APPROVED

MINUTES

SCOTTSDALE CITY COUNCIL

CITY COUNCIL MEETING

Tuesday, December 9, 2003

The Kiva
City Hall
Scottsdale, Arizona

Call to Order

Mayor Manross called to order the Regular Meeting of the Scottsdale City Council on Tuesday, December 9, 2003 in the Kiva, City Hall, at 5:04 P.M.

Roll Call

Present:	Mayor Mary Manross Vice Mayor Wayne Ecton Council Members David Ortega, Tom Silverman, Robert Littlefield, Ned O'Hearn, and Roberta Pilcher
Also Present:	City Manager Jan Dolan City Attorney Brad Woodford City Clerk Carolyn Jagger

Presentations/Information Updates

Parada del Sol Poster Art Presentation – Dan Flores, Parada Boss for 2004, unveiled the poster, 'Reverence' by J.W. Brooks, as a kick-off for the February 6 through 8 Parada Rodeo Festival and the Parada del Sol Parade to be held on January 31, 2004.

Presentation of Sevey Award for the S.M.I.L.E. Program – The Webber Sevey Award, sponsored by International Association of Chiefs of Police, International Society of Crime Prevention Practitioners, and Motorola, was presented to Scottsdale Police Department's S.M.I.L.E. Program for its uniqueness and ability to communicate safety messages to children. In addition, Officer Mark Ruffennach received the 'George B. Sonderland' Award for Crime Prevention Practitioner of the Year, from Sandy Wagner, Sr. Account Director from Motorola.

Mayor Manross thanked interim City Attorney Brad Woodford for handling the legal department over the past few months during the period of transition. Joe Bertoldo, newly appointed City Attorney, will begin on January 4, 2004.

Public Comment

Tim Montgomery, 34894 N. 92nd Place, discussed scenic corridors and tourism in Scottsdale as they relate to the desert preserve initiative.

Robert Berg, 7353 Via Paseo del Sur, Suite 470, said he was in favor of public-private partnerships. However, he felt if Scottsdale was to enter into a partnership with one health care facility, they should also partner with the other. Mayor Manross said that was the city's intent.

Minutes

SPECIAL MEETINGS	REGULAR MEETINGS	EXECUTIVE SESSIONS
November 10, 2003	November 4, 2003	October 27, 2003
November 17, 2003		November 10, 2003

COUNCILMAN SILVERMAN MOVED FOR APPROVAL OF THE NOVEMBER 10 AND 17, 2003 SPECIAL MEETING MINUTES, THE NOVEMBER 4, 2003 REGULAR MEETING MINUTES, AND THE OCTOBER 27 AND NOVEMBER 10, 2003 EXECUTIVE SESSION MINUTES. COUNCILMAN ORTEGA SECONDED THE MOTION, WHICH CARRIED 7-0.

Consent Agenda items 1 - 20

Item 10 was pulled from the Consent Agenda and will be continued to January 20, 2004.

Item 14 was pulled from the Consent Agenda for separate discussion.

1. **Old Town Border Liquor License**
   Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a person and location transfer of a series 7 (beer and wine bar) State liquor license for a new beer/wine bar location.
   Location: 3815 N. Brown Av.
   Reference: 39-LL-2003
   Staff Contact(s): Robert Bushfield, Development Review and Permit Services Director, 480-312-7096, rbushfield@ScottsdaleAZ.Gov; Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov

Responding to Vice Mayor Ecton, Mr. Gawf said staff was working on new criteria for liquor licenses and would have a draft to Council by the end of January.

2. **Drinx Restaurant Liquor License**
   Request: Consider forwarding an approval recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) State liquor license for a new restaurant location.
   Location: 7330 E. Stetson Dr.
   Reference: 52-LL-2003
   Staff Contact(s): Robert Bushfield, Development Review and Permit Services Director, 480-312-7096, rbushfield@ScottsdaleAZ.Gov; Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov

Vice Mayor Ecton commented he was pleased to see this type of application by responsible citizens.

