

CITY COUNCIL REPORT



Meeting Date: March 21, 2023
 General Plan Element: *Character & Culture*
 General Plan Goal: *Identify and protect Scottsdale's historic, archaeological, and cultural resources, to promote awareness and sustain community character.*

ACTION

158-PA-2023: Initiation of a Zoning District Map Amendment to designate Scottsdale City Hall as a historic resource and/or landmark.

Request to consider initiation of the following:

1. A Zoning District Map Amendment (ZN) case for Scottsdale City Hall located at 3939 N Drinkwater Boulevard, proposing a zoning change from Downtown Civic Center Type 2 Planned Block Development Downtown Overlay (D/DCC-2 PBD DO) to Downtown Civic Center Type 2 Planned Block Development Downtown Overlay Historic Property district (D/DCC-2 PBD DO HP) on a portion of a +/- 3.87 acre site; and
2. A Historic Property (HP) case for Scottsdale City Hall to determine the historic status as a Historic Resource and/or Landmark, develop the Historical Significance Report, and establish a Historic Preservation Plan.

Key Items for Consideration

- Scottsdale City Council requested staff to agendize the initiation of a historic preservation amendment for Scottsdale City Hall on December 7, 2021 (Attachment 1).
- Scottsdale's Historic Preservation Commission identified Scottsdale City Hall as a site with potential historic significance at their June 2, 2022, Commission retreat and as such, this item is reflected on their 2022 work program (Attachment 2).

OWNER

City of Scottsdale

APPLICANT CONTACT

Jesus Murillo – City of Scottsdale Historic Preservation Officer
 480-312-7849

LOCATION

Scottsdale City Hall
 3939 North Drinkwater, Scottsdale, Arizona 85251

Action Taken SEE MARKED AGENDA - APPROVE - YES - 7/0

BACKGROUND

Scottsdale General Plan

The Land Use Element of Scottsdale General Plan 2035 designates the subject site as Mixed-Use Neighborhoods. Mixed-Use Neighborhoods focus on human-scale development and located in areas with strong access to multiple modes of transportation and major regional services.

Old Town Scottsdale Character Area Plan

The subject site is located within the boundary of the 2018 Old Town Scottsdale Character Area Plan (OTSCAP), a policy document that guides growth and development decisions for Scottsdale's downtown area. The Future Land Use Map of the OTSCAP designates the subject property as Downtown Civic Center, an area of Old Town that is encouraged to "Maintain, enhance, and expand the development of the Downtown Civic Center with land uses consisting of Old Town's primary public open space, along with cultural, sports and municipal activities, such as the Scottsdale Center for the Performing Arts, Scottsdale Museum of Contemporary Art, Scottsdale Stadium, City Hall, Civic Center Library, and the Public Safety and Courts complex" (Policy LU 2.2). To strengthen and enhance Old Town's character, the plan encourages the protection of prominent historic resources (Policy CD 1.4).

Zoning

The subject site was annexed into the City in 1951 (Ord. #1) and zoned to the Central Business (C-2) zoning designation. In 2003 the City Council adopted Ord. 3521 applying the Downtown Overlay (DO) over the downtown area, including the subject site. The C-2 district is intended to permit uses for recurring shopping and service needs for multiple neighborhoods. This district includes uses usually associated with office and retail shopping developments, typically located near residential neighborhoods. The DO allows the site to utilize certain standards of the Downtown (D) district, to develop consistent with the Old Town Plan.

Context

Scottsdale City Hall is generally located east of North Brown Avenue, west of North 75th Street, north of East 2nd Street and South of East Indian School Road, the surrounding development includes a carwash, event venue (analogues to a theater), mixed use development office, residential, retail, travel accommodation and vehicle parking.

Adjacent Uses and Zoning

- North Existing office, residential, restaurant, retail, travel accommodation, and East Indian School Road uses, zoned Central Business Downtown Overlay (C-2 DO), Central Business Downtown Overlay Historic Property (C-2 DO HP), and Downtown / Office Residential – Type 2 Planned Development Block Overlay Downtown Overlay (D/OR-2 PBD DO)
- South Existing parking, mixed use development (residential and commercial in one building), office, parking, museum, municipal use, and East 2nd Street uses, zoned Open Space Downtown Overlay (O-S DO), Multiple Family Residential Downtown Overlay (R-5 DO), Central Business Downtown Overlay (C-2 DO), Central Business Downtown Overlay Historic Property (C-2 DO HP), and Downtown / Medical – Type 2 Special Campus Downtown Overlay (D/M-2 SC DO)

- East Existing carwash, office, and mixed-use development (residential and commercial in one building) (under construction) and North 75th Street uses, zoned Central Business Downtown Overlay (C-2 DO), Service Residential Downtown Overlay (S-R DO), and Downtown / Office Residential – Type 2 Downtown Overlay (D/OR-2 DO)
- West Existing office, restaurant, mixed use development (residential and commercial in one building) retail, and North Brown Avenue uses, zoned Central Business Downtown Overlay (C-2 DO), Highway Commercial Downtown Overlay (C-3 DO), Downtown / Retail Specialty – Type 1 Downtown Overlay (D/RS-1 DO), and Downtown / Downtown Civic Center – Type 2 (D/DCC-2).

