



**SCOTTSDALE PLANNING COMMISSION
KIVA-CITY HALL
3939 DRINKWATER BOULEVARD
SCOTTSDALE, ARIZONA**

WEDNESDAY, APRIL 1, 2009

APPROVED STUDY SESSION MINUTES

PRESENT: David Barnett, Chairman
Eric Hess, Vice Chairman (arrived 4:34 p.m.)
Steven Steinke, Commissioner
Michael D'Andrea, Commissioner
Michael Schmitt, Commissioner (arrived 4:08 p.m.)
Kevin O'Neill, Commissioner
Jeffrey Schwartz, Commissioner (arrived 5:08 p.m.)

STAFF: Connie Padian
David Richert
Joe Padilla
Lusia Galav
Greg Bloemberg

1. CALL TO ORDER

Chairman Barnett called the study session of the Scottsdale Planning Commission to order at 4:04 p.m.

A formal roll call was conducted confirming members present as stated above.

2. ADMINISTRATIVE REPORT

Ms. Galav informed the Commission that verbatim minutes will no longer be available due to economic cutbacks. Summarized minutes will continue to be provided and DVD's of each meeting will be provided to Commissioners.

Recalling an interest by the Commissioners, Ms. Galav explained that the Planning Commission does not have the authority to initiate a trails amendment to the City Code of Ordinances; the Traffic Ordinance, in section 17.62, use of

motorized vehicles on equestrian easements, trails, and Preserve lands, addresses the issue of concern. Information coming out of the City Council study session was not yet available.

In response to a comment by Commissioner D'Andrea, Ms. Galav explained that when changes are made to the agenda, state law requires them to be posted a minimum of 24 hours in advance of the meeting. Commissioners are always provided with the most current agenda on the day of the meeting.

3. REVIEW OF APRIL 1, 2009 AGENDA

EXPEDITED AGENDA

9-UP-2009 McDowell Village Residential Health Care Facility

Commissioner O'Neill inquired about public input. Mr. Bloemberg noted that two neighboring retail tenants expressed concerns which have since been resolved with the Applicant.

In response to questions by Commissioner Schmitt, Mr. Bloemberg explained that there would be a concierge area available within the facility that will provide services as needed to residents. In addition to the currently unused parking spaces to the north of the building, visitor parking will be available in the resident parking area.

REGULAR AGENDA

6-TA-2007, 7-TA-2007, 8-TA-2007 R1-7 Single-Family Residential District

Consider a motion to rescind the Planning Commission vote on case 14-ZN-2008 (Pinnacle Peak Resort (Capella)) request by owner for site plan approval taken on March 25, 2009, and to set the case for a public hearing on April 22, 2009.

In response to a remark by Chairman Barnett, Ms. Galav explained that in order to have been able to reconsider the item, a motion would need to have been made during the same meeting. If rescinded, the item would be rescheduled to the April 22nd meeting for reconsideration.

4. REVIEW OF APRIL 22, 2009 AGENDA

Ms. Galav noted that 13-TA-2008, the PRC Zoning Ordinance text amendment, had been withdrawn.

The expedited agenda consisted of the Pinnacle Peak Internalized Community Storage.

The regular agenda is expected to be lengthy, consisting of the character plan amendment to the Downtown Plan, the Planned Unit Development, the Terra Verde sign amendment, and the two Palmaria cases.

Ms. Galav noted that no additional information had been submitted on the Palmariaie cases. Staff will be prepared with a presentation regardless of whether or not the Applicant is present.

Chairman Barnett felt that 14-TA-2008, Terra Verde sign amendment, could be put on the expedited agenda.

5. 14-TA-2008, Terra Verde Sign Amendment

Mr. Hadder provided an overview of the project request. The C-O district is a higher level of transition between commercial, downtown, or industrial and multi-family areas. Building heights are similar to commercial districts and the floor area ratio is less than most commercial districts and comparable to I-1 and the Airpark. C-O is a single-use district, virtually limited to office uses. Historically from the perspective of the sign ordinance, C-O has been included with the R-1 districts and not treated comparably with the other commercial districts. The proposal would bring C-O more in line with commercial districts and the I-1 district.

