

# CITY COUNCIL REPORT



Meeting Date: **September 5, 2023**  
 General Plan Element: **Land Use**  
 General Plan Goal: ***Sensitively transition and integrate land uses with the surrounding natural and built environments.***

## ACTION

### 1-II-2010#3

#### Repeal of the Downtown Infill Incentive District & Plan

##### Request to consider the following:

Adopt Resolution No. 12746 repealing Resolution No. 8370 which authorized the establishment of the Downtown Infill Incentive District and the adoption of the Downtown Infill Incentive Plan.

## LOCATION

The Downtown Infill Incentive District is an irregularly shaped area, generally located between North 68<sup>th</sup> Street and North Miller Road, and between East Earll Drive and East Chaparral Road.

## BACKGROUND

### Infill Incentive Districts

Arizona Revised Statutes § 9.499.10 provides criteria to establish Infill incentive Districts within municipalities (Attachment #2).

Scottsdale has two Infill Incentive Districts – Scottsdale Waterfront (Case 1-II-2003), and Downtown (Case 1-II-2010) (Attachment #3). The Scottsdale Waterfront Infill Incentive District, designated in 2003, was limited in its use to the Scottsdale Waterfront site/property only.

In an effort to provide flexibility of development, and as a means for encouraging creative and high-quality development, the Downtown Infill Incentive District (DIID) was established in 2010 and was intended to apply to all areas of Old Town (previously Downtown) excluding the previously-designated Scottsdale Waterfront site/property. The DIID was established to allow for the city to encourage Old Town investment, infill, redevelopment, and revitalization for both small and large properties. Using this tool and its related Downtown Infill Incentive Plan (DIIP), a property owner could propose, on a case-by-case basis, projects with amended development standards (including height, intensity, and density amendments) for items not otherwise permitted under the established Zoning Ordinance, request development fee waivers, or request expedited plan reviews. To date, the City has not received a request for development fee waivers or expedited plan reviews under the DIID.

## City Council Report | Downtown Infill Incentive District Amendment

Since the establishment of the DIID, the city has processed, and City Council has approved, the following applications (Attachment #4):

<b>1</b>	2-II-2010	Blue Sky, a +/- 4.95 acre site	Requesting a variety of amended site development standards. (FAR, Building Height, and Density)
<b>2</b>	3-II-2010	Scottsdale & Angus, a +/- 3.75 acre site	Requesting an amendment of a site development standard. (Building Height)
<b>3</b>	1-II-2011	Safari Condominiums, a +/- 4.85 acre site	Requesting a variety of amended site development standards. (FAR, Building Height, and Density)
<b>4</b>	1-II-2012	Optima Sonoran Village, a +/- 9.87 acre site	Requesting a variety of amended site development standards. (FAR, Building Height (including exceptions to height limits), Large Walls – Vertical maximum, Building Envelope, and Density)
<b>5</b>	3-II-2012	The Industry West, a +/- 1.7 acre site	Requesting a variety of amended site development standards. (FAR, Building Height, and Density)
<b>6</b>	4-II-2012	The Industry East, a +/- 2.2 acre site	Requesting a variety of amended site development standards. (FAR, Building Height, and Density)
<b>7</b>	5-II-2012	Hewson Investments, a +/- 0.97 acre site	Requesting a variety of amended site development standards. (FAR, Building Height (including exceptions to height limits), and Density)
<b>8</b>	1-II-2016	Scottsdale Fashion Square Mall, +/- 1.8 acres of a +/- 56 acre site	Requesting a variety of amended site development standards, including inclined stepback plane adjacent to the Old Town Boundary, specifically at the northeast corner of the Development Plan area located on the northwest corner of Camelback Road and Scottsdale Road.
<b>9</b>	1-II-2017	Winfield Hotel & Residences, a +/- 1.19 acre site	Requesting amended site development standards to allow for a parking master plan on a site less than two (2) acres.
<b>10</b>	2-II-2017	Canopy by Hilton-OldTown, a +/- 1.22 acre site	Requesting amended site development standards to allow for a parking reduction of 47% on a site less than two (2) acres.
<b>11</b>	1-II-2018	Don & Charlies Hotel, a +/- .92 acre site	Requesting amended site development standards to allow for a parking reduction of 37% on a site less than two (2) acres.
<b>12</b>	2-II-2018	The Goldwater, a +/- 1.19 acre site	Requesting a variety of amended site development standards. (FAR and Building height)
<b>13</b>	1-II-2020	The Scottsdale Collection, a +/- 6.5 acre site	Requesting amended site development standards regarding the setback and stepbacks adjacent to the Old Town Boundary, shared parking masterplan, and increased height.



### **Scottsdale General Plan**

Scottsdale General Plan 2035 (the Plan) is the primary citywide policy document used for guiding land use and future development of the city. The Plan encourages a high-quality attractive community in which to live and do business. The Zoning Ordinance is considered to be one of the Plan's key implementation tools for land use.

City Council adopted the most recent General Plan, Scottsdale General Plan 2035, on June 8, 2021, through Resolution No. 12177, which was subsequently ratified by Scottsdale citizens on November 2, 2021, through Proposition 463. As part of the community's public review of the General Plan, City Council purposely removed references to Infill Incentive Districts with the expressed understanding that the Downtown Infill Incentive District and Plan were created prior to the Downtown (D) Zoning District being updated, so as to encourage redevelopment and infill development in downtown at that time. Now that the updated Downtown (D) District has been in place for a number of years, downtown infill and redevelopment are more comprehensively served through the D/PBD Zoning Districts than with the Downtown Infill Incentive District and Plan, and the Downtown Infill Incentive District and Plan are redundant to what the D/PBD Zoning Districts allow with downtown development, thus creating an opportunity for repeal.

### **Old Town Scottsdale Character Area Plan**

Scottsdale City Council adopted the most-recent iteration of the Old Town Scottsdale Character Area Plan (OTSCAP), a policy document, in July 2018. The OTSCAP (formerly Downtown Plan) has served as the comprehensive policy document to guide development decisions for Old Town Scottsdale for over 35 years. As an adopted Character Area Plan within Scottsdale General Plan 2035, the OTSCAP incorporates community goals and policies consistent with, but not duplicative of, both the General Plan and other master-planning efforts, specific to Old Town.

Most recently, at their June 22, 2021 work study session and August 24, 2021 meeting (Attachment #7), City Council discussed and ultimately directed staff to begin a public outreach effort to reexamine the Old Town Scottsdale Plan and affected sections of the Zoning Ordinance that relate to Old Town, including the Downtown Infill Incentive District and Plan.

### **Downtown Infill Incentive Plan**

The goals and objectives contained within the DIIP (Attachment #8) were established to promote high quality new development, redevelopment and infill development within the DIID through the use of flexible development standards. The DIIP contains the following goals:

**Goal 1:** Encourage infill development of vacant parcels, and the revitalization and/ or redevelopment of existing buildings in Downtown Scottsdale

**Goal 2:** Development shall be composed of complementary and supportive design relationships with the urban neighborhood in which the development is located, with an adjacent neighborhood outside of the Downtown boundary, and consistent with the Downtown Plan.

**Goal 3:** Development shall be in compliance with the Downtown Plan Urban Design & Architectural Guidelines, and the Scottsdale Sensitive Design Principles

The purpose of the DIIP was to maintain the integrity and character of Old Town Scottsdale and its built environment, allowing only certain amendments to be requested by an applicant within a DIID application and considered at the discretion of City Council. The allowed and prohibited

amendments in the Downtown Incentive Infill District are identified in three categories: Minor Amendments, Major Amendments, and Prohibited Modifications.

### Minor Amendments

An application to utilize the provisions of the DIID may include request to amend the following from the Scottsdale Zoning Ordinance, except as prohibited below.

- Projects within the Type 1 Old Town area may request an amendment to the permitted building height, up to a height of forty (40) feet, inclusive of roof top apparatus.
- Projects within the Type 1 area that are outside of the Old Town area may request an amendment to the permitted building height, up to a height of forty (48) feet, inclusive of roof top apparatus.
- Projects in the Type 2 area that do not have Downtown (D) District zoning may request an amendment to the permitted building height, up to a height of forty (48) feet, inclusive of roof top apparatus.
- Projects in the Type 2 area that have Downtown (D) District zoning may request an amendment to the permitted building height, up to a height of sixty-five (65) feet, inclusive of roof top apparatus.
- Projects that do not have Downtown (D) District zoning may request an amendment of the allowable floor area up to a floor area ratio of 1.5

### Major Amendments

An application to utilize the provisions of the DIID, may include a request to amend the General Plan, the Downtown Plan, or the Zoning Ordinance. If a DIID amendment is requested in the application, a concurrent application must be submitted to amend the following if the proposed development plan affects:

- The General Plan, – requires a General Plan amendment application
- The Downtown Plan, – requires a General Plan amendment application
- A change from one zoning district to another zoning district – requires a Zoning Map amendment application
- An existing zoning stipulation(s), – requires a Zoning Map amendment application
- Existing amended development standards, – requires a Zoning Map amendment application
- Existing Conditional Use Permit and/or related stipulations, – requires a Conditional Use Permit application
- The addition of a land use that is not permitted in the property’s zoning district, and/or overlay district classification. – requires a Zoning Map amendment application
- A land use that requires a Conditional Use Permit, – requires a Conditional Use Permit application
- A building height between sixty-five (65) feet and ninety (90) feet, inclusive of roof top apparatus, in the Downtown Multiple Use or Downtown Civic Center Type 2 areas, and/or – requires a Zoning Map amendment application

- A building height between sixty-five (65) feet and one-hundred fifty (150) feet, inclusive of roof top apparatus, in the Downtown Regional Multiple Use or Downtown Medical Type 2 areas. – requires a Zoning Map amendment application
- Properties with Downtown (D) District zoning may request a floor area ratio greater than what is permitted by the zoning district. – requires a Zoning Map amendment application
- A density greater than the allowed density of a property’s zoning district or overlay district classification. – requires a Zoning Map amendment application

### Prohibited Modifications

An application to utilize the provisions of the DIID, shall not include modifications to:

- The Scottsdale Zoning Ordinance regulations in Article I. – Administration and Procedures;
- The Scottsdale Zoning Ordinance definitions of Article III. – Definitions, or any other definition that may be located in another article of the Zoning Ordinance;
- Any property with the Historic Property zoning overlay district designations; and/or
- Reduce the minimum contribution of the Cultural improvements program of the Scottsdale Zoning Ordinance.

### **Zoning Ordinance**

The Planned Block Development Overlay (PBD) district is a flexible zoning district that allows a property owner with Downtown (D) District zoning to propose development plans that incorporate tailored property development standards and land uses, within limited restrictions, for a proposed development that demonstrates compliance with the Old Town Plan and Old Town Urban Design and Architectural Guidelines. In addition, the PBD allows a property owner to request property development standard bonuses for additional building height, gross floor area, and residential units above that which is allowed in the Downtown District by providing community amenities and benefits as part of their development project.

The most recent significant update to the D/PBD zoning districts were approved by City Council in 2012, two years after the establishment of the DIID. The 2012 version of the D/PBD districts were significantly modified to implement the Old Town Character Area Plan (then referenced as Downtown) that was adopted near the same time period (2009) reinforcing the Taskforce, Board and Commissions, and public comments gathered during the Old Town Character Area Plan update, and essentially making the DIID and the D/PBD districts redundant.

### **Key Items for Consideration**

The proposed amendment to repeal the Downtown Infill Incentive District and Plan will:

- Implement City Council’s action received through the General Plan Update effort of 2021 which resulted in the voter ratified Scottsdale General Plan 2035 that removed references to any Infill Incentive District;
- Remove redundant redevelopment mechanisms within the Zoning Ordinance; and
- Encourage the Downtown (D) District zoning district, paired with the Planned Block Development (PBD) Overlay, as the district that will maximize redevelopment potential for parcels within the Old Town Character Area;

**Related Policies, References:**

Scottsdale General Plan 2035, as amended  
2018 Old Town Scottsdale Character Area Plan  
2019 Old Town Scottsdale Urban Design & Architectural Guidelines  
2010 Downtown Infill Incentive Plan  
Scottsdale Zoning Ordinance  
Resolution No. 8370

**PROPOSAL**

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**Purpose of Request**

The purpose of this request is to adopt Resolution No. 12746, repealing Resolution No. 8370 and terminating the Downtown Infill Incentive District (DIID) and the Downtown Infill Incentive Plan (DIIP).

**IMPACT ANALYSIS**

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**Policy Implications**

The proposed repeal will no longer permit property owners to utilize the DIID & DIIP to request amendments to property development standards of the Zoning Ordinance, fee waivers, and/or expedited application and plan processing. Instead, requests for amended property development standards would only occur through the use the Planned Block Development (PBD) Overlay zoning district, with ultimate City Council consideration and possible approval of each application made on a case-by-case basis. Fee waivers and/or expedited processing of applications and plans could only occur through the approval of a development agreement with the property owner, if approved by Council. However, to date, the City has not received a request for development fee waives or expedited plan reviews under the existing DIID/DIIP.

Further, any future desire to apply an infill incentive district to the Old Town area would require the reestablishment of a new infill incentive district, which requires demonstration that the Old Town area meets at least three of the six establishing criteria outlined by Arizona Revised Statutes §9.499.10.

**Community Involvement**

As previously noted, City Council purposely removed references to the Infill Incentive District within Scottsdale General Plan 2035 with the expressed understanding that the Downtown Infill Incentive District and Plan were created prior to the Downtown (D) Zoning District and Planned Block Development (PBD) being significantly updated, so as to encourage redevelopment and infill development in downtown at that time. Now that the Downtown (D) District and PBD Overlay have been in place and significantly updated for a number of years, downtown infill and redevelopment are more comprehensively served through the D and PBD Zoning Districts than with the Downtown Infill Incentive District and Plan, and that the Downtown Infill Incentive District and Plan are redundant to what the D/PBD Zoning Districts allow with downtown development.

As a result, City Council requested staff collect community input on the repeal of the DIID and DIIP. Citizen input collected during the Old Town Updates outreach process (2021 – 2023) supported such action.

**Community Impact**

There are no current applications for the DIID/DIIP either active or pending.

**STAFF RECOMMENDATION**

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**Recommended Approach**

Adopt Resolution No. 12746, repealing Resolution No. 8370 and terminating the Downtown Infill Incentive District and the Downtown Infill Incentive Plan.

**Next Steps**

After the repeal of Resolution No. 8370 and termination of the DIID and DIIP, staff will be bringing forward a text amendment to the Zoning Ordinance to remove any references the Downtown Infill Incentive District later this year. Staff is anticipating that such an amendment will be brought before City Council with other amendments associated with City Council’s direction to reexamine and update the Old Town Scottsdale Character Area Plan and affected sections of the Zoning Ordinance that relate to Old Town. These updates are anticipated to be completed during the 2023/2024 fiscal year, in phases.