3. **The Golf Club Scottsdale Liquor License**
Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 14 (private club) State liquor license for a new location.
Location: 26601 N. 122nd St.
Reference: 84-LL-2003
Staff Contact(s): Robert Bushfield, Development Review and Permit Services Director, 480-312-7096, rbushfield@ScottsdaleAZ.Gov; Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov

4. **Rancho Pinot Liquor License**
Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) State liquor license for a location currently operating with a series 07 (beer/wine bar) license.
Location: 6208 N. Scottsdale Rd.
Reference: 85-LL-2003
Staff Contact(s): Robert Bushfield, Development Review and Permit Services Director, 480-312-7096, rbushfield@ScottsdaleAZ.Gov; Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov

5. **MSC Inc. Liquor License**
Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 04 (wholesaler) State liquor license for a new location.
Location: 4381 N. 75th St. #201
Reference: 86-LL-2003
Staff Contact(s): Robert Bushfield, Development Review and Permit Services Director, 480-312-7096, rbushfield@ScottsdaleAZ.Gov; Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov

6. **Oreganos Pizza Bistro Liquor License**
Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) State liquor license for an existing location, which previously operated with a series 12 license under the business name Chuck Box.
Location: 7215 E. Shea Blvd.
Reference: 87-LL-2003
Staff Contact(s): Robert Bushfield, Development Review and Permit Services Director, 480-312-7096, rbushfield@ScottsdaleAZ.Gov; Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov

7. **Lone Mountain Part 2 Desert Mountain Parcel 7D-N Replat**
Request: Approve replat for the addition of two residential lots with amended development standards (4.40 acres), and Tract "B" (7.30 acres) to a 64.45-acre parcel.
Location: Desert Mtn. Parcel 70, N. Larry Hughes Dr.
Reference: 25-PP-1997#2
Staff Contact(s): Greg Williams, Senior Planner, 480-312-4205, gwilliams@ScottsdaleAZ.gov;
Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@ScottsdaleAZ.gov

8. **Desert Mountain, Unit 41 Subdivision (The Saguaro Forest at Desert Mountain—Part Eleven) Replat**
Request: Approve replat for the revision to tract boundaries, lot numbering system for 45 lots, and 14 lots with amended development standards on a 216.55-acre parcel with 241.85 acres of Conservation Open Space Area.
Location: 42800 N. Desert Mountain Pkwy.
Reference: 1-PP-2001#2
Staff Contact(s): Greg Williams, Senior Planner, 480-312-4205, gwilliams@ScottsdaleAZ.gov;
Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@ScottsdaleAZ.gov

9. **Boulder Mountain Final Plat**
Request: Approve Final Plat for 18 single-family residential lots on a 40-acre parcel.
Location: 118th Street & Happy Valley Road
Reference: 24-PP-2002
Staff Contact(s): Tim Curtis, Project Coordination Manager, 480-312-4210, tcurtis@ScottsdaleAZ.gov;
Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@ScottsdaleAZ.gov

Responding to Vice Mayor Ecton, Mr. Grant said staff made extra attempts to notify the school regarding the final plat. He noted that comments were received at the preliminary plat hearing. Vice Mayor Ecton suggested that this type of information be made part of the comments in the Council Action Report.

10. **Scottsdale Mountain Parcel A Final Plat**
Request: Approve a Final Plat for a 13 lot single-family subdivision on a parcel of approximately 26 acres.
Location: west of 144th St., north of Via Linda, near Eagle Ridge Drive
Reference: 1-PP-2003
Staff Contact(s): Al Ward, Senior Planner, 480-312-7067, award@ScottsdaleAZ.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@ScottsdaleAZ.gov

COUNCILMAN ORTEGA MOVED FOR *CONTINUANCE* OF ITEM 10 UNTIL JANUARY 20, 2004. COUNCILWOMAN PILCHER SECONDED THE MOTION, WHICH CARRIED 7-0.

