

**SCOTTSDALE CITY COUNCIL
REGULAR MEETING MINUTES
WEDNESDAY, AUGUST 28, 2019**



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

CALL TO ORDER

Mayor W.J. "Jim" Lane called to order a Regular Meeting of the Scottsdale City Council at 5:01 P.M. on Wednesday, August 28, 2019, in the City Hall Kiva.

ROLL CALL

Present: Mayor W.J. "Jim" Lane; Vice Mayor Linda Milhaven; and Councilmembers Suzanne Klapp, Virginia L. Korte, Kathleen S. Littlefield, Guy Phillips, and Solange Whitehead

Also Present: City Manager Jim Thompson, Acting City Attorney Joe Padilla, City Treasurer Jeff Nichols, City Auditor Sharron Walker, and City Clerk Carolyn Jagger

PLEDGE OF ALLEGIANCE – Daughters of the American Revolution, Winfield Scott Chapter

INVOCATION – Reverend Cathy Clark, St. Stephen's Episcopal Church

MAYOR'S REPORT

Mayor Lane read a proclamation in honor of Daughters of the American Revolution, Winfield Scott Chapter, Constitution Week.

PRESENTATIONS/INFORMATION UPDATES – None

PUBLIC COMMENT – None

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

CONSENT AGENDA

1. JOJO Coffeehouse Conditional Use Permit (3-UP-2019)

Request: Find that the conditional use permit criteria have been met and adopt **Resolution No. 11534** approving a Conditional Use Permit for live entertainment in a 2,412± square-foot tenant space within a multi-tenant building with Highway Commercial Downtown Overlay (C-3 DO) zoning.
Location: 3712 N. Scottsdale Road, Suite 102
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

2. Harper's Place Abandonment (4-AB-2019)

Request: Adopt **Resolution No. 11538** authorizing the abandonment of 2 feet of public right-of-way along the eastern boundary of Parcel No. 131-02-110N with Multiple-Family Residential (R-5) zoning.
Location: 2529 N. Hayden Road
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

Mayor Lane opened public testimony.

Ambria Hammel spoke to traffic and safety issues.

Mayor Lane closed public testimony.

3. Asteria Highlands Final Plat (12-PP-2017)

Request: Approve the final plat for a new residential subdivision comprised of 31 lots and 6 tracts on a 40±-acre site with Single-Family Residential, Environmentally Sensitive Lands (R1-70 ESL and R1-35 ESL) zoning.
Location: Southwest corner of E. Alameda Road and N. 128th Street
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

4. Sereno Canyon Phase 4B2 Final Plat (16-PP-2017#4)

Request: Approve the final plat to replat portions of Lot 1 and Lot 3 on 7.6± acres of a 350-acre site, as per Phase 4 of the Sereno Canyon Community Phasing Plan, to establish 26 resort lots within the Resort/Townhouse Residential, Environmentally Sensitive Lands (R-4R ESL) zoning portion of the site.
Location: Between E. Alameda Road and the E. Pinnacle Peak Road alignment along N. 124th Street
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

5. Sereno Canyon Phase 4C1 Final Plat (16-PP-2017#5)

Request: Approve the final plat to replat a portion of Lot 3 on 1.97± acres of a 350-acre site, as per Phase 4 of the Sereno Canyon Community Phasing Plan, to establish 6 resort lots within the Resort/Townhouse Residential, Environmentally Sensitive Lands (R-4R ESL) zoning portion of the site.
Location: Between E. Alameda Road and the E. Pinnacle Peak Road alignment along N. 124th Street
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

6. Sereno Canyon Phase 4A Final Plat (16-PP-2017#6)

Request: Approve the final plat to replat a Lot 2 on 5.7± acres of a 350-acre site, as per Phase 4 of the Sereno Canyon Community Phasing Plan and final plat, to establish 16 resort units within the Resort/Townhouse Residential, Environmentally Sensitive Lands (R-4R ESL) zoning portion of the site.

Location: Between E. Alameda Road and the E. Pinnacle Peak Road alignment along N. 124th Street

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

7. Pima & Bronco (Bronco Estates) Final Plat (11-PP-2018)

Request: Approve the final plat for a 13-lot residential subdivision on a 20±-acre site with Single-Family Residential, Planned Residential District, Environmentally Sensitive Lands (R1-43 PRD ESL) zoning.

