using merit-based criteria to recommend the best persons to become city judges and to make recommendations to Council about retaining city judges. This seven-member board consists of two active judges, a representative from the State Bar of Arizona, a representative from the Scottsdale Bar Association, and three citizen appointed by City Council. The current JAAB members who made this recommendation include: Judge Bruce Cohen, presiding judge of the Arizona Superior Court appointee; Judge Bradley Astrowsky, chief justice of Arizona Superior Court appointee; Donald Alvarez, the state bar of Arizona representative; and James Padish and citizen member Sandra Schenkat, Stanley Morganstern and Brian Adamovich.

On June 8<sup>th</sup>, 2017, the seven JAAB members participated in the public hearing and meeting held to consider Judge Blake's reappointment. This distinguished board completed a comprehensive reappointment process and provided the recommendation for reappointment. On behalf of the Human Resources department, I would like to acknowledge the JAAB members' dedication and diligent effort. Before bringing Judge Cohen to the podium, it's my understanding that Judge Blake is present tonight should Council have any questions or wish to otherwise address him. It's now my pleasure to introduce the Judicial Appointments Advisory Board chair, Judge Bruce Cohen.

[Time: 00:12:31]

Judicial Appointments Advisory Board Chair Judge Bruce Cohen: Mayor Lane, members of the Council, thank you for the opportunity to appear. We undertook the quadrennial review of Judge Blake's reappointment. It was a very comprehensive process, as it always is, and I will tell you that it was maybe the least challenging of the reviews that we have conducted and I have been on JAAB for quite a few years now. There was widespread and near unanimous support for the reappointment of Judge Blake from members of the community, including most notably from members of the bar. Also the support from his colleagues is unquestionably strong. Judge Blake is not only an exceptional jurist. He's also a noted scholar. And serves the city of Scottsdale by being the go-to person about complex legal issues or matters before the court.

He also represents the city well as he serves the interests of the Arizona judiciary as a whole, often being a speaker before many conferences, including the most recent judicial conference that was held two weeks ago in Scottsdale. I will tell you that the common expression about Judge Blake is dedicated, fair, open minded, and treats people the same, no matter who appears in front of him. And we had no difficulty in reaching a unanimous recommendation in support of the reappointment of

Judge Blake. And it's a little embarrassing to say all of these things in front of him, but there you have it. I would hope one day someone would stand and say similar things about me. I doubt it, but I would hope. If there are any questions, if not, thank you for your time.

Mayor Lane: We appreciate the work that the JAAB puts into this evaluation. And it's very helpful and useful to the Council, thank you very much and all the members of the board. I see no, I do now.

Judge Cohen: I do want to mention that two of our members took the time to actually go and sit in Judge Blake's courtroom one day to be able to put a visual on the things they were hearing and I commend them, Ms. Schenkat being one for taking the time to have that additional observation. I just wanted to recognize that.

Mayor Lane: Thank you, Judge. Do we have a question or a motion? Just a motion. Thank you again. And Councilwoman Milhaven.

[Time: 00:15:10]

Councilmember Milhaven: Thank you, Mayor. I would like to thank Judge Cohen, and the other members of the JAAB, especially Ms. Schenkat for her additional investment. I know it's quite a lot of work on JAAB and I want to thank you for your service, and thank Judge Blake for your service and doing Scottsdale so proud. So I would like to make a motion that we accept JAAB's recommendation to retain the presiding and associate, oh. I got the wrong item. Sorry. No, that's the right item, right? Eight?

Mayor Lane: Yeah.

Councilwoman Milhaven: To accept JAAB's recommendation to reappoint.

Mayor Lane: James Blake.

Councilmember Milhaven: James Blake to a term of four years as set forth in the city ordinance and to begin September 8<sup>th</sup>, 2017. Sorry. I got there eventually.

Vice Mayor Klapp: Second.

Mayor Lane: That motion was made by Councilwoman Milhaven and seconded by Vice Mayor Klapp. All those in favor, please vote aye. Opposed nay. It's a unanimous reappointment of Judge Blake. Judge, thank you very much for your service and it's good to have you back. Okay.

**ITEM 9 - CLAYTON ENCORE CONDITIONAL USE PERMIT (5-UP-2017)**

[Time: 00:16:37]

Mayor Lane: On to our next item, and this is Item 9, and it's the Clayton Encore conditional use

permit. 5-UP-2017. And this is to find that the conditional use permit criteria have been met and adopt Resolution 10833, approving the conditional use permit for live entertainment for 1.26-acre, site with highway commercial downtown overlay zoning. And we have Dan Symer, who is at the podium to give us a staff presentation on it. Dan, welcome.

