

Councilmember Drake questioned why the project has only a sixty-foot scenic corridor as opposed to the typical 100-foot corridor. She expressed concern about the lack of Design Review Board stipulations for the case.

Mr. Randy Grant explained that the property was rezoned in the mid-1980s. Because the wash serves as *drainage* for other property to the north, the drainage solution was required to be built to a higher standard as part of the rezoning stipulations. Mr. Grant stated that any design stipulations would be part of a later hearing. The current request is solely for the use permit, and he believes the report reflects compliance with the use permit criteria.

Councilmember Drake said she hopes the design will be reviewed for conformance with the *Desert Foothills Character Plan* and the *Scottsdale Sensitive Design Guidelines*.

MOTION AND VOTE – ITEM 10

COUNCILMEMBER DRAKE MOVED FOR APPROVAL OF ITEM 10, 14-UP-2005.
COUNCILMAN OSTERMAN SECONDED THE MOTION, WHICH CARRIED 7-0.

REGULAR AGENDA ITEM 28

28. Silverstone Rezoning and Conditional Use Permit

Requests:

1. Rezone from Western Theme Park District (W-P) to Planned Community District (PC) with comparable zoning of Central Business District (C-2), Commercial Office District (C-O), and Multiple Family Residential District (R-5), including amended development standards on 160+/- acres located at the southeast corner of N. Scottsdale Road and E. Pinnacle Peak Road.
2. Approve a Conditional Use Permit for a residential health care facility on Parcel H of the 160-acre property located at the southeast corner of N. Scottsdale Road and E. Pinnacle Peak Road.
3. Adopt Ordinance No. 3651 affirming the rezoning and amended development standards.
4. Adopt Resolution No. 6806 affirming the Conditional Use Permit.

Location: Southeast corner of N. Scottsdale Road and E. Pinnacle Peak Road

Reference: 15-ZN-2005 & 13-UP-2005

Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov

Mr. Grant presented the case and reviewed the Development Plan.

Planned uses:

- 25 acres of commercial
- 97 acres of residential
- 4.5 acres for municipal use
- 13 acres for Rawhide Wash/Park site

Planned roadway improvements

- Miller Road – from two lanes to four lanes
- Williams Drive – from two lanes to four lanes
- Pinnacle Peak Road – from two lanes to four lanes from Scottsdale Road to Miller Road, bridge at Rawhide Wash
- Traffic signals at Scottsdale/Williams and Miller/Williams

The applicant reviewed the new site plan derived from public input

- 100-foot scenic corridor
- Rawhide Wash/Park
- Proposed library on four acres of municipal property
- 1% of property dedicated to public art

Mayor Manross opened public testimony

Joan Fudala, 11707 E Desert Vista Dr, 85255, supported the project because of the library component Ms Fudala said that a library in this area will create more public meeting and community gathering space

Richard Katz, 10784 N 101st St, 85260, said he is very pleased with the development and believes it will be a great asset for the northern part of Scottsdale

Bob Vairo, Coalition of Pinnacle Peak, 10040 E Happy Valley Rd, #451, 85255, said traffic had been a major concern before decisions were made to improve the surrounding streets Mr Vairo urged Council not to allow Phoenix to dump traffic onto Scottsdale Road when they develop the property on the west side of Scottsdale Road

Karen Quinn, 7955 N Via Azul, 85250, supported the plan, especially the library, which she believes is dearly needed in the area

Dean Shepherd, Scottsdale Chamber of Commerce, 7343 Scottsdale Mall, 85251, said the site plan is the best use for the property, and the Chamber recommends approval of the rezoning and conditional use permit

Judy Weller, 23003 N 77th Wy, 85255, spoke in support of the project and remarked how diligent the developer had been in listening to feedback from the neighborhood

Tony Nelssen, Desert Property Owners Association, 7736 E Redbird, requested assurances that the project will be developed as presented He agreed that no curb cuts should be cut into Scottsdale Road for the benefit of Phoenix Mr Nelssen questioned how traffic would be addressed on Scottsdale Road during construction

Stephen Plunkett, 22415 N Los Senda Dr, 85255, supports the project and likes the variety of uses planned for the site

Bud Neal, 10929 E Betony Dr, 85255, expressed his support of the developer

Mayor Manross closed public testimony Four additional comment cards were received from citizens in favor of this item, but not wishing to speak

Council/Staff discussion

- A stipulation regarding a site for a library was clarified as follows "At the time of final platting, a minimum of 4.48 acres (Parcels A and B) shall be dedicated to the City for municipal use purposes. It is intended, but not required, that a minimum of 3.48 acres will be utilized for a public library."
- Staff confirmed that money has been budgeted for a library in the area and that the location included in the plan is the preferred location.
- Staff has been working with Phoenix regarding access on Scottsdale Road, and any proposals will be brought back to Council for public discussion.
- Council members fully support the public space being used for a library, but did not wish to preclude other locations.
- Traffic remains a major concern in the area and should be continually monitored.
- The Council appreciated the 1% allocation for art included in the project.

MOTION AND VOTE – ITEM 28

COUNCILMAN ECTON MOVED FOR APPROVAL OF ITEM 28, 15-ZN-2005 AND 13-UP-2005, WITH STIPULATIONS AS PRESENTED, AND THAT THE FINDINGS REQUIRED BY THE ZONING ORDINANCE FOR THE PCD AND THE USE PERMIT ARE MET. VICE MAYOR MCCULLAGH SECONDED THE MOTION, WHICH CARRIED 7-0

PUBLIC COMMENT

Kathy Howard, 10642 E San Salvador, 85258, presented a petition (attached) requesting full public disclosure as to all events, facts, and parties involved in the nomination petition challenge.

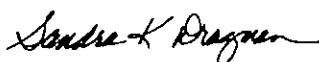
CITY MANAGER'S REPORT - None

MAYOR AND COUNCIL ITEMS - None

ADJOURNMENT

With no further business to discuss, the meeting adjourned at 7:45 P.M.

SUBMITTED BY



Sandy Dragman
Recording Secretary

REVIEWED BY



Carolyn Jagger
City Clerk

Officially approved by the City Council on

February 7, 2006