

APPROVED

MINUTES

SCOTTSDALE CITY COUNCIL

TUESDAY, MAY 7, 1996

**Kiva
City Hall
Scottsdale, Arizona**

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CALL TO ORDER

Mayor Campana called to order a Regular Meeting of the Scottsdale City Council on Tuesday, May 7, 1996 in the Kiva, City Hall, at 5:09 P.M.

ROLL CALL

Present: Mayor Sam Campana
Vice Mayor Don Prior
Councilmembers Gregory Bielli, Robert Pettycrew,
Dennis Robbins and Richard Thomas

Absent: Councilwoman Mary Manross

Also Present: City Manager Richard Bowers
Assistant City Manager Raymond Garrison
City Attorney Fredda Bisman
City Clerk Sonia Robertson

PLEDGE OF ALLEGIANCE

Members of Brownie Troop 1870 from Aztec Elementary School led the audience in the pledge.

INVOCATION

Pastor Alan Veale, Scottsdale Wesleyan Church, gave the invocation.

BOARDS AND COMMISSIONS

VICE MAYOR PRIOR MOVED TO APPOINT JASON ROSE TO THE PARKS & RECREATION COMMISSION AND BERNADETTE PHILLIPS-GARCIA TO THE NEIGHBORHOOD ENHANCEMENT COMMISSION, EACH TO SERVE UNTIL MAY 1, 1999. COUNCILMAN BIELLI SECONDED THE MOTION WHICH CARRIED 6-0.

Mayor Campana administered the oath of office.

A plaque of appreciation was presented to Pastor Alan Veale for his past service on the Human Services Commission.

MINUTES

1. April 15 and 16, 1996, Regular; April 23, 1996, Special

COUNCILMAN BIELLI MOVED FOR APPROVAL OF THE ABOVE MINUTES AS WRITTEN.
COUNCILMAN THOMAS SECONDED THE MOTION WHICH CARRIED 6-0.

CONTINUANCES: Pursuant to state law, the following cases must be continued because the Council has no recommendation from the Planning Commission.

Ms. Collins stated additional continuance items were Item 15, requested by staff to be continued to June 4, 1996, and Items 19 and 20, to be continued to May 21, 1996.

2. 33-ZN-95 -- (Raintree Professional Plaza) rezone from R1-35 (Single Family Residential) to C-O (Commercial Office) -- northwest corner of Raintree and 94th Street. Staff contact person is Tom Rief, 994-7087. TO BE CONTINUED TO JUNE 18, 1996
3. 2-GP-96 -- (La Vista II) General Plan amendment from Minor Office to 2 to 4 du/ac; and
40-ZN-95 -- rezoning from S-R ESL (Service Residential/ Environmentally Sensitive Lands) to R1-7 ESL (Single-Family Residential/Environmentally Sensitive Lands) -- northeast corner of Pinnacle Peak and Miller Roads. Staff contact person is Don Hadder, 994-2352. TO BE CONTINUED TO MAY 21, 1996
4. 6-GP-96 -- (Sierra Suites Hotel) general plan amendment from Category 32 (Major Office to Category 18 (Tourist Accommodations; and
9-ZN-96 -- rezone from C-O (Commercial Office) to R-5 (Multi-family residential; and
9-UP-96 -- use permit approval for a hotel -- located at the northwest corner of 69th Street and Becker Lane. Staff contact person is Mike Milillo, 994-2367. TO BE CONTINUED TO MAY 21, 1996
5. 13-UP-96 -- (Miller Ranch) use permit approval for a commercial stable in R1-190 ESL (Single Family Residential/Environmentally Sensitive Lands) -- located at 29607 North Hayden Road. Staff contact person is Don Hadder, 994-2352. TO BE CONTINUED TO JUNE 18, 1996
6. 19-UP-77#2 -- (Mobil station) use permit approval to expand a convenience store -- located at 4101 N. Hayden Road. Staff contact person is Kurt Jones, 994-2524. TO BE CONTINUED TO MAY 21, 1996
7. 5-AB-96 -- abandonment a certain portions of 81st Street and Oleson Road -- located south of Black Mountain Road. Staff contact person is Carlos Lujan, 994-2641. TO BE CONTINUED TO MAY 21, 1996