11. Main Street Abandonment Extension – Hotel Valley Ho Site

Request: Grant a one-year extension of the approval of Case 7-AB-2002.
Location: 6850 E. Main St.
Reference: 7-AB-2002
Staff Contact(s): Pete Deeley, Project Coordination Manager, 480-312-2554, pdeeley@ScottsdaleAZ.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@ScottsdaleAZ.gov

12. Boulder Mountain Estates/Mills Property Abandonment

Requests:

1. Abandon 40-foot roadway and utility easement along 116th Street alignment.
2. Abandon 30-foot roadway and utility easement along Ranch Gate Road alignment.
3. Abandon 15-foot roadway and utility easement along 118th Street alignment.
4. Dedicate 45-foot half-street along 118th Street alignment.
5. Dedicate a small right-of-way "stub" at Ranch Gate Road alignment.
6. Dedicate a 25-foot wide public trail easement along the eastern curved side of 118th Street alignment.
7. Adopt Resolution No. 6415 vacating and abandoning portions of roadway easements.

Location: Northwest corner 118th Street and Happy Valley Road alignment
Reference: 9-AB-2002
Staff Contact(s): Cheryl Sumners, Senior Planner, 480-312-7834, csumners@ScottsdaleAZ.gov;
Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@ScottsdaleAZ.gov

13. Basha's Shopping Center Abandonment

Requests:

1. Abandon 14.21 feet of public street right-of-way for a length of 342 feet along the south side of Indian School Road.
2. Reserve a public access and public utility easement over, under, and across the abandoned right-of-way.
3. Dedicate a sidewalk easement over and across a portion of private property.
4. Adopt Resolution No. 6416 vacating and abandoning a portion of the right-of-way.

Location: 8035 E. Indian School Rd.
Reference: 9-AB-2003
Staff Contact(s): Tim Curtis, Project Coordination Manager, 480-312-4210, tcurtis@ScottsdaleAZ.gov;
Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@ScottsdaleAZ.gov

14. Removed from Consent Agenda. See page 9.

15. Boulders Villas Site Plan

Requests:

1. For site plan approval per zoning stipulations from 5-ZN-1992 on a 18.1 +/- acre parcel located at the Northeast corner of Westland Road and Scottsdale Road with Planned Neighborhood Center, Planned Community District, Environmentally Sensitive Lands (PNC, PCD, ESL) and Central Business District, Planned Community District, Environmentally Sensitive Lands (C-2, PCD, ESL) zoning.

2. Adopt Ordinance No. 3538 to affirm the new stipulations and approved site plan.

Location: Northeast Corner of Westland & Scottsdale Rd.
Reference: 5-ZN-1992#3
Staff Contact(s): Kira Wauwie, Project Coordination Manager, 480-312-7061, kwauwie@ScottsdaleAZ.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@ScottsdaleAZ.gov

16. Shea & 74th Street Rezoning

Requests:

1. Approve rezoning from Central Business District (C-2) to Highway Commercial (C-3) and approve a development agreement restricting uses on a 2 +/- acre parcel located at 7337 E Shea Boulevard.
2. Adopt Ordinance No. 3536 affirming the above rezoning.
3. Adopt Resolution No. 6414 authorizing the Mayor to execute Development Agreement No. 2003-188-COS.

Location: 7337 E. Shea Blvd.
Reference: 13-ZN-2003
Staff Contact(s): Bill Verschuren, Senior Planner, 480-312-7734, bverschuren@ScottsdaleAZ.gov;
Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@ScottsdaleAZ.gov

17. Northsight Retail Pad Rezoning

Requests:

1. Rezone from Central Business District (C-2) to Highway Commercial (C-3) on a 1.2 +/- acre parcel located at 8796 E Raintree Drive.
2. Adopt Ordinance No. 3537 affirming the above rezoning.

Location: North of the Northwest corner of Pima & Raintree Drive
Reference: 14-ZN-2003
Staff Contacts: Bill Verschuren, Senior Planner, 480-312-7734, bverschuren@ScottsdaleAZ.gov;
Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@ScottsdaleAZ.gov

