

---

This document was created from the closed caption transcript of the January 24, 2022 City Council Regular and Work Study meeting and has not been checked for completeness or accuracy of content.

A copy of the agenda for this meeting, including a summary of the action taken on each agenda item, is available online at:

<https://www.scottsdaleaz.gov/Assets/ScottsdaleAZ/Council/current-agendas-minutes/2023-agendas/01-24-23-regular-and-work-study-agenda.pdf>

An unedited digital video recording of the meeting, which can be used in conjunction with the transcript, is available online at:

<https://www.scottsdaleaz.gov/scottsdale-video-network/council-video-archives/2022-archives>

For ease of reference, included throughout the transcript are bracketed "time stamps" [Time: 00:00:00] that correspond to digital video recording time.

For more information about this transcript, please contact the City Clerk's Office at 480-312-2411.

---

**CALL TO ORDER**

[Time: 00:00:03]

Mayor Ortega: I call the January 24th, 2023 City Council regular meeting to order. City Clerk Ben Lane, please conduct the roll call.

**ROLL CALL**

[Time: 00:00:13]

City Clerk Lane: Thank you, Mayor. Mayor David Ortega.

Mayor Ortega: Present.

City Clerk Lane: Vice Mayor Tom Durham.

Vice Mayor Durham: Here.

City Clerk Lane: Councilmember Tammy Caputi.

Councilmember Caputi: Here.

City Clerk Lane: Barry Graham.

Councilmember Graham: Here.

City Clerk Lane: Betty Janik

Councilwoman Janik: Here,

City Clerk Lane: Kathy Littlefield.

Councilmember Littlefield: Here.

City Clerk Lane: Solange Whitehead.

Councilmember Whitehead: Here.

City Clerk Lane: City Manager Jim Thompson.

Jim Thompson: Here.

City Clerk Lane: Acting City Attorney Joe Padilla

Acting City Attorney Padilla: Here.

City Clerk Lane: Acting City Treasurer Judy Doyle.

Acting City Treasurer Doyle: Here.

City Clerk Lane: Acting City Auditor Lai Cluff.

Acting City Auditor Cluff: Here.

City Clerk Lane: And the Clerk is present. Thank you, Mayor.

[Time: 00:00:37]

Mayor Ortega: Thank you. We have Police Officer Shawn Ryan as well as Detective Dustin Patrick and Firefighter Tyler Fulliome, should anyone need assistance. Let's start with the Pledge of Allegiance. I'll call on Councilmember Barry Graham.

Councilmember Graham: I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible and with liberty and justice for all.

Mayor Ortega: So, we continue to keep the people of Ukraine and their fight for freedom and democracy in the forefront of our thoughts. So I'll ask that we pause in silence.

[moment of silence]

Thank you. Well, our event season is underway. I want to invite and remind everyone that the Barrett Jackson Collectors' Auction is underway. It's kicked off and it's starting our event season. We look

forward to seeing you out there, and then rolling into all the other events that we have that make Scottsdale such an amazing destination.

Also, I will invite everyone to enjoy our Civic Center Campus. the first phase is open so two thirds of the area opening up are sculptures and art pieces. Also, we can get to the Little Red Schoolhouse, which is a museum, and it will re-open. It had been closed due to construction and it's a wonderful look at Scottsdale history and the personalities who founded the city and then bring us forward. So the re-opening will be on February 1st. So keep that in mind.

At this point, I'll go on to the city manager report. Mr. Thompson.

[Time: 00:03:26]

City Manager Thompson: Good evening, Mayor, council and those watching at home. This evening we have two. The first will be the Old Town Alley refresh and recycling campaign. And the second, we're going to talk about Hello Scottsdale and the Mobile Engagement update, a short presentation this evening. Thank you.

Dave Bennett: Good evening, Mayor Ortega and council. I'm here to give you an update on the Old Town Scottsdale recycling alley refresh campaign. Soon after this campaign was passed by council, a group of several -- from several city departments began meeting to discuss strategies, and the resources needed for both of the campaign initiatives.

City representation of this group includes the city manager's office, Office of communication, tourism events, code enforcement, and public works. It also includes Councilwoman Janik and Scottsdale environment commissioner Andrew Scheck. with regards to the alley refresh campaign initiative, since the early part of November, staff has focused their efforts on the area south of Indian School to Second Street and Brown Avenue to Marshall Way. As you can see on the map shown, this is where ESPN will be doing their daily broadcasts and tailgate events.

This group prioritize this area for the focus of the alley refresh initiative. Code enforcement and solid waste staff have worked together to have all of the alleys in this area cleared of litter and debris. Solid waste had all of the city refuse containers freshly painted and new lids put on them. Solid waste is working with the private haulers to have them do the same with their containers as well. the last goal was to have the three alleys south of Indian School east of Scottsdale Road repaved in time for the week of Super Bowl.