**RESPONSIBLE DEPARTMENTS**

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**Planning and Development**

Current & Long Range Planning Services


**STAFF CONTACTS**

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Brad Carr, AICP, LEED-AP, Planning and Development Area Manager, [bcarr@scottsdaleaz.gov](mailto:bcarr@scottsdaleaz.gov), and Adam Yaron, Planning and Development Area Manager, [ayaron@scottsdaleaz.gov](mailto:ayaron@scottsdaleaz.gov)

**APPROVED BY**

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Brad Carr, AICP, LEED-AP, Planning & Development Area Manager Report Co-Author	8/7/2023 Date
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Adam Yaron, Planning & Development Area Manager Report Co-Author	8/7/2023 Date
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Tim Curtis, AICP, Current Planning Director Phone: 480-312-4210      Email: tcurtis@scottsdaleaz.gov	8/14/2023 Date
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Erin Perreault, AICP, Executive Director Planning, Economic Development and Tourism Phone: 480-312-7093      Email: eperreault@scottsdaleaz.gov	08/21/2023 Date

**ATTACHMENTS**

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1. Resolution No. 12746
2. Arizona Revised Statutes § 9.499.10
3. Scottsdale Infill Incentive District Map
4. Approved Downtown Infill Incentive District Cases
5. February 9, 2021 dated City Council Marked Agenda
6. April 20, 2021 dated City Council Marked Agenda
7. August 24, 2021 City Council Marked Agenda
8. 2010 Downtown Infill Incentive District Plan

RESOLUTION NO. 12746

A RESOLUTION OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, REPEALING PREVIOUSLY APPROVED RESOLUTION NO. 8370 AND TERMINATING THE DOWNTOWN INFILL INCENTIVE DISTRICT AND THE DOWNTOWN INFILL INCENTIVE PLAN.

WHEREAS, the City Council held a public hearing on September 5, 2023.

WHEREAS, on July 7, 2010 pursuant to Resolution 8370 the City established an Infill Incentive District that met the minimum property conditions set forth in ARS Sec 9-499.10 and also adopted the Downtown Infill Incentive Plan.

WHEREAS, the City Council now deems that it is in the best interest of the City to repeal Resolution 8370 and terminate the Downtown Infill Incentive District and the Downtown Infill Incentive Plan.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1: That Resolution No. 8370, previously approved on July 7, 2010, is hereby repealed terminate the Downtown Infill Incentive District, and the associated Downtown Infill Incentive Plan and will have no further force or effect; and

Section 2: That this Resolution shall not be deemed to change, alter or otherwise limit any relief from development standards previously authorized through Ordinance of this Council prior to the effective date of this Resolution.

Section 3: That the Mayor, the City Manager, or their designees are authorized and directed to approve and execute such other documents as are necessary to carry out the purpose of this resolution.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this \_\_\_\_ day of \_\_\_\_\_, 2023.

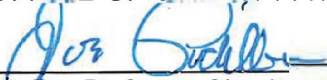
CITY OF SCOTTSDALE, an  
Arizona Municipal corporation

ATTEST:

By: \_\_\_\_\_  
Ben Lane, City Clerk

By: \_\_\_\_\_  
David D. Ortega, Mayor

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY

  
\_\_\_\_\_  
Sherry R. Scott, City Attorney  
By: Joe Padilla, Deputy City Attorney

ATTACHMENT #1

9-499.10. Infill incentive districts

A. The governing body of a city or town may designate an infill incentive district in an area in the city or town that meets at least three of the following requirements:




1. There is a large number of vacant older or dilapidated buildings or structures.
2. There is a large number of vacant or underused parcels of property, obsolete or inappropriate lot or parcel sizes or environmentally contaminated sites.
3. There is a large number of buildings or other places where nuisances exist or occur.
4. There is an absence of development and investment activity compared to other areas in the city or town.
5. There is a high occurrence of crime.
6. There is a continuing decline in population.

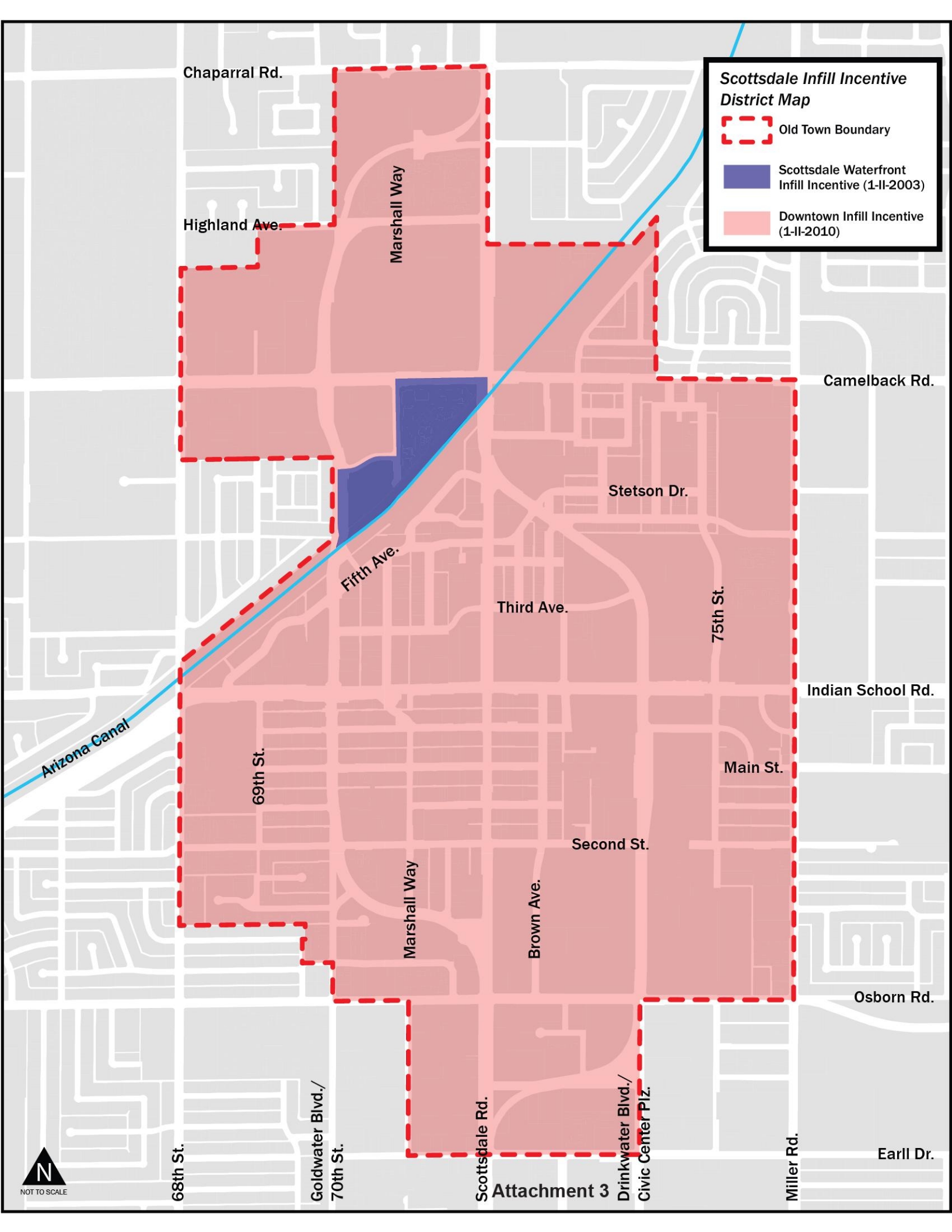
B. If the governing body establishes an infill incentive district, it shall adopt an infill incentive plan to encourage redevelopment in the district. The plan may include:

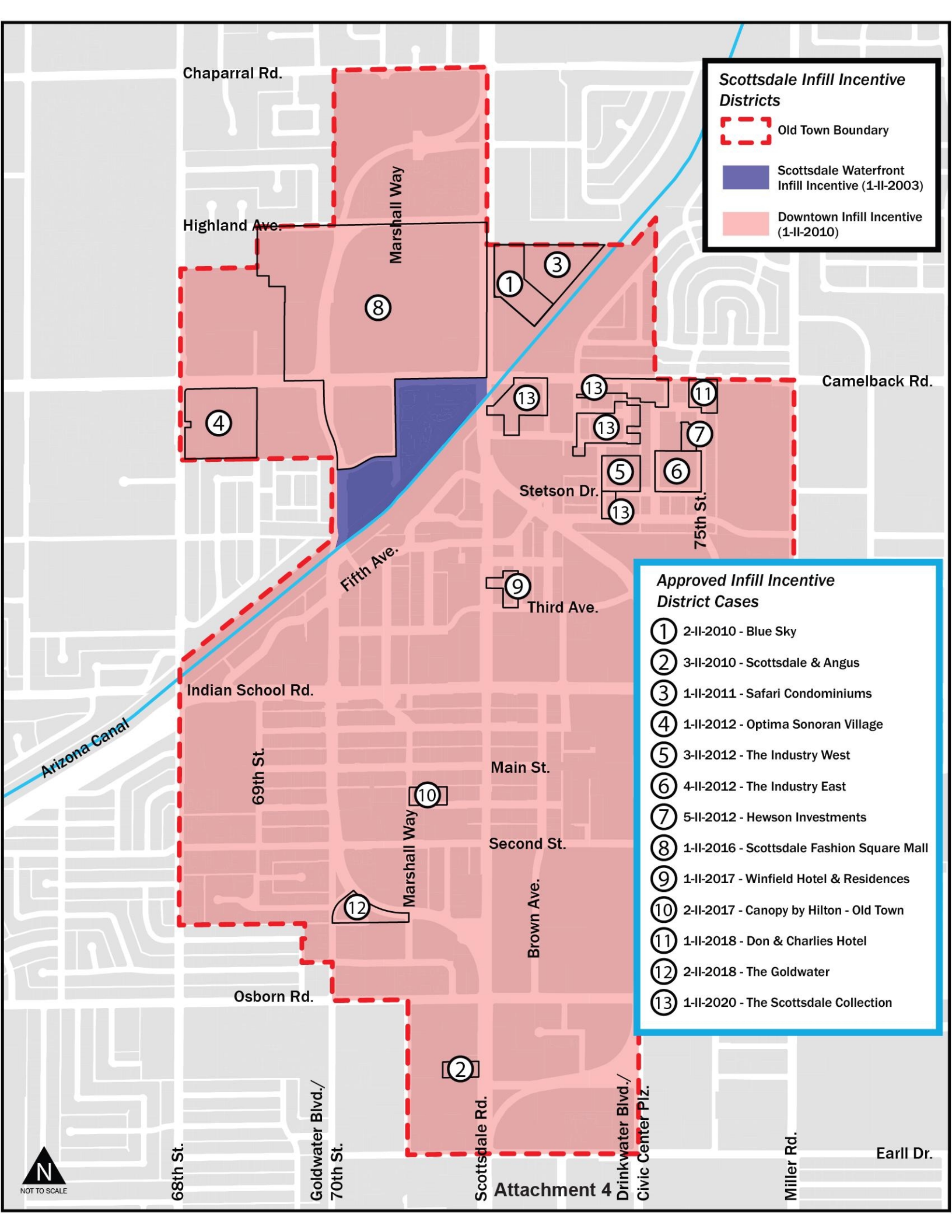
1. Expedited zoning or rezoning procedures.
2. Expedited processing of plans and proposals.
3. Waivers of municipal fees for development activities as long as the waivers are not funded by other development fees.
4. Relief from development standards.



**Scottsdale Infill Incentive District Map**

-  Old Town Boundary
-  Scottsdale Waterfront Infill Incentive (1-II-2003)
-  Downtown Infill Incentive (1-II-2010)





**Scottsdale Infill Incentive Districts**

- Old Town Boundary
- Scottsdale Waterfront Infill Incentive (1-II-2003)
- Downtown Infill Incentive (1-II-2010)

**Approved Infill Incentive District Cases**

- ① 2-II-2010 - Blue Sky
- ② 3-II-2010 - Scottsdale & Angus
- ③ 1-II-2011 - Safari Condominiums
- ④ 1-II-2012 - Optima Sonoran Village
- ⑤ 3-II-2012 - The Industry West
- ⑥ 4-II-2012 - The Industry East
- ⑦ 5-II-2012 - Hewson Investments
- ⑧ 1-II-2016 - Scottsdale Fashion Square Mall
- ⑨ 1-II-2017 - Winfield Hotel & Residences
- ⑩ 2-II-2017 - Canopy by Hilton - Old Town
- ⑪ 1-II-2018 - Don & Charles Hotel
- ⑫ 2-II-2018 - The Goldwater
- ⑬ 1-II-2020 - The Scottsdale Collection





**SCOTTSDALE**

# **CITY COUNCIL MEETING**

## **\*\*\* AMENDED \*\*\* WORK STUDY SESSION NOTICE AND AGENDA**

**[ADDED PRESENTATIONS/INFORMATION UPDATES]**



### **COUNCIL**

David D. Ortega, Mayor  
Tammy Caputi  
Tom Durham  
Betty Janik

Kathleen S. Littlefield  
Linda Milhaven  
Solange Whitehead

**Tuesday, February 9, 2021**

*Until further notice, City Hall is closed to the public during Council meetings and these meetings are being held electronically. While physical facilities are not open to the public, City Council meetings are televised on Cox Cable Channel 11 and streamed online at [ScottsdaleAZ.gov](http://ScottsdaleAZ.gov) (search "live stream") to allow the public to virtually attend and listen/view the meeting in progress.*

**4:00 P.M. MARKED AGENDA**

### **CITY COUNCIL WORK STUDY SESSION**

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

**Work Study Sessions:** Work study sessions provide a less formal setting for the Mayor and Council to discuss specific topics, at length, with each other and City staff. Work study sessions provide an opportunity for staff to receive direction from the Council and for the public to observe these discussions.

**Call to Order – 4:00 P.M.**

**Roll Call – All present**

*One or more members of the Council may be attending the Council Meeting by telephone, video, or Internet conferencing, pursuant to A.R.S. § 38-431(4).*

**Presentations/Information Updates – Honor Health Vice President, Community and Affairs Michelle Pabis presentation.**

- **[COVID-19 Pandemic Response Update – Status of COVID-19 Vaccination Program](#)**  
**Presenter(s):** Michelle Pabis, HonorHealth, Vice President, Government and Community Affairs

**Public Comment: – None** To provide an opportunity for public input yet continue to maximize the amount of time available for the Council to have focused discussions, spoken comment (maximum of five speakers) is being accepted on the item(s) on tonight's work study session agenda. To sign up to speak, please click [here](#). **Request to speak forms must be submitted no later than 90 minutes before the start of the meeting.**

If you have thoughts or suggestions on the work study session item(s) you would like the Council to consider, you are encouraged to submit your written comment(s) electronically by clicking [here](#). Written comments that are submitted electronically at least 90 minutes before the meeting will be emailed to the Council and posted online prior to the meeting.



PERSONS WITH A DISABILITY MAY REQUEST A REASONABLE ACCOMMODATION BY CONTACTING THE CITY CLERK'S OFFICE AT (480-312-2412). REQUESTS SHOULD BE MADE 24 HOURS IN ADVANCE, OR AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE ACCOMMODATION. FOR TTY USERS, THE ARIZONA RELAY SERVICE (1-800-367-8939) MAY CONTACT THE CITY CLERK'S OFFICE (480-312-2412).

FOR ADDITIONAL INFORMATION VISIT: [WWW.SCOTTSDALEAZ.GOV/COUNCIL/MEETING-INFORMATION](http://WWW.SCOTTSDALEAZ.GOV/COUNCIL/MEETING-INFORMATION)



1. [Draft General Plan 2035 Update \(1-GP-2021\)](#)

**Request:** Presentation, discussion, and possible direction to staff regarding the Draft General Plan 2035.

**Presenter(s):** Erin Perreault, Planning and Development Area Director

**Staff Contact:** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

– Planning and Development Area Director Erin Perreault presentation.

**Section 1 – Preface; Vision Statement and Community Values**

There was consensus to:

- Strengthen the language of the General Plan by reinstating some of the words such as “should” and “will” as much as possible.
- Shorten the introduction to the General Plan document by making the Executive Summary (14 total pages, iii-xvi) into a separate Companion Piece to the General Plan itself, placing the Foundation for the Vision – Historical (6 total pages, 14-19) and Community Profile – Historical Portions (8 total pages, 32-39) into the General Plan appendix, and retaining the Prologue, Purpose of the General Plan and Community Profile portions “Place in the Region” and “Demographics” at the beginning of the General Plan.
- Test the following vision statements with the public: 2001 Vision Statement; 2014 Task Force Vision Statement with the Community Aspirations; and Vice Mayor Janik’s proposed Vision Statement.