18. Authorize Settlement in connection with Baragry & Rezzonico v. City of Scottsdale, et al.

Request: Consider approval of settlement of $100,000 in lawsuit filed against the City, Baragry and Rezzonico v. City of Scottsdale, et al., Cause No. CV2003-000442, Maricopa County Superior Court.
Related Policies, References: Settlement Agreement and Release of All Claims, No. 2003-196-COS.
Staff Contact(s): C. Brad Woodford, City Attorney, 480-312-2405, bwoodford@scottsdaleaz.gov; Deborah W. Robberson, Deputy City Attorney, 480-312-2405, drobberson@scottsdaleaz.gov;
Michael Mason, Risk Management Claims Manager, 480-312-2490, mmason@scottsdaleaz.gov

19. Authorize Settlement in connection with Vergara v. City of Scottsdale, et al.

Request: Consider approval of settlement of $25,000 in lawsuit filed against the City, Vergara v. City of Scottsdale, et al., Cause No. CV2003-000774, Maricopa County Superior Court.

Related Policies, References: Settlement Agreement and Release of All Claims, No. 2003-197-COS.
Staff Contact(s): C. Brad Woodford, City Attorney, 480-312-2405, bwoodford@scottsdalaz.gov; Deborah W. Robberson, Deputy City Attorney, 480-312-2405, drobberson@scottsdaleaz.gov
Michael Mason, Risk Management Claims Manager, 480-312-2490, mmason@scottsdaleaz.gov

20. **Authorize Settlement in connection with Salomon, et al. v. City of Scottsdale, et al.**
Request: Consider approval of settlement of $100,000 in lawsuit filed against the City, Salomon, et al. v. City of Scottsdale, et al., Cause No. CV2002-024650, Maricopa County Superior Court.
Related Policies, References: Settlement Agreement and Release of All Claims, No. 2003-198-COS.
Staff Contact(s): C. Brad Woodford, City Attorney, 480-312-2405, bwoodford@scottsdaleaz.gov; Deborah W. Robberson, Deputy City Attorney, 480-312-2405, drobberson@scottsdaleaz.gov
Michael Mason, Risk Management Claims Manager, 480-312-2490, mmason@scottsdaleaz.gov

Mr. Woodford commented on the three lawsuits identified in Items 18, 19, and 20, and explained the settlements as well as the risk to the city.

Leon Spiro, 7814 Oberlin Way, 85262, questioned if these cases were handled by the city's legal staff or by outside lawyers. He further stated he approves of the settlement as he lives near Happy Valley and Pima Roads and wondered why the dip in the road was not removed, and why there were no warning signs.

Mr. Woodford said the cases were handled by the law firm of Jones Skelton. Mayor Manross added that the city did not like to settle these cases but with the law the way it was, it was better financially to do so.

MOTION AND VOTE – CONSENT AGENDA

COUNCILMAN ORTEGA MOVED FOR APPROVAL OF CONSENT AGENDA ITEMS 1 THROUGH 9, ITEMS 11 THROUGH 13, AND ITEMS 15 THROUGH 20. COUNCILWOMAN PILCHER SECONDED THE MOTION WHICH CARRIED 7-0.

REMOVED FROM CONSENT AGENDA FOR SEPARATE DISCUSSION:

14. Sugar Daddy's Conditional Use Permit

Request: Conditional use permit for live entertainment with additional parking on a 1.26 +/- acre parcel located at 7107 E. Earll Drive with General Commercial District (C-4) zoning.
Location: 7107 E. Earll Drive
Reference: 16-UP-2003
Staff Contact(s): Bill Verschuren, Project Coordination Manager, 480-312-7734, bverschuren@ScottsdaleAZ.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@ScottsdaleAZ.gov

Vice Mayor Ecton expressed concerns about outside live entertainment only 500 feet from residences.

Mr. Ekblaw explained that a draft procedure for pulling conditional use permits is being complied and would come to Council before the end of the year.

Brian Roehrich, applicant, explained he was trying to be a better neighbor by purchasing two back lots, which would give him 149 more parking spaces than needed. The live music would be on Scottsdale Road, and he understood the use permit would be in jeopardy if neighbors complained.

MOTION AND VOTE – ITEM 14

VICE MAYOR ECTON MOVED FOR APPROVAL OF 16-UP-2003. COUNCILMAN ORTEGA SECONDED THE MOTION, WHICH CARRIED 7-0.