[Time: 00:17:03]

Senior Planner Dan Symer: Thank you. Mayor and members of Council, Dan Symer. The case before you is Clayton Encore, 5-UP-2017. It's a request for a conditional use permit of live entertainment. The location is on the southeast corner of 75<sup>th</sup> street and 2<sup>nd</sup>, formerly known as the city warehouse building. A little bit zooms out, mainly commercial and city facilities in the area. We do have multifamily to the southwest, and single family further to the southwest also, I'm sorry, the southeast.

We have had a number of comments throughout the process, and to address those concerns, staff has incorporated a number of stipulations which are on the screen before you and the applicant has agreed primarily that there's no external live entertainment. There had been no external live entertainment in the future. There was confusion with the public, whether this was a bar use. No bar use is proposed. A liquor license is allowed, but it's not a bar. No external speakers for live entertainment. All external doors and windows will be closed to maintain the sound inside the building. As you may be aware, the building is being reconstructed to address this operation. In addition, there were concerns about the time of activity.

The applicant has agreed to mainly keep those during the week to end at 11 p.m. and 2 a.m. on Saturdays and Sundays. Now, this is not a facility that normally operates as a live entertainment venue. It's an event venue for conferences and facilities and other type of operations that the applicant will get into. But they are requesting the live entertainment for those operations that may request a live band for a wedding, reception, or other similar. To address the concern about noise, the applicant has agreed to, the noise ordinance stipulation within 150 feet of the property, which is outlined by the red line. This property is in downtown, and those properties typically are not subject to noise ordinance so he has agreed to an additional stipulation that he would apply by those. And the applicant is here for their presentation if you have any questions at this time, I will be happy to take them.

Mayor Lane: Well, thank you very much, Dan. I appreciate that. And if the applicant would like to speak towards the subject, you are certainly welcome to. Oh, it's entirely up to you. If you want, I may have some questions of staff.

Applicant Tom Frankel: Tom Frankel, 6716 East Montecito, Scottsdale. We had a little opposition at planning and since that time, and the major source I've come to terms with I believe, she isn't here today. I don't want to speak for her with what we came up with. I guess I will give a brief presentation and if you have further questions, maybe just direct them to me. We have a family real estate business in Scottsdale for the last 31 years. We also, in addition own Clayton on the Park, an event venue next to AZ88 and Civic Center park. We obtained, we were before Council and Planning



Commission for a live entertainment use permit for that in 2007, and the exact same proceeding, which is about seven or eight, almost ten years ago, excuse me. At that time, we did get the live entertainment use permit. Since that time we have done almost 450 events at the Clayton on the Park under the live entertainment use permit, and we haven't had a single complaint for noise or any kind of disturbance in that entire seven to ten-year period. I don't remember the exact.

The new facility we are excited about. It's approximately two to three times as big. I think our bread and butter is a wedding, probably 60 to 70% of our events are weddings. The new facility, we will keep the old facility open, but the new facility will be able to accommodate a much bigger event versus the old one. We went through Planning Commission with a little bit of friction. I think that's been solved. Your packets in front of you have numerous support letters, C.O.G.S. which is here, and supports the project, I was pleased. She also helped, or that group helped me a little bit with the neighbor and overcome her concerns. As far as the general area, we are located across the street from the Police department. So as far as if there is a concern with noise, there are squad cars parked to our south and directly across the street 24 hours a day.

The library, the stadium, the one party that was concerned or that we had some friction with, chose to build in a work/live in that area and she's the only resident in that direct area, but as I said, I worked it out with her. Any of you that have been to events at the Clayton. They are usual upscale events. They draw individuals, generally half of them from out of town. That specific facility that we are opening, there none exist in Scottsdale. The similar, what I would call an urban, contemporary warehouse type of event building, the only ones are available in Phoenix and most of them in the stadium area of Phoenix or where the, not the stadium, the baseball park and I think we'll capture a good chunk of those events to Scottsdale bringing the hotel rooms, the restaurant visits, and it's generally a very upscale desirable use and I guess the history kind of speaks to it, in that we've had no complaints since we have opened in our original facility. And I'll take any questions if you have any.