Councilmembers made the following suggestions:

- Replace “southwestern tourist destination” with “international tourist destination” to be consistent throughout the document.
- On page 12, under Community Value Respect Character and Culture, consider that there is not a lot in terms of references to history, culture or the “West’s Most Western Town.”
- On page 12, consider adding a guiding principle (value) for the original township that would read “Respectfully consider the original township area as low profile, low-density and pedestrian character.”
- A request was made to have more detail brought back regarding the suggestion of the original township guiding principle so that all members of Council can understand where in downtown it would apply, more detail will be provided at the next Work Study Session.
- On page vi, replace Framing the Future – “Our Vision and Values” with “Vision, Community Aspirations and Values” and capitalize words “vision”, “aspirations”, and “values” in the second paragraph. Make it clear in the plan that the Vision and Aspirations are tied together – locate vision and three aspirations on one page.
- Replace the word “academic” with more appropriate verbiage such as “educational.”
- On page ix, under Sustainability and Environmental Chapter elements, acknowledge the importance of climate action and resiliency.
- On page xii, under Circulation Element, revise to be more inclusive of other mobility options and more strongly worded, not so heavy on the automobile as the primary mode of transportation.
- Page 36 on the McDowell Sonoran Preserve – shorten, clarify amount of Preserve land purchased versus what was originally identified to be purchased and remainder that could be purchased. Also need updated reference to Prop 420 Charter Amendment changes. Planning staff will coordinate with Preserve staff and provide information regarding Preserve land acquisition to the Council and revised language for this page.
- Consider renaming “Community Values” to what we have in 2001 Plan – “Guiding Principles.”



### Section 2, Chapter 1 – Land Use Element

There was consensus to test the Employment/Office land use combination and proposed new Desert Rural land use designation/major amendment process ideas with the community during public outreach.

Councilmembers made the following suggestions:

- On page 69, Goal LU 5.1, reinstate the words “reduce automobile use and improve air quality.”
- On page 70, remove Goal LU 6.3 “Encourage commercial land uses of similar scale and character in proximity to or within medium-to-high density residential areas to promote walkable connections.”
- On page 74, separate Natural Open Space and McDowell Sonoran Preserve into two separate categories – Preserve should not be indented under Natural Open Space.
- On page 74, reference Prop 420/City Charter language related to the McDowell Sonoran Preserve.
- On page 75, remove reference to the Infill Incentive District Overlay.
- On page 76, on the Land Use Category Criteria Table, divide Rural Neighborhoods into two categories – Rural Neighborhoods and Desert Rural Neighborhoods to protect larger equestrian and residential properties. A change from Desert Rural to Rural Neighborhoods would be a major General Plan amendment.

### Section 2, Chapter 1 – Land Use Element, General Plan Amendment Criteria

There was consensus to take the following items to the public for comment:

- Original four amendment criteria with public edits, including modified Criteria 2, which would now require a major General Plan amendment for changes greater than 10 acres citywide, versus 10 acres generally in the southern portion of the community and 15 acres in the northern portion of the community as it is in the existing 2001 General Plan.
- New criteria No. 5 (Change to the Amendment Criteria and/or Land Use Category Definitions); No. 6 (Growth Area Criteria); and No. 7 (General Plan Land Use Overlay Criteria).
- Retaining existing exceptions to the major amendment criteria carried over from the 2001 General Plan and as amended in the 2035 draft Plan, for area specific flexibility. Areas include the Regional Use Overlay (Airpark Area), Shea Corridor, and Mayo Support District.

Councilmembers made the following suggestions:

- Include definitions on what can be built, and not built, on non-private Natural Area Open Space lands.
- Require the redevelopment of public open space and public buildings to be a major general plan amendment.

### Section 2, Chapter 1 – Character/Design Element

There was consensus to take the following items to the public for comment:

- Maintain the element moving forward.
- Find a happy medium between “taller/lower scale” and “stories” language.
- Retain the Character areas as proposed – both adopted and anticipated future areas.
- Do not restore the bullets under the Rural/Rural Desert Character Types that are specific to the northern portion of the City only.
- Restore the original language in CD 1.2, 1.4, and 7.5.

**Councilmembers made the following suggestions:**

- **Consider a character plan for the original township area of Scottsdale as to low profile, low density, and pedestrian character. Mayor Ortega will draft a plan with a map to describe the area and bring them back to Council for further discussion at the next Work Study Session.**
- **Consider adding references to tree canopies, a tree canopy plan, and the Emerald Necklace to Goal 5, and Policies CD 5.1 and 5.2 (Page 58).**

**Adjournment – 8:23 P.M.**



**SCOTTSDALE**

# **CITY COUNCIL MEETING**



## **\*\*\* AMENDED \*\*\* MEETING NOTICE AND AGENDA**

**[REWORDED ITEM No. 17]**

### **COUNCIL**

David D. Ortega, Mayor  
Tammy Caputi  
Tom Durham  
Betty Janik

Kathleen S. Littlefield  
Linda Milhaven  
Solange Whitehead

**Tuesday, April 20, 2021**

*Until further notice, City Hall is closed to the public during Council meetings and these meetings are being held electronically. While physical facilities are not open to the public, City Council meetings are televised on Cox Cable Channel 11 and streamed online at [ScottsdaleAZ.gov](http://ScottsdaleAZ.gov) (search "live stream") to allow the public to virtually attend and listen/view the meeting in progress. Unless an exception is made, or unless otherwise noted, the Council will not begin discussion on any new items after 10:00 p.m. Items that are not heard will be continued to the next scheduled Council meeting (May 4, 2021).*

*Spoken comment is being accepted on items on the Consent and Regular Agenda (Items 1 through 18). To sign up to speak on these items, please click [here](#). Scottsdale citizens may also speak on items that are within the Council's jurisdiction but are not on the agenda (maximum of five speakers). To sign up to speak on a non-agendized item that is within the Council's jurisdiction, please click [here](#). Request to speak forms must be submitted no later than 90 minutes before the start of the meeting. Written comments on any of the items on tonight's agenda that are submitted electronically at least 90 minutes before the meeting will be emailed to the Council and posted online prior to the meeting. A written public comment may be submitted electronically by clicking [here](#), or on the "click here to submit a written comment on an item" link located at the top of each page of the agenda.*

**5:00 P.M.**

### **MARKED AGENDA**

#### **REGULAR CITY COUNCIL MEETING**

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

**Call to Order – 5:05 P.M.**

**Roll Call – All present**

*One or more members of the Council may be unable to attend the Council meeting in person and may participate telephonically, pursuant to A.R.S. §38-431(4).*

**Pledge of Allegiance – Councilwoman Littlefield**

**Mayor's Report – Mayor Ortega reported that Molly Lillard, a young mother, was shot and killed by her husband earlier this month in Scottsdale. He asked for a moment of silence for Molly. Mayor Ortega said there has been a significant increase in domestic violence homicides since the**



PERSONS WITH A DISABILITY MAY REQUEST A REASONABLE ACCOMMODATION BY CONTACTING THE CITY CLERK'S OFFICE AT (480-312-2412). REQUESTS SHOULD BE MADE 24 HOURS IN ADVANCE, OR AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE ACCOMMODATION. FOR TTY USERS, THE ARIZONA RELAY SERVICE (1-800-367-8939) MAY CONTACT THE CITY CLERK'S OFFICE (480-312-2412).

FOR ADDITIONAL INFORMATION VISIT: [WWW.SCOTTSDALEAZ.GOV/COUNCIL/MEETING-INFORMATION](http://WWW.SCOTTSDALEAZ.GOV/COUNCIL/MEETING-INFORMATION)



beginning of the pandemic. He encouraged those who are experiencing, or know someone who is experiencing, domestic violence to seek help from the Scottsdale Police or to contact the Chrysalis Shelter at 602-944-4999 or noabuse.org.

Mayor Ortega announced that Earth Day will be celebrated on Thursday, April 22, 2021. Last week, Mayor Ortega, Vice Mayor Janik, Councilmember Littlefield, Councilwoman Whitehead and the Daughters of the American Revolution – Winfield Scott Chapter planted trees in Zuni Park, as part of Scottsdale’s Arbor Day celebration and commemoration of our Tree City USA. Mayor Ortega invited everyone to join in the celebration scheduled through the end of the month. For more information on the celebration, go to [Scottsdaleaz.gov](http://Scottsdaleaz.gov) and search “Sustainable Scottsdale”.

**Presentations/Information Updates – Diversity/Inclusion Program Manager Sharon Cini gave the presentation.**

- **Mayor’s Committee on Employment of People with Disabilities Scholarship Awards**  
Presenter(s): Sharon Cini, Diversity/Inclusion Program Manager

**Public Comment – Craig Ganz spoke on behalf of the Scottsdale Aquatic Club and expressed concern about Neptune Swim Club activities. Amanda Warfield thanked the Council for approving The Kimsey-Triangle project.**

Public Comment time is reserved for Scottsdale citizens to comment on non-agendized items that are within the Council’s jurisdiction. No official Council action can be taken on these items. **Five speakers are limited to three minutes to address the Council during “Public Comment.”**

## MINUTES

**Request:** Approve the [Work Study Session Minutes of March 23, 2021](#).

– **Vice Mayor Janik made a motion to approve the Work Study Session Minutes of March 23, 2021. Councilwoman Caputi seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, Milhaven, and Whitehead voting in the affirmative.**

## CONSENT AGENDA      ITEMS 1-15

**How the Consent Agenda Works:** The Council may take one vote to act on all of the items on the Consent Agenda or may remove items for further discussion. Items not removed from the Consent Agenda will be considered in one motion. Items removed for clarification or discussion by the Council will be acted on as appropriate.

– **Councilwoman Littlefield made a motion to approve Consent Agenda Items 1 through 15. Councilwoman Whitehead seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, Milhaven, and Whitehead voting in the affirmative.**

1. **[Ernie’s Inn Liquor License \(17-LL-2021\)](#) – Approved on Consent.**

**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 an existing location with a new owner.

**Location:** 10443 N. Scottsdale Road

**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)

2. **[Revel Scottsdale Liquor License \(21-LL-2021\)](#) – Approved on Consent.**

**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:** 8225 E. Indian Bend Road

**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)



3. **Loyalty Restaurant & Lounge Liquor License (22-LL-2021) – Approved on Consent.**  
**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:** 4209 N. Craftsman Court  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
4. **The Spot Neighborhood Grill Liquor License (23-LL-2021) – Approved on Consent.**  
**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:** 18251 N. Pima Road, Suite 120  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
5. **Rusty Spur Saloon Liquor License (24-LL-2021) – Approved on Consent.**  
**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 an existing location with a new owner.  
**Location:** 7245 E. Main Street  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
6. **Richards Abandonment (13-AB-2020) – Approved on Consent.**  
**Request:** Adopt **Resolution No. 12114** authorizing the abandonment of the eastern 10 feet of a 25-foot roadway easement along North Hayden Road within a ±1.05-acre site with Single-Family Residential (R1-35) zoning.  
**Location:** 8008 E. Desert Cove Avenue  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
7. **Solid Waste Transfer Station Evaluation – Approved on Consent.**  
**Request:** Adopt **Resolution No. 12074** to authorize:
  1. A Fiscal Year 2020/21 Capital Budget appropriation transfer in the amount of \$26,000 from the Solid Waste Vehicle Monitoring System (JB66) project to the Transfer Station Enhancements (BH06) project to be funded by the Sanitation Rates funding source.
  2. Engineering Services Contract No. 2021-021-COS with HDR Engineering, Inc., in the amount of \$75,403.24, for engineering services for the development of an evaluation of the Solid Waste Transfer Station to identify opportunities to expand the services provided from the existing facility.**Location:** 8417 E. Union Hills Drive  
**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
8. **Airport Runway Rehabilitation Project Construction Phase Services Contract – Approved on Consent.**  
**Request:** Adopt **Resolution No. 12097** authorizing Construction Manager at Risk Contract No. 2021-026-COS with J. Banicki Construction, Inc., in the amount of \$10,755,539.09, to provide construction phase services for the Runway Rehabilitation Project at the Scottsdale Airport.  
**Location:** 15000 N. Airport Drive  
**Staff Contact(s):** Gary Mascaro, Aviation Director, 480-312-7735, [gmascaro@scottsdaleaz.gov](mailto:gmascaro@scottsdaleaz.gov)
9. **WestWorld Horse Barns Renovation Project Construction Phase Services Contract – Approved on Consent.**  
**Request:** Adopt **Resolution No. 12119** authorizing Design Build Manager Contract No. 2021-045-COS with Caruso Construction, Inc., in the amount of \$1,970,170, to provide phase one construction services for Bond 2019 Project 45 – Renovate WestWorld Horse Barns to Increase Rentable Space.



Location: 16601 N. Pima Road

Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)

10. **Scottsdale Stadium Facility Use License Agreement – Approved on Consent.**

**Request:** Adopt **Resolution No. 12132** to authorize:

1. Facility Use License Agreement No. 2021-046-COS with the San Francisco Giants Baseball Club, LLC, for the use of the Scottsdale Stadium for Minor League Training outside of the Spring Training use period in 2021.
2. The Scottsdale Stadium Coordinator or designee, to approve additional uses and services at the rates in the agreement.
3. The Mayor, the City Manager, or their designees to approve and execute such other documents as necessary to carry out the intent of the Resolution.

Location: 7408 E. Osborn Road

Staff Contact(s): Bill Murphy, Assistant City Manager, 480-312-7954, [bmurphy@scottsdale.gov](mailto:bmurphy@scottsdale.gov)

11. **Economic Development Strategic Plan – Approved on Consent.**

**Request:** Accept the Economic Development 5-Year Strategic Plan.

**Staff Contact(s):** Rob Millar, Economic Development Director, 480-312-2533, [rmillar@scottsdaleaz.gov](mailto:rmillar@scottsdaleaz.gov)

12. **Smart City Strategic Roadmap – Approved on Consent.**

**Request:** Accept the Scottsdale Smart City Strategic Roadmap.

**Staff Contact(s):** Brent Stockwell, Assistant City Manager, 480-312-7288, [bstockwell@scottsdaleaz.gov](mailto:bstockwell@scottsdaleaz.gov)

13. **Arizona Thrives Alliance Participation – Approved on Consent.**

**Request:** Authorize the City of Scottsdale's participation in the Arizona Thrives Alliance.

**Staff Contact(s):** Rachel Smetana, Mayor's Chief of Staff, 480-312-7806, [rsmetana@scottsdaleaz.gov](mailto:rsmetana@scottsdaleaz.gov) and Brent Stockwell, Assistant City Manager, 480-312-7288, [bstockwell@scottsdaleaz.gov](mailto:bstockwell@scottsdaleaz.gov)

14. **Bond 2019 Capital Improvement Projects Budget Transfers – Approved on Consent. Request:**

Adopt **Resolution No. 12123** authorizing the following Fiscal Year 2020/21 Capital Budget appropriation transfers for capital improvement projects to be funded by Bond 2019 proceeds:

1. \$207,000 from Project 10 – Replace Tennis Court Surfaces at Indian School Park and Scottsdale Tennis Center (PG08) to Project 24 – Install High Efficiency Lighting at Four Facilities (PG07).
2. \$223,000 from Project 50 – Renovate Arena at WestWorld (DG05) to Project 52 – Expand Restrooms in WestWorld North Hall (DG06).