Regular Agenda Items ***20A*** - 25

*****20A. Development of Biomedical Research Facility at the Mayo Clinic Scottsdale Campus**

Request: Authorize the Mayor to sign an agreement with the Translational Genomics Research Institute (TGen) investing $3 million from the City's Economic Investment Fund for the City to acquire an ownership interest in a new biomedical research building to be built on the Scottsdale campus of the Mayo Clinic; a portion of the building will house TGen's proposed TD2 biomedical research facility. TGen will repurchase the ownership interest for $3 million with interest over a seven-year period, at which time the City would relinquish its interest in the facility.

Related Policies, References:

- Economic Vitality Strategic Plan
- Morrison Institute's "Which Way Scottsdale" report
- Battelle Institute's "Arizona's BioScience Roadmap" report
- "Scottsdale 2.0: A Roadmap for the Future" draft strategic action plan
- Chamber of Commerce's "Building on Success" draft report

Staff Contact(s): David Roderique, Economic Vitality General Manager, 480-312-7601, droderique@scottsdaleaz.gov

David Roderique provided information on TGen's proposal and how the city would participate.

Responding to Councilman Ortega, Mr. Roderique said this fell within the master plan of the campus and also within the existing zoning.

MOTION – ITEM 20A

COUNCILMAN ORTEGA MOVED FOR AUTHORIZATION OF ITEM 20A – AGREEMENT TO DEVELOP A BIOMEDICAL RESEARCH FACILITY AT THE MAYO CLINIC SCOTTSDALE CAMPUS. COUNCILWOMAN PILCHER SECONDED THE MOTION (which carried 7/0).

Councilwoman Pilcher commented it was a pleasure to be part of this endeavor as it was such a medical coup for Scottsdale. She urged staff to put this in motion as soon as possible.

Vice Mayor Ecton said this was a great partnership and set an example of how we should move forward in the future.

One comment card was received from a citizen in favor of the item who didn't wish to speak.

Following the discussion, THE MOTION FOR APPROVAL OF ITEM 20A CARRIED 7-0.

21. Text Amendment – Environmentally Sensitive Lands Ordinance (ESLO) II

Requests:

1. Amend Ordinance 455 (Zoning Ordinance) Article VI. Supplementary Districts., Section 6.1010. Environmentally Sensitive Lands Ordinance (ESLO).; Section 6.1011. Purpose.; Section 6.1050. Intensity of Development.; Section 6.1060. Open Space Requirements.; Section 6.1070. Design Standards.; Section 6.1071. Design Guidelines.; Section 6.1083. Amended Development Standards.; Section 6.1090. ESL Submittal Requirements.; Section 6.1091. All Applications.
2. Adopt Ordinance No. 3540 affirming the above text amendment.

Location: This covers approximately 134 square miles of upper desert and mountain areas of Scottsdale and is located north and east of the Central Arizona Project (CAP) Canal.

Reference: 11-TA-2000#3

Staff Contact(s): Al Ward, Senior Planner, 480-312-7067, award@ScottsdaleAZ.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@ScottsdaleAZ.gov

Mayor Manross announced that staff had requested that item 21 be continued due to questions that had arisen.

MOTION AND VOTE – ITEM 21

VICE MAYOR ECTON MOVED FOR CONTINUANCE OF ITEM 21, 11-TA-2000#3. COUNCILMAN LITTLEFIELD SECONDED THE MOTION, WHICH CARRIED 7-0.

22. Text Amendment - Downtown Overlay - Six Month Review

Requests:

1. Amend City of Scottsdale Zoning Ordinance (Ordinance No. 455) Article VI. SUPPLEMENTARY DISTRICTS; Section 6.1200., (DO) DOWNTOWN OVERLAY.; Section 6.1201. Purpose.; Section 6.1202. Conflict with other sections.; Section 6.1210. Definition.; Section 6.1220. Approvals Required.; Section 6.1230. Land Use Standards.; Section 6.1240 Land Use Classifications.; Section 6.1241. Residential Use Classifications.; Section 6.1242. Commercial Use Classifications.; Section 6.1250. Site Development Standards.; Section 6.1251. Additional Regulations.; Section 6.1260. Parking Regulations.; Section 6.1270. Revitalization Bonus/Incentive Provisions.; Article IX., PARKING AND LOADING REQUIREMENTS; Section 9.104. Programs and incentives to reduce parking requirements.; Section 9.108. Special parking requirements in districts.
2. Adopt Ordinance No. 3543 affirming the above text amendment.