Related Policies, References:

Scottsdale General Plan 2035, as amended

2018 Old Town Scottsdale Character Area Plan

2019 Old Town Scottsdale Urban Design & Architectural Guidelines

Scottsdale Zoning Ordinance

- 22-UP-1990 Approval of a Municipal Use Master Site Plan for Scottsdale Civic Center Mall and Scottsdale Stadium
- 27-ZN-1969 Approval of a Zoning District Map Amendment confirming the property zoning, without the Downtown Overlay.
- 5-ZN-2003 Approval of a Zoning District Map Amendment applying to Downtown Overlay to the property.
- 5-ZN-2017, 22-UP-1990#2, 6-UP-2017 Approval of Scottsdale Civic Center Masterplan

APPLICANTS PROPOSAL

Goal/Purpose of Request

Scottsdale's original Civic Center, "The Plaza", was originally envisioned in the 1964 Scottsdale Town Enrichment Program as the City's civic and municipal center. In 1965 Architect Bennie Gonzales, AIA was selected from among 35 other architects to design Scottsdale's Civic Center which included Scottsdale City Hall. At that time, the only direction given to Mr. Gonzalez was that the design should "represent the southwestern way of life and the spirit of Scottsdale. The entire complex should bring about a dignity of government in the eyes of the people and provide an environment of dignity to the people who came to these buildings". Consequently, City Hall was dedicated on October 11, 1968.

The proposed Zoning District Map Amendment to rezone the property to the Downtown Civic Center Type 2 Planned Block Development Downtown Overlay Historic Property district (D/DCC-2 PBD DO HP) will assist in maintaining and preserving City Hall as the central location of the City of Scottsdale's primary government, library, museum, park, recreational facilities, and cultural center.

Development Information

- Existing Use: Municipal Use
- Proposed Use: Municipal Use
- Site Area: A portion of a +/- 3.87 acre site

Staff contracted Logan Simpson Design (LSD) to assist in the preparation of a forthcoming Scottsdale Historic Property Register nomination and historic preservation plan for City Hall. As part of this effort, LSD will:

1. Complete the archival research of City Hall necessary to establish the history, significance, and Scottsdale Historic Property Register eligibility. This research will be overseen by an individual of LSD that meets or exceeds the Secretary of the Interior's Professional Qualification Standards for a Historian.
2. Complete in-person documentation (photographs and notes) of City Hall; and
3. Prepare a Preservation Plan for City Hall.

IMPACT ANALYSIS

Land Use

The proposed request to determine Scottsdale City Hall with a Historic Preservation status (Historic Resource and/or Landmark) conforms to the policies of General Plan 2035 and the Old Town Scottsdale Character Area Plan.

Community Involvement

This proposal will include standard community involvement consisting of public notice in the newspaper, online notification, postcard mailing to interested parties and community outreach meetings – including the following two (2) public outreach events:

- Open House, April 12th and 13th, 2023, 5:00PM, Community Design Studio

Community Impact

This proposal provides increased public awareness of Scottsdale's heritage; identifying a historic and cultural resource and/or landmark; designating and recognizing a significant local resource; and assisting in protecting, preserving and enhancing an example of Scottsdale's past.

STAFF RECOMMENDATION

Recommended Approach

Staff recommends that City Council initiate both a Zoning District Map Amendment (ZN) and a Historic Preservation (HP) Case for Scottsdale City Hall, located at 3939 North Drinkwater Boulevard.

RESPONSIBLE DEPARTMENT

Planning and Development
Current & Long Range Planning Services

STAFF CONTACT

Jesus Murillo
Historic Preservation Officer
Email: jmurillo@scottsdaleaz.gov

APPROVED BY



Jesus Murillo, Report Co-Author

March 2, 2023

Date



Adam Yaron, Planning & Development Area Manager
480-312-2761, ayaron@scottsdaleaz.gov

03/02/2023

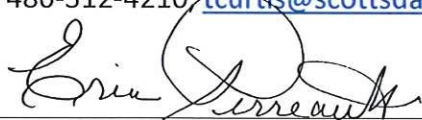
Date



Tim Curtis, AICP, Current Planning Director
480-312-4210, tcurtis@scottsdaleaz.gov

3/6/2023

Date



Erin Perrault, AICP, Executive Director
Planning, Economic Development, and Tourism
480-312-7093, eperreault@scottsdaleaz.gov

03/02/2023

Date

ATTACHMENTS

1. December 7, 2021 City Council Meeting Minutes
2. 2022 Historic Preservation Commission Work Program
3. 158-PA-2023: Scottsdale City Hall HP Zoning Initiation Narrative

**SCOTTSDALE CITY COUNCIL
REGULAR MEETING AND WORK STUDY MINUTES
TUESDAY, DECEMBER 7, 2021**



**CITY HALL KIVA
3939 N. DRINKWATER BOULEVARD
SCOTTSDALE, AZ 85251**

CALL TO ORDER

Mayor David D. Ortega called to order a Regular Meeting of the Scottsdale City Council at 5:00 P.M. on Tuesday, December 7, 2021 in the City Hall Kiva.

ROLL CALL

Present: Mayor David D. Ortega; Vice Mayor Tammy Caputi; and Councilmembers Tom Durham, Betty Janik, Kathy Littlefield, Linda Milhaven, and Solange Whitehead

Also Present: City Manager Jim Thompson, City Attorney Sherry Scott, City Treasurer Sonia Andrews, City Auditor Sharron Walker, and City Clerk Ben Lane.

PLEDGE OF ALLEGIANCE – Vice Mayor Caputi

MAYOR'S REPORT – Mayor Ortega announced that Chaparral High School and Saguaro High School will be heading to the State football championships held at Arizona State Sun Devil Stadium on Saturday, December 11, 2021. Chaparral High School, led by quarterback Brayten Silbor, will begin their game at noon. Saguaro High School, led by quarterback Devon Dampier, will begin their game at 5:00 p.m.

PUBLIC COMMENT – None

MINUTES

Request: Approve the Special Meeting Minutes of November 9, 2021; Regular Meeting Minutes of November 9, 2021; and Work Study Session Minutes of November 9, 2021.