ADDITIONAL CONTINUANCE ITEMS:

USE PERMITS

15. 1-UP-67#2 -- (Mobile Station) amend a use permit and site plan for a gasoline service station in C-3 (Highway Commercial) -- 10444 North Scottsdale Road.
COMMENTS: The request is to amend the use permit and site plan in order to convert existing service space for a retail mini-mart. The Planning Commission recommends approval subject to conditions by a vote of 6-0. Staff recommends approval. This request complies with the General Plan. Staff contact person is Mike Milillo, 994-2367. CONTINUED TO JUNE 4, 1996

GENERAL PLAN/ZONING

19. 17-GP-95#2 -- (Cattletrack) General Plan amendment from Residential to Cultural/Institutional; and
ADOPT Resolution No. 4486 affirming 17-GP-95#2;
35-ZN-95#2 -- rezone from R1-43 (Single Family Residential) to R1-43 (Single Family Residential and Special Campus -- northeast corner of McDonald Drive and Cattletrack; and
ADOPT Ordinance No. 2894 affirming 35-ZN-95#2.
COMMENTS: The request is for a General Plan amendment and a rezoning to a Minor Special Campus District with cultural, educational and ancillary uses. A development agreement is proposed to limit permitted uses and the intensity of those uses. The Planning Commission recommends approval subject to stipulations by a vote of 5 - 0. Staff recommends approval. Staff contact person is Mike Milillo, 994-2367. CONTINUED TO MAY 21, 1996.

DEVELOPMENT AGREEMENT

20. ADOPT Resolution No. 4446 authorizing development agreement #960025; and
AUTHORIZE development agreement #960025 with Mr. & Mrs. Fred Kuffner and The Canal at Cattletrack, LLC, an Arizona Limited Liability Company. Staff contact person is Mike Milillo, 994-2367. CONTINUED TO MAY 21, 1996.

MOTION AND VOTE - CONTINUANCE ITEMS

COUNCILMAN BIELLI MOVED FOR CONTINUANCE OF ITEMS 2 THROUGH 7.
COUNCILMAN THOMAS SECONDED THE MOTION WHICH CARRIED 6-0.

COUNCILMAN PETTYCREW MOVED FOR CONTINUANCE OF ITEMS 15, 19, AND 20.
VICE MAYOR PRIOR SECONDED THE MOTION WHICH CARRIED 6-0.

WITHDRAWAL

8. 25-AB-95 -- abandonment of a certain portion of Deer Valley Road alignment -- east of Miller Road. Staff contact person is Cheryl Brown, 994-7834.

PUBLIC HEARINGS: LIQUOR LICENSES, USE PERMITS, ZONING, GENERAL PLAN, DEVELOPMENT AGREEMENT

CONSENT AGENDA -- LIQUOR LICENSES -- Items 9 through 12

Approve the following liquor license applications and forward do-pass recommendations to the State Liquor Board. Staff contact person is Jeff Fisher, 994-2329.

9. 14-LL-96 - PAUL MARTIN FLEMING, P.F. Chang's China Bistro, 7014 E. Camelback Road. Series #12, new license for an existing restaurant.
10. 15-LL-96 - DENNIS C. BASILE, Brooklyn's Best Pizzeria, 8471 E. McDonald Drive. Series #07, person transfer and location transfer for an existing beer and wine bar.
11. 17-LL-96 - EDWARD N. BASHA III, A.J.'s Fine Foods #75, 23251 Pima Road. Series #09, new license for a new liquor store.
12. 21-LL-96 - LENNY M. ROSENBERG, Blue Burrito Grille, 7318 E. Shea Boulevard. Series #12, new license for an existing restaurant.