**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)

15. **Monthly Financial Report – Approved on Consent.**

**Request:** Accept the Fiscal Year 2020/21 Monthly Financial Report as of February 2021.

**Staff Contact(s):** Sylvia Dlott, Acting Budget Director, 480-312-2419, [sdlott@scottsdaleaz.gov](mailto:sdlott@scottsdaleaz.gov)

## **REGULAR AGENDA**      **ITEMS 16-18**

**How the Regular Agenda Works:** The Council takes action on each item on the Regular Agenda.

16. **Anti-Discrimination Ordinance**

**Request:** Adopt **Ordinance No. 4497** amending Scottsdale Revised Code, Chapter 14, Human Resources Management, by amending Section 14-1.1 and Chapter 15, Human Rights, Articles I and II by adding Sections 15-1 through 15-12, amending Sections 15-16 through 15-20 and adding Article III, Sections 15-21 through 15-32 as either:



- a. Prohibiting discrimination based on actual or perceived race, color, religion, sex, national origin, age, sexual orientation, gender identify, or disability.
- b. Prohibiting discrimination based on the above and adding United States military service.

**Presenter(s):** Sharon Cini, Diversity/Inclusion Program Manager

**Staff Contact(s):** Brent Stockwell, Assistant City Manager, 480-312-7288, [bstockwell@scottsdaleaz.gov](mailto:bstockwell@scottsdaleaz.gov)

– Diversity/Inclusion Program Manager Sharon Cini gave the presentation.

– Councilmember Milhaven made a motion to adopt Ordinance No. 4497, Option A, prohibiting discrimination based on actual or perceived race, color, religion, sex, national origin, age, sexual orientation, gender identity, or disability. Councilwoman Whitehead seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, Milhaven, and Whitehead voting in the affirmative.

**\*\*\*17. Monthly Financial Update and Quarterly Capital Improvement Plan Update**

**Request:** Receive, discuss, and provide possible direction on the City Treasurer’s monthly financial presentation as of March 2021.

**Presenter(s):** Judy Doyle, Acting City Treasurer and Dave Lipinski, City Engineer

**Staff Contact(s):** Sylvia Dlott, Acting Budget Director, 480-312-2419, [sdlott@scottsdaleaz.gov](mailto:sdlott@scottsdaleaz.gov)

– Acting City Treasurer Judy Doyle and City Engineer Dave Lipinski gave presentations.

**18. Proposed Fiscal Year (FY) 2021/22 Operating Budget and Capital Improvement Plan**

**Request:** Presentation, discussion, and possible direction to staff regarding the Proposed FY 2021/22 Operating Budget and Capital Improvement Plan.

**Presenter(s):** Judy Doyle, Acting City Treasurer and Dave Lipinski, City Engineer

**Staff Contact(s):** Sylvia Dlott, Acting Budget Director, 480-312-2419, [sdlott@scottsdaleaz.gov](mailto:sdlott@scottsdaleaz.gov)

– Acting City Treasurer Judy Doyle and City Engineer Dave Lipinski gave presentations.

**Council made the following suggestions:**

- Provide a comparison of the number of employees and service levels prior to the COVID 19 pandemic and during the COVID-19 pandemic for the purpose of evaluating funding needs.
- Increase funding for sustainability staffing.
- Increase the number of code enforcement officers.
- Provide information on the program related to librarians and other staff who reviewed and amended contracts during the pandemic.
- Provide status on the diversion of food tax revenues.
- Provide guidance on the next tranche of CARES Act funding and potential restrictions including the addition of a line item to address affordable housing.
- Have a robust discussion on definition of affordable housing and possible long-term effects.

**Mayor and Council Items – None**

**Adjourn the City Council Regular Meeting and Convene the City Council Work Study Session – 7:43 P.M.**



## CITY COUNCIL WORK STUDY SESSION

– City Council Work Study Session called to order at 7:59 p.m.

– Roll Call – All present

**Work Study Sessions:** Work study sessions provide a less formal setting for the Mayor and Council to discuss specific topics, at length, with each other and City staff. Work study sessions provide an opportunity for staff to receive direction from the Council and for the public to observe these discussions.

**Public Comment:** To provide an opportunity for public input yet continue to maximize the amount of time available for the Council to have focused discussions, spoken comment (maximum of five speakers) is being accepted on the item(s) on tonight's work study session agenda. To sign up to speak, please click [here](#). Request to speak forms must be submitted no later than 90 minutes before the start of the meeting. – None

If you have thoughts or suggestions on the work study session item(s) you would like the Council to consider, you are encouraged to submit your written comment(s) electronically by clicking [here](#). Written comments that are submitted electronically at least 90 minutes before the meeting will be emailed to the Council and posted online prior to the meeting.

### 1. [Draft General Plan 2035 Update \(1-GP-2021\)](#)

**Request:** Presentation, discussion, and possible direction to staff regarding the Draft General Plan 2035.

**Presenter(s):** Erin Perreault, Planning and Development Area Director

**Staff Contact:** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

– Planning and Development Area Director Erin Perreault gave the presentation.

#### Vision Statement

There was consensus to:

- Under “Vision” paragraph, insert a comma between the words “lifestyles” and “and.”
- Under “Community Prosperity” paragraph, remove the semicolon between the words “technology” and “and”.

#### Section 2, Chapter 1 - Character & Culture, Character and Design Elements

Council made the following suggestions:

- On page 30, first paragraph, strike the last two sentences.
- On page 30, first paragraph, after the first sentence, insert “Character types are distinct from zoning districts and land use categories.”
- On page 30, under “Employment Cores”, revise the fifth sentence to “Taller building heights are typically found within the core and low-scale building heights are typically found within the transition areas adjacent to Rural and Suburban Character Types.”
- On page 30, under “Urban Character Types”, provide additional clarity to the definition of downtown core by putting a definition in the glossary or inserting a reference that the downtown core is as depicted on the associated page of the Old Town Character Plan.
- On page 32, under “Rural/Rural Desert Types”, strike the word “lower” and insert “low”.
- On page 37, Goal CD 4.2, add the words “Establish new and” before the word “Maintain”.
- On page 39, Goal CD 7.2, strike the words “As appropriate”.



## Section 2, Chapter 1 – Character & Culture, Land Use Elements

There was consensus to:

- On page 46, under Goal LU 1, after the word “southwest”, add the words “and sustain the city’s goal as a regional cultural center and economic hub.”
- On page 46, under Policy LU 1.3, strike the current language and replace with “Promote development patterns that integrate with and reinforce the character of an area. The City will continually review development patterns to ensure consistency of development in areas with fragmented or evolving patterns.”
- On page 52, under “Desert Rural Neighborhoods”, in the first sentence, strike the word “usually”.
- On page 53, under “Commercial”, on the sixth line, strike the words “encouraged to” and replace with the words “should be compatible with”.
- On page 54, under “McDowell Sonoran Preserve”, on the sixth line, strike word “for” and replace with the word “to”.
- On page 55, under “Circle”, line three, insert the word “a” between the words “of” and “particular”.
- On page 57, in the Change in Land Use Category Matrix, under Category C across (Desert Rural Neighborhoods) and Category D down (Rural Neighborhoods), change from “major” to “minor”.
- On page 58, under General Plan Land Use Overlay Criteria, strike the words “Infill Incentive District Overlay”.
- On page 58, under Exceptions to the General Plan Amendment Criteria, bullet point 4, second line, strike the word “major” between the words “plan” and “amendment”.

Council made the following suggestions:

- Table Council action on Desert Rural Land use element to a future date, after conversations with the Arizona State Land Department.

## Section 2, Chapter 6 – Revitalization Element

There was consensus to:

- On page 177, under Goal CRR 2, strike the word “the” between the words “Sustain” and “long-term”.
- On page 177, under Policy 2.1, strike the word “mature” between the words “in” and “declining”.

## Section 2, Chapter 7 – Education Element

There was consensus to:

- On page 219, paragraph three, line two, strike the words “The importance of”.
- On page 220, first paragraph, first line, strike the word “like” and insert the word “as”.
- On page 220, paragraph two, line one, strike the word “This” and insert the word “The”.
- On page 220, paragraph two, line one, strike the words “maintain and”.
- On page 220, paragraph two, second line, change the word “encourage” to “encourages”.
- On page 220, paragraph two, line four, strike the word “supports” and revise to “environment that, in turn, contributes to a strong workforce,”.
- On page 222, Policy EDU 2.6, strike the word “government” and add a “s” at the end of the word “civic”.

**Section 2, Chapter 8 – Implementation, Funding Sources**

**Council made the following suggestion:**

- **On page 231, under “Municipal Bonds”, separate the second sentence into two separate sentences to read “Bond funding is used city improvements. There are many types of bonds.”**

**Adjournment – 9:10 P.M.**



**SCOTTSDALE**

# **CITY COUNCIL MEETING**



## **\*\*\* AMENDED \*\*\* MEETING NOTICE AND AGENDA**

**[REWORDED CONSENT ITEM No. 3; MOVED CONSENT ITEM No. 3 TO REGULAR ITEM No. 28A**

### **COUNCIL**

David D. Ortega, Mayor

Tammy Caputi

Tom Durham

Betty Janik

Kathleen S. Littlefield

Linda Milhaven

Solange Whitehead

**Tuesday, August 24, 2021**

*The City Hall Kiva Forum (Kiva) is open to the public during City Council meetings at a reduced capacity. Seating in the Kiva will be available on a first come, first served basis. Once capacity has been reached, individuals will be directed to a nearby location to view the televised meeting. The Mayor will announce the names of speakers in advance to give those attending the meeting from the nearby location sufficient time to enter the Kiva and make their comments in person. As seating in the Kiva becomes available, individuals waiting in the nearby location will be asked to come to City Hall.*

*City Council meetings are also televised on Cox Cable Channel 11 and streamed online at [ScottsdaleAZ.gov](http://ScottsdaleAZ.gov) (search "live stream") to allow the public to virtually attend, participate telephonically, and listen/view the meeting in progress. Unless an exception is made, or unless otherwise noted, the Council will not begin discussion on any new items after 10:00 p.m. Items that are not heard will be continued to the next scheduled Council meeting (August 26, 2021).*

*In-person or telephonic comment is being accepted on items on the Consent and Regular Agenda (Items 1 through 32). To sign up to speak on these items, please click [here](#).*

*Scottsdale citizens may also speak on items that are within the Council's jurisdiction but are not on the agenda, with a total of 15 minutes at the beginning and 15 minutes at the end of the meeting dedicated to comment on non-agendized items. To sign up to speak in person or telephonically on a non-agendized item that is within the Council's jurisdiction, please click [here](#).*

*Online Request to Speak forms for Consent, Regular, and Non-Agendized items must be submitted no later than 90 minutes before the start of the meeting and you must indicate whether you will be addressing the Council in person or telephonically.*

*Written comments on any of the items on tonight's agenda that are submitted electronically at least 90 minutes before the meeting will be emailed to the Council and posted online prior to the meeting. A written public comment may be submitted electronically by clicking [here](#).*

**5:00 P.M.**

**Marked Agenda**

### **REGULAR CITY COUNCIL MEETING**

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard



PERSONS WITH A DISABILITY MAY REQUEST A REASONABLE ACCOMMODATION BY CONTACTING THE CITY CLERK'S OFFICE AT (480-312-2412). REQUESTS SHOULD BE MADE 24 HOURS IN ADVANCE, OR AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE ACCOMMODATION. FOR TTY USERS, THE ARIZONA RELAY SERVICE (1-800-367-8939) MAY CONTACT THE CITY CLERK'S OFFICE (480-312-2412).

FOR ADDITIONAL INFORMATION VISIT: [WWW.SCOTTSDALEAZ.GOV/COUNCIL/MEETING-INFORMATION](http://WWW.SCOTTSDALEAZ.GOV/COUNCIL/MEETING-INFORMATION)



Call to Order – 5:00 P.M.

Roll Call – All present

*One or more members of the Council may be unable to attend the Council meeting in person and may participate telephonically, pursuant to A.R.S. §38-431(4).*

Pledge of Allegiance – Mayor Ortega

**Mayor's Report** – Mayor Ortega noted that 71.6% of the eligible population in Scottsdale has received at least the first dose of the COVID-19 vaccine and encouraged everyone to work together to make this number even higher. He directed the public to [Scottsdaleaz.gov](http://Scottsdaleaz.gov) and click on the "Coronavirus (COVID-19) resources and information" tab to access resources related to COVID-19 and locations for vaccinations.

Mayor Ortega announced that City Manager Jim Thompson declared stage one of the City's drought management plan on August 17, 2021. Although the Colorado River tier one shortage is not to be implemented until January 1, 2022, Scottsdale is focused on water conservation and recycling and the City is dedicated to finding new ways to use every drop of water efficiently. The City's Drought Management Team will examine needs, recommend targeted responses, and increase drought and water shortage communication efforts throughout the City.

**Public Comment** – Dan Lundberg commented on the bridge over the Rawhide Wash and Miller Road extension project. He requested a block wall noise abatement to the back of his property and installation of traffic calming measures. French Thompson expressed concern over increased development, water shortages, and lack of adequate infrastructure. Arthur Deal spoke to the San Francisco Giant's sublease of Papago Park and the status of a federal lawsuit on the issue.

Public Comment time is reserved for Scottsdale citizens to comment on non-agendized items that are within the Council's jurisdiction. No official Council action can be taken on these items. Public Comment time is also the designated time for presenting a citizen petition. There is no limit on the number of petitions a citizen may present; however, each citizen is limited to a total time of three minutes to present and speak to the petition(s). A Request to Speak [form](#) must be submitted together with the petition(s) before the Mayor announces the second Public Comment period.

Speakers may address the Council once under Public Comment at the beginning or the end of the meeting, but not both. Public Comment is limited to a total of 15 minutes at the beginning and 15 minutes at the end of the meeting. **Speakers are limited to three minutes to address the Council during "Public Comment."**

## MINUTES

**Request:** Approve the [Regular Meeting Minutes of June 22, 2021](#); [Work Study Session Minutes of June 22, 2021](#); [Special Meeting Minutes of July 1, 2021](#); Executive Session Minutes of July 1, 2021; [Regular Meeting Minutes of July 1, 2021](#); [Special Meeting Minutes of July 2, 2021](#); Executive Session Minutes of July 2, 2021; and [Regular Meeting Minutes of July 2, 2021](#).

– Vice Mayor Janik made a motion to approve the [Regular Meeting Minutes of June 22, 2021](#); [Work Study Session Minutes of June 22, 2021](#); [Special Meeting Minutes of July 1, 2021](#); [Executive Session Minutes of July 1, 2021](#); [Regular Meeting Minutes of July 1, 2021](#); [Special Meeting Minutes of July 2, 2021](#); [Executive Session Minutes of July 2, 2021](#); and [Regular Meeting Minutes of July 2, 2021](#). Councilwoman Whitehead seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, Milhaven, and Whitehead voting in the affirmative.



## CONSENT AGENDA      ITEMS 1-28

**How the Consent Agenda Works:** The Council may take one vote to act on all of the items on the Consent Agenda or may remove items for further discussion. Items not removed from the Consent Agenda will be considered in one motion. Items removed for clarification or discussion by the Council will be acted on as appropriate.

