

**MINUTES
SCOTTSDALE CITY COUNCIL
CITY COUNCIL GENERAL PLAN AMENDMENT MEETING
TUESDAY, OCTOBER 29, 2002**

Call to Order – City Hall Kiva Forum

Mayor Manross called to order a meeting of the Scottsdale City Council on Tuesday, October 29, 2002, at 5:09 PM.

Roll Call

Present: Mayor Mary Manross
Vice Mayor David Ortega
Council Members Ned O'Hearn, Tom Silverman, Robert Littlefield,
Wayne Ecton and Cynthia Lukas

Also Present: City Manager Jan Dolan
City Attorney David Pennartz
City Clerk Sonia Robertson

Public Comment

Leon Spiro, 7814 E Oberlin Way, 85262, said he spoke at the Council meeting of August 27, 2002 in regard to street blockage and had received no response from the City Attorney or Council. He also took issue with the minutes of that meeting in regard to the wording of his statement regarding pertinent easements.

AGENDA ITEM 1

1. State Lands/Arizona Preserve Initiative

Request to:

1. Approve a General Plan amendment to the City of Scottsdale 2001 General Plan to:
 - The Open Space and Recreation element to add open space and a neighborhood park;
 - The Public Services and Facilities element to recognize the potential need for a school; and
 - The Land Use Element to revise the Land Use Map from Commercial, Resort/Tourism, Suburban Neighborhoods, Rural Neighborhoods, Developed Open Space - Golf and Neighborhood Park, Open Space, Cultural/Institutional to Suburban Neighborhoods, Rural Neighborhoods, Open Space, Resort/Tourism, Neighborhood Center, Commercial, Office, and Natural Open Space

2. Adopt Resolution No. 6190 adopting the above General Plan Amendment.
Reference: 4-GP-2002
Staff Contact(s): Kira Wauwie AICP, Project Coordination Manager, 480-312-7061, kwauwie@ci.scottsdale.az.us; Teresa Huish, Community Planner, 480-312-7829, thuish@ci.scottsdale.az.us

Kroy Ekblaw, General Manager of Planning and Development Services, introduced this application which was a joint effort between the State Land Department and all departments of the City of Scottsdale. He pointed out a couple of adjustments since the September 30th Planning Commission meeting: Foothills Character Area Plan applied to the application land south of Dynamite; and all land south of Dynamite adjusted to "Rural" category.

Bob Cafarella, Preservation Director, discussed Scottsdale's preservation efforts since 1990.

Greg Keller, Arizona State Land Department, discussed the State Land Commissioner Order #078 of 2001 and 2002 which reclassified 11,391 acres as suitable for conservation purposes, with possible deed restrictions; reclassified 1,632 acres as suitable for conservation purposes, with no deed restrictions; and did not reclassify 3,543 acres. He further discussed the different plans and principles used in this process.

Mr. Cafarella said this was an outstanding example of partnership between the City, State, and community members. There were three community meetings that generated a lot of comments, and there were countless informal meetings with citizens and stakeholders for their input. The General Plan Amendment is for all State Trust Land of the 1998 API petition and there is no rezoning associated with this action tonight – it is just a General Plan Amendment.

The Preservation Commission will be bringing forth recommendations for future purchases.

Mr. Cafarella presented the General Plan as it stands today and the proposed General Plan Amendment. The current General Plan allows for 7850 dwelling units and the proposed one allows 6260 dwelling units.

He reviewed other details of the proposed plan: removal of two areas of commercial designation; removal of Lone Mountain Parkway extension from GP base maps; removal of golf course; reclassified (possible deed restricted) lands designated Natural Open Space on Land Use map and Open Space map; removal of 80 acre Cultural Institutional/Public Land use designation; remaining Land Uses reconfigured; scenic buffers along Pima, Scottsdale, and Dynamite; low density residential buffers along Pima Road; Land Use Element text removed.

If development occurs, this plan provides for a proposed Neighborhood Park on Parks & Recreation Facilities map, and a school site as part of "floating circle" on Land Use map.

The Planning Commission recommended approval by a vote of 5-1.

Public Testimony:

Laura Fisher, 11835 N 76th Pl, 85260, supported this General Plan Amendment and felt all groups gave their best efforts. She thanked staff for their effort.

Darren Smith, Chairman of McDowell Sonoran Preserve Commission, 4925 N Scottsdale Rd, 85257, said several commission members assisted in developing the modifications of the amendment. Overall, everyone was pleased with the reclassification of the 16,000 acres. The proposed General Plan Amendment was a step in the right direction to achieve preservation goals and an excellent working relationship has been forged with the State Land Department. He further stated an ad hoc committee would be formed to come up with a recommendation by the first of the year for funding options to acquire state lands.