The common theme that we see in the Old Town Alleys is large bulk items being misplaced. This usually leads to litter and debris being strewn throughout the alley. These items cause obstructions in the alley and are run over frequently by delivery and maintenance vehicles. Lids that do remain open for extended period of time leads to litter and debris being strewn in the alley as well. And large items like this cause big problems with our solid waste trucks and usually lead to service delays. Solid waste and code enforcement are working together to have this material removed before it becomes an issue.

To help the businesses in this area that have large items that need to be disposed of, the city offered a one-time free pickup to the businesses in this area, and many of the businesses took advantage of our

offer. Another common theme we see in the Old Town Alleys is businesses improperly storing material in the trash -- in the alleys and trash enclosures.

Code enforcement and solid waste staff are working with the business owners and property managers to make sure these items are properly stored in their places of business. This is an example of what some of the city refuse containers looked like in this area before. the next slide, as you can see, freshly painted container does improve the appearance in the alley.

The week prior to the Super Bowl, now the canal convergence artist painted containers will be placed in high visibility areas to handle the increased waste volumes produced during Super Bowl week. A common question we hear from our Old Town business owners is the condition of our paved alleys. The streets department has developed a five-year plan to address all city-owned paved alleys. The map illustrated shows the three alleys we had scheduled to be repaved, and you'll be glad to know, they were done. They were completed. Mother Nature held out.

So the next few slides, I'm going to show you some before and after pictures. This is just south of Indian School. South of Indian School and east of Scottsdale Road by Chase Bank. See a lot of potholes, pretty rough condition. the next one is after. Dramatic appearance in that alley. Same thing, this is between the Sugar Bowl Alley, showed some of the city services that had to be raised and lowered, and this is the after picture as well. So good job to our streets department.

[Time: 00:08:47]

Something we all know that is very important to each of you is sustainability. The goal of the recycling campaign initiative is to provide recycling options to our business community and to our visitors. In Old Town Scottsdale, there's a huge opportunity to -- cardboard and other mixed recyclables. The strategies this group developed is the first step on improving recycling in Old Town Scottsdale. To improve the diversion of cardboard and mixed recyclables, the city is partnering with Republic Services and WM on a pilot recycling project of both of these companies are excited about this opportunity, and have already devoted staff to this effort.

The city's pilot recycling location is located in historic Old Town area. The Republic Services and WM locations are located in the entertainment district. When I mentioned that both companies have already started devoting staff to this project, their staff and city staff have started to weigh the trash that is being generated in these alleys. Each entity is also evaluating the frequency in which the containers need to be emptied now and are assessing what the future needs will be once the recycling containers are introduced. This process will take a few months to complete. The reason being is that a concerted effort will need to be made on finding out which businesses are currently paying for service and the businesses that aren't paying for service.

These three pieces of information will be needed to encourage the current and future businesses to implement recycling programs at their place of business. In regards to outreach, last month communications sent out a special addition to the Old Town update newsletter and will include this in the regular monthly news updates -- newsletter updates. The newsletter update also contain two surveys. The surveys ask questions to determine the level of interest in recycling and ask what barriers currently exist that might prevent them from recycling.

We have also scheduled an open house at Belle's Nashville Kitchen on February 2nd from 9:00 a.m. to 10:00 a.m. Members from this group will be at the open house to provide information and answer questions any business owners may have. Another method used to reach out to our Old Town business community was creating a webpage on our city website. The webpage contains a program overview and lists the overall efforts of both campaigns and both surveys. It also contains maps of the alley refresh area and paving plan. Thank you, Mayor and Councilmembers.

Mayor Ortega: Thank you very much and continue.

Councilmember Graham: Mr. Mayor? May I ask Mr. Bennett some questions? He's gone.

Dave Bennett: No, you're fine.

Mayor Ortega: I see it now. Thank you.

Dave Bennett: My apologies, Councilmember.

Councilmember Graham: You were running off very quickly, weren't you?

Dave Bennett: Going to Utah in a few hours.

Councilmember Graham: Are you really?

Dave Bennett: Yeah.

[Time: 00:12:26]

Councilmember Graham: Wow I'll keep this short. Thank you, Mr. Bennett, for your presentation. What's the percentage or scope of private alleys in the Old Town area?

Dave Bennett: Councilmember Graham, currently, the city has about 75% of the business in downtown Scottsdale. And the other percentage is broken in part by Republic Services and waste management.

Councilmember Graham: Is there any sort of efforts as far as monitoring, you know, conditions there to make sure they keep private alleys up to the same standard?

Dave Bennett: Can you explain a little further on your question?