Mayor Lane: Okay. Thank you. I don't know whether any of these might go to you or not, but if you want to stand by or otherwise. Why don't you go ahead and take a seat for a moment because they may be just to the staff on this, or just some comments on it. I will start with Councilmember Korte.

[Time: 00:24:11]

Councilmember Korte: Thank you. Mr. Symer, could you go back to the stipulations slide? I think it was the second or the third slide in your presentation. There we go. So second bullet point refers to the, number three, the third stipulation in the contract, no bar uses. Now it's not approved. So that means that bar use is approved? I just wanted to clarify that stipulation does not read that way.

Dan Symer: That is correct.

Councilmember Korte: That the conditional use permit is for live entertainment only and a bar use is not approved as part of this request.

Dan Symer: That's correct. Members of Council. There is a lot of confusion about the wording on this one, but a bar is not being approved at this time.

Mayor Lane: Thank you, Councilwoman. Councilman Smith.

[Time: 00:25:13]

Councilman Smith: Well, Councilmember Korte stole my thunder. I was going to point out the double negative and I was going to ask if the bar use was approved or not. While I have the microphone, I will say this is an attractive project which will probably have a tourism impact and benefit for the community and I think that's great. I'm not concerned about the misuse of the facility if there were anything planned in that regards. Surely the applicant would not located across from the police and the fire station. So I think it's a great facility. I'm going to take this opportunity to make a motion that Resolution Number 10833 for conditional use permit for live entertainment on this 1.26-acre site with highway commercial downtown overlay zoning be approved.

Councilmember Korte: Second.

Mayor Lane: The motion has been made and seconded. The motion has been made by Councilman Smith and seconded by Councilwoman Korte. Would the second have any additional comments? All right.

[Time: 00:26:19]

Councilmember Korte: I will echo Councilman Smith's words. I think this is a great project, a great use and I have heard that The W is like the place to have a bachelorette party or a bachelor's party, and this, of course, feeds right into that whole segment of our society. It has a very high growth segment, weddings and weddings out of town and weddings in town and it will add to our tourism. More than, that we add to our city core. Thank you.

Mayor Lane: Thank you, Councilwoman. Councilwoman Littlefield.

[Time: 00:27:03]

Councilmember Littlefield: Thank you, Mayor. I agree with pretty much what everyone has said. I did go through and read all the letters and read the entire thing that we got here, as to what this was. I talked to Mr. Frankel earlier. I have one question for staff. Regarding the 33 parking spaces that are allotted for this building, is that within our code for 1,000 visitor ability, to have 33 parking spaces? It sounds to me like they are planning on using an awful lot of our public parking for this facility, which I understand, but we also use the public parking for other facilities like baseball games and other major events that require a lot of parking. Is this enough? Is this within our city allotment and our city standards? And do you see a problem with the parking?

Dan Symer: Mayor, members of the Council, Councilwoman Littlefield, the parking calculations are

correct. Those are in our code for conference facilities in the downtown. The parking requirements, which we have discussed with Mr. Frankel in depth, and that's why we have a parking master plan in place is to, and stipulated is to ensure that there are minimal impacts in the city's facilities. So he does have off-site parking and agreements. He's working on an agreement with Our Lady Of Perpetual Help to park there. Are we overly concerned about facilities? No.

The most recent parking study in 2009, and even in the most recent one that looked just at the entertainment area, as referred to at that time, at night these facilities are at best 1 to 2% parked. And in this area, there's a thousand spaces. Now, granted the occupancy, as designed is for 1,000 people. The reality of situation is that that's 1,000 people standing next to each other. That's designed for emergency access and fire and bathrooms. We are not concerned. With the parking master plan that we put in place.

Councilmember Littlefield: Okay. Thank you very much. That was the biggest concern I saw in the letters of, from the citizens about what the parking would do with the other areas around the, around that facility. So I'm fine with it. I think it's a great, a great plan. Thank you.

[Time: 00:29:47]

Mayor Lane: Thank you, Councilwoman. We see no further questions on the subject, and we do have the motion and a second but let me just say that kudos to Mr. Frankel for the way he not proceeded with the revitalization of an area and I would have to say, Tom, this is not to take anything away from the facility, as I see it now in place and I did go by to take a look at it as you have suggested and, of course, it's not that very far. It wasn't really, I didn't have to travel miles for it. Nevertheless, it is very nice and it's interesting when we think about revitalization of an area, that was an area for a long standing time that was a little bit of a mar in our area with the buildings that were vacant for some time. And you were working on, that as is your way, your modus operandi. Congratulations on that and I believe we are probably in universal agreement on that. But the motion has been made and seconded. We are ready to vote. All those in favor, indicate with an aye and opposed with a nay. It is as suggested, it is unanimous. 7-0. Thank you very much for the input on that, and for good project.