MOTION AND VOTE – MINUTES

Councilwoman Janik made a motion to approve the Special Meeting Minutes of November 9, 2021; Regular Meeting Minutes of November 9, 2021; and Work Study Session Minutes of November 9, 2021. Councilwoman Littlefield seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Caputi; and Councilmembers Durham, Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative.

NOTE: MINUTES OF CITY COUNCIL MEETINGS AND WORK STUDY SESSIONS ARE PREPARED IN ACCORDANCE WITH THE PROVISIONS OF ARIZONA REVISED STATUTES. THESE MINUTES ARE INTENDED TO BE AN ACCURATE REFLECTION OF ACTION TAKEN AND DIRECTION GIVEN BY THE CITY COUNCIL AND ARE NOT VERBATIM TRANSCRIPTS. DIGITAL RECORDINGS AND CLOSED CAPTION TRANSCRIPTS OF SCOTTSDALE CITY COUNCIL MEETINGS ARE AVAILABLE ONLINE AND ARE ON FILE IN THE CITY CLERK'S OFFICE.

CONSENT AGENDA

1. **Churchill's Fine Cigars & Bar Liquor License (75-LL-2021)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 6 (bar) State liquor license for a new location and existing owner.
Location: 18529 N. Scottsdale Road, Suite 127A
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
2. **Yasuo Sushi & Tapas Liquor License (76-LL-2021)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for a new location and owner.
Location: 8300 N. Hayden Road, Suite E108
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
3. **Element Skysong Scottsdale Liquor License (81-LL-2021)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 11 (hotel) State liquor license for an existing location with a new owner.
Location: 1345 N. Scottsdale Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
4. **Pizza Hut Liquor License (83-LL-2021)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 10 (beer and wine store) State liquor license for a new location and owner.
Location: 4436 N. Miller Road, Suite 105
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
5. **Pitadale Mediterranean Kitchen Liquor License (84-LL-2021)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for a new location and owner.
Location: 17025 N. Scottsdale Road, Suite 160
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
6. **Thompson 105 Liquor License (85-LL-2021)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for an existing location with a new owner.
Location: 10401 E. McDowell Mountain Ranch Road, Suite 160
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

7. **Buddhas Ritual Liquor License (86-LL-2021)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for an existing location with a new owner.
Location: 16580 N. 92nd Street, Unit 100
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
8. **Lacquer Nails and Spa Liquor License (87-LL-2021)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 7 (beer and wine bar) State liquor license for a new location and owner.
Location: 8664 E. Shea Boulevard, Suite 152
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
9. **Spiga Cucina Italiana Liquor License (88-LL-2021)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for an existing location with a new owner.
Location: 7500 E. Pinnacle Peak Road, Suite J125
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
10. **Hyderabad House Arizona Liquor License (89-LL-2021)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for a new location and owner.
Location: 16495 N. Scottsdale Road, Suite 105
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
11. **The Brush Bar Liquor License (90-LL-2021)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 7 (beer and wine bar) State liquor license for a new location and existing owner.
Location: 7010 E. Main Street
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
12. **Nori Sushi Liquor License (92-LL-2021)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for an existing location with a new owner.
Location: 10115 E. Bell Road, Suite 109
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

- 13. Arco Food Market Liquor License (93-LL-2021)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 10 (beer and wine store) State liquor license for an existing location with a new owner.
Location: 10809 N. Frank Lloyd Wright Boulevard
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- 14. Tequila Corrido Liquor License (94-LL-2021)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 4 (wholesaler) State liquor license for a new location and owner.
Location: 15035 N. 73rd Street, Suite A
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- 15. Hash Kitchen Liquor License (95-LL-2021)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for an existing location with a new owner.
Location: 8777 N. Scottsdale Road, Suite 308
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- 16. Hash Kitchen Liquor License (96-LL-2021)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for an existing location with a new owner.
Location: 14838 N. Frank Lloyd Wright Boulevard
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- 17. Crown Castle BU 826045 – Monarch Property Type 4 Wireless Communication Facility Conditional Use Permit (24-UP-2005#5)**
Request: Find that the conditional use permit criteria have been met and adopt **Resolution No. 12320** approving a Conditional Use Permit for an existing Type 4, Alternative Concealment Wireless Communication Facility designed as a 55-foot-tall artificial palm tree with Multiple Family Residential District (R-5) zoning.
Location: 7220 E. McKellips Road (a.k.a. 409 N. Scottsdale Road)
Staff Contact(s): Randy Grant, Planning, Economic Development, and Tourism Executive Director, 480-312-2664, rgrant@scottsdaleaz.gov
- 18. T-Mobile PH60902D – Towercom Hambro Tree Conditional Use Permit (12-UP-2021)**
Request: Find that the conditional use permit criteria have been met and adopt **Resolution No. 12319** approving a Conditional Use Permit for an existing Type 4, Alternative Concealment Wireless Communication Facility designed as a 65-foot-tall artificial eucalyptus tree with associated ground mounted equipment, with Planned Community District Industrial Park (I-1 PCD) zoning.
Location: 16423 N. 91st Street
Staff Contact(s): Randy Grant, Planning, Economic Development, and Tourism Executive Director, 480-312-2664, rgrant@scottsdaleaz.gov

19. Joint Use School Site Intergovernmental Agreement

Request: Adopt Resolution No. 12335 to authorize:

1. Intergovernmental Agreement No. 1995-009-COS-A1, the first amendment to the agreement with the Scottsdale Unified School District No. 48 regarding joint use school site for the district to fund and construct a shaded seating area on city property adjacent to Desert Canyon Elementary School.
2. The execution and recording of a Temporary Construction Easement to accomplish the improvements.
3. The Assistant City Manager overseeing Community Services, or designee, to take such other actions necessary to carry out the intent of this Resolution.