MOTION AND VOTE - CONSENT AGENDA - LIQUOR LICENSES

VICE MAYOR PRIOR MOVED FOR APPROVAL OF CONSENT AGENDA ITEMS 9 THROUGH 12. COUNCILMAN PETTYCREW SECONDED THE MOTION WHICH CARRIED 6-0.

EXPEDITED AGENDA -- USE PERMITS, ZONING -- Items 13 and 14 -- Any of these items may be removed for separate action by the Council -- Approval of the expedited items indicates concurrence with the Planning Commission recommendations.

USE PERMITS

13. 7-UP-96 -- (Bar A Ranch) use permit for a ranch -- located at 28475 North 84th Street.
COMMENTS: The requested use permit will allow a training and breeding facility for show and performance horses. The Planning Commission recommends approval subject to conditions by a vote of 6 - 0. Staff recommends approval. This request complies with the General Plan. Staff contact person is Tom Rief, 994-7087.

ZONING

14. 134-ZN-85#4 -- (Scottsdale International Corporate Center) rezoning from C-2 Conditional (Central Business District/Conditional) to C-O (Commercial Office) and C-2 (Central Business District) with amended stipulations -- located at the southwest corner of Pima and Bell Roads; AND
ADOPT Ordinance No. 2904 affirming 134-ZN-85#4.
COMMENTS: The request is for rezoning to allow a variety of interrelated uses which will include hotel, restaurants and office/employment uses. The Planning Commission recommends approval subject to stipulations by a vote of 6 - 0. Staff recommends approval. Staff contact person is Alan Ward, 994-7067.

MOTION AND VOTE - EXPEDITED AGENDA

COUNCILMAN BIELLI MOVED FOR APPROVAL OF EXPEDITED AGENDA ITEMS 13 AND 14. COUNCILMAN ROBBINS SECONDED THE MOTION WHICH CARRIED 6-0.

REGULAR AGENDA -- USE PERMITS, GENERAL PLAN, ZONING, DEVELOPMENT AGREEMENT -- Items 15 through 20

USE PERMITS

15. CONTINUED TO JUNE 4, 1996. SEE PAGE 3.

GENERAL PLAN/ZONING

16. 7-GP-96 -- (Hoffman property) General Plan amendment from 1 to 2 dwelling units per acre to 4 to 8 dwelling units per acre; and
ADOPT Resolution No. 4517 affirming 7-GP-96;
8-ZN-96 -- rezone from R1-35 ESL (Single Family Residential/Environmentally Sensitive Lands) to R1-5 ESL (Single Family Residential/Environmentally Sensitive Lands) -- located at the southwest corner of 104th Street and Greenway Road; AND
ADOPT Ordinance No. 2902 affirming 8-ZN-96.
COMMENTS: The proposal is for 168 single family homes on a parcel surrounded by McDowell Mountain Ranch. The Planning Commission recommends approval subject to stipulations by a vote of 6 - 0. Staff recommends approval. Staff contact person is Kroy Ekblaw, 994-7064.

Vice Mayor Prior questioned how 104th Street connected into the overall transportation system in the area and Mr. Ekblaw pointed that out on a diagram. Mr. Ekblaw also clarified the reference to a half-street on page 5 of the stipulations. He further discussed how the trails would be integrated with the golf course and washes in joint efforts.

MOTION AND VOTE - ITEM 16

COUNCILMAN BIELLI MOVED FOR APPROVAL OF ITEM 16. VICE MAYOR PRIOR SECONDED THE MOTION WHICH CARRIED 6-0.