Councilmember Graham: Code enforcement. If a private alley is decaying or in disrepair, are there current efforts to communicate with them to keep their alleys in a condition that's on par with the city's?

Dave Bennett: Yes, they are doing that, Councilmember Graham. I don't think -- I'm not sure if there's too many alleys that are private in the downtown area.

Councilmember Graham: Okay. Other question is, what modality did you -- you said you got a lot of participation in the one-time recycle pickup. Which modality did you use to communicate and enjoin people to participate?

Dave Bennett: I believe that was through the Old Town newsletter update and us canvassing -- us being solid waste and code enforcement.

Councilmember Graham: Okay. I didn't know if it was something we could consider from a development standpoint when projects were in the area, because there's always that, you know, lack of awareness in projects.

If your team had success, maybe that's something that could be integrated. And the last thing I would want to say is, I express my gratitude for Councilwoman Janik and commissioner Scheck if he's here in attendance. All the eyes of the world are coming to Scottsdale in a couple weeks, so we really appreciate making Scottsdale look at its best. Thank you.

Dave Bennett: Appreciate it.

Councilmember Graham: Thank you, Mayor.

Mayor Ortega: Thank you. Hold on for Vice Mayor Durham and then Councilwoman Janik.

[Time: 00:14:21]

Vice Mayor Durham: Thank you for the presentation and the work. Are there any plans for additional bulk pickups like the ones you showed in the slide of the large boxes?

Dave Bennett: Councilmember Durham, currently solid waste on Monday mornings and Friday afternoons goes through all of Old Town and looks for this type of material, the large debris and cleaning litter and debris from the alleyways, and that will continue through the Super Bowl week and through the year.

Vice Mayor Durham: All right. Thank you.

Mayor Ortega: Councilmember Janik and Councilwoman Littlefield.

Councilwoman Janik: Thank you, Mayor. Special thanks to Dave Bennett. His staff is wonderful to work with. Everything that we talked about, everything got done timely, and for a big government like Scottsdale, I think you deserve to take a bow, it was great. Appreciate it.

Of course then there's Brent standing in the back. He conducted the meetings, he took the notes. He kept us in shape. So thank you very much. Very, very good experience. Thanks.

Mayor Ortega: Councilmember Littlefield.

Councilmember Littlefield: Thank you, Mayor. I'd just like to thank you, Mr. Bennett, and I'd also like to thank Brent and Councilwoman Janik for taking this on and making it happen. That was a really good thing and it's been needed for quite a while. It looks wonderful. Thank you.

Dave Bennett: Thank you for the kind words.

Mayor Ortega: Very good. We'll move to the next presenter. Thank you.

[Time: 00:16:12]

Joy Racine: Good evening, Mayor Ortega and City Council. Thank you for a few minutes to talk about the community engagement effort getting underway in Scottsdale. Hello Scottsdale is a new mobile SMS platform that will allow residents and visitors in specific areas to ask questions and tell us about their experiences in Scottsdale.

For several years, we have been identifying new technologies that could expand our community engagement and public participation reach so that we can hear from a wider section of the community and Hello Scottsdale is an example of that. Hello Scottsdale adds capabilities that we have not previously had. This graphic shows you the primary methods we use to engage the public with the lighter areas representing the new items that we are considering bringing on board or considering in the future.

We'll be back in the future to say a little bit more about speak up Scottsdale, which is our dedicated online platform, as well as our information on digital way-finding interaction, but tonight I would like to talk to you about Hello Scottsdale, which is the mobile SMS platform. So, what is Hello Scottsdale?

Mayor Ortega: You can move a little closer to the mic. Thank you.

Joy Racine: Hello Scottsdale is a pilot. We've been working with the product team over the past six months to develop this system for Scottsdale. We look forward to trying it out and smoothing out any rough spots we identify in the months ahead. With this platform, where those interactions make the most sense, people can tell us what they think, ask questions, and get answers in the moment. Using simple text message that nearly everybody has in the palm of their hand just by using their cell phones.

We went live with the first implementations of the platform last week in Old Town, and we will be launching our marketing efforts this week. People in Old Town will see signs similar to these, and by texting the number or using the QR code, they will be able to begin an A.I.-powered interaction through which they can ask questions and get answers and also give us feedback about an event or an activity they're engaged in. Such as tonight's meeting.

Another more resident-focused implementation of this platform is coming as well. We will be piloting the system on residential recycling containers in a few small areas of Scottsdale, through which people can ask questions about what can and cannot be recycled, bulk trash schedules, pickup times and whatnot related to solid waste. We're excited to have this platform up and running, especially with

Super season and we expect it will be helpful to many visitors in Old Town and over the summer, we plan to bring you a report on the benefits and the efforts with Hello Scottsdale. Thank you.