**– Vice Mayor Janik made a motion to approve Consent Agenda Items 1 through 28, absent Item 3, which was reworded and moved to Regular Agenda Item 28A. Councilwoman Whitehead seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, Milhaven, and Whitehead voting in the affirmative.**

1. **7501 Camelback Liquor License (36-LL-2021) – Approved on Consent.**  
**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 owner.  
**Location:** 7501 E. Camelback Road  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
  
2. **Gecko Grill Liquor License (37-LL-2021) – Approved on Consent.**  
**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 an existing location with a new owner.  
**Location:** 7707 E. McDowell Road  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
  
3. **Old Town Scottsdale Liquor License (38-LL-2021)**  
(Moved to Regular Item No. 28A)
  
4. **Slice Eat Liquor License (42-LL-2021) – Approved on Consent.**  
**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:** 7111 E. Thomas Road  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
  
5. **Koibito Poke Liquor License (43-LL-2021) – Approved on Consent.**  
**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:** 8877 N. Scottsdale Road  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
  
6. **Cha Da Thai Liquor License (44-LL-2021) – Approved on Consent.**  
**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:** 2765 N. Scottsdale Road, Suite 107  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
  
7. **Kitchen 18 Liquor License (45-LL-2021) – Approved on Consent.**  
**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:** 10211 N. Scottsdale Road  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)



8. **Famiglia Liquor Licenses (51-LL-2021 and 52-LL-2021) – Approved on Consent.**  
**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 7 (beer and wine bar) and Series 12 (restaurant) State liquor licenses for an existing location with a new owner.  
**Location:** 17025 N. Scottsdale Road, Suite 140  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
9. **Permanent Extension of Premise for Living Room Wine Cafe & Lounge (7-EX-2021) – Approved on Consent.**  
**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor License and Control for a permanent extension of premises for a Series 12 (restaurant) State liquor license to add liquor storage.  
**Location:** 20751 N. Pima Road, Suite 120  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
10. **Permanent Extension of Premise for Caliente Mexican Grill, LLC (11-EX-2021) – Approved on Consent.**  
**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor License and Control for a permanent extension of premises for a Series 12 (restaurant) State liquor license to add a new patio.  
**Location:** 15600 N. Hayden Road, Suite 100  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
11. **Christian Brothers Automotive Conditional Use Permit (1-UP-2021) – Approved on Consent.**  
**Request:** Find that the conditional use permit criteria have been met and adopt **Resolution No. 12229** approving a Conditional Use Permit to allow for vehicle repair on a ±1.05-acre site with Central Business (C-2) zoning.  
**Location:** 8700 E. Thomas Road  
**Staff Contact(s):** Randy Grant, Planning, Economic Development, and Tourism Executive Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
12. **Heliport for Ty Jenkins Conditional Use Permit (4-UP-2021) – Approved on Consent.**  
**Request:** Find that the conditional use permit criteria have been met and adopt **Resolution No. 12231** approving a Conditional Use Permit for a new heliport on a ±1.2-acre site with Industrial Park (I-1) zoning.  
**Location:** 15827 N. 80<sup>th</sup> Street  
**Staff Contact(s):** Randy Grant, Planning, Economic Development, and Tourism Executive Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
13. **Heliport for PEM Real Estate Group Conditional Use Permit (5-UP-2021) – Approved on Consent.**  
**Request:** Find that the conditional use permit criteria have been met and adopt **Resolution No. 12230** approving a Conditional Use Permit for a new heliport on a ±1.2-acre site with Industrial Park (I-1) zoning.  
**Location:** 15827 N. 80<sup>th</sup> Street  
**Staff Contact(s):** Randy Grant, Planning, Economic Development, and Tourism Executive Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
14. **Boulder Ranch Lot 37 Replat (10-PP-2017#2) – Approved on Consent.**  
**Request:** Approve the replat for Lot 37 and Tract Q in the Boulder Ranch subdivision with Single-Family District Environmentally Sensitive Lands (R1-43 ESL) zoning.  
**Location:** 26903 N. Boulder Lane  
**Staff Contact(s):** Randy Grant, Planning, Economic Development, and Tourism Executive Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)



15. **McLaren Scottsdale Rezoning (2-ZN-2021) – Approved on Consent.**  
**Request:** Adopt **Ordinance No. 4513** approving a zoning district map amendment from Industrial Park (I-1) and Industrial Park Conditional (I-1 (C)) to General Commercial (C-4) zoning on a ±3.4-acre site.  
**Location:** 7881 E. Gray Road  
**Staff Contact(s):** Randy Grant, Planning, Economic Development, and Tourism Executive Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
  
16. **Fire Station 612 Architectural Services Contract and Municipal Use Master Site Plan – Approved on Consent.**  
**Request:** Adopt **Resolution No. 12225** to authorize:
  1. Architectural Services Contract No. 2021-121-COS with Arrington Watkins Architects in the amount of \$690,630 to provide design services for Bond 2019, Project 28 – Build a New Fire Station near Hayden Road and the Loop 101 to Improve Response Times.
  2. City staff to initiate a Municipal Use Master Site Plan for Fire Station 612.**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [daworth@scottsdaleaz.gov](mailto:daworth@scottsdaleaz.gov)
  
17. **Scottsdale County Island Fire District Intergovernmental Agreement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 12245** authorizing Intergovernmental Agreement No. 2021-133-COS with the Scottsdale County Island Fire District for the provision of fire protection services to the Scottsdale County Island Fire District.  
**Staff Contact(s):** Tom Shannon, Fire Chief, 480-312-1821, [tshannon@scottsdaleaz.gov](mailto:tshannon@scottsdaleaz.gov)
  
18. **Fire Department Mutual Aid Agreement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 12159** authorizing Agreement No. 2021-056-COS with Rural/Metro Fire Department, Inc., for mutual aid fire services.  
**Staff Contact(s):** Tom Shannon, Fire Chief, 480-312-1821, [tshannon@scottsdaleaz.gov](mailto:tshannon@scottsdaleaz.gov)
  
19. **Flood Control Space/Water Control Plan Cost Sharing Agreement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 12233** to authorize:
  1. Cost Sharing Agreement No. 2021-127-COS with Salt River Valley Water Users' Association, Salt River Project Agricultural Improvement and Power District, and other participating entities to obtain approval for the operation of the Flood Control Space in Modified Roosevelt Dam under a Temporary Deviation to the Water Control Plan.
  2. The Water Resources Executive Director, or designee, to execute any other documents and take such other actions as may be necessary to carry out the intent of this Resolution.**Staff Contact(s):** Brian Biesemeyer, Water Resources Executive Director, 480-312-5683, [bbiesemeyer@scottsdaleaz.gov](mailto:bbiesemeyer@scottsdaleaz.gov)
  
20. **Pac-12 Venue Agreement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 12247** to authorize:
  1. Venue Agreement No. 2021-134-COS with Pac-12 Conference for the use of Scottsdale Stadium and Indian School Park Baseball Facility for the Pac-12 men's baseball tournaments in 2022, 2023, and 2024.
  2. Funding in an amount not to exceed \$75,000 per year from the portion of the Tourism Development Fund that is allocated toward event retention and development for promoting the City through the tournaments, contingent on Pac-12 providing marketing and tourism deliverables.
  3. A Fiscal Year 2021/22 Tourism Development Fund Operating Contingency Transfer in the amount of \$75,000 to the Tourism and Events Department Operating Budget for the first year of the Pac-12 baseball tournament's three-year event funding commitment.**Staff Contact(s):** William B. Murphy, Assistant City Manager, 480-312-7954, [bmurphy@scottsdaleaz.gov](mailto:bmurphy@scottsdaleaz.gov)



21. **Pre-Employment Medical Services Contract – Approved on Consent.**

**Request:** Adopt **Resolution No. 12248** authorizing Professional Services Contract No. 2021-135-COS with Banner Occupational Health – Arizona, LLC, for independent pre-employment medical services.

**Staff Contact(s):** Donna Brown, Human Resources Director, 480-312-2615, [dbrown@scottsdaleaz.gov](mailto:dbrown@scottsdaleaz.gov)

22. **Trolley Preventative Maintenance Grant – Approved on Consent.**

**Request:** Adopt **Resolution No. 12145** to authorize:

1. Grant Pass-Thru Agreement No. 2021-003-COS with the City of Phoenix for the acceptance of a Federal Transit Administration grant in the amount of \$277,394 for trolley preventative maintenance.
2. A budget transfer in the amount of \$277,394 from the adopted Fiscal Year 2021/22 Transportation and Streets Department's Transportation Fund to a newly created cost center to record the related grant activity.

**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [daworth@scottsdaleaz.gov](mailto:daworth@scottsdaleaz.gov)

23. **Healthy Forest Initiative Grant – Approved on Consent.**

**Request:** Adopt **Resolution No. 12241** to authorize if awarded:

1. The acceptance in Fiscal Year (FY) 2021/22 the spending of the Healthy Forest Initiative Grant funds in the amount of \$350,000 over three, 12-month periods beginning in FY 2021/22.
2. A budget transfer in the amount of \$120,000 from the adopted Fiscal Year 2021/22 Future Grants Budget and/or Grant Contingency to a newly created cost center within the Fire Department's Operating Budget to record the related Healthy Forest Initiative Grant activity.
3. The 30% grant match requirement will be in-kind through hours of various staff members associated with the projects for the grant.
4. The Fire Chief, or designee, to conduct all negotiations and to execute and submit all documents and other necessary or desirable instruments in connection with the acceptance of the grant.

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

24. **DNA Capacity Enhancement and Backlog Reduction Program Formula Grant – Approved on Consent.**

**Request:** Adopt **Resolution No. 12224** to authorize:

1. Contract No. 2021-120-COS with the United States Department of Justice, Office of Justice Programs accepting a DNA Capacity Enhancement and Backlog Reduction Program formula grant in the amount of \$250,025.
2. The Chief of Police, or designee, to execute Contract No. 2021-120-COS.
3. A budget transfer in the amount of \$250,025 from the adopted Fiscal Year 2021/22 Future Grants Budget and/or Grant Contingency Budget to a newly created cost center to record the related grant activity.

**Staff Contact(s):** Jeff Walther, Chief of Police, 480-312-1900, [jwalther@scottsdaleaz.gov](mailto:jwalther@scottsdaleaz.gov)

25. **Airport Coronavirus Response Grant – Approved on Consent.**

**Request:** Adopt **Resolution No. 12222** to authorize:

1. The Aviation Director to accept COVID-19 related federal grant funding from the Federal Aviation Administration under the Coronavirus Response and Relief Supplemental Appropriations Act in the amount of \$57,000.
2. The Aviation Director to accept COVID-19 related federal grant funding from the Federal Aviation Administration under the American Rescue Plan Act of 2021 in the amount of \$148,000.
3. A Contingency Budget Transfer in the amount of \$205,000 from the Fiscal Year 2021/22 Aviation Operating Reserve Budget to newly created cost centers to record related grant activity.
4. The City Manager and City Treasurer, or their respective designees, to carry out such actions and execute such documents as necessary to carry out the intent of this Resolution.

**Staff Contact(s):** Gary Mascaro, Aviation Director, 480-312-7735, [gmascaro@scottsdaleaz.gov](mailto:gmascaro@scottsdaleaz.gov)



26. **City Auditor's Fiscal Year (FY) 2021/22 Audit Plan – Approved on Consent.**  
**Request:** Approve the City Auditor's FY 2021/22 Audit Plan, as recommended by the Council's Audit Committee at its June 21, 2021 meeting.  
**Staff Contact(s):** Sharron Walker, City Auditor, 480-312-7867, [swalker@scottsdaleaz.gov](mailto:swalker@scottsdaleaz.gov)
27. **Audit Committee Recommendation for the Library Board Review – Approved on Consent.**  
**Request:** Adopt **Resolution No. 12221** accepting the Audit Committee's recommendation and authorizing the continuation of the Library Board.  
**Staff Contact(s):** Sharron Walker, City Auditor, 480-312-7867, [swalker@scottsdaleaz.gov](mailto:swalker@scottsdaleaz.gov)
28. **Monthly Financial Report – Approved on Consent.**  
**Request:** Accept the Fiscal Year 2020/21 Monthly Financial Report as of May 2021.  
**Staff Contact(s):** Judy Doyle, Budget Director, 480-312-2603, [jdoyle@scottsdaleaz.gov](mailto:jdoyle@scottsdaleaz.gov)

## **REGULAR AGENDA      ITEMS 28A-32**

**How the Regular Agenda Works:** The Council takes action on each item on the Regular Agenda.

- \*\*\*28A. **Old Town Scottsdale Liquor License (38-LL-2021)**  
**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 9 (liquor store) State liquor license for an existing owner at a new location.  
**Location:** 4439 N. Saddlebag Trail  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)  
**– Current Planning Director Tim Curtis gave a PowerPoint presentation and Applicant Representative Jake Curtis, with Burch & Cracchiolo, P.A., gave a presentation.**
- Councilwoman Caputi made a motion that the City Council forward to the Arizona Department of Liquor Licenses and Control a recommendation to disapprove the applicant's request to transfer a liquor license to this location because it is not compatible with activity within one mile. The public convenience and best interest of the community will not be served by a retail liquor license at this location when considering factors 1, 6, 8, 9, 11, and 12 of the State's applicable administrative regulation (R-19-1-702) and the evidence presented and contained in the hearing record tonight. Councilwoman Littlefield seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, Milhaven, and Whitehead voting in the affirmative.**
29. **District at 9400 Shea Non-Major General Plan Amendment and Rezoning (6-GP-2019 and 16-ZN-2019)**  
**Requests:**
1. Adopt **Resolution No. 12210** approving a Non-Major General Plan Amendment to the Scottsdale General Plan 2001 Conceptual Land Use Map from Commercial to Mixed-Use Neighborhoods on a ±11-acre site.
  2. Adopt **Ordinance No. 4511** approving a zoning district map amendment from Commercial Office Planned Community District (C-O PCD) and Highway Commercial Planned Community District (C-3 PCD) to Planned Unit Development Planned Community District (PUD PCD) zoning, including approval of a development plan with amended development standards on a ±11-acre site, to allow for a maximum of 219 new residential units.
  3. Adopt **Resolution No. 12211** declaring the document titled "9400 East Shea Boulevard Development Plan" to be a public record.
- Location:** South side of E. Shea Boulevard, east of N. 92<sup>nd</sup> Street  
**Presenter(s):** Doris McClay, Senior Planner



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

– To facilitate a request for a second continuance, Mayor Ortega moved Item 29 to the beginning of the Regular Council Meeting agenda. Councilwoman Whitehead made a motion to continue Item 29 (District at 9400 Shea Non-Major General Plan Amendment and Rezoning) to October 19, 2021. Councilman Durham seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, Milhaven, and Whitehead voting in the affirmative.

30. Old Town Bicycle Master Plan

**Request:** Presentation, discussion, and possible direction to staff regarding the findings and recommendations of the Old Town Bicycle Master Plan.

**Presenter(s):** Mark Melnychenko, Transportation and Streets Director

**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [daworth@scottsdaleaz.gov](mailto:daworth@scottsdaleaz.gov)

– Transportation and Streets Director Mark Melnychenko gave the PowerPoint presentation.

– Council made the following suggestions:

- Use plastic barriers to separate bicycle lanes from the roadway.
- Use bright green colors to designate bicycle lanes.
- Investigate the use of phased crossing signals to provide bicyclists and pedestrians a head start going through traffic signals.
- Use of scramble concepts at intersections such as Camelback and Scottsdale roads.
- Use of way finding signage and share lane markings to denote motorists are sharing the road with cyclists.
- Installation of bicycle stations with access to tools and instructions via QR codes to assist bicyclists with repairs.
- Ensure safety is the highest priority.
- Bicycle improvements should be advertised in the Downtown Ambassadors' informational pamphlets.
- Shared lanes on 5<sup>th</sup> Avenue to put bicyclists in the middle of the lane enabling motorists who are backing up to see them.
- Post reduced speed signs in the Downtown area.

– Mayor Ortega made a motion that Council is in agreement with the Old Town Bicycle Master Plan as presented. Councilwoman Whitehead seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, Milhaven, and Whitehead voting in the affirmative.