Location: Southwest corner of N. Pima Road and E. Bronco Trail

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

8. Braun 20 Density Incentive (14-ZN-2017)

Request: Adopt **Resolution No. 11556** approving a Density Incentive for increases in Natural Area Open Space on a parcel with Single-Family Residential, Environmentally Sensitive Lands (R1-70 ESL) zoning to increase the allowed number of lots from 11 to 13.

Location: Northwest corner of N. 132nd Street and E. Pinnacle Vista Drive

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

9. The Goldwater Rezoning, Infill Incentive District, Development Agreement, and Abandonment (4-ZN-2018, 2-II-2018, 7-DA-2018, and 5-AB-2018)

Requests:

1. Adopt **Ordinance No. 4394** approving an Infill Incentive District application and a zoning district map amendment from Downtown/Residential Hotel-Type 2, Downtown Overlay (D/RH-2, DO) zoning to Downtown/Downtown Multiple Use-Type 2, Planned Block Development Overlay, Downtown Overlay (D/DMU-2, PBD, DO) zoning, including a development plan with amended development standards for a mixed-use development with a building height of 70-feet on a 1.19±-acre site.
2. Adopt **Resolution No. 11457** declaring the document titled "*The Goldwater Development Plan*" to be a public record.
3. Adopt **Resolution No. 11459** authorizing the abandonment of 10-feet of right-of-way located on the north half of E. 4th Street and a portion of N. 70th Street for a property located at 7000 E. 4th Street currently zoned Downtown/Residential Hotel-Type 2, Downtown Overlay (D/RH-2, DO) zoning.
4. Adopt **Resolution No. 11458** authorizing Development Agreement No. 2019-064-COS with 2008 Condo Properties, LLC.

Location: 7000 E. 4th Street

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

10. Fleetwood 6 Townhomes Rezoning (19-ZN-2018)

Requests:

1. Adopt **Ordinance No. 4415** approving a zoning district map amendment from Central Business District, Downtown Overlay (C-2 DO) to Downtown/Downtown Multiple Use-Type 2, Planned Block Development, Downtown Overlay (D/DMU-2, PBD DO) zoning, including a development plan for a new 6-unit townhome project on a 0.28±-acre site.
2. Adopt **Resolution No. 11547** declaring the document titled "*Fleetwood 6 Townhomes Development Plan*" to be a public record.

Location: 6900 and 6902 E. 1st Street

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

11. Animal Care and Control Services Intergovernmental Agreement

Request: Adopt **Resolution No. 11541** authorizing Agreement No. 2012-030-COS-A2 with Maricopa County in the amount of \$177,800 per year for FY 2018/19 and FY 2019/20 for the provision of animal care and control services.

Staff Contact(s): Alan Rodbell, Chief of Police, 480-312-1900, arodbell@scottsdale.gov

12. School Resource Officer Intergovernmental Agreement

Request: Adopt **Resolution No. 11552** authorizing Agreement No. 2019-144-COS with Cave Creek Unified School District for the provision of a Scottsdale Police Officer to serve as a School Resource Officer.

Staff Contact(s): Alan Rodbell, Chief of Police, 480-312-1900, arodbell@scottsdale.gov

13. Basic Training Academy Intergovernmental Agreement

Request: Adopt **Resolution No. 11554** authorizing Agreement No. 2019-145-COS with Maricopa County regarding the Maricopa County Sheriff's Office Basic Training Academy.

Staff Contact(s): Alan Rodbell, Chief of Police, 480-312-1900, arodbell@scottsdale.gov

14. Maricopa Association of Governments Annual Membership Dues

Request: Adopt **Resolution No. 11542** authorizing payment of annual membership dues in the amount of \$88,333 to the Maricopa Association of Governments for FY 2019/20.

Staff Contact(s): Brad Lundahl, Government Relations Director, 480-312-2683, blundahl@scottsdaleaz.gov

15. League of Arizona Cities and Towns Annual Membership Dues

Request: Adopt **Resolution No. 11543** authorizing payment of annual membership dues in the amount of \$100,800 to the League of Arizona Cities and Towns for FY 2019/20.