**ITEM 10 - SIGN ORDINANCE UPDATE – PERMANENT SIGNS TEXT AMENDMENT (1-TA-2017)**

[Time: 00:31:05]

Mayor Lane: Our next item is item 10, which is a sign ordinance update, permanent signs text amendment, 1-TA-2017, and it's to adopt Ordinance 4315, approving a text amendment to city of Scottsdale zoning Ordinance Number 455 to amend Article VIII, sign requirements for the purpose of amending and updating the sign regulations for permanent signs, related provisions requirements and definitions. And adopt Resolution 10834, declaring the document entitled 1-TA-2017 sign ordinance update, permanent signs to be a public record. We have Mr. Andrew Chi here.

[Time: 00:31:46]

Planner Andrew Chi: Thank you. I'm Andrew Chi with the Planning Department and we are here before you today to discuss and possibly consider case 1-TA-2017, the sign ordinance update in regards to permanent signs. A little background on the sign code text amendment, back in February 22<sup>nd</sup>, the Planning Commission initiated the text amendment to start work on the permanent sign code. In April, we had open house meetings where we invited stakeholders and residents to have a discussion. On April 26<sup>th</sup>, we had, the Planning Commission heard the case as a nonaction meeting. And on May 24<sup>th</sup>, this year, the Planning Commission recommended approval with a vote of 6-0.

So why we here and what are the proposed modifications? Well, we are basically here to establish a more user friendly and contemporary sign ordinance. We are also striving to maintain the integrity of the existing ordinance. Some of the modifications I want to brush through for you are, we are proposing to remove sign requirements based on specified uses and we are going to regulate signs based on the zoning district, the street classification, the street frontage and the development size. We are reformatting the ordinance into less text, more tables, more simplistic to read. We are eliminating conflicting requirements and ambiguity in the code and we want to maintain sign aesthetics to keep Scottsdale the way it looks. Other proposed modifications include the total sign area requirements for industrial park zoning districts are more restrictive and we are moving I-1 aligning it with commercial zoning districts, into C1, C, 2 and C3, and C4 and we are eliminating the total sign area requirements where separating free standing signs from the total sign calculation and only counting building signs as part of the total sign budget for an individual business.

[Time: 00:33:56]

Another proposed modification is to help out businesses is we are proposing to allow up to two on-site business or development identification on a monument sign. Those are the small 5-foot tall signs that you see out there. We are proposing, up to four on-site development or business names on a midsized monument and/or tower sign which I will get to that in just a short minute. Also we're moving everything into more equitable requirements for free standing signs in commercial development. So it's to eliminate ambiguity and to remove specified uses and move everything into zoning district requirements.

A couple of examples of what tower signs and midsized monument signs are. To the left of the screen are tower signs. We have up to three business names are allowed, plus the name of the development. We are proposing to allow up to four, including, an owner can either choose to list up to three or four tenants or the name of the center as he or she so chooses. Mid-sized monument signs to the right are shorter than tower signs and they, these types of signs, both of these signs are allowed for large developments that exceed 30,000 square feet of floor area. I want to show you an example of equitable treatment here. We have two commercial centers are both zoned commercial and both have, let's say, 100,000 square feet of total floor area as an example. The left or the pink is a commercial shopping center, with more than one tenant. To the right is a commercial center with just one tenant.

The current code allows a tower sign for the left development, and it can be up to 25 feet tall and list up to three tenants. But the next door neighbor, same size, with only one tenant, can only have a 5-foot tall monument sign. To make everything more equitable, we are eliminating the multi-tenant requirement and base the sign requirements on the size of the development, the length of the street, and the zoning district. Another example of some ambiguous requirements is the current ordinance, classifies these signs as shingle signs but they are mounted in a different manner and so what we are proposing is a more direct reference to what these signs are really made up of or how they are constructed.