Mayor Ortega: Thank you very much. I don't see any hands up, so -- from any council people. Thank you so much.

Joy Racine: Thank you.

Mayor Ortega: So, that concludes the manager's report. I want to point out that during tonight's meeting, the council may make a motion to recess into executive session to obtain legal advice on any applicable item on the agenda. If authorized by the council, the executive session will be held immediately and would not be open to the public. The public meeting will resume following the executive session.

Also, I will point out that per our council rules of procedure, citizens attending City Council meetings shall observe the same rules of order and decorum applicable to members of the council and city staff. Unauthorized remarks or demonstrations from the audience such as applause, stomping of feet, whistles, boos and/or other demonstrations shall not be permitted. Violation of these rules would result in removal from the meeting by security. We appreciate cooperation because the meeting will go much smoother.

**PUBLIC COMMENT**

[Time: 00:20:11]

Mayor Ortega: The next agenda item is public comment. Public comment is the opportunity for Scottsdale citizens, Scottsdale business owners, and/or Scottsdale property owners to comment on non-agendized items that are within the council's jurisdiction. Advocacy for or against a candidate or ballot measure during the council meeting is not allowed pursuant to state law, and is, therefore, not deemed to be within the council's jurisdiction. No official council action can be taken on public comment and speakers are limited to three minutes to address the council.

At this point, we have the opening public comment session, we allow five. There are five that are listed. I will name you two at a time and you would have 3 minutes to declare your name, place of residence, and 3 minutes total. First one is Heather Lynn, and then Alex McLarin. Followed by Anthony Giaccone.

Heather Lynn: I've got to lower this. Hi. Thank you for having me tonight. What I wanted to talk about is our parks and recs department this evening. We have so many wonderful spaces in Scottsdale. the city's website notes that we have 41 parks, and we have almost a thousand acres of public space for our residents.

The city has 15,000 undeveloped and developed outdoor space. In contrast, right now there's less than 5 acres dedicated to off-leash areas for dog owners. with the amount of dog owners in Scottsdale, PetSmart and a few other sites rank Scottsdale as the number 2 city in the United States for pet ownership for dogs. Almost 70%.



The fact that there are so many dogs and very little off-leash space is concerning to a lot of people in our community. Our four-legged and three-legged citizens that pay taxes on their dog food, their dog grooming, their dog treats, they need representation. When it rains and the Chaparral dog park is closed, there is nothing else available. We have a lot of outdoor amenities that we're not utilizing.

Dog owners are out there 365 days a year unless it's raining, and when it does rain and we have no facilities, there's plenty of other options that we're not offering to our citizens right now. And what I'm asking is to talk with parks and recs, have parks and rec. start offering alternatives, increasing the scope of alternatives for the off-leash areas so that all of our residents that utilize that space can do it safely.

We all know off-leash dogs are not only illegal but can be a problem to the community, so to keep our citizens within the law, you know, I'm requesting that this is something that is looked into and budget-wise, park-wise, give it consideration. We have plenty of space in Scottsdale, and our dogs are asking for it. Thank you.

[Time: 00:23:51]

Mayor Ortega: Thank you very much. Alex McLaren, and then Anthony Giaccone.

Alex McClaren: Mayor, members of the council, Alex McLaren, 7624 east Osbourne Road, Scottsdale. Here to talk about the Rio Verde situation, the water situation. I read the Supreme Court's decision yesterday supporting Scottsdale's position. I'm a long-time supporter of the city's position with regard to drought management and managing the water, and I know the city now has obviously the legal authority to do -- to take the actions that they've been taking, but I do urge the council to be flexible in finding a solution to this.

It would be the neighborly thing to do in my view. In my time working at the city, I worked on a number of improvement districts. I don't think the improvement district situation in the county is a good one. I think some kind of arrangement with Epcor is the best solution. I'd urge the City Council to look at that and to hopefully work with others in finding a solution. But I think it would be the neighborly thing to help out. Thank you.

Mayor Ortega: Thank you. Anthony Giaccone and Gay Christensen-Dean.

Anthony Giaccone: Thank you for the opportunity to address you. It was interesting to hear about the first two presenters talking about making Scottsdale better. I bet that's a regular theme we're all aiming for. I'm here to talk to you tonight about an opportunity and encouragement of the council to revisit an old bill that was filed and was sort of prescient for a movement across the country, and that has to do with outlawing gas-powered leaf blowers in our community.

20 years ago, 21 years ago, there was a bill that was presented that was not passed. Scottsdale was well ahead of its time. Subsequent to that, over 100, probably 120 communities across the country, from Florida to Massachusetts to California, and Washington, cities the size of Scottsdale have outlawed gas-powered motors for a number of reasons.