Staff Contact(s): Brad Lundahl, Government Relations Director, 480-312-2683, blundahl@scottsdaleaz.gov

16. National League of Cities Annual Membership Dues

Request: Adopt **Resolution No. 11549** authorizing payment of annual membership dues in the amount of \$13,086 to the National League of Cities for FY 2019/20.

Staff Contact(s): Brad Lundahl, Government Relations Director, 480-312-2683, blundahl@scottsdaleaz.gov

MOTION AND VOTE – CONSENT AGENDA

Councilmember Korte made a motion to approve Consent Agenda Items 1 through 16. Councilwoman Littlefield seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Milhaven; and Councilmembers Klapp, Korte, Littlefield, Phillips, and Whitehead voting in the affirmative.

REGULAR AGENDA

17. AT&T Pima Inn (P217) Conditional Use Permit (38-UP-2011#2)

Request: Find that the conditional use permit criteria have been met and adopt **Resolution No. 11537** approving a Conditional Use Permit for an existing Type 4 Wireless Communication Facility, in the form of a 60-foot-tall artificial palm tree and associated ground mounted equipment, with Multi-Family Residential District, Planned Community District (R-5 PCD) zoning.

Location: 7330 N. Pima Road

Presenter(s): Keith Niederer, Telecom Policy Coordinator

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

Telecom Policy Coordinator Keith Niederer and Applicant Representative Scott September gave PowerPoint presentations (attached) on the AT&T Pima Inn Conditional Use Permit.

MOTION AND VOTE – ITEM 17

Vice Mayor Milhaven made a motion finding that the conditional use permit criteria have been met and to adopt Resolution No. 11537. Councilwoman Klapp seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Milhaven; and Councilmembers Klapp, Korte, Littlefield, Phillips, and Whitehead voting in the affirmative.

PUBLIC COMMENT – None

CITIZEN PETITIONS

18. Receipt of Citizen Petitions

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

Staff Contact(s): Carolyn Jagger, City Clerk, 480-312-2411, cjagger@scottsdaleaz.gov

No citizen petitions were received.

MAYOR AND COUNCIL ITEMS – None

ADJOURNMENT

The Regular City Council Meeting adjourned at 5:33 P.M.

SUBMITTED BY:

A handwritten signature in blue ink that reads "Carolyn Jagger". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Carolyn Jagger
City Clerk

Officially approved by the City Council on September 17, 2019

CERTIFICATE

I hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Regular Meeting of the City Council of Scottsdale, Arizona held on the 28th day of August 2019.

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

DATED this 17th day of September 2019.



