

4. Adopt Resolutions No. 6364 and 6365 and Ordinance No. 3525 authorizing 2003 MAG Standard Specifications and Details and authorize 2003 City of Scottsdale Supplements to these specifications and details

Requests:

Adopt Resolution No. 6364, Resolution No. 6365, and Ordinance No. 3525, Adoption of the Uniform Standard Specifications and Details for Public Works Construction, 1998 (Includes revisions through 2003); sponsored and distributed by the Maricopa Association of Governments;

and

Adopt 2003 City of Scottsdale Supplements to MAG Uniform Standard Specifications and Details for Public Works Construction

Related Policies, References: The City Council first adopted Uniform Standard Specifications for Public Works Construction sponsored and distributed by the Maricopa Association of Governments in 1979 and has annually adopted updates to the MAG Specifications and Details and the City of Scottsdale Supplemental Specifications and Details.

Staff Contact(s): George A. Bringe, Plans Examiner, 480-312-7043, gbringe@scottsdaleaz.gov; Al Dreska, 480-312-5555, adreska@scottsdaleaz.gov

COUNCILMAN ECTON MOVED TO APPROVE CONSENT ITEMS 1-4. COUNCILMAN SILVERMAN SECONDED THE MOTION WHICH CARRIED 7/0.

REGULAR AGENDA

5. Scottsdale First Assembly of God - Dream Center

Request: Review the Development Review Board approval of the proposed 40-foot tall church cooling tower/steeple element at a proposed new church.

36-DR-2003

Key Items for Consideration:

- On September 8, the City Council voted to review only the cooling tower/steeple element by a vote of 6 to 1.
- On August 21, 2003, the Development Review Board approved the site plan and all building elevations by a vote of 5 to 1.
- The Development Review Board approved a height above the standard 24-foot maximum building height requirement in the ESL District to allow a 40-foot tall cooling tower/steeple.
- There is both support and opposition to the proposal.

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

Randy Grant presented a brief slide presentation which has been outlined below.

36-DR-2003- Dream Center

- Review the Development Review Board decision regarding height and design of the proposed cooling tower/steeple element

Building Height

Underlying zoning allows 30-foot buildings with 45-foot tall towers

Foothills zoning allows 40-foot tall churches (with large setbacks)

ESL allows 24-foot buildings, with exceptions not to exceed the underlying zoning

DRB approved the exception for the 40-foot tower

Mr. Grant noted that the city received a letter on Friday indicating that the applicant would accept the decision of Council and would comply with the 24' height restriction.

Mr. Grant noted that staff has drafted an amendment to the height provision of the ordinance. He explained that the draft would be presented to the Planning Commission in October and to Council in December.

Wendy Riddell, 4800 N. Scottsdale Road, spoke as a representative for the applicant. She explained that through dialog with neighbors in the community, the church has agreed to reduce the tower height to a maximum of 24'. She stated support for the amendment to the sign ordinance as requested by Mr. Nelssen.

Mayor Manross opened public testimony.

Howard Myers, 6631 E. Horned Owl, explained that the height restriction was to negate the underlying zoning. He stated his opinion that in order for the ordinance to be successful, everyone must comply with the restrictions.

Tony Nelssen, 7736 E. Redbird Road, thanked the church for their commitment to the neighborhood. He emphasized that the Desert Foothills Design Guidelines specify that the architectural character of buildings should respect the traditional, at times, rustic character of the buildings in the area. He urged Council to take the character issues of the buildings in this case into account. He questioned why staff is recommending an approval in contradiction of documented city character issues.

Tim Montgomery, 34894 N. 92nd Place, requested that Council remind the DRB of the ESLO changes that were approved in April. He also urged Council to consider the citizens' efforts to maintain the city's unique desert roadways.

Daniel Basinger, 29503 N. 107th Place, spoke as Chairman of EQAB. He stated the board's strong support of the intent of ESLO.

Mayor Manross closed public testimony. Two additional comment cards were received supporting the 24' height restriction from citizens not wishing to speak.

Vice Mayor Ecton explained that the approval by the DRB of the 40' tower element was disturbing to him and the community. He noted that the decision to approve the variance was recommended by staff because of the exception allowed in the regulation. He stated his opinion that there was a violation of the spirit of the ELDO. He looks forward to the opportunity to clarify the issue further in December.

COUNCILMAN ORTEGA MOVED TO APPROVE THE CHURCH WITH A TOWER ELEMENT NOT TO EXCEED 24' WITH A DESIGN THAT IS CONSISTENT WITH THE PREVIOUSLY APPROVED DESIGN OF THE CHURCH. COUNCILWOMAN LUKAS SECONDED THE MOTION (WHICH CARRIED 7/0).

Councilwoman Lukas expressed her belief that the case should be resolved tonight for the sake of the community.

Councilman Littlefield stated his opinion that the issue should be resolved tonight to be fair to the applicant rather than sending the issue back to DRB.

After further discussion, THE MOTION CARRIED 7/0.

Public Comment - None

City Manager's Report - None

Mayor and Council Items - None

Adjournment

With no further business to discuss, Mayor Manross adjourned the meeting at 6:18 P.M.

SUBMITTED BY:

Ann Eyerly, Council Recorder

REVIEWED BY:

Carolyn Jagger, City Clerk