Health, the environment, and quality of life. The quality of life is sort of an overall for this issue. The health of the people who use gas powered, whether they are landscape people being paid for or individuals, subject themselves to the fumes that come out and two cycle gas powered motors spew very, very noxious exhaust.

The environment, we all know what the situation is with the environment. We should be sensitive to it and Scottsdale in particular, affixed to the Phoenix Bowl here, the less pollutants, the better. And the quality of life, I don't know, and maybe I'll apologize to you right now, if this had not -- the noise of two cycle engines hadn't bothered you now, next time the people in your neighborhood start using them, the landscapers, I'm sure you'll be aware of it. The replacement for gas powered is electric.

And we're not saying anything more than the issue that these landscapers and individuals should be transitioning in some way, shape or form to electric leaf blowers. This will -- I think your departments have the ability to do the research on this, see what other communities have done, and I think it would improve the quality of all of our lives who are exposed to this. Thank you very much.

Mayor Ortega: Thank you. Sir. Next we have Gay Christensen-Dean and Cody Reim.

[Time: 00:28:20]

Gay Christensen-Dean: Hello. I'm a poet and I live at 9445 north 94th place in Scottsdale, and I'm here to read an original poem about the Scottsdale area. Called "the legend of four peaks."

Callie was getting older. Her mother was getting worried. Callie should settle down and she'd do it with speed. Her mother talked to her neighbor, said you have such a fine son. Wouldn't it be nice if he and Callie would become one?

So mother and neighbor promised to have the two children wed. What a nice couple they make, even the father said. But Callie loved another, in the boulders they'd rendezvous, but lover was not committed, though she thought he loved her too. But then alas one day, lover did not show up.

Confused Callie then found out he'd left town in a gallop. Callie was so distraught, what should she possibly do? She couldn't go back to the ranch neighbor next door might sue. The Arizona desert was beautiful, the beauty drew her out. She galloped away so fast, she knew she could not pout. She rode as fast as she could as far as her eyes could see.

As the sun began to set, she decided that's where she should be. She made a life for herself out in the wild desert scene. The animals and birds were her friends, her life was so serene. One day a grizzled old fellow approached in the distant view. At first she was apprehensive, who was he? She had no clue. Turns out he was looking for gold. He didn't seem so bad after all.

It was nice to have someone to talk to, said he's gotten the miners call. She quarters was the place to look and there's plenty of that here. Mind if I stay a while? Okay, she said without fear. The days came and went and he went out every day to look. Complained he only found Amethyst in every crevice and nook.

One day he didn't come back. That's strange, she wondered why. So she went out to search for him, poor guy. She got him back to camp, nursed him back to health. The two were quite a pair, happy together, even without wealth.

Another stranger appeared now who could he be? Again, they're now both apprehensive but pleasant what they could see. I'm a cowboy from Brown's ranch, got lost looking for brownie. She's the feistiest cow of the bunch but she's the most special to me. Cannot go back to the ranch, getting too dark to see. Mind if I stay here with you two? No trouble, I will be.

Next day as the cowboy pondered, this is such a beautiful spot. I could go back to the ranch but that is not really my lot. So the cowboy joined the group. Said Brodie was his name. Good at collecting food for dinner, desert plants and desert game. Life continued to be beautiful out in the desert sun. and moon and stars at night, away none wanted to run.

Alas, another visitor showed up at their cozy spot. Looked scarier than the others, so friendly he seemed not. Named Sam and am surprised to see people way out here. Don't put off by my looks, you have nothing to fear. Am looking for a hideout. You see I shot a guy. But it wasn't as bad as it sounds.

If only you knew why. Got in a brawl in town. The Rusty Spur, you might know. Fellow made fun of my ma, I just couldn't take that so, in my pumped up state, I foolishly pulled my gun, closed in on the trigger, and now I'm on the run.

Can't go back to town, don't have a place to stay, none. Mind if I stay here a while? I'm exhausted from the run. Days came and went in the sunshine, the four stayed together just fine. Callie's cooking was the highlight, always had a feast on which to dine. Summer came and went, days got shorter and cold. the four just lingered on, not wanting to leave the fold.

One night it got very cold, the four were caught by surprise. No longer able to move, they then met their demise. So now you know the story, the legend of four peaks. Is it really true or not? Who knows, but it's the story that everyone speaks.

Mayor Ortega: Thank you very much. We are -- I have one comment from Councilwoman Whitehead and we have started the poetry slam, it's called.

Councilwoman Whitehead: I just wanted to thank you, thank you, from all of us.

[Time: 00:32:50]

Mayor Ortega: Okay. Next we have Cody Reim.