Location: Adjacent to 10203 E. McDowell Mountain Ranch Road

Staff Contact(s): William B. Murphy, Assistant City Manager, 480-312-7954, bmurphy@scottsdaleaz.gov

20. Tournament Players Club (TPC)/PGA Tour Lease and Management Agreement Amendment

Request: Adopt Resolution No. 12340 authorizing Agreement No. 1985-060-COS-A8, the eighth amendment to the lease and management agreement with the Tournament Players Club of Scottsdale, Inc., (TPC) and PGA Tour, Inc., to authorize a right-of-entry onto the Expo Pad Parcel; to lease additional property to the TPC; and to update provisions relating to the location and operation of sportsbook wagering and related improvements at the TPC golf facility.

Location: 17020 N. Hayden Road

Staff Contact(s): William B. Murphy, Assistant City Manager, 480-312-7954, bmurphy@scottsdaleaz.gov

21. Community Development Block Grant (CDBG) CV3 Budget Transfer

Request: Adopt Resolution No. 12332 authorizing a Fiscal Year 2021/22 budget transfer in the amount of \$1,231,675 from the Community Services Division, CDBG Fund Operating Budget to three newly created Capital Improvement Projects to be titled "*Paiute Park Ramada*", "*Paiute Park Parcourse*", and "*Paiute Park Bathrooms*" to be funded by the CDBG-CV3 grant funding source.

Staff Contact(s): William B. Murphy, Assistant City Manager, 480-312-7954, bmurphy@scottsdaleaz.gov

22. Request for Exemption from Posting Security for Outstanding Workers' Compensation Claims

Request: Adopt Resolution No. 12336 authorizing the execution of a letter to the Industrial Commission of Arizona requesting an exemption to the requirement to post security for outstanding workers' compensation claims.

Staff Contact(s): George Woods, Risk Management Director, 480-312-7040, gwoods@scottsdaleaz.gov

23. Certificate of Necessity Application for Ambulance Services

Request: Adopt Resolution No. 12333 to authorize:

1. The City Manager to submit an application for a Certificate of Necessity to the Arizona Department of Health Services to operate ground ambulance transport services in the City of Scottsdale and to approve, sign, and file the application necessary to carry out the purpose of this Resolution.
2. The City Manager, City Treasurer, City Attorney, or their respective designees, to execute any such documents and take any such other actions reasonably necessary to carry out the purpose of this Resolution.

Staff Contact(s): Tom Shannon, Fire Chief, 480-312-1821, tshannon@scottsdaleaz.gov

24. Mobile Food Vendors Code Amendment

Request: Adopt **Ordinance No. 4525** amending Scottsdale Revised Code, Chapter 16, Licenses, Taxation, and Miscellaneous Business Regulations, adding Article XXII and Sections 16-650 to 16-656, to add minimum standards for safety and security for the operation of mobile food vendors.

Staff Contact(s): Whitney Pitt, Business Services Director, 480-312-5925, wpitt@scottsdaleaz.gov

25. Legal Fees for Federal Aviation Administration (FAA) Flight Path Petition

Request: Adopt **Resolution No. 12328** authorizing Contract No. 2020-144-COS-A1, the first amendment to the agreement with Leech Tishman Fuscaldo & Lampl, Inc., authorizing additional legal fees in the amount of \$90,000 for the handling of the City's Petition for Review regarding FAA Flight Path disputes filed in the D.C. Circuit Court of Appeals.

Staff Contact(s): Sherry Scott, City Attorney, 480-312-2405, sscott@scottsdaleaz.gov

26. Boreyko Settlement Agreement and General Release of All Claims

Request: Adopt **Resolution No. 12334** authorizing Agreement No. 2021-184-COS with Plaintiff Cowen Boreyko, a minor child by and through his father, Benson Boreyko, in the amount of \$50,000 to settle Plaintiff's lawsuit against the City and its employees, *Benson Boreyko v. City of Scottsdale, et al.*, Case No. CV2021-005887, currently pending in Maricopa County Superior Court.

Staff Contact(s): Sherry Scott, City Attorney, 480-312-2405, sscott@scottsdaleaz.gov

27. Independent Ethics Reviewers Professional Services Contracts

Request: Adopt **Resolution No. 12289** authorizing Professional Services Contract No. 2021-157-COS to allow retired judge Lawrence H. Fleischman to serve as an independent ethics reviewer as required by Scottsdale Revised Code Section 2-57.

Staff Contact(s): Sherry Scott, City Attorney, 480-312-2405, sscott@scottsdaleaz.gov

28. National Opioid Settlement Agreements

Request: Adopt **Resolution No. 12341** to authorize:

1. The City of Scottsdale to participate in pending settlement agreements with one manufacturer defendant and three distributor defendants as received from the National Opioid Litigation Settlement Administrators in the national opioid litigation.
2. The execution and submittal of Janssen Settlement Participation Form (Contract No. 2021-186-COS) and Distributors Settlement Participation Form (Contract No. 2021-187-COS) to the National Opioid Litigation Settlement Administrators for the City of Scottsdale to receive funds from these settlements directly and to maximize the total funds received in the State of Arizona for abatement and remediation of the impacts from the opioid epidemic.

Staff Contact(s): Sherry Scott, City Attorney, 480-312-2405, sscott@scottsdaleaz.gov

MOTION AND VOTE – CONSENT AGENDA

Councilwoman Whitehead made a motion to approve Consent Agenda Items 1 through 28. Councilmember Durham seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Caputi; and Councilmembers Durham, Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative.

REGULAR AGENDA

29. Conservation Program Investment

Request: Adopt Resolution No. 12306 authorizing Agreement No. 2021-172-COS with the National Forest Foundation in the amount of \$210,000 for conservation program investment to the Northern Arizona Forest Fund toward improving the forest watersheds that are critical to the City's water supply.