Carolyn Jagger, City Clerk

AT&T P217 Type 4 WCF 38-UP-2011#2

City Council
8/28/2019

Coordinator: Keith Niederer

1



Context Aerial

38-UP-2011#2

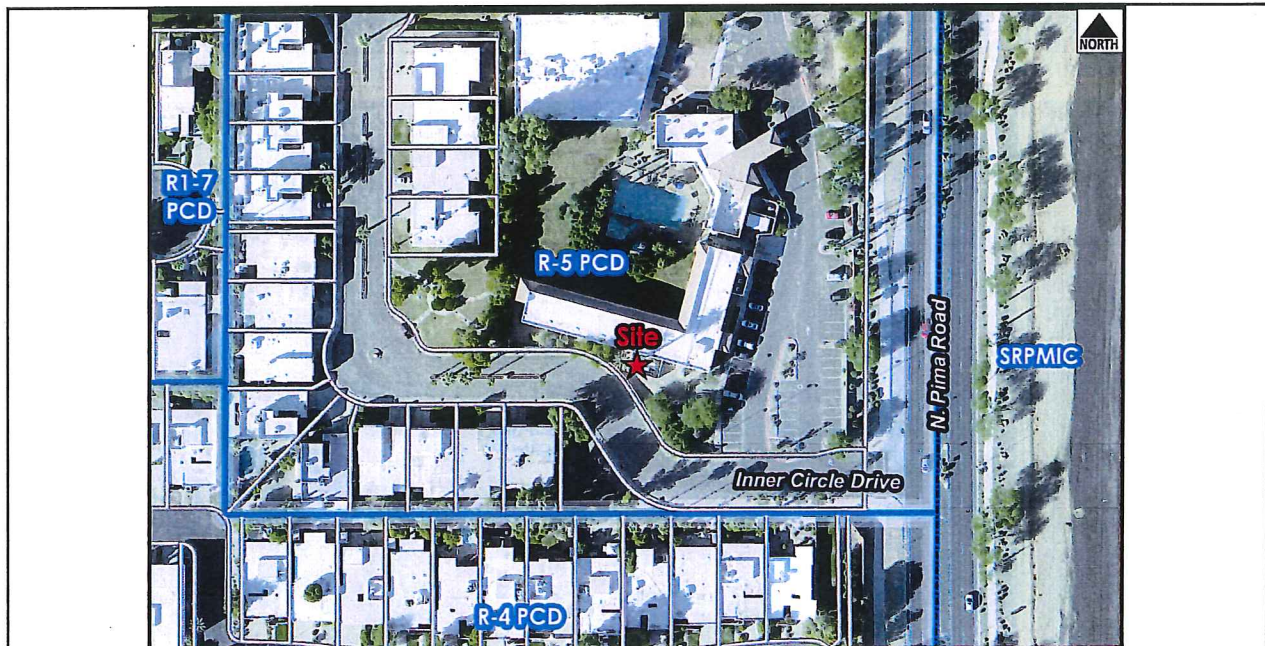
2



Detail Aerial

38-UP-2011#2

3



Zoning Aerial

38-UP-2011#2

4



**Current
Photos –
Looking
west**

5



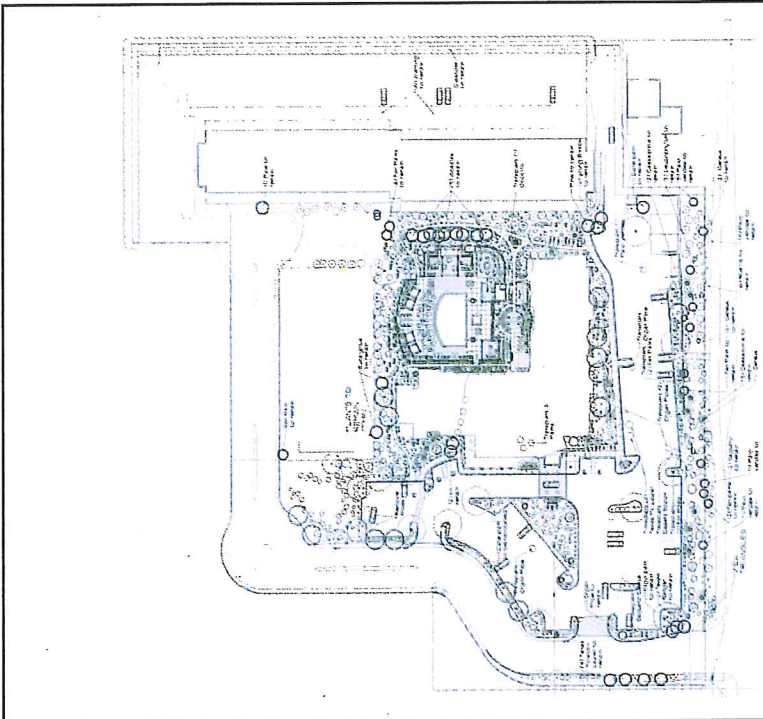
**Current
Photos –
Looking
east
from site**