Cody Reim: Mayor Ortega, Vice Mayor Durham, Councilmembers, my name is Cody Reim. I operate a family business here in Scottsdale. The address is 73860 east Acoma Drive. The business name is Pacific Sheetmetal. We do metal sheet roofing. I live in the Rio Verde foothills.

As you are aware, due to the mega drought in the west and Colorado River cutbacks the City of Scottsdale is experiencing, on January 1st, 2023, the City of Scottsdale cut off the community of Rio Verde foothills from purchasing water from the city. That was about 25 days ago tomorrow.

The issues at hand on the ground, many neighbors have collected rainwater from the much needed precipitation. This bought some time for people that were able to capture that rain. However, that rainwater is now running low and the loss of this water that we had coming in, we don't know how long what they have will last.

Today, when I was at work, we received a call from a horse ranch, who is on hauled water, a water line burst, possibly from the freeze last night. They lost all of their water in the tank, and they have about one day of water on hand for many, many horses, and there is no water available at this time due to the high demand our community needs on our water haulers and the lack of supply that we have in water.

I just wanted to let you know that we are working diligently on a plan that is acceptable to all parties, will have no cost to the city residents, and will by no means use any water from the Scottsdale's portfolio. Any assistance in this, we thank you for any and all considerations. Thank you for your time.

Mayor Ortega: Thank you. At this point, we will close public comment and move on. Our agenda has several items posted. However, items 13A and 13B were added to the agenda on January 19th, 2023, and require a separate vote to remain on the agenda as presented, or if not, they would be continued to the next council meeting, on February 14th. I would entertain a motion to include 13a and b on today's agenda.

Councilwoman Whitehead: So moved, Mayor.

Vice Mayor Durham: Second.

Mayor Ortega: Thank you. We have a motion and a second. Please record your vote. Thank you. Unanimous.

[Time: 00:35:43]

Next, we have the approval of the minutes, and I would request a motion pertaining to special meeting minutes, December 6, 2022, executive session minutes of December 6, 2022, regular meeting and work study session minutes of December 6, 2022, special meeting minutes, December 7th, 2022, regular meeting minutes of December 7th, 2022.

Do I have a motion?

Councilwoman Janik: I'd like to so move to accept all those minutes.

Councilwoman Littlefield: Second.

Mayor Ortega: Thank you. We have a motion and a second. Please record your vote. Excuse me, Councilmember Graham.

Councilmember Graham: Oh, Mr. Mayor, with your permission, may I abstain from voting on this because it pre-dates my membership to this panel.

Mayor Ortega: Yes. Those in attendance, please record your vote. and so noted with Mr. Graham. Okay. Approved.

**CONSENT AGENDA**

[Time: 00:36:45]

Mayor Ortega: Next we will go to our consent agenda items. Specifically 1 through 13B. Please note that item number 9, the Scottsdale museum of the west financial participation agreement has been removed at the city manager's request from the consent agenda, and therefore, item number 9 will be excluded from action on tonight, and will be considered at a future date.

Do I have -- well, at this point, we are able to call on the public for any comment on consent agenda items. Also, if the council has any comment, I see none, so at this point, I will close public comment. I will call on Councilwoman Littlefield.

Councilmember Littlefield: Thank you, Mayor. I'd like to move item number 10 to the regular agenda.

Mayor Ortega: Excuse me, which item?

Councilmember Littlefield: Item number 10.

Mayor Ortega: No problem. At this point, it can be requested for item number 10, it will be moved to the regular agenda and there will be a presentation. Accordingly, I would -- I'm open to a motion to approve consent agenda items excluding item, of course, number 9, which was removed, and then excluding number 10, which will be heard during the regular agenda. Do I have a motion?

Councilwoman Janik: So moved.

Mayor Ortega: Thank you and --

Vice Mayor Durham: Second.

Mayor Ortega: We have a motion and a second. Please record your vote. Unanimous. Thank you so much. At this point, we will move on to the regular agenda. Which would be and include -- excuse me.

**ITEM 10 – TOURISM & EVENTS STRATEGIC PLAN**

[Time: 00:38:59]

Mayor Ortega: Correct. We will be looking at item number 10, if we may have a presentation on item 10. Hello, Karen Churchard. Please proceed.

Karen Churchard: Good evening, Mayor and council. The tourism events went through a strategic planning process that began in June of 2021, and we actually had a four-phase project that was to analyze a lot of research that we currently have, assess our destination, and then provide some evaluation and recommendations.

The assessment went through an extensive process with our residents and tourism industry. Many of you here and a lot of our leaders and then phase four was the implementation and action plan, which is the part that we're in right now, and seeking approval of the council. The plan overview included a vision for a destination, target audiences were developed, and then there were some strategies that were created and there were eight experience principles, which is really the heart of the plan, if you will, 33 corresponding strategies, and 115 actions.