Presenter(s): Kevin Rose, Water Resources Administrator and Rebecca Davidson, National Forest Foundation

Staff Contact(s): Brian Biesemeyer, Water Resources Executive Director, 480-312-5683, bbiesemeyer@scottsdaleaz.gov

Water Resources Administrator Kevin Rose, National Forest Foundation Southwest Regional Director Rebecca Davidson, and National Forest Foundation Arizona Program Manager Sasha Stortz gave a PowerPoint presentation (attached) on the conservation program and agreement.

MOTION AND VOTE – ITEM 29

Councilwoman Whitehead made a motion to adopt Resolution No. 12306 authorizing Agreement No. 2021-172-COS with the National Forest Foundation in the amount of \$210,000. Vice Mayor Caputi seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Caputi; and Councilmembers Durham, Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative.

PUBLIC COMMENT – None

CITIZEN PETITIONS

30. Receipt of Citizen Petitions

Request: Accept and acknowledge receipt of citizen petitions. Any member of the Council may make a motion, to be voted on by the Council, to: (1) Direct the City Manager to agendize the petition for further discussion; (2) direct the City Manager to investigate the matter and prepare a written response to the Council, with a copy to the petitioner; or (3) take no action.

Staff Contact(s): Ben Lane, City Clerk, 480-312-2411, blane@scottsdaleaz.gov

No citizen petitions were received.

MAYOR AND COUNCIL ITEMS – MOTION AND VOTE

Mayor Ortega made a motion to direct staff to agendize the initiation of a historic preservation amendment for Scottsdale City Hall for a date to be determined within the next 60 days. Councilwoman Janik seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Caputi; and Councilmembers Durham, Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative.

The City Council recessed at 5:34 P.M.

The City Council reconvened at 5:46 P.M.

CITY COUNCIL WORK STUDY SESSION

PUBLIC COMMENT

- Don Henninger, with the Scottsdale Coalition of Today and Tomorrow (SCOTT), cautioned against putting blanket restrictions on growth and development in the Old Town area.
- Marilyn Atkinson asked for clarification and guidance on any proposed bonus point system.
- French Thompson spoke against adding bonus points for height or density.
- Daniel Ishac expressed concern about the short term-focus for additional restrictions on development, the lack of affordable housing, and the need for future revenue sources.
- Jon Rosenberg said that the current system of development review and approval works, and the current Old Town Character Area Plan should remain in place.

1. **Old Town Character Area Plan and Zoning Ordinance Update (5-GP-2021, 1-TA-2021, 1-II-2010#3)**

Request: Presentation and discussion regarding public outreach efforts associated with the Old Town Scottsdale Character Area Plan and downtown zoning ordinance update process.

Presenter(s): Adam Yaron, Principal Planner and Brad Carr, Planning and Development Area Manager

Staff Contact(s): Randy Grant, Planning and Economic Development Executive Director, 480-312-2664, rgrant@scottsdaleaz.gov

Principal Planner Adam Yaron gave a PowerPoint presentation (attached) on the Old Town Character area plan and zoning ordinance update.

MOTION AND VOTE – POINT OF ORDER

Following a call to order by the Presiding Officer for comments that he believed were off topic, Councilmember Milhaven raised a point of order to allow Vice Mayor Caputi to complete her remarks. After clarification from the City Attorney, the Council voted on whether to uphold the Presiding Officer's ruling. The motion failed 3/4, with Mayor Ortega and Councilmembers Janik and Littlefield voting in the affirmative and Vice Mayor Caputi and Councilmembers Durham, Milhaven, and Whitehead dissenting. Based on the vote, Vice Mayor Caputi completed her remarks.

The City Council requested staff seek public feedback on the following observations and suggestions:

- Redefining height density by moving the Type 1 category to 40 feet, the Type 2 category to 52 feet, and the Type 3 category to 66 feet, with an additional bonus of 6 feet, for total of 72 feet.
- Further clarifying the definition of mixed-use to include preservation of walkability and commercial use and suggesting that commercial development be 20 percent of any mixed-use project.
- Providing guidance on successful commercial endeavors.
- Re-evaluating bonus heights keeping to the character of Scottsdale, which includes views, open space, weather, and tourism.
- Clarifying the definition of the bonus system, including:
 - Detailing possible tradeoffs, noting what the City would receive in return for approving the bonus height.
 - Including a 10 percent open space commitment.

- Including a one percent public art contribution.
- Restricting bonus items to those that have greater significance, such as open space and pedestrian walkways.
- Creating a list of benefits to determine what types of improvements would be beneficial for the City to receive amenities and fulfill community requirements and needs.
- Explaining how to qualify for bonuses and where they may be used.
- Increasing bonus fees for heights and density.
- Providing information from other municipalities on how they handle bonuses and charge bonus fees.
- Prioritizing repairs, upkeep and investment in City property including:
 - Ensuring open roads and adequate parking.
 - Cleaning, repairing, and conducting regular maintenance for alleys, cracked sidewalks, and signage.
 - Developing and implementing plans for tree canopies and the Emerald Necklace pedestrian connectivity path.
 - Planting trees and flowers and establishing regular watering schedules.
 - Installing additional lighting, seasonal decorations, and performing regular maintenance on lighting systems.
- Reinstating grants for business owners to use towards façade improvements.
- Establishing an Old Town stakeholder group to meet regularly.
- Using bonus funds to establish a park at the Rose Garden.
- Activating alleys for use as dining areas or other activities, such as music and/or entertainment events.
- Continuing public outreach and increasing engagement with the community.
- Determining growth areas and ways to have tourists year-round.
- Finding areas of agreement and common ground. Focusing on the City's strengths.
- Continuing open discussion on all ideas presented, maintaining flexibility, and pursuing thoughtful growth.