6



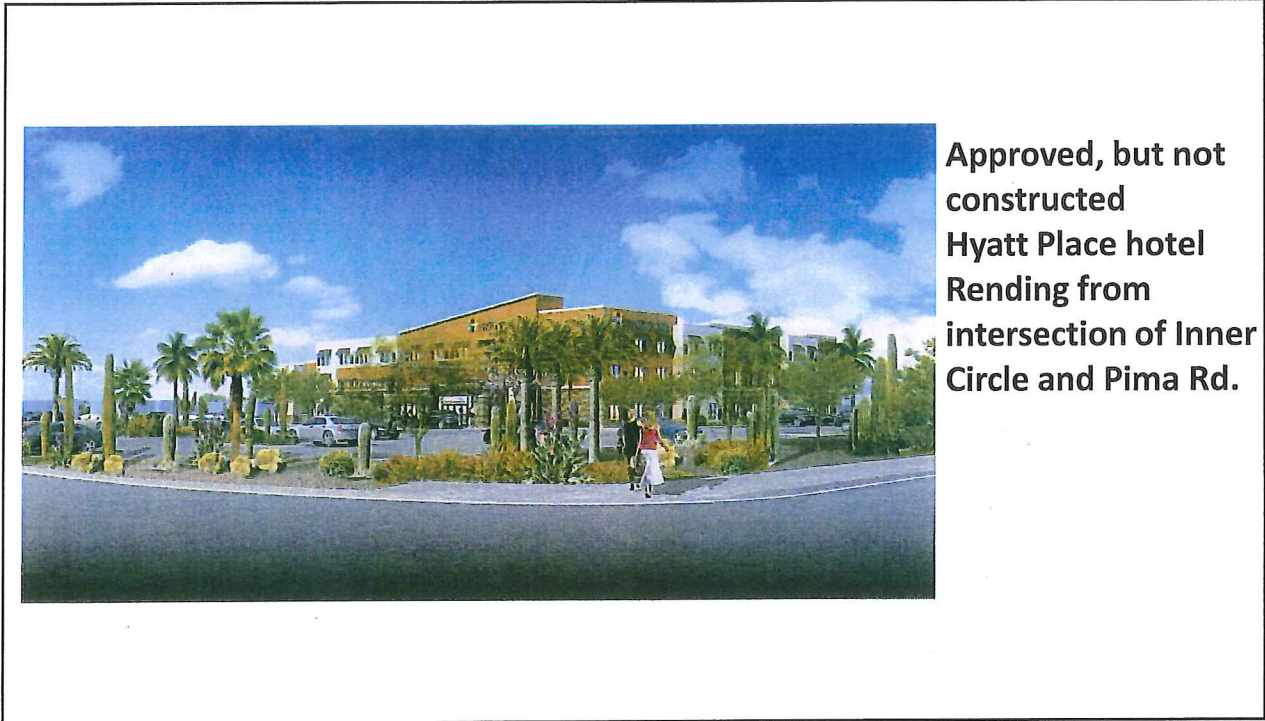
**Current
Photos –
Looking From
the
southeast**

7



**Approved, but not
constructed
Hyatt Place hotel**

8



9



10

Conditional Use Permit Criteria for Wireless Communication Facilities

1. Use Permit shall be granted for 5 years. Applicant shall demonstrate that changes in technology, that are economically feasible, have not eliminated the need for the use permit.
2. No Use Permit shall be granted when heights are found to be intrusive, obtrusive or out of character with the surrounding area.
3. Antennas and pole diameters shall be harmonious with the existing context and not be intrusive or obtrusive on the landscape or views.
4. WCF shall blend with other similar vertical objects, and not be intrusive or obtrusive on to views.
5. WCF shall blend into its setting, and to the extent that its visible, not be intrusive on the landscape or obtrusive on views.

11

Neighborhood Notification

April 29, 2019: Applicant mails noticed to property owners within 750' of property.

May 17, 2019: Staff mails a postcard to property owners within 750' letting the public know a Conditional Use Permit application was filed.

June 19, 2019: Staff receives a petition signed by 31 residents opposing the application. Petition and Correspondence is attached to City Council report.

August 27, 2019: Mrs. D'Amato submitted additional correspondence to the City Clerk.

12

Scottsdale Pima Inn

CUP Renewal & Service Upgrade

7330 North Pima Road
Scottsdale, Arizona 85258

August
2019

1

Who is Crown Castle?