And the main principles I mentioned which are kind of the heart of the plan include community well-being, culture and creativity, festivals and events, meetings and events, outdoor pursuits, place-making and entertainment, sports tourism, and then travel and hospitality from an advocacy standpoint. So tonight we're asking and requesting approval of the 2023-27 Scottsdale Tourism Strategic Plan. Thank you, Mayor and council, and I'll answer any questions you may have.

[Time: 00:40:55]

Mayor Ortega: Councilwoman Littlefield.

Councilmember Littlefield: Thank you, Karen. I just wanted this to be brought up for more detail for the public to know. Thank you.

Karen Churchard: You're welcome.

Mayor Ortega: Thank you. Councilmember Graham.

Councilmember Graham: Thank you, Karen. Did you -- was there -- in our packet, there was no feedback from -- you held -- there were open houses that were held for this, right?

Karen Churchard: Correct.

Councilmember Graham: Is there a particular reason feedback, consensus, what you heard from stakeholders? Because it's not in the packet.

Karen Churchard: Correct. Mayor and Councilmember Graham, we can provide that information. The tourism strategic plan, the actual report is what we presented. The visions, the strategies, the target audiences.

But we do have backup information on governance and the data that was obtained, so I can certainly make that available to the council and to the public as well. We can post that on our -- we have a webpage on the city's website that we can post that information. But we did do -- through our processes, we did do a lot of meetings and had a lot of input from our cafe conversations and from that, we pulled some of the items out.

We didn't add a whole lot because we did have, at the time, about 140 different actions, so it's down to about 115 now. Thank you.

Mayor Ortega: Councilmember Whitehead. I'm sorry, were you done? Okay. Sorry. Thank you.  
Councilwoman Whitehead.

Councilwoman Whitehead: Thank you, Mayor, and thank you, Karen. I motion to adopt the item number 10, tourism and events strategic plan, resolution number 12727, approving the 2023 through 2027 Tourism and Event Strategic Plan.

Councilwoman Caputi: Second.

Mayor Ortega: Thank you. We have a motion and a second. I would like to add my comment because from time to time, I do attend the tourism development sessions.

They're typically over here at the Design Center or, you know, at this dais, and there are over 100 stakeholders that participate off and on, as well as 2,000 interviews and pretty good bit of feedback. I'd also mentioned that with the strategy, several new events have come forward. So there's a compliance criteria, there's some participation. In fact, I noticed, for instance, there was a new program that came forward, and I think there was very good guidance by staff. At first, and the Italian festival. There may have been a question and those applications were fulfilled and explained really better. So I like the process, so I will support it. Councilwoman Littlefield.

[Time: 00:43:50]

Councilmember Littlefield: Thank you, Mayor. I like the process also. I would like to request that you come back to the City Council on a regular basis, say quarterly, and let us know how it's progressing and what you've done and what needs to be done, what you possibly are changing. I think it's important enough to Scottsdale that we are kept up to date on all of this stuff. So thank you.

Karen Churchard: Thank you. We will do that.

Mayor Ortega: Okay. So we have a motion to approve item number 10. and please, we'll read out that resolution, which was read. So please record your vote. Thank you. It's unanimous and you are going to be very busy, you know that, with all the -- we all are. It's going to be great.

So that will conclude the regular agenda at this point. We have a second opportunity for public comment, which was reserved for Scottsdale citizens, Scottsdale businesses, others to comment on non-agendized items that are within the council's jurisdiction. No official council action can be taken on these items and speakers are limited to 3 minutes. I'm told there are no requests, so, therefore, I open and close public comment.

Next we will be moving on to item number 14, which is citizen petitions. Citizen petitions is in our charter whereby a petition could be presented through Clerk Ben Lane's office, and I'm told there was none presented for discussion or action today. So accordingly, that item is closed.

Next, we have a -- we will be moving into our work study. The work study is posted and includes several items and the purpose is to have a more informal session, where the Mayor and council can discuss some topics with each other and city staff and provide staff with some general direction to receive some feedback.

There is also an opportunity for public comment during this, and we will get some requests for public comment. Now, in order to maximize our working time, we allow five speakers. As you come forward, please declare the interest of whichever item we have. For instance, we have an emergency management plan discussion that's work study.

We have a quarterly capital improvement plan, CIP update, and then we have item number 3, which is an Old Town Character Area Plan, and that discussion is, you know, again open discussion. So accordingly, I show three speakers. Again, if you could declare which work study item it is. We have Daniel Ishac, French Thompson and Marilyn Atkinson.

[Time: 00:47:25]

Dan Ishac: Good evening. Dan Ishac speaking about the Old Town character study. First I'd like to thank the council and the Mayor for allowing me to speak and also the staff for doing a Herculean effort of trying to balance the competing and divergent needs of the different constituencies of our city.