17. 8-GP-96 -- (Moore Property) General Plan amendment from 1/2 to 1 dwelling units per acre to 2 to 4 dwelling units per acre; and
ADOPT Resolution No. 4518 affirming 8-GP-96;
10-ZN-96 -- rezone from R1-35 (Single Family Residential/Environmentally Sensitive Lands) and OS ESL (Open Space/Environmentally Sensitive Lands) with amended development standards -- located at the northeast and northwest corners of 104th Street and Thunderbird Road; and
ADOPT Ordinance No. 2903 affirming 10-ZN-96.
COMMENTS: The proposal is for clustered homes to the northwest with major open space corridors for a possible future golf course. A multi-use trail will connect McDowell Mountain Ranch with this project. The Planning Commission recommends approval subject to stipulations by a vote of 6 - 0. Staff recommends approval. Staff contact person is Kroy Ekblaw, 994-7064.

MOTION AND VOTE - ITEM 17

COUNCILMAN BIELLI MOVED FOR APPROVAL OF ITEM 17. COUNCILMAN PETTYCREW SECONDED THE MOTION WHICH CARRIED 6-0.

USE PERMIT

18. 10-UP-96 -- (WestWorld) use permit approval for a golf course in OS (Open Space) -
- located at 16601 North Pima Road.
COMMENTS: The request is for an 18 hole championship golf course along with practice facilities, clubhouse, cart storage/irrigation reservoir and maintenance compound. Additionally, a multi-use trail system to accommodate equestrian, hiking and mountain bike usage will be incorporated. The Planning Commission recommends approval subject to conditions by a vote of 6 - 0. Staff recommends approval. Staff contact person is Kroy Ekblaw, 994-7064. CONTINUED TO MAY 21, 1996.

William Gist, P.O. Box 5472, 85261, asked if Westworld was on leased land and Mr. Ekblaw answered yes. He further urged this golf course be available to citizens at a reduced rate as that type of facility was greatly needed. Mr. Bowers said the city would not have the ability to regulate the cost, but the Desert Course was a city subsidized facility.

Mr. Bowers noted that an RFP was going out very shortly for a golf course in the inlet channel which would have affordable rates for seniors and junior golfers.

MOTION AND VOTE - ITEM 18

COUNCILMAN PETTYCREW MOVED FOR APPROVAL OF ITEM 18. COUNCILMAN THOMAS SECONDED THE MOTION WHICH CARRIED 6-0.

GENERAL PLAN/ZONING

19. CONTINUED TO 5/21/96. SEE PAGE 3.

DEVELOPMENT AGREEMENT

20. CONTINUED TO 5/21/96. SEE PAGE 3.

CITY MANAGER'S REPORT

Mr. Bowers gave an update on the 69kV process continued from last night, saying the information would be examined by staff item by item. An updated list would be provided a week before the next hearing. A meeting has been scheduled with the property owners to review the information. Staff will also be working with APS to work out a plan for a funding source for financial hardship cases.

Mr. Bowers noted that Council would be discussing the trail system in general at next week's Study Session. He informed that administrative review has concluded regarding the Estancia Trail and construction of roadways, trails, and infrastructure will take place rather than in-lieu payment.

MAYOR AND COUNCIL ITEMS

Councilman Pettycrew commented on meetings he has attended in regard to the Los Arcos Redevelopment and how encouraged he was by the plans.

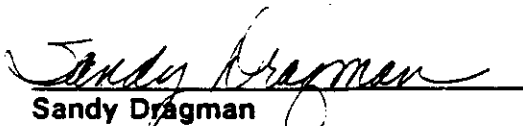
ITEMS FROM THE FLOOR - No items were presented.


ADJOURNMENT

With no further business to discuss, Mayor Campana adjourned the meeting at 5:40 P.M.

SUBMITTED BY:

REVIEWED BY:


Sandy Dragman
Council Recorder



Sonia Robertson
City Clerk

CERTIFICATE

I hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Meeting of the City Council of Scottsdale, Arizona held on the 7th day of May, 1996.

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

DATED this 9th day of May, 1996.



SONIA ROBERTSON
City Clerk

(Seal)