State & Federal Compliance

- EPA, FAA & FCC
- In-house legal team dedicated to compliance issues



Safety

- Yearly ground-based inspections
- Structural Inspection every three years (national standard)
- Incident Response & Disaster Recovery Program



Network Operations Center

- Open 24/7
- Monitors critical systems
- Responds to network outages
- Calls answered by live representatives

2

Why is this use permit necessary

1. In 2011, Scottsdale approved a Conditional Use Permit (CUP) for AT&T to install and operate a Wireless Communication Facility (WCF) at 7330 North Pima Road under certain conditions of approval.
2. In 2013, Crown Castle purchased a nationwide portfolio of communication towers from AT&T and became the owner of this site.
3. In 2017, while working with the Pima Inn owner and the City on redevelopment plans, Crown Castle allowed their CUP to expire in anticipation of moving the site.
4. Today, Pima Inn redevelopment is on-hold and Crown Castle seeks to renew their CUP to remain in compliance with the originally approved CUP.

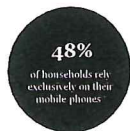
3

Allowable Use and In Compliance

1. Wireless Communication Facilities are a conditionally permitted use in the R-5 zoning district. The characteristics of this proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas.
2. This existing wireless communication facility has been in compliance with City of Scottsdale zoning ordinances since it was built in 2013 and, other than the currently expired CUP, continues to meet those requirements with the proposed modification.
3. The shape of the WCF blends with live palm trees in the vicinity of the monopalm. Additionally, we have agreed to the replacement of all of the palm fronds in order to optimize this stealth design. A mix of 10 and 8 foot fronds in a 60/40 distribution will provide a more natural look.

4

Why is this site important?



1. Source: "Twenty Percent of U.S. Households View Landline Telephones as an Important Communication Choice," Kant Corporation, 11/27/16.
2. Source: "Annual Wireless Industry Survey," CTIA, 2016.
3. Source: "911 Wireless Analysis," Federal Communications Commission, 10/27/16.

5

Coverage and Capacity Objectives

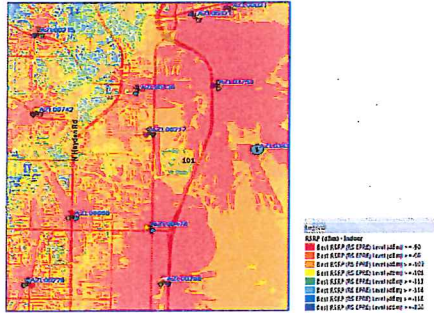
Significant Impact On Neighborhoods And Businesses

- Coverage Objectives
 - Neighborhoods West of Pima Road (over 1,000 homes)
 - Businesses East of Pima Road
 - Salt River Fields (11,000 seats)
 - Great Wolf Lodge (350 rooms)
 - Pavillions (50+ retailers)
 - Cicero Prep Academy
- Capacity Offload Objectives
 - Hwy 101 (168,000 cars/day)
 - Pima Road (4,700 cars/day)
 - Indian Bend (17,080 cars/day)



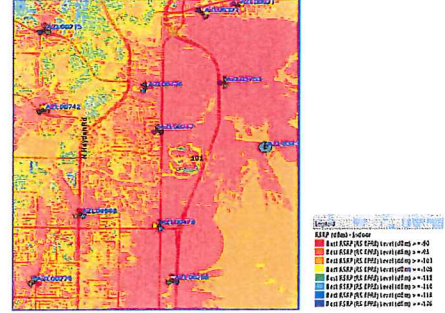
6

AT&T indoor signal strength without Pima Inn (AZL00217)



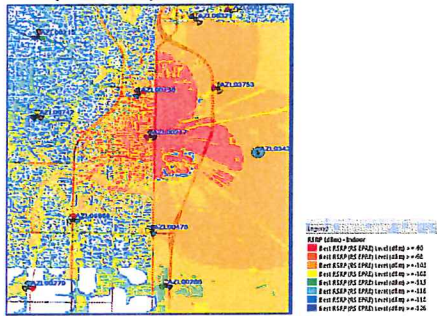
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AT&T indoor signal strength with Pima Inn (AZL00217)



8

AT&T indoor signal strength (RSRP) (AZL00217) Alone



9

Pima Inn Radio Frequency (RF) Search Area (ATT Site # AZL00217)