So we are proposing to split shingle signs into three sign types, suspended canopies, canopy fascia and shingle signs. The current ordinance also had ground signs and monument signs together. The ground and monument signs have been inconsistently applied over the last couple of decades and we are eliminating ground signs and condensing everything into one sign category, called a monument sign. The current ordinance also has landscape wall signs and landscape wall signs for tenants without street frontage. Very confusing. We are renaming to landscape wall signs and perimeter site wall signs.

[Time: 00:37:20]

Also the current ordinance has residential entry and entryway signs classified into the three examples that you see here. What we are going to propose to do is recategorize them into three distinct categories. The top one is simply landscape wall signs. The middle photo, which you seen two signs flanking a driveway, we will call them entryway wall signs and the bottom one is an entry way monument sign. It's an entry into a development. A couple of, we did a lot of community involvement and extensive outreach over the past couple of months. We had two open house meetings in April, we invited residents and stakeholders. And we reached out to the Arizona Sign Association and the International Sign Association to obtain some comments from them.

We also did three presentations in front of the chamber and three subcommittees. We presented in front of the downtown committee of the Chamber of Commerce, the Economic Development Advisory Council and the Public Policy Advisory Council. During this entire time, we also invited Scottsdale residents to comment on the proposed text amendment. Some of the open house meetings, comments and suggestions that we received in the past couple of months is from the residents and the stakeholders is to increase the number of business identification on a monument sign from 1 to 2, which would be incorporated in the draft ordinance.

Another requirement or the suggestion that we heard is to allow raceways to be screened or concealed by a sign, cabinet or panel and what a raceway is one of the electrical bars in front behind letters which Scottsdale does not allow currently, but we're just updating the code to be a little bit more clear in terms of the language.

Additional open house meetings, comments and suggestions we heard, is a few comments that ask that we start eventually update the city's community sign district or comprehensive sign program requirements. We also heard comments to update the community sign district requirements to

allow the City Council to allow bonuses or sign bonuses beyond what is currently 20% allowed in a community sign district. We have heard comments to provide incentives for an owner to create or produce a master sign program for commercial centers and we have heard multiple comments to update the Scenic Corridor sign requirements.

I just want to emphasize that the goal of this text amendment is to eliminate the inequity of the treatment of certain uses in the sign code and that we will be tackling another phase of text amendments sometime later this year to address the other open house comments that we received. So therefore, the next steps that we are going forward is tonight's meeting with City Council and fall of 2017, we will take the next phase of text amendments and see what we can update in that time. And that concludes my presentation for tonight. I'm happy to answer any questions for the Council.

Mayor Lane: Thank you, Mr. Chi. Comprehensive review of the subject and I appreciate that. We have some Public Comments on this item. So if you want to stand by for us, we'll go ahead and take that right now. And we'll start with Bill Lally.

[Time: 00:41:05]

Bill Lally: Thank you, Mayor and Councilmembers for the record, Bill Lally with Tiffany and Bosco. Here tonight representing DMB Associates in regards to their one Scottsdale project on the intersection of Scottsdale Road and the 101 freeway. We are here tonight to support the text amendment. Andrew and staff have done a great job in a short amount of time of making vast changes to make the code much easier to use. As DMB has proposed, as you know in the north part of your city, a large mixed use master developer, or development. We would encourage staff and hope an outcome of this fall would be an addition to another topic to their latter text amendments which is freeway corridor signage. Most cities in the valley didn't really have a specific freeway corridor signage plan or section in their codes until a freeway came along. And so many of the cities waited until those freeways came along and then they added freeway corridor signage standards to their code. Many have gone through changes over the last 10 or 15 years and what we would encourage and hope this fall is to work with staff on identifying some specific guidelines for the property owners that have freeway frontage in Scottsdale Road, DMB being one of them but obviously state land is a large landowner and a lot of other private land along the freeway frontage. And so we're not here with any specifics tonight, but just would encourage and request that staff, again, work diligently as they did this last go-around and at least look at the opportunity to include some standards for freeway signage. I would be happy to answer any questions.

Mayor Lane: Okay, Mr. Lally, thank you very much for that testimony. Next is Cindy Lee.