ADJOURNMENT

MOTION AND VOTE – ADJOURNMENT

Councilwoman Whitehead made a motion to adjourn. Councilwoman Janik seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Caputi; and Councilmembers Durham, Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative.

The Regular Meeting and Work Study Session adjourned at 7:24 P.M.

SUBMITTED BY:



Ben Lane, City Clerk

Officially approved by the City Council on January 11, 2022

CERTIFICATE

I hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Regular Meeting and Work Study Session of the City Council of Scottsdale, Arizona held on the 7th day of December 2021.

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

DATED this 11th day of January 2022.



Ben Lane, City Clerk

Scottsdale Historic Preservation Commission 2022 Work Program As Amended HPC Retreat (June 2, 2022)

Historic Preservation Plans and Guideline Updates

- *Encourage and provide resources for the completion and approval of Historic Preservation Plans for: Villa Monterey Historic District; Charles Miller House; McCormick-Stillman Railroad Park Roald Amundsen Pullman Car; Glass & Garden Community Church; Holy Cross Lutheran Church; and First Church of Christ, Scientist.*
- *Investigate alternative funding for completing new historic contexts and plans (CLG Pass Through Grant).*
- *Interest council in creating a bond/monies form current development to protect a HP candidate or preserve an HP property (ex: Mesa/Tempe).*

Designation

- Valley Field Riding and Polo Club
- Rusty Spur Area District
- Oasis Park - Mobile Home Park
- Old Kiva Theatre
- Fifth Avenue District
- Coach House
- Properties and budlings that are most danger of being demolished
- Kiva Building
- Community Design Center
- Los Olivos
- Titus House
- Cowboy and Lasso
- Woolworths
- Los Sombreros
- Elks Building (Thomas/Scottsdale)
- Auto Store (Honor Health)
- Sites with Mid-Century Architecture and an emphasis on the use of concrete:
 - The bank at the southwest corner 74th Street and McDowell
 - The bank at the southwest corner of Palm Lane and Scottsdale Road
 - The Coronado High School gymnasium

- The Holy Cross Lutheran church on Hayden Road between Thomas and Osborn
- The St. Mario Goretti Catholic Church on Granite Reef north of McDonald
- The Saguaro High School auditorium
- Sites that have been notable eateries or store:
 - The Mag's Ham Bun / Pishcke's restaurant on N. First Street east of N. Scottsdale Road
 - The Crystal Pistol / Chuckbox / Oregano's restaurant on E. Shea Boulevard just east of N. Scottsdale Road
 - The NYPD / Mag's Ham Bun restaurant on Scottsdale Road just south of Shea
 - The Handlebar J's restaurant
 - Cactus Flower florists
 - The General Store at the southwest corner of Pinnacle Peak and Pima Roads
 - The shopping center at the northwest corner of Hayden and Via de Ventura
 - May be useful to recognize the locations of Pinnacle Peak Restaurant, Reata Pass Restaurant, Rawhide as well as the Quilted Bear restaurant as the memory of these quickly fades into the past.
- Early townhouse neighborhoods (Scottsdale led the way in Arizona for this type of housing):
 - Villa Adrian near the southeast corner of 68th St. and Camelback
 - The Golden Keys neighborhood at the northwest corner of 64th St. and Thomas
 - The Sands Townhouses neighborhood at the northwest corner of Indian School and Pima
 - The Briarwood neighborhood on McDonald east of Scottsdale Road
 - The Colonia Encantada neighborhood on the north side of McCormick Parkway east of Scottsdale Road (one of the first projects by Geoffrey Edmunds)
 - The four townhouse neighborhoods on the west side of Scottsdale Road between McDonald and Jackrabbit
- Residential projects designed by Bennie Gonzales:
 - The Las Villas townhomes at the southeast corner of Scottsdale Road and McDonald
 - The original models at the El Cuadros townhouse neighborhood on Miller south of Thomas
 - The Scottsdale Shadows condominiums at the northwest corner of Hayden and Camelback
 - The Los Cuatros apartments at N. 2nd St. and N. 69th Street
- The Eldorado Park Phase I – This was the first park to incorporate the 'greenbelt' design concept for the Indian Bend Wash. In the floods of 1970 and 1972 it proved to the Corps and the public that the concept would work.



**Planning and Development Services
Historic Preservation Office**

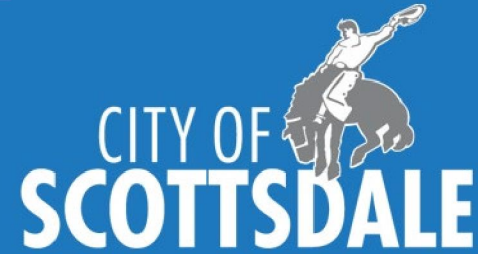
7447 East Indian School Road, STE 105
Scottsdale, Arizona 85251

In 1965 Architect Bennie Gonzales, AIA was selected from among 35 other architects to design Scottsdale's Civic Center which included Scottsdale City Hall. At that time, the only direction given to Mr. Gonzalez was that the design should "represent the southwestern way of life and the spirit of Scottsdale. The entire complex should bring about a dignity of government in the eyes of the people and provide an environment of dignity to the people who came to these buildings". Consequently, Scottsdale City Hall was dedicated on October 11, 1968.

Scottsdale City Council requested staff to agendize the initiation of a Zoning Map Amendment to designate Scottsdale City Hall as a historic property on December 7, 2021. Additionally, Scottsdale's Historic Preservation Commission identified Scottsdale City Hall as a site with potential historic significance at their June 2, 2022, Commission retreat and as such, this item is reflected on their 2022 work program.