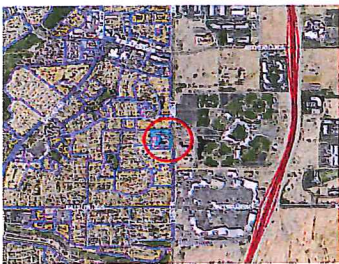


Candidate Selection

1. Inside Search Area
2. Meet RF Objectives
3. Must be Leasable, Zonable and Buildable

10

Alternative Candidate Analysis



1. Land East of Pima Road is Salt River Pima Maricopa Indian Community (SRPMIC). Not Leasable
2. Land West of Pima Road is residential. Not Zonable
3. Roof of Pima Inn lacks structural capacity/sufficient height to meet coverage and capacity objectives. Not Buildable/Does not meet RF objectives

11

Summary

1. This existing WCF is, and has been, in compliance with all applicable zoning codes since 2013.
2. Without this site, there would be a significant gap in coverage and capacity for AT&T.
3. This continues to be the least intrusive means to meet the coverage and capacity needs of the community.

12

Thank you

Scott September
(623) 233-7238
Scott.September@crowncastle.com

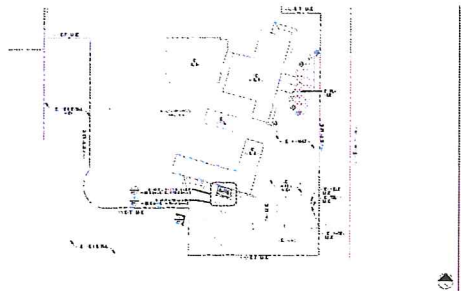
Joy Fichlera
(480) 735-6902
Joy.Fichlera@crowncastle.com

13

Appendix

14

Site Plan

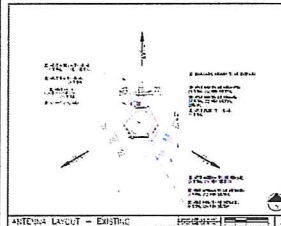


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15

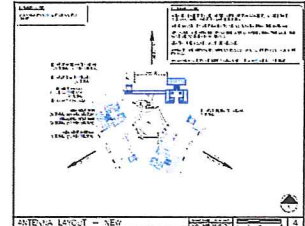
Proposed Antenna Alterations CUP Renewal

Existing:



ANTENNA LAYOUT - EXISTING

Proposed:

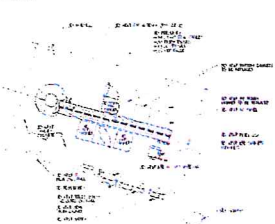


ANTENNA LAYOUT - NEW

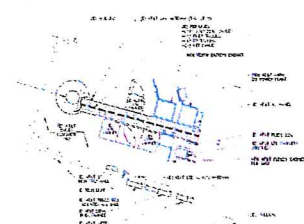
16

Proposed Equipment Alterations CUP Renewal

Existing:



Proposed:

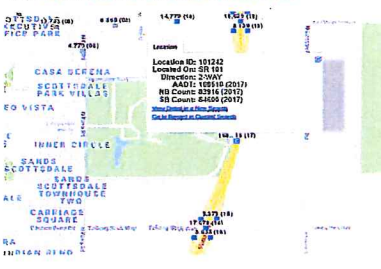


17

17

ADOT Traffic Data Map

Average Daily Traffic Count of 121 between Van de Ven and Milliken Road (2017) - 153,512



18

ADOT Traffic Data Map

Average Daily Traffic Count Pima Road, south of Indian Bend Road (2018) - 12.064



19

ADOT Traffic Data Map

Average Daily Traffic Count Via de Ventana, east of Pima Road (2018) - 14.270



20

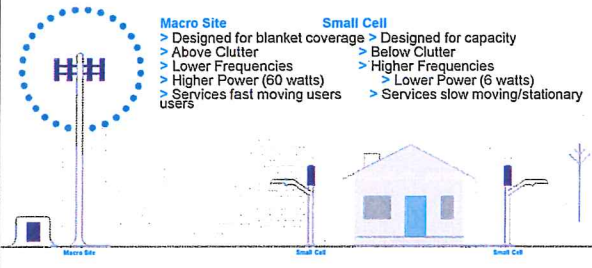
ADOT Traffic Data Map

Average Daily Traffic Count North Viterbo Road, between Indian Bend Road and Via de Ventana (2018) - 24.721



21

Macro Site vs. Small Cell



22