31. Old Town Scottsdale Policy, Regulatory, and Guideline Update

**Request to initiate the following:**

1. A Non-Major General Plan Amendment to the 2018 Old Town Scottsdale Character Area Plan.
2. A text amendment to the City of Scottsdale Zoning Ordinance (No. 455), to the Downtown (D), Downtown Overlay (DO), and Planned Block Development (PBD) zoning districts and other affected sections, as applicable.
3. An amendment to the Downtown Infill Incentive District.
4. Staff direction to update the Old Town Scottsdale Urban Design & Agricultural Guidelines as necessary by any corresponding amendments to the Old Town Scottsdale Character Area Plan, associated portions of the city's Zoning Ordinance, or the Downtown Infill Incentive District.

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

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



- Planning and Development Area Manager Brad Carr gave the PowerPoint presentation.
- Council made the following suggestions:
  - Focus on areas of transportation, infrastructure, sustainability, and identity of Scottsdale, which includes tourism.
  - Focus on open space by including a canal-level park on the only remaining public parcel located on the Arizona Canal at Fifth Avenue and Goldwater Boulevard while retaining public parking.
  - Include references to pedestrian connectivity, the tree canopy plan, and the Emerald Necklace.
  - Add a section related to alleys that make better use of open space.
  - Eliminate the word “metropolitan” from documents.
  - Eliminate emphasis on “vertical” development.
  - Include provisions for developers to put public art and rock coverage on empty lots prior to construction to eliminate large open dirt lots.
  - Council should review existing rules and follow those rules.
  - Integrate bikeways into plan.
  - Emphasize ways to invigorate and encourage more public participation in Old Town, such as street fairs and similar events.
  - Look at event ordinance and see if it can be utilized to invigorate Old Town.
  - Ensure community input is received on possible revisions to the plan.
  - Verify the question of appropriateness of Type 1 going to Type 3, and the necessity of Type 2.5.
  - Test the applicability of Planned Block Development (PBD) Overlay District requirement of mixed use to have at least 20% retail/commercial.
  - Increase Type 1 classification from 36 feet to 40 feet; Type 2 classification to be accomplished at 52 feet; and Type 3 classification to be 60 feet with a bonus of 12 feet.
- Councilmember Milhaven made a motion to place the initiation of amendments to the Old Town Scottsdale policies and regulations on hold until after the November 2, 2021 General Plan Election. Councilwoman Caputi seconded the motion, which failed 2/5, with Councilmembers Caputi and Milhaven voting in the affirmative and Mayor Ortega; Vice Mayor Janik; and Councilmembers Durham, Littlefield, and Whitehead dissenting.
- Mayor Ortega made a motion to:
  - Initiate a non-major General Plan amendment to update the 2018 Old Town Character Area Plan; and
  - Initiate a text amendment to update the Zoning Ordinance Downtown (D), Downtown Overlay (DO), and Planned Block Development (PBD) districts and other affected sections, as applicable; and
  - Initiate an amendment to the Downtown Infill Incentive District; and
  - Direct staff to update the Old Town Scottsdale Urban Design & Architectural Guidelines as necessary.

Councilwoman Whitehead seconded the motion, which carried 5/2, with Mayor Ortega; Vice Mayor Janik; and Councilmembers Durham, Littlefield, and Whitehead voting in the affirmative and Councilmembers Caputi and Milhaven dissenting.

32. [Public Hearing on Proposed Water and Wastewater Development Fees](#)

**Request:** Conduct a public hearing on proposed changes to water and wastewater development fees to be effective January 1, 2022.

**Presenter(s):** Brian Biesemeyer, Water Resources Executive Director

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

- Mayor Ortega opened the public hearing.
- Water Resources Executive Director Brian Biesemeyer gave the PowerPoint presentation.
- Mayor Ortega closed the public hearing.

**Public Comment – None**

Public Comment time is reserved for Scottsdale citizens to comment on non-agendized items that are within the Council's jurisdiction. No official Council action can be taken on these items. Public Comment time is also the designated time for presenting a citizen petition. There is no limit on the number of petitions a citizen may present; however, each citizen is limited to a total time of three minutes to present and speak to the petition(s). A Request to Speak [form](#) must be submitted together with the petition(s) before the Mayor announces the second Public Comment period.

Speakers may address the Council once under Public Comment at the beginning or the end of the meeting, but not both. Public Comment is limited to a total of 15 minutes at the beginning and 15 minutes at the end of the meeting. **Speakers are limited to three minutes to address the Council during "Public Comment."**

## **CITIZEN PETITIONS**

### **ITEM 33**

**Citizen Petitions:** This portion of the agenda is reserved for the submission and/or consideration of citizen petitions. There is no limit on the number of petitions a citizen may submit; however, **each citizen is limited to a total time of three minutes to speak to his/her petition(s)**. A Request to Speak [form](#) must be submitted, together with the petition(s), **before** the second Public Comment period begins.

**33. Receipt of Citizen Petitions – None**

**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](mailto:blane@scottsdaleaz.gov)

**Mayor and Council Items – None**

**Adjournment – 8:59 P.M.**



# 2010

## Downtown Infill Incentive Plan



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## I. Purpose.

One primary principle of the Downtown Character Area Plan (Downtown Plan) is that coordination between the public and private sectors will be necessary in order to carefully manage Downtown land use considerations in the future. The involvement of the private sector is pivotal to the successful implementation of the Downtown Plan. The flexible application of flexible development standards can be used to encourage the private sector to attain a high level of quality development while at the same time assisting in the provision of public amenities and benefits. Thus, establishing and utilizing a variety of tools for new development, redevelopment and infill development that strengthens Downtown's mix of land uses should be strongly encouraged.

One such tool for the City to utilize is the Infill Incentive District, as provided in Arizona Revised Statute §9.499.10. Adopted as part of the Growing Smarter and Growing Smarter Plus legislation, the Infill Incentive District was added to the Arizona Revised Statutes to promote infill development in cities and towns. The City Council has adopted a Infill Incentive District called the Downtown Infill Incentive District which acknowledges that the conditions to create an Infill Incentive District (Appendix A) exist. Further, the District formation recognizes that the strict application of the underlying zoning and overlay districts' standards and regulations of the City of Scottsdale's Basic Zoning Ordinance (Zoning Ordinance) might inhibit infill, revitalization, redevelopment, and preclude the provision of public amenities and benefits.

## II. Downtown Infill Incentive District Boundary.

The Downtown Infill Incentive District is an irregularly shaped area, located between North 68<sup>th</sup> Street and North Miller Road, and between East Earll Drive and East Chaparral Road. The Downtown Infill Incentive District is more precisely identified as the area depicted in Appendix B which includes a map of the Downtown Infill Incentive District.

## III. Goals and Objectives.

The primary guiding plans for the Downtown Infill Incentive District are the Scottsdale General Plan and the Downtown Plan, which are included as part of the Downtown Infill Incentive Plan by this reference. In addition, the goals and objectives contained within this Downtown Infill Incentive Plan are established to promote high quality new development, redevelopment and infill development within the district through the use of flexible development standards.

### a. *Goals and Objectives that are Specific to the Downtown Infill Incentive District.*

**Goal 1:** *Encourage infill development of vacant parcels, and the revitalization and/ or redevelopment of existing buildings in Downtown Scottsdale.*

Objective 1.1: The provisions of the Downtown Infill Incentive District for a development shall implement the goals, approaches, and policies of the General Plan and Downtown Plan related to infill development of vacant



parcels, and the revitalization and/or redevelopment of existing buildings and underutilized properties.

**Goal 2:** *Development shall be composed of complementary and supportive design relationships with the urban neighborhood in which the development is located, with an adjacent neighborhood outside of the Downtown boundary, and consistent with the Downtown Plan.*

Objective 2.1: Any new development that is within the Type 1 area, as designated by the Downtown Plan, shall promote a compact urban form and encourage sensitive/compatible infill development and redevelopment.

Objective 2.2: Any new development, infill development and redevelopment, that is within Type 2 area, shall incorporate contextually appropriate transitions to the established development that is the Type I area.

Objective 2.3: Any new development, infill development and redevelopment that is adjacent to the Downtown boundary shall incorporate contextually appropriate transitions to the established development outside of the Downtown boundary.

**Goal 3:** *Development shall be in compliance with the Downtown Plan Urban Design & Architectural Guidelines, and the Scottsdale Sensitive Design Principles.*

Objective 3.1: Any new Development in Old Town, Main Street, Fifth Avenue, and Marshall Way-Craftsman Court areas of Downtown shall strictly conform to the character of the area, and the Downtown Plan Urban Design & Architectural Guidelines for Special Districts.

#### **IV. Application and Development Plan Requirements.**

a. Downtown Infill Incentive District Application Requirements.

A property owner may request to develop under the provisions of the Downtown Infill Incentive Plan, by submitting an application in accordance with the Scottsdale Zoning Ordinance – Article I.

b. Downtown Infill Incentive District Development Plan Requirements.

An application for the Downtown Infill Incentive District shall be accompanied by a Development Plan. As required by the Zoning Administrator, or designee, the Development Plan shall include the indicated items that are on the Infill Incentive District Application checklist.

## V. Citizen Review Process Requirements.

A property owner requesting to develop under the provisions of the Downtown Infill Incentive Plan, shall conduct public outreach in accordance with Citizen Review Process of the Scottsdale Zoning Ordinance – Article I.

## VI. Amendments.

To maintain the integrity and character of the City of Scottsdale and its built environment, only certain amendments may be requested. The approval of any amendment shall be at the discretion of the City Council. The allowed and prohibited amendments in the Downtown Incentive Infill District are identified in three categories, Minor Amendments, Major Amendments, and Prohibited Modifications.

### a. *Minor Amendments.*

An application to utilize the provisions of the Downtown Infill Incentive District may include request to amend the following:

- The Scottsdale Zoning Ordinance, except as prohibited below.
  - Projects within the Type 1 Old Town area may request an amendment to the permitted building height, up to a height of forty (40) feet, inclusive of roof top apparatus.
  - Projects within the Type 1 area that are outside of the Old Town area may request an amendment to the permitted building height, up to a height of forty (48) feet, inclusive of roof top apparatus.
  - Projects in the Type 2 area that do not have Downtown (D) District zoning may request an amendment to the permitted building height, up to a height of forty (48) feet, inclusive of roof top apparatus.
  - Projects in the Type 2 area that have Downtown (D) District zoning may request an amendment to the permitted building height, up to a height of sixty-five (65) feet, inclusive of roof top apparatus.
  - Projects that do not have Downtown (D) District zoning may request an amendment of the allowable floor area up to a floor area ratio of 1.5

- Note:
1. The locations of the Type 1 and Type 2 areas are identified in Appendix C.
  2. Minor amendments requesting a change of the current zoning's development standards will be processed as zoning cases until a different process is adopted by the City Council.

### b. *Major Amendments.*

An application to utilize the provisions of the Downtown Infill Incentive District, may include a request to amend the General Plan, the Downtown Plan, or the Zoning Ordinance. If an

amendment is requested in the application, a concurrent application must be submitted to amend the following if the proposed development plan affects:

- the General Plan,
  - requires a General Plan amendment application
- the Downtown Plan,
  - requires a General Plan amendment application
- a change from one zoning district to another zoning district
  - requires a Zoning Map amendment application
- an existing zoning stipulation(s),
  - requires a Zoning Map amendment application
- existing amended development standards,
  - requires a Zoning Map amendment application
- existing Conditional Use Permit and/or related stipulations,
  - requires a Conditional Use Permit application
- the addition of a land use that is not permitted in the property's zoning district, and/or overlay district classification.
  - requires a Zoning Map amendment application
- a land use that requires a Conditional Use Permit,
  - requires a Conditional Use Permit application
- a building height between sixty-five (65) feet and ninety (90) feet, inclusive of roof top apparatus, in the Downtown Multiple Use or Downtown Civic Center Type 2 areas, and/or
  - requires a Zoning Map amendment application
- a building height between sixty-five (65) feet and one-hundred fifty (150) feet, inclusive of roof top apparatus, in the Downtown Regional Multiple Use or Downtown Medical Type 2 areas.
  - requires a Zoning Map amendment application
- properties with Downtown (D) District zoning may request a floor area ratio greater than what is permitted by the zoning district.
  - requires a Zoning Map amendment application
- a density greater than the allowed density of a property's zoning district or overlay district classification.
  - requires a Zoning Map amendment application

Note: The locations of the Downtown Multiple Use, Downtown Civic Center, Downtown Regional, Downtown Medical Type 2 are identified in Appendix C.

c. *Prohibited Modifications.*

An application to utilize the provisions of the Downtown Infill Incentive District, shall not include modifications to:



- the Scottsdale Zoning Ordinance regulations in Article I. – Administration and Procedures;
- the Scottsdale Zoning Ordinance definitions of Article III. – Definitions, or any other definition that may be located in another article of the Zoning Ordinance;
- any property with the Historic Property zoning overlay district designations; and/or
- reduce the minimum contribution of the Cultural improvements program of the Scottsdale Zoning Ordinance.

**VII. Fee Waivers.**

A property owner’s application may include a request for a waiver of fees, partial waiver of fees, or deferment of fees. The approval of any application that includes a waiver of fees, partial waiver of fees, and/or deferment of fees shall be at the discretion of the City Council, essentials of a waiver of which shall be contained in a binding agreement that is subject to the discretion of the City Council.

**VIII. Expedited Zoning or Rezoning Procedures and Processing of Plans and Proposals.**

The City of Scottsdale Planning, Neighborhood, and Transportation Division (PNT) staff is committed to review and process applications, development plans, and proposals in an expeditious manner. A property owner may request expedited review and process for applications, development plans, and proposals, however, the Scottsdale Zoning Ordinance regulations in Article I. – Administration and Procedures may not be modified. The approval of any application that includes a request for expedited review and process for applications, development plans, and proposals shall be at the discretion of the City Council. The essentials of expedited review and process for applications, development plans, and proposals shall be contained in a binding agreement that is subject to the discretion of the City Council.

**IX. Considerations.**

At the discretion of the City Council, an application for an amendment to the development standards, City fees, and the time frames to process zoning application(s), plans and proposals within the Downtown Infill Incentive District shall demonstrate the goals and policies of the General Plan, Downtown Plan, and the specific goals and policies herein specific to the Downtown Infill Incentive District.

**X. Administration.**

The Downtown Infill Incentive Plan shall be administered and interpreted by the City of Scottsdale Zoning Administrator, or designee.

Recommendations regarding applications to utilize the Downtown Infill Incentive District will be made by city staff to the City Council, and to the appropriate board or commission based upon the merits of the proposals submitted under the Downtown Infill Incentive District and other City Policies and City Code regulations.

**XI. Definitions.**

The definitions of the Zoning Ordinance, General Plan, and Downtown Character Area Plan shall apply. Undefined terms shall be interpreted by the Zoning Administrator.



Downtown Infill District

**Appendix A - Resolution No. 8370**

**(Including Exhibit A of Resolution No. 8370, which is the Downtown Infill Incentive Plan itself)**

RESOLUTION NO. 8370

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, FINDING THE EXISTENCE OF STATUTORY CRITERIA SUPPORTING THE CREATION OF AN INFILL INCENTIVE DISTRICT IN THAT AREA OF THE CITY OF SCOTTSDALE GENERALLY LOCATED BETWEEN NORTH 68TH STREET AND NORTH MILLER ROAD, AND BETWEEN EAST EARLL DRIVE AND EAST CHAPARRAL ROAD, DESIGNATING A PORTION A SPECIFIC PORTION OF THAT AREA TO BE AN INFILL INCENTIVE DISTRICT AND ADOPTING AN INFILL INCENTIVE PLAN.