The City of Scottsdale Historic Preservation Office requests Scottsdale City Council initiate:

1. A zoning district map amendment (ZN) case for Scottsdale City Hall located at 3939 N Drinkwater Boulevard, proposing a zoning change from Downtown Civic Center Type 2 Planned Block Development Downtown Overlay (D/DCC-2 PBD DO) to Downtown Civic Center Type 2 Planned Block Development Downtown Overlay Historic Property (D/DCC-2 PBD DO HP); and
2. A historic property (HP) case for Scottsdale City Hall to determine the historic status as a Historic Resource and/or Landmark, develop the Historical Significance Report, and establish a Historic Preservation Plan.



Scottsdale City Hall
Historic Resource and/or Landmark Initiation
158-PA-2023

City Council - March 21, 2023

Jesus Murillo, Historic Preservation Officer

Request:

Initiation of a Zoning District Map Amendment and Historic Property Overlay (ZN/HP) to designate Scottsdale City Hall as a historic resource and/or landmark.





Context Aerial

158-PA-2023

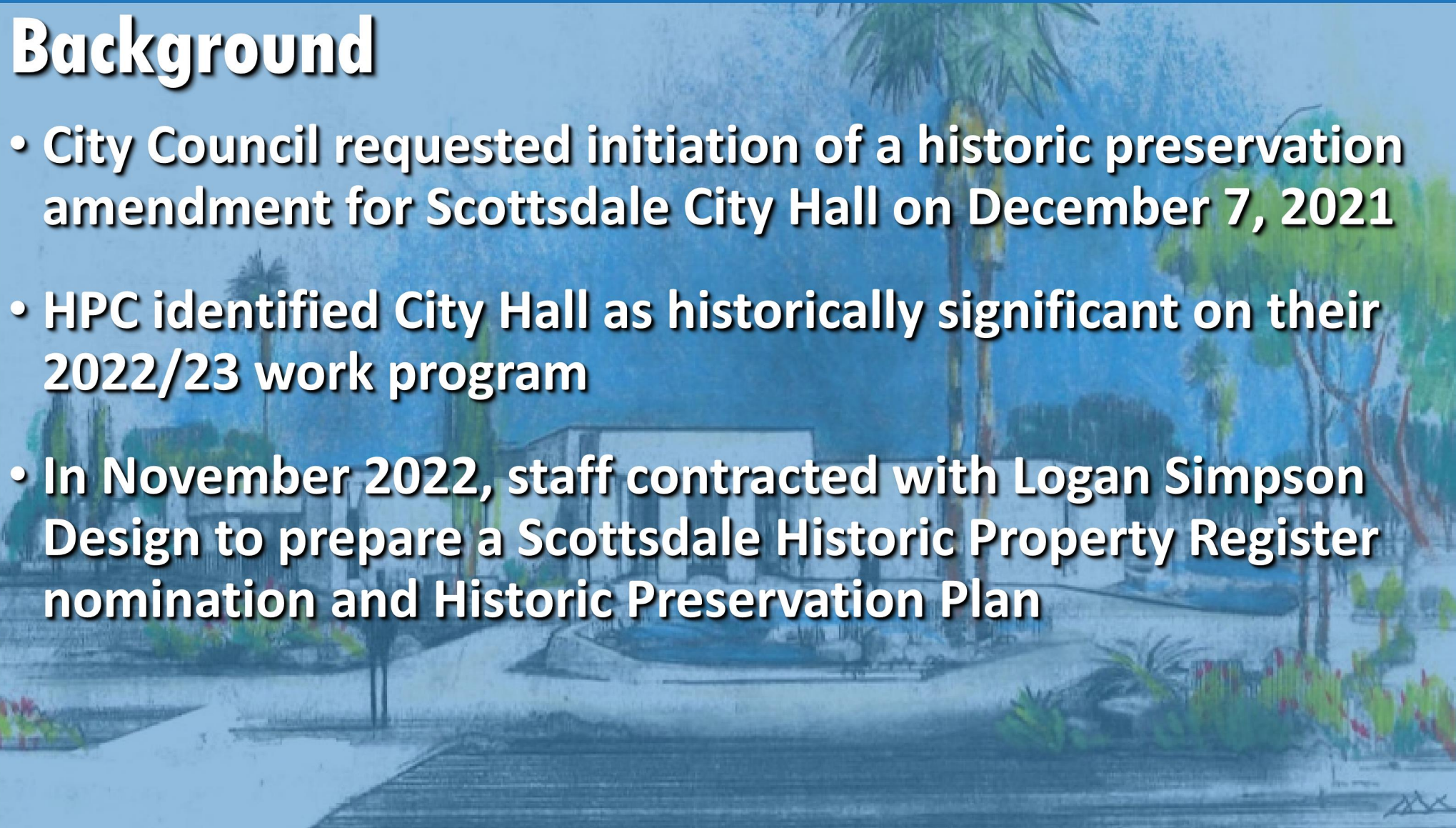


Aerial Close-Up

158-PA-2023

Background

- City Council requested initiation of a historic preservation amendment for Scottsdale City Hall on December 7, 2021
- HPC identified City Hall as historically significant on their 2022/23 work program
- In November 2022, staff contracted with Logan Simpson Design to prepare a Scottsdale Historic Property Register nomination and Historic Preservation Plan