Location: Downtown Scottsdale - The Downtown area is generally bounded by Chaparral Road on the north, Miller Road on the east, Earll Drive on the south and 68th Street on the west.

Reference: 2-TA-2003

Staff Contact(s): Kira Wauwie, Project Coordination Manager, 480-312-7061, kwauwie@ScottsdaleAZ.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@ScottsdaleAZ.gov

Randy Grant provided a brief presentation based on evaluations of the past six months. Key components of the text amendment included increasing the height limitation from 18 feet to 26 feet in the S-R district, and requiring a ¾ vote of Council for an increase beyond 36 feet for the Downtown Specialty Districts.

After discussion regarding the reasoning behind limiting building height to 36 feet and the ¾ vote of Council, suggestions were made in order to clarify the language and remove redundancy.

Mr. Gawf was hesitant about trying to 'wordsmith' the language during the meeting and suggested the item be continued in order to work on the language.

Councilman Ortega suggested that if item C.4. on page 8 of the proposed text amendment was deleted, the intent would be the same. Mr. Gawf agreed that would eliminate the issue.

MOTION AND VOTE – ITEM 22

COUNCILMAN ORTEGA MOVED FOR APPROVAL OF THE TEXT AMENDMENT AND ADOPTION OF ORDINANCE 3543 WITH THE DELETION OF C.4. VICE MAYOR ECTON SECONDED THE MOTION, WHICH CARRIED 7-0.

23. Text Amendment - Use Permit For Bars, After Hours Establishments
Requests:

1. A Text amendment to amend Ordinance 455 (Zoning Ordinance) Article I., Administration and Procedures., Section 1.403. Additional conditions for specific conditional uses.; Article III. Definitions.; Article V. Section. 5.1200. (C-S) Regional Shopping Center., Sec. 5.1300. (C-1) Neighborhood Commercial District., Sec. 5.1400. (C-2) Central Business District., Sec. 5.1500. (C-3) Highway Commercial District., Sec. 5.2400. (P.N.C.) Planned Neighborhood Center., Sec. 5.2500. (P.C.C.) Planned Community Center., Sec. 2.600. (P.R.C.) Planned Regional Center., Sec. 5.2700. (P.Co.C.) Planned Convenience Center.; Sec. 5.2800 (W.P.) Western Theme Park District.; Article VII. General Provisions.;
2. Adopt Ordinance No. 3542 affirming the above text amendment.
3. Adopt Resolution No. 6418 declaring the above text amendment a public record.

Location: Citywide
Reference: 3-TA-2003
Staff Contact(s): Kira Wauwie, Project Coordination Manager, 480-312-7061, kwauwie@ScottsdaleAZ.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@ScottsdaleAZ.gov

Randy Grant reviewed the use permit criteria and potential impacts of the text amendment.

In response to Vice Mayor Ecton, Mr. Grant said 750 feet was used instead of 500 feet for buffering residential as that was the normal notification area. State statute required 300 feet and, as a courtesy, 750 feet was used in the city. Vice Mayor Ecton said some restrictions were set at 500 feet so it made sense to be 500 feet, and Mr. Grant confirmed that it could be done.

Councilman Ortega commented on the stiffer criteria than the state for a #6 license and a $60,000 or $70,000 difference in cost. Mr. Grant further clarified the distinction between the state requirement and city requirement, which was made in the downtown overlay.

Vice Mayor Ecton said this would create a level playing field for everyone in Scottsdale and they were not making any new rules.

MOTION AND VOTE – ITEM 23

VICE MAYOR ECTON MOVED FOR APPROVAL OF ORDINANCE 3542 AND TEXT AMENDMENT 3-TA-2003 WITH A CHANGE IN LANGUAGE TO BUFFER 500 FEET INSTEAD OF 750 FEET COUNCILWOMAN PILCHER SECONDED THE MOTION, WHICH CARRIED 7-0.