[Time: 00:43:12]

Cindy Lee: Mayor Lane, Councilmembers, my name is Cindy Lee. I live at 8508 East Hackamore Drive. I'm the vice president of the board of directors of Greater Pinnacle Peak Association, Friends of the Scenic Drive, an environmental community service nonprofit, and volunteer corps. Speaking on behalf of the GPPA board members, we would like to thank and commend the planning staff for the

excellent work they have done on the permanent signs text amendment. They met with the public and had a tremendous amount of work to accomplish in a short period of time. We feel they did a terrific job of updating, simplifying and clarifying the permanent sign regulations. When the time comes, we at GPPA hope the city will have the opportunity to do the same good work to review and clarify the existing Scenic Corridor sign requirements to make them easier to understand as well. Thank you.

Mayor Lane: Thank you, Ms. Lee. Next is Kimberly Ewers.

[Time: 00:44:38]

Kimberly Ewers: Good evening. My name is Kimberly Ewers. I'm government relation specialist with YESCO. And we're located in Chandler. Right now, we in the signage industry are under a blizzard of these types of hearings, and they are coming in quicker and quicker now, as things roll toward their conclusions with all the staffs who are trying to rewrite their sign codes. I wanted to make sure that I got this particular meeting on my schedule to express my appreciation and admiration for your staff, who have been so excellent in working with all of us and giving us their undivided attention when we have asked for explanations or brought up issues that we believed could be corrected, could be improved within existing sign code moving into the new sign code. And particularly, I think we all know that the big dogs always eat, regardless of what, where everyone else sits within the sign code. The larger companies will always wind up at the top of a very large marquee, and the improvements that have been put into this new sign code actually are designed to help the little guy. And that actually makes me very happy, because we work with them so often and they are so desperate to have just a little bit of street side attention.

But, for example, having the monument signs and the wall signs all included into one amount of signage that you may have, well, if you only have a 20-foot, 25-foot store front under the old code, you may, you would have to rob Peter to pay Paul, and you either got to have a 37 and a half foot wall sign or a 25, or 24-foot monument sign in a tiny little patch on your wall. So these improvements that have been included by Mr. Symer and Andrew Chi have really gone a long way towards helping those smaller businesses get place out where they can shine also and get the customer base they need in order to thrive. So having said that, thank you for allowing me to speak this evening. I very much enjoyed listening to your Council meetings and good luck with the new sign code. I'm looking forward to it.

Mayor Lane: Thank you, Ms. Ewers. I will call on Councilwoman Milhaven.

[Time: 00:47:10]

Councilmember Milhaven: Since we have a speaker commend staff I want to thank staff and jump on the opportunity to adopt Ordinance 4315 approving a text amendment to the city of Scottsdale zoning Ordinance Number 455 to amendment Article VIII and to adopt Resolution 10834 declaring the document entitled 1-TA-2017 sign ordinance update permanent signs to be a public record and have staff review the next phase of the sign ordinance to include review of the scenic corridor and freeway

corridor signage.

Councilmember Korte: Second.

Mayor Lane: Let me just ask, that direction, Mr. Washburn, is that an appropriate add?

City Atty. Washburn: I was just looking at the agenda, and I'm afraid we are not agendized for direction to staff. I'm sure the staff understands the sentiment of Council on this matter.

Councilmember Milhaven: But it was in their PowerPoint.

Mayor Lane: Thank you. Councilwoman Korte, did you want to speak?

Councilmember Korte: Well, it was in their PowerPoint. And I accept the friendly amendment with the understanding that I think moving forward those changes would be good. However, I also would like to just do a shout out to Mr. Symer and Mr. Chi for working so well with all segments of the public, residents and businesses and associations and watchdogs and everyone, included because signage to businesses and to our residents is really, really important. And I think these changes are very positive and I look forward to the next phase.

Mayor Lane: Thank you, Councilwoman. There's no further requests to speak but I want to weigh in. It's not often, when it comes to a topic like signage that we get this type of testimony here today. Mr. Symer, Mr. Chi, nice work all the way around and we look forward to seeing further work there. So with, that I think we are about ready to vote on the motion that's been made. All of those in favor, please indicate by aye. Those opposed with a nay. Register your vote. It's unanimous, 7-0. And I want to thank everyone, and frankly the testimony that was given as well. Thank you very much for being here. So no further, no further. Citizen petitions, no. No, Mayor and Council items.

## **ADJOURNMENT**

[Time: 00:49:58]

Mayor Lane: Seeing none, I see a motion for adjourn.

Councilmember Milhaven: Let's get out of here.

Mayor Lane: I guess that qualifies.

Councilmember Korte: Second.

Mayor Lane: Second. We are adjourned. Thank you very much.