Bob Vairo, Coalition of Pinnacle Peak, 10040 E Happy Valley Rd, #451, 85258, said he wanted to go on record that they supported this Amendment. They were pleased to find their recommendations had been incorporated. Density was less and equestrian use was encouraged. Mr. Vairo said this was an evening to rejoice and he recognized the efforts of Mr. Cafarella, Mr. Keller, and Carla. There was one more major hurdle to overcome and that was deciding a way of funding the preserve acquisition.

Sam West, 8160 N Hayden J-210, 85258, requested the equestrian issue be made part of the General Plan. He also encouraged the city to acquire the entire parcel and not just the 11,000 acres. Mayor Manross said that was the intention.

Tony Nelssen, 7736 E Redbird Rd, 85262, said that until today he had serious concerns about the General Plan Amendment and thanked everyone for the last minute efforts. He hoped Council and staff would encourage future equestrian use of those areas north of Dynamite Road because that was the last of undeveloped equestrian property in the city. This was a serious move forward.

Susan Wheeler, 9616 E Kalil Dr, 85260, celebrated that this had come forward tonight as she has been involved since the beginning stages. She wondered about the difference between suburban and rural neighborhoods. She also felt there should be incentives for developers to build horse properties if on the preserve.

Daniel Basinger, 8702 E Tether Trl, 85255, agreed with Mr. Vairo and Mr. Nelssen and said let's just buy the whole thing.

Jean Anderson, AZ State Horsemen's Association, 29210 N 64th St, Cave Creek, 85331, thanked Mr. Cafarella, adding she loves trails and loves preservation.

Peggy Dyer Brock, 28768 N 70th St, 85262, a member of AZ Horseman's Association, was supportive of a trails program in Scottsdale. She was confused by the difference between open space and developed open space, as well as the difference between commercial and office.

Mayor Manross said 3500 acres were not considered suitable to be classified for preservation by State Land Department, therefore we are required to purchase it on the open market.

Carla, Executive Director McDowell Sonoran Land Trust, PO #14365, 85267-4365, expressed her support on behalf of her group. This was not perfect but was as close as could legally be done. She thanked the State Land Department and everyone for all their hard work. She hoped this moved forward tonight expediently so we could move on to final goals.

Todd Masden, Cave Creek Outfitters, 31313 N Scottsdale Rd, 85262, was very pleased to see the Council helping support horse people.

David Matusow, 10447 E Texas Sage Lane, 85255, did not speak but presented a document opposed to the preservation side of the plan, the lowering of density, and not having recreational facilities.

Mr. Ekblaw referenced a question on commercial use and said these were very minor areas.

MOTION – ITEM 1

COUNCILWOMAN LUKAS MOVED FOR APPROVAL OF GENERAL PLAN AMENDMENT TO THE 2001 GENERAL PLAN 4-GP-2002 AND ADOPTION OF RESOLUTION 6190. VICE MAYOR ORTEGA SECONDED THE MOTION.

COUNCILWOMAN LUKAS AMENDED THE MOTION TO INCLUDE THE AMENDED MAP AND THE AMENDED PROPERTY TABLE OF OCTOBER 29, 2002. THE SECONDER AGREED.

Councilwoman Lukas appreciated all the work by many people and said the city was another step closer to their goal.

Vice Mayor Ortega noted the bylaws required a review of General Plan Amendments by the end of October. There is a 20% reduction in density, an increase in OS and a reduction in number of dwelling units, and there was still sustainability.

Councilman O'Hearn said this was a rare occasion for State, City, and Coalition to all say the same thing. Even today at the last minute there were a lot of intense negotiations going on. This will be our version of Central Park in NYC.

Councilman Ecton said this was a perfect example of what could be accomplished when everyone worked together.

Councilman Silverman said 50 years from now his grandkids could say this was a great thing we did, saving this open area.

Mayor Manross expressed her excitement and said this was monumental for Scottsdale and Arizona as other cities were amazed at what we were doing.

VOTE – ITEM 1

THE MOTION FOR APPROVAL CARRIED UNANIMOUSLY 7-0.

Public Comment

Davida Smith, Schiffman Company, Tempe AZ, expressed concerns about the inability to collect from a rare strain of jojoba located within the boundaries of the McDowell Sonoran Preserve should that land be sold.

City Manager's Report - Ms. Dolan reminded about the upcoming hazardous waste collection by the City this Saturday on San Salvador and a Green Building Program on November 17th on Indian School Road.

Mayor and Council Items - NONE

Adjournment

With no further business to discuss, the meeting adjourned at 6:25 PM.

Submitted by

Reviewed by

Sandy Dragman
Recording Secretary

Sonia Robertson
City Clerk