24. Galleria Parking Agreement

Request: Authorize the City Manager or designee to enter into an agreement with the owner of the Galleria to provide for paid valet parking, or for paid public, self-service parking at the Galleria, providing any such agreements must be terminable on 30 days notice from the City.

Staff contacts: Ed Gawf, 480-312-4510, egawf@scottsdaleaz.gov; Madeline Clemann, 480-312-2732, mclemann@scottsdaleaz.gov

Ed Gawf presented background information on the request, which would utilize six-hundred (600) night-time public parking spaces, and would allow for night management of security issues. Revenue from the agreement would go for maintenance and management, and any excess revenue would go toward improvements in the area. They were not trying to make money but to manage and control their asset.

Mayor Manross felt the plan was definitely worth trying.

MOTION AND VOTE – ITEM 24

COUNCILMAN SILVERMAN MOVED FOR AUTHORIZATION OF THE GALLERIA PARKING AGREEMENT. COUNCILMAN ORTEGA SECONDED THE MOTION, WHICH CARRIED 7-0.

25. Specialty District Incentive Programs

Requests:

- Adopt Resolution No. 6423 allowing for the establishment of the "Covered Walkway and Façade Improvement Program"
- Adopt Resolution 6424 allowing for establishment of the "Specialty Retail District Incentive Program"
- Authorize expenditure of funds related to implementation of these programs.

Related Policies, References:

- Downtown Vision Principles - Adopted in February, 2002
- Infill Incentive District - Approved in October, 2003
- Temporary Fee Reduction Program - Extended to June, 2004
- Downtown Overlay - Ordinance amendments - Approved July 2003
- 5th Avenue and Old Town Garages - Approved.
- Economic Vitality Strategic Plan - Approved December 2002

Staff contacts: David Roderique, 480-312-7601, droderique@scottsdaleaz.gov; Monique de los Rios-Urban, 480-312-7898, mdelos@scottsdaleaz.gov

Mr. Gawf reviewed policies and principles of downtown specialty districts and the implementation steps at three levels of action: downtown-wide, district level, and project

level. Efforts already approved and in progress included canal bank improvements, bridges and plaza, Main Street residential, waterfront project, James Hotel, Valley Ho renovation, and a new trolley fleet for downtown. Mr. Gawf also reviewed the Covered Walkway and Façade Improvement Program as well as the Specialty Retail District Incentive Program.

In reviewing the components of the Incentive Program at the District level, Mr. Gawf noted the program may not need to continue every year. Council would make that decision each year.

Responding to Councilman Silverman in regard to the purpose of the ten-year timeframe, Harold Stewart, who put the program together, said it was to accommodate changes property owners might want to make over time, but also to get a commitment from them that they were serious about the amount of money they were spending. Councilman Silverman said he was very impressed with the program.

Councilman Ortega recommended the forms be simple and short.

MOTION AND VOTE – ITEM 25

COUNCILMAN ORTEGA MOVED TO ADOPT RESOLUTIONS 6423 AND 6424 AND AUTHORIZE EXPENDITURE OF FUNDS. VICE MAYOR ECTON SECONDED THE MOTION, WHICH CARRIED 7-0.

Public Comment

Leon Spiro, 7814 E Oberlin Wy, 85262, commented on the 'S' curve at Pima and Jomax and the need for a traffic signal.

City Manager's Report - None

Mayor and Council Items

Councilman Silverman requested city staff bring forth some criteria for special events such as the function planned on Craftsman Court on New Year's Eve.

Adjournment

With no further business to discuss, Mayor Manross adjourned the meeting at 7:11 P.M.

SUBMITTED BY:

Sandra K. Dragman

Sandy Dragman
Recording Secretary

REVIEWED BY:

Carolyn Jagger

Carolyn Jagger
City Clerk

CERTIFICATE

I hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Regular City Council Meeting of the City Council of Scottsdale, Arizona held on the 9th day of December 2003.

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

DATED this 17th day of December 2003.

CAROLYN JAGGER
City Clerk