Ms. Tessier reviewed standards and components as well as examples of the C-O sites and how the standards are applied. The purpose of the master sign program is to design compatibility for all signs and to integrate signs with architectural features.

Mr. Brandon Frazee explained the ratios of sign area to building area. The application was amended to apply only to buildings of 50,000 square feet or greater and there is a total sign area of 250 square feet.

A discussion ensued regarding concerns the Commission had regarding the signage allowance for each tenant in instances of multi-use. Mr. Hadder explained that the C-O district is concerned with larger buildings and that the amount of allowable signage will ultimately be at the discretion of the Development Review Board on a case by case basis. Chairman Barnett indicated that he would like to see the item remain on the regular agenda for further discussion on April 22.

Mr. Richert suggested the Planning Commission place a threshold specifying square footage and the number of tenant signs that would constitute possible clutter that would require review, particularly along the freeway frontage.

Mr. Hadder confirmed that staff would do a threshold analysis and adjust the language prior to the April 22nd meeting.

6. R1-7 Phased Project Status

It was the consensus of the Commission to forego the presentation until the regular agenda item.

7. Expiration dates for case and building plan review approvals

Ms. Galav recalled that the Commission had previously expressed interest in obtaining information on timing of plan review approvals. There are no time limits on rezoning or conditional use permits; once the action is taken it runs with the land. Abandonments run with the land except in cases where stipulations are attached, in which case the stipulations would need to be satisfied before the abandonment can be recorded. Development Review Board approvals have a one-year expiration with a one-year administrative extension. The DRB has been adding stipulations allowing additional time to cases that they feel may require it to complete the process.

If the Planning Commission so desired they would have the ability to initiate an amendment to the Zoning Ordinance, preferably allowing a two-year time limitation in addition to the one-year administrative extension.

Vice-Chairman Hess noted support for a text amendment that would give an extension. Particularly in the current economic environment people will be facing delays and financial issues; placing an additional financial burden by requiring resubmittal would be unreasonable and not productive for the city.

Commissioner D'Andrea felt that the current timeline was appropriate because it forces developers to make decisions about moving forward on their projects. He felt that with the current economy further extension could present drawbacks for the city because projects could potentially become an eyesore for the community or become incompatible with the area context.

Ms. Galav suggested another option would be to maintain the one-year expiration and give the zoning administrator the discretion of allowing up to two extensions.

Chairman Barnett noted that when he requested the discussion he was looking for a way to assist developers with projects that are stalled. Allowing projects to return to the DRB on the expedited agenda for reapproval is reasonable. His intention was to find a temporary solution that would be in place for the next 24 months and then return to the current process; amending the Zoning Ordinance would be a permanent solution for a temporary problem.

In response to a question by Commissioner O'Neill, Ms. Galav explained that determination of whether or not a DRB approval is vested for the life of the project is done on a case by case basis.

Commissioner O'Neill suggested that after the one-year administrative extension, the case could be brought to the Development Review Board for an additional extension approval. Ms. Galav explained that the reapproval process is for the most part a request for extension; in most cases the original application is brought to the DRB and the project is approved with a one-year time frame and the option of an additional one-year administrative extension.

Commissioner Steinke opined that building in a seemingly automatic three-year time frame would not be beneficial. Requiring the applicant to return to the

Development Review Board for an extension is the preferable option. His second preference would be providing an opportunity for a second administrative review.

Commissioner Schmitt agreed that the most sensible option would be to continue with the current process of requiring a reapplication to the Development Review Board. He would not be supportive of a text amendment.

Commissioner O'Neill surveyed staff for their opinion. Ms. Galav felt that the current program was appropriate. She was concerned with adding an automatic third year because of changes in the Ordinance that occur that would not be available for application on a project that was vested.

It was the consensus of the Commission to leave the current process in place.

8. ADJOURNMENT

With no further business to discuss, the regular session of the Planning Commission adjourned at 5:11 p.m.

Respectfully submitted,
A/V Tronics, Inc. DBA AVTranz