WHEREAS, the City Council, held a public hearing on July 7, 2010; and

WHEREAS, Arizona Revised Statutes (A.R.S) §9-499.10 authorizes the City to establish Infill Incentive Districts in areas of the city that meet at least three of six property conditions criteria, and

WHEREAS, the City Council deems that in the best interests of the City of Scottsdale that a certain area of the City of Scottsdale depicted in Exhibit A attached hereto and incorporated by reference should be designated as a Infill Incentive District; and

WHEREAS, the City Council finds the designation of a Infill Incentive District is in substantial harmony with the General Plan of the City of Scottsdale; and

WHEREAS, A.R.S §9-499.10 requires that the City Council make certain findings prior to making such a designation and prior to the exercise of the powers granted pursuant to A.R.S. §9-499.10; and

WHEREAS, the City Council has heard and seen evidence that within the area of the City described in Exhibit A there exist a large number of vacant older or dilapidated buildings or structures, a large number of vacant or underused parcels of property, obsolete or inappropriate lot or parcel sizes, environmentally contaminated sites, and a large number of buildings or other places where nuisances exist or occur, and an absence of development and investment activity compared to other areas in the city; and

WHEREAS, the City Council has considered a plan to encourage development within the area described in Exhibit A to enhance the economic welfare of the community as a whole, and

7460887v1

Page 1 of 2

Resolution 8370

NOW, THEREFORE, LET IT BE RESOLVED, by the City Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. That the City Council finds the area of the City depicted in Exhibit A hereto meets at least four of the six statutory criteria in A.R.S. §9-499.10 as follow:

1. There are a large number of vacant older or dilapidated buildings or structures.
2. There are a large number of vacant or underused parcels of property, obsolete or inappropriate lot or parcel sizes or environmentally contaminated sites.
3. There are a large number of buildings or other places where nuisances exist or occur.
4. There is an absence of development and investment activity compared to other areas in the city or town.


Section 2. That the area of the City of Scottsdale depicted in Exhibit A and labeled as the Downtown Infill Incentive District is hereby established as an Infill Incentive District pursuant to A.R.S. §9-499.10, to be known as the Downtown Infill Incentive District.

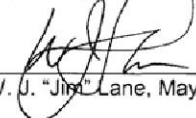
Section 3. That pursuant to A.R.S. §9-499.10 the City Council hereby adopts the Downtown Infill Incentive Plan attached hereto as Exhibit B and incorporated herein.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this 7<sup>th</sup> day of July 2010.


ATTEST:

CITY OF SCOTTSDALE, an Arizona  
Municipal Corporation

By:   
Carolyn Jagger, City Clerk

By:   
W. J. "Jim" Lane, Mayor

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY

By:   
Bruce Washburn, City Attorney  
By: Joe Padilla, Sr. Assistant City Attorney

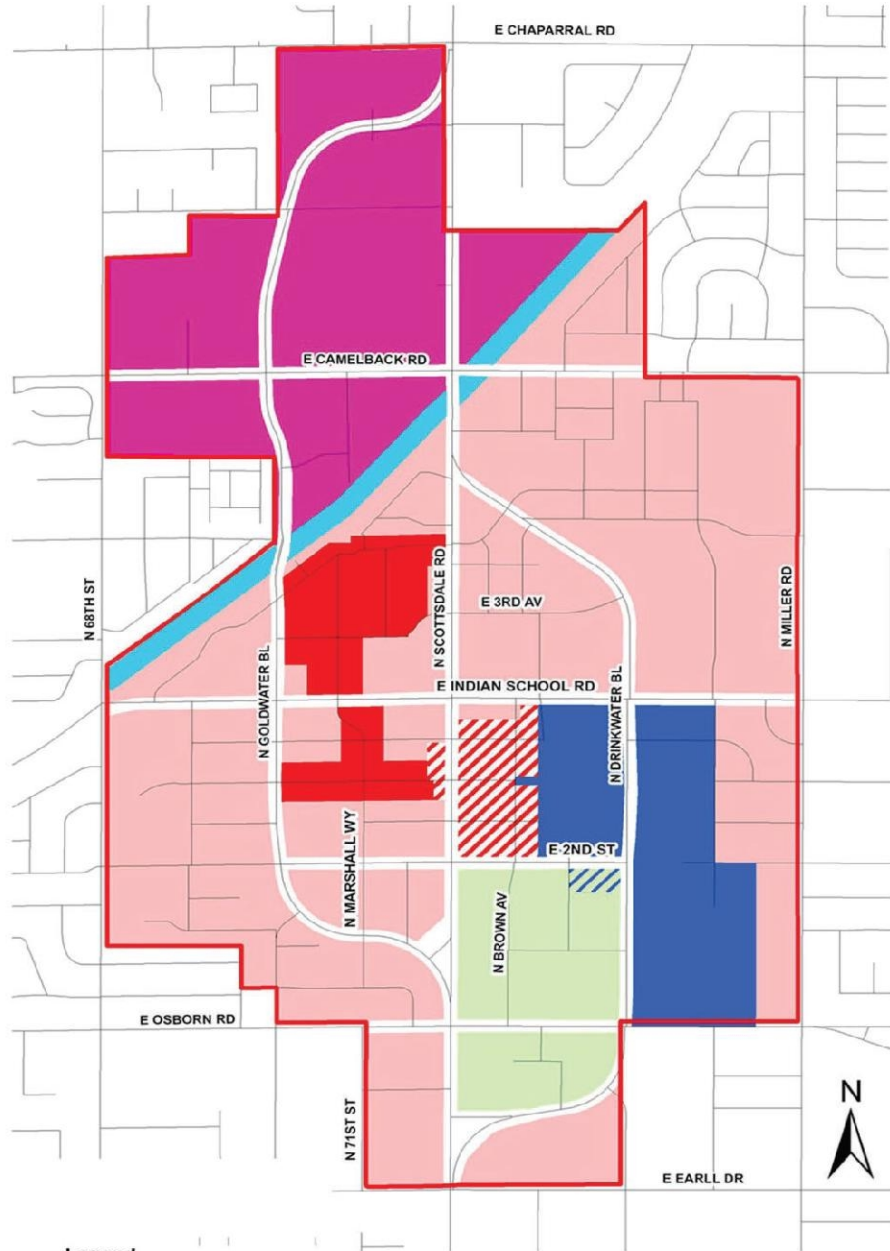


### Downtown Infill Incentive District



**Appendix C - Downtown Future Land Use Map.**

Note: Refer to the Scottsdale Downtown Plan for the approved Downtown Future Land Use Map.



- Legend**
- Downtown Boundary
  - Downtown Regional - Type 2
  - Downtown Civic Center - Type 2
  - Downtown Civic Center or Medical - Type 2
  - Downtown Core (Old Town) - Type 1
  - Downtown Core (Remainder) - Type 1
  - Downtown Medical - Type 2
  - Downtown Multiple Use - Type 2

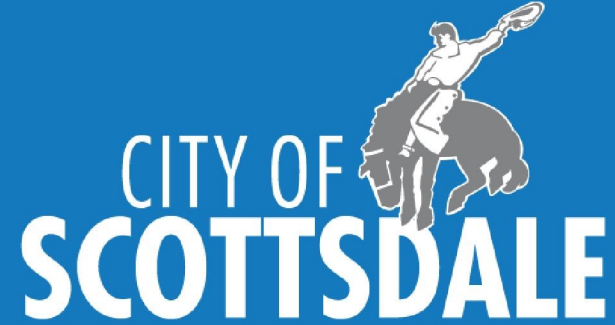
**DOWNTOWN FUTURE LAND USE MAP  
(AMENDED FOR ILLUSTRATIVE PURPOSES)**











# Old Town Plan Character Area Plan & Zoning Ordinance Update

Repeal of the Downtown Infill Incentive District & Plan

City Council – September 5, 2023

1-II-2010#3

# Infill Incentive Districts

- Arizona Revised Statutes § 9.499.10 provides criteria to establish Infill incentive Districts
  - Requires that an infill incentive plan be adopted to encourage redevelopment in the district
- The Downtown Infill Incentive Plan (2010) is a redevelopment tool and allows:
  - Development standard amendments,
  - Fee waivers, and
  - Other applicant requests

2010

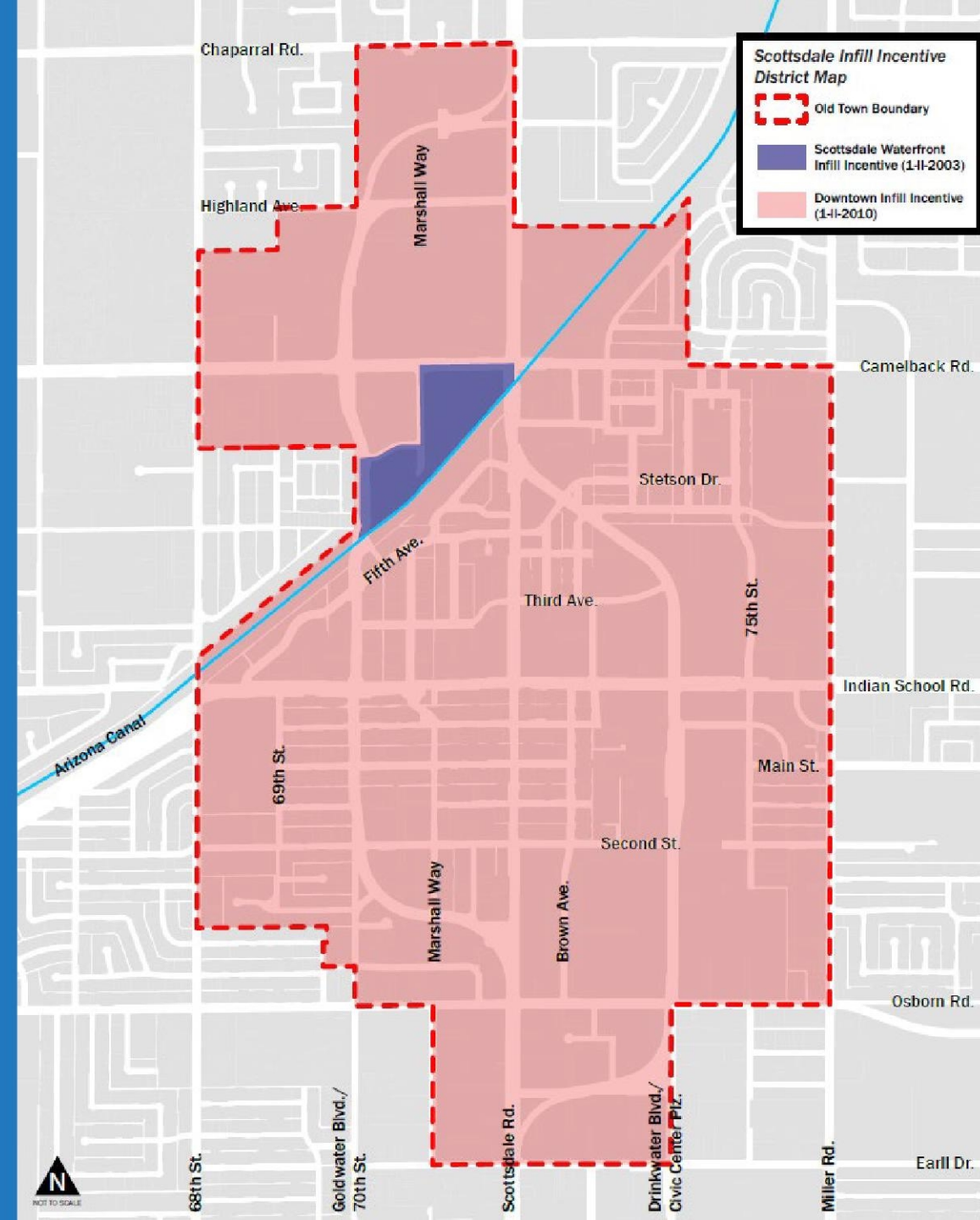
## Downtown Infill Incentive Plan





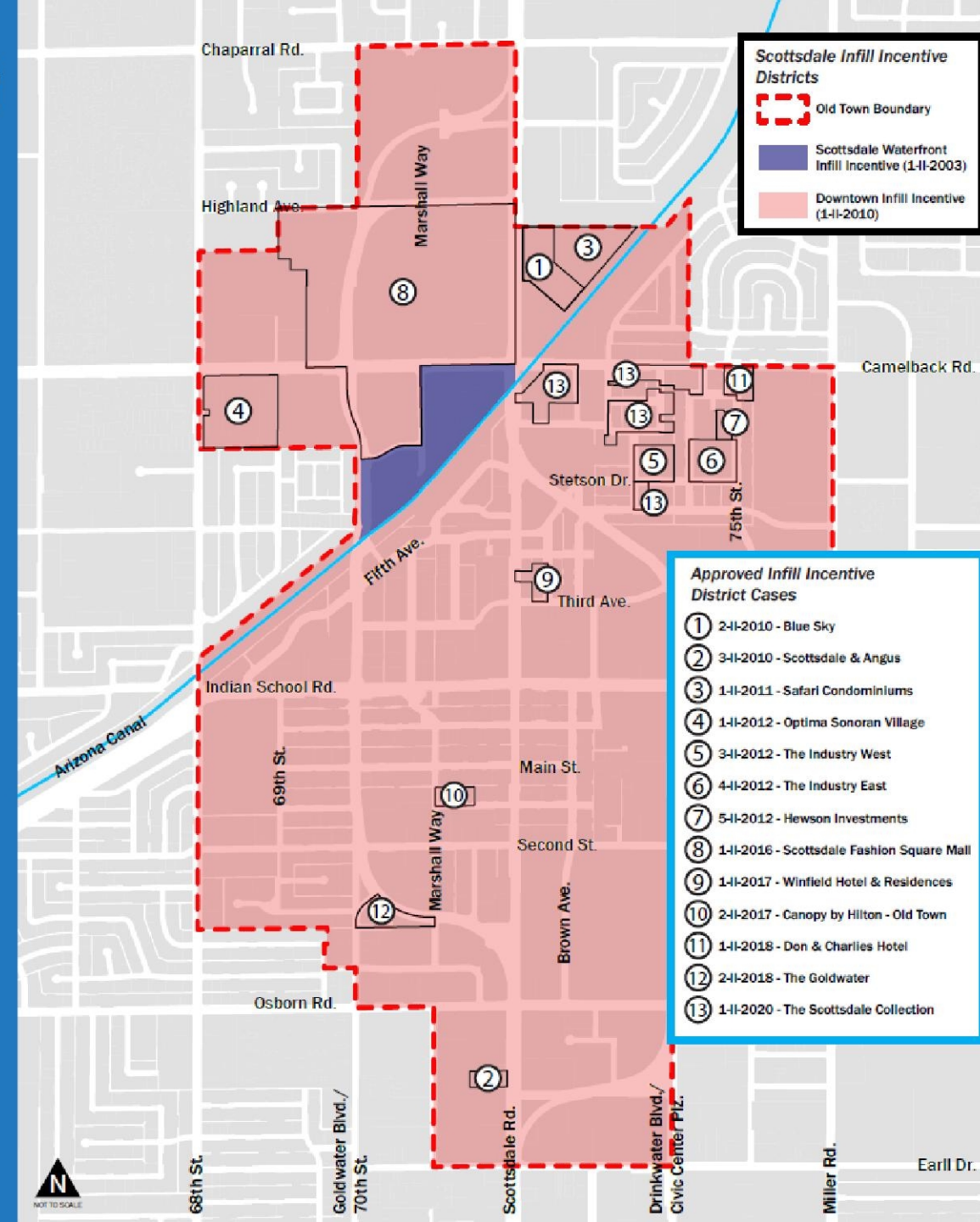
# Scottsdale's Infill Districts

- Scottsdale Waterfront Infill Incentive District (2003)
  - Limited to a single site
- Downtown Infill Incentive District (2010)
  - Excludes Scottsdale Waterfront site
  - Maintain the integrity and character of Old Town Scottsdale and its built environment
  - Case-by-case discretionary review by City Council:
    - Amended development standards,
    - Items not otherwise permitted under the established Zoning Ordinance,
    - Development fee waivers (never utilized), and/or
    - Expedited plan reviews (never utilized),