Logan Simpson Initial Findings

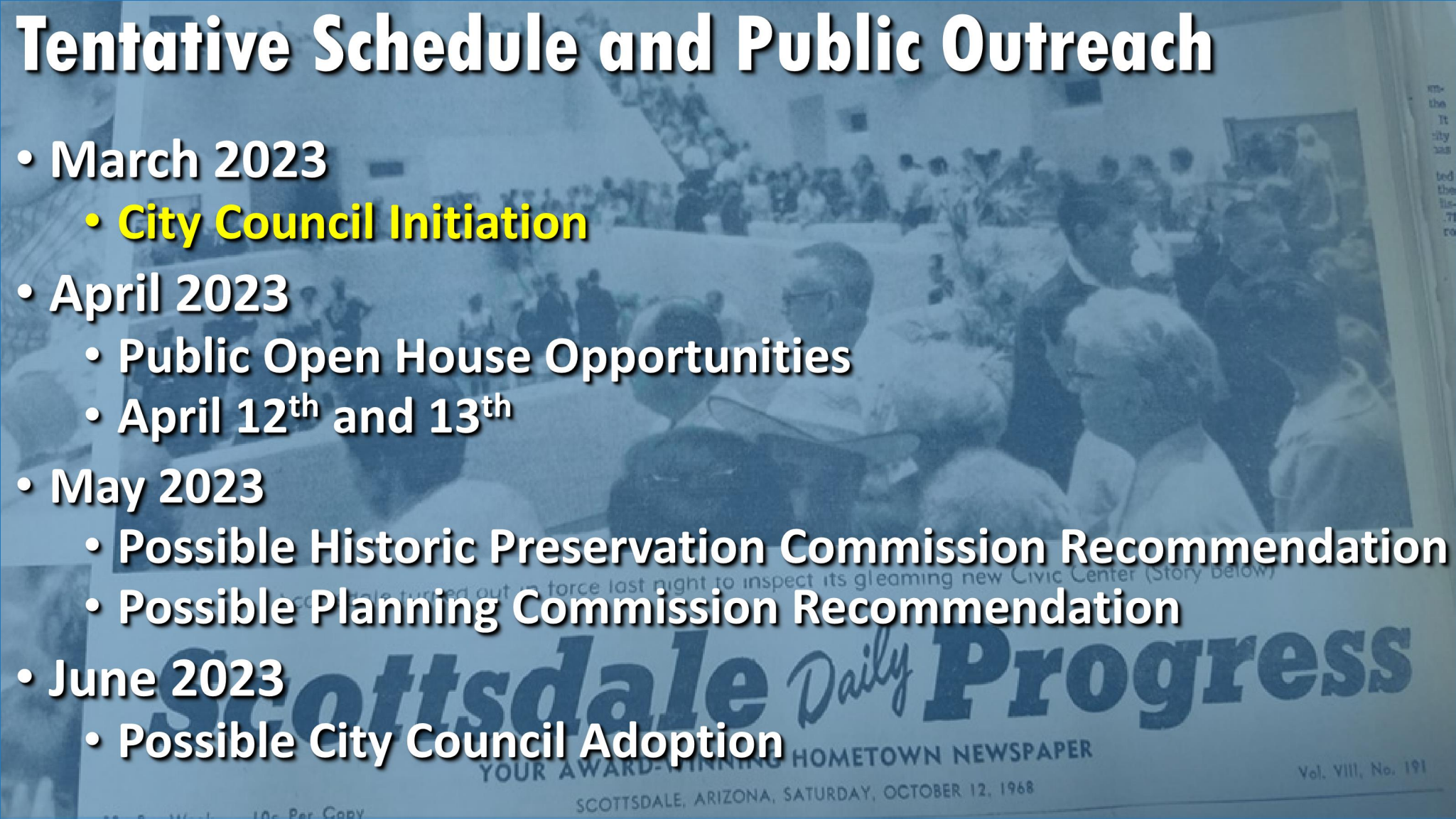
Scottsdale City Hall:

- Over fifty years of age (1968)
- Represents the work of master architect Bennie M. Gonzales and is an outstanding example of the Pueblo Revival architectural style
- Possesses high artistic values, integrity of location, setting, design, workmanship, materials, feeling, and association



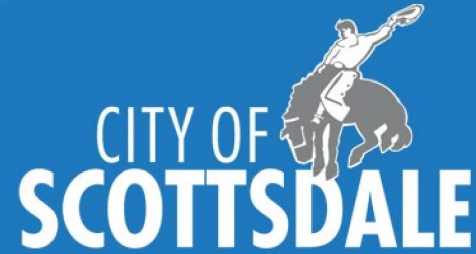
Tentative Schedule and Public Outreach

- March 2023
 - **City Council Initiation**
- April 2023
 - Public Open House Opportunities
 - April 12th and 13th
- May 2023
 - Possible Historic Preservation Commission Recommendation
 - Possible Planning Commission Recommendation
- June 2023
 - Possible City Council Adoption



Staff Recommended Approach

- **City Council initiate a Zoning District Map Amendment (ZN) and Historic Preservation (HP) Cases for Scottsdale City Hall, located at 3939 North Drinkwater Boulevard:**
 1. **A Zoning District Map Amendment (ZN) case for Scottsdale City Hall located at 3939 N Drinkwater Boulevard, proposing a zoning change from Downtown Civic Center Type 2 Planned Block Development Downtown Overlay (D/DCC-2 PBD DO) to Downtown Civic Center Type 2 Planned Block Development Downtown Overlay Historic Property district (D/DCC-2 PBD DO HP) on a portion of a +/- 3.87 acre site; and**
 2. **A Historic Property (HP) case for Scottsdale City Hall to determine the historic status as a Historic Resource and/or Landmark, develop the Historical Significance Report, and establish a Historic Preservation Plan on a portion of a +/- 3.87 acre site.**



Scottsdale City Hall
Historic Resource and/or Landmark Initiation

158-PA-2023

City Council - March 21, 2023

Jesus Murillo, Historic Preservation Officer