# Downtown Infill Incentive District

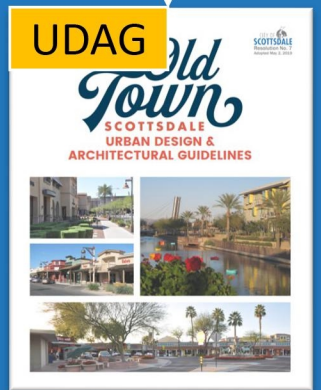
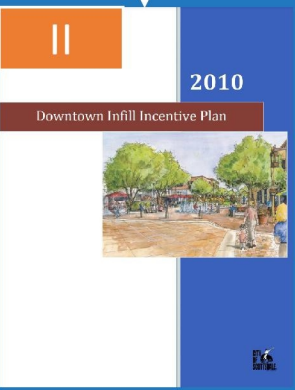
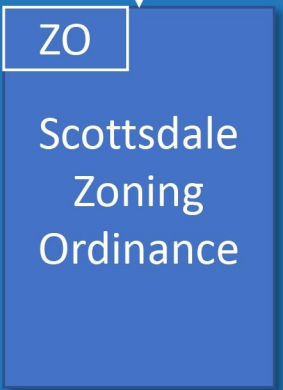
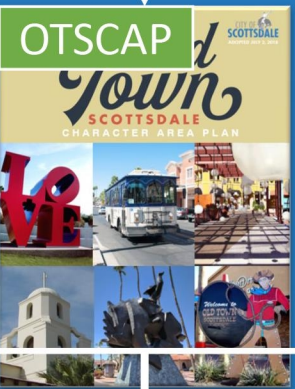
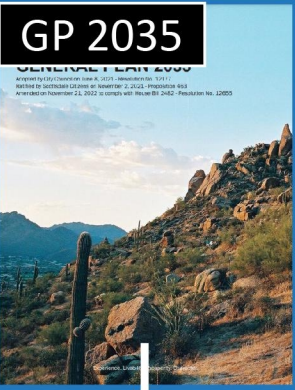
- Downtown Infill Incentive District approvals to date (13 total)
  - Amended development standards
    - Floor Area Ratio
    - Building Height
    - Density
    - Old Town Boundary Stepback Plane
    - Parking Masterplan/Reduction





# General Plan/Old Town Updates

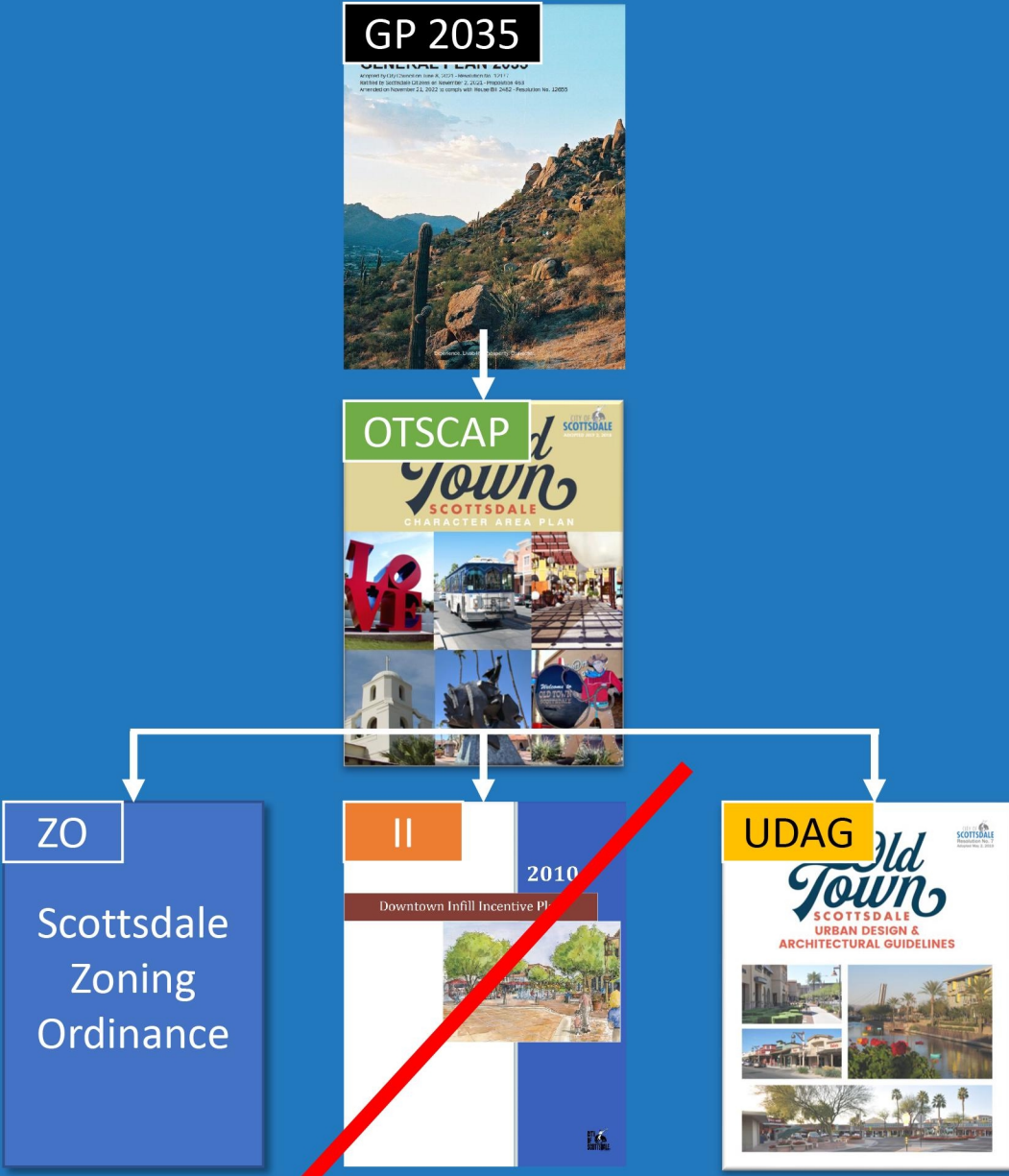
- City Council removed references to the Infill Incentive District in Scottsdale General Plan 2035
  - Infill Incentive (2010) was created prior to the most-recent update to the Planned Block Development Overlay (PBD) Zoning District (2018)
  - Redevelopment is more comprehensively served through the D/PBD Zoning Districts
  - Infill Incentive is redundant to D/PBD
  
- In 2021, City Council directed staff to begin a public outreach effort to reexamine the Old Town Scottsdale Plan, Downtown sections of the Zoning Ordinance, and the Downtown Infill Incentive District and Plan





# Key Items for Consideration

- Implement the voter ratified Scottsdale General Plan 2035 that removed references to any Infill Incentive District;
- Remove redundant redevelopment mechanisms within the Zoning Ordinance; and
- Encourage the Downtown (D) District zoning district, paired with the Planned Block Development (PBD) Overlay, as the mechanism to maximize redevelopment potential for parcels within the Old Town Character Area;
- Fee waivers and/or expedited plan review could occur only through Council-approved development agreement



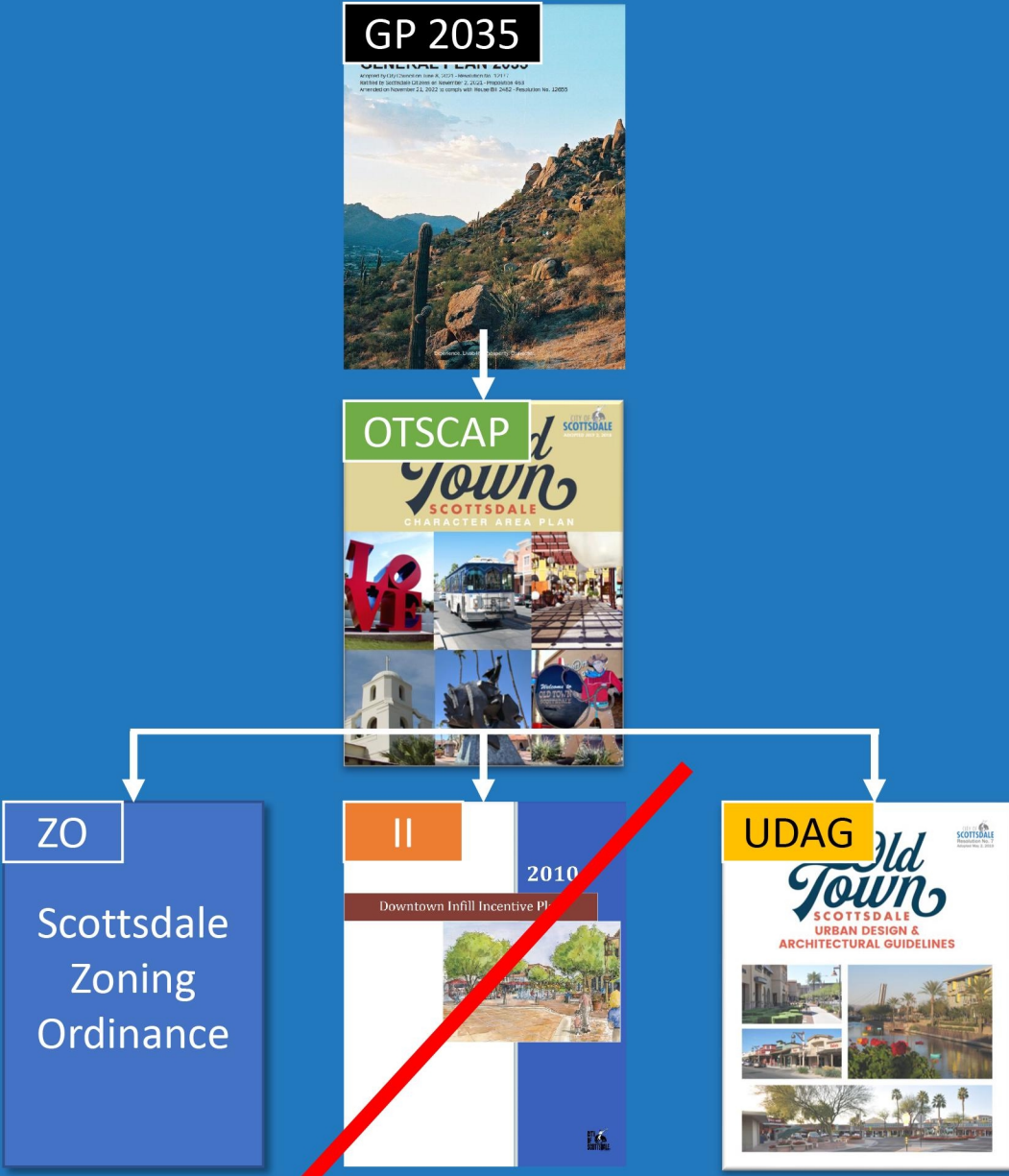
# Recommended Approach

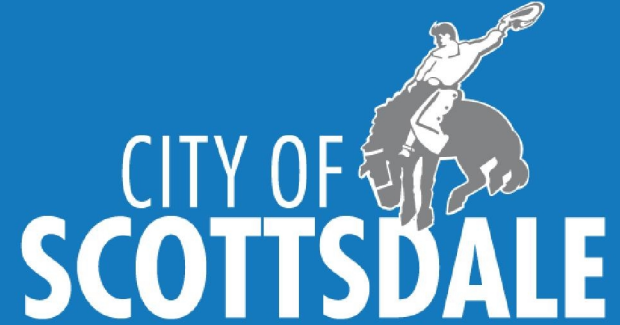
Adopt Resolution No. 12746, repealing Resolution No. 8370 and terminating the Downtown Infill Incentive District and the Downtown Infill Incentive Plan.



# Old Town Update Next Steps

- Future amendments to update the Old Town Scottsdale Character Area Plan and affected sections of the Zoning Ordinance that relate to Old Town.
  - Phases Anticipated for fiscal year 2023/2024





# **Old Town Plan Character Area Plan & Zoning Ordinance Update**

**Repeal of the Downtown Infill Incentive District & Plan**

**City Council – September 5, 2023**

**1-II-2010#3**

**Kurth, Rebecca**

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**From:** Bob Pejman <bobpejman@gmail.com>  
**Sent:** Tuesday, September 5, 2023 11:46 AM  
**To:** City Council  
**Subject:** I-II-2010#3 Repeal of the Downtown Infill Incentive District & Plan

**⚠ External Email: Please use caution if opening links or attachments!**

Dear Mayor & City Council –

Please repeal the Downtown Infill Incentive Plan, which should have really been done at least 5 years ago.

This plan was instituted at the lowest point of the 2008 Great Recession to encourage & incentivize development in Downtown Scottsdale, when no one wanted to build here.

Right now, every developer and his mother wants to build here, making the original intention of the this plan 100% moot.

Thank you,

Bob Pejman



## Kurth, Rebecca

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**From:** Jim Haxby <jimhax@cox.net>  
**Sent:** Tuesday, September 5, 2023 11:33 AM  
**To:** Mayor David D. Ortega  
**Cc:** City Council  
**Subject:** Repeal

**⚠ External Email: Please use caution if opening links or attachments!**

I urge you to repeal the Downtown Infill Incentive District. It is time to quit giving away Scottsdale's standards to appease staff.

Jim Haxby



The Coalition of Greater Scottsdale  
8711 E Pinnacle Peak Road  
PMB 220 Scottsdale, AZ 85255-3517  
[www.cogsaz.org](http://www.cogsaz.org)  
e: mails: [COGS@cogsaz.org](mailto:COGS@cogsaz.org)

To: Scottsdale City Council  
Re: Downtown Infill Incentive District

5 September 2023

**AGENDA ITEM 12. Hearing 5 September 2023**

The Coalition of Greater Scottsdale-**strongly supports** the repeal  
of the 2010 Downtown Infill Incentive District.

Please support its removal with your vote today.

Respectfully submitted,

COGS Board of Directors,

*Marilynn Atkinson, Jim Davis, Sonnie Kirtley, Stan Morganstern,  
Howard Myers, Copper Phillips, Chris Schaffner and Andrew Scheck*

## Kurth, Rebecca

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**From:** Marilyn Atkinson <marilynn.a@cox.net>  
**Sent:** Tuesday, September 5, 2023 1:27 PM  
**To:** City Council  
**Cc:** Kathy Littlefield; Barry Graham; Solange Whitehead; Sales@Bevsbeadz.com  
**Subject:** Re: I-II-2010#3 Repeal of the Downtown Infill Incentive District & Plan

**⚠ External Email: Please use caution if opening links or attachments!**

Object I-II-2010#3 Repeal of the Downtown Infill Incentive District & Plan

To Mayor and City Council,

This infill Incentive District and Plan is long over due to be repealed.  
PLEASE REPEAL

THANK YOU, MARILYNN ATKINSON



## Kurth, Rebecca

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**From:** Emily Austin <emilyaustin@cox.net>  
**Sent:** Tuesday, September 5, 2023 12:02 PM  
**To:** City Council  
**Subject:** Old Town

⚠ External Email: Please use caution if opening links or attachments!

Dear Council,

Please repeal the Old Town overlay. This includes you Tom!

Downtown is turning into a nightmare. The crime, traffic and construction is ruining it for everyone. Developers took advantage of all of the incentives to rebuild Old Town. The We don't need any more projects that are more than 65 feet!! We need to stop with all of the upzoning.

Regards,

Emily Austin