I'd like to start by pointing out something that I mentioned last year, and that I don't understand why we're calling the entire downtown the "Old Town," because there are parts of this boundary that are neither old nor historic and I fear that the reason that it includes these areas is so that the city can have more control over these areas.

Specifically, during the work study, you're going to see three things that I think we should discuss much more, in much more detail. First, downzoning the triangle south of the canal, west of Scottsdale Road from type 3 to type 2. This area is bounded to the north and to the east by much larger developments.

This area is neither old nor historic, so I don't understand why would we be downzoning that area. It also exposes the city to potential litigation, whether that litigation is successful or not, the judge has to decide. But there would be litigation because wear diminishing the value of that property.

Second, the desire for the historic area to have a continuous canopy. I understand that we would like to extend our tourist season by making it more suitable for pedestrians during the summer. However, the reality is the vast majority of our foot traffic, whether it be for visitors or our residents, is during the winter months, during which people actually want the sun to take the chill off, and we also have visitors who are escaping the overcast areas of the Pacific northwest, Canada and the Midwest.

Secondly, although parts of the historic Old Town are somewhat homogenous with regards to setback style and heights of building does not hold true for all of the areas, therefore, a canopy requirement is going to create a patchwork of mismatching canopies, which would not be visually appealing. And lastly, the reason we have height limits and setbacks and stepbacks is because we don't want people to



feel like they're in a canyon. Well, a canopy is not a canyon. It's a tunnel. Which is even worse. So I don't understand why we would do that.

Rather, if we want to do something to provide shade, we should have deciduous trees, which in the winter would allow for sunlight and in the summer, would provide canopy, address the heat island effect and work with any type of architecture. Lastly the proposed requirement in the pedestrian zone to require 20% commercial or retail, I would like to see the data that supports that demand.

Post COVID and with E commerce, we know demand for retail space and commercial space has been diminished, so I don't know why we would hamstring somebody who wants to develop or redevelop the area. If we do not have the supply or the demand for that supply, we will actually either create empty storefronts, downgrade of retail, cannibalization of existing businesses, or diminishment of the residential value, because not everybody wants to live next to a coffee shop or a taco stand.

So again, facts and data rather than personal preference is what we should make our decisions on. Thank you for your time.

Mayor Ortega: Thank you. French Thompson, and then Marilyn Atkinson.

[Time: 00:51:06]

French Thompson: Good evening, Mr. Mayor, Councilmembers. Thank you for having me here and public comment. You know, I'm really amazed how the development industry and real estate people come in and threaten you. Today you were threatened by litigation.

I just don't understand where they think they're going to come in and start threatening you. I don't come in and threaten you. I talk to you, I give you my opinion, but I'm not coming here to threaten you. I wish people would just stop coming to this City of Scottsdale and threatening them.

I think that there's been a lot of time and effort put into these plans for the Old Town character, and one of the things that I saw, which I didn't really understand at the time, was the money that they would pay if they wanted to get increased height or density.

After really studying that, I realize we're giving away the City of Scottsdale. I think those prices are just way too little. I mean, if you're going to give away 60, 70, 80 years' worth of height and density to developers or builders, they should be paying for 60 or 70 or 80 years. As long as the building is there. Let just say you get a million dollars in height, that's going to go in your general fund and that's going to be gone on the first year. Those funds just disappear.

I think -- I think we don't really as citizens want to give away the city to have it more density, you know, more shade that he's talking about, we don't want shade. You know, I just -- I think we're giving away the City of Scottsdale way too cheap and if we're going to give it away, we really need to have them pay to get that. So I think you need to raise those fees up considerably. Thank you.

Mayor Ortega: Thank you. Next, Marilyn Atkinson.

Marilyn Atkinson: Hi. Marilyn Atkinson. President of the Historic Old Town Merchants Association and we also have property owners in that group. We have a lot of concern about how to fix this, Mike, but we have a lot of concern about height, density, bonus points. And I -- I don't -- we work very hard in historic Old Town to help it, to preserve it.

And to have somebody come in and all of a sudden they have these bonus points so they can go higher, at the time of the election, I think the citizens of Scottsdale very clearly stated, we do not want extensive height. We do not want to be jammed together like sardines and by the way, I am all for covered walkways.

I think it adds character to an area, and it's much more comfortable for tourists to be there. We had our business open there for over 45 years. So we know how the traffic flows. I also think that it would help connect the areas together, because when you look across Indian School Road, you will see that there's a covering, and then you're more apt to cross.

So I think there are other things that can be done to connect these areas together and one of the things I've pushed for years is a heritage trail. And we could start out in each district, and that heritage trail could tell about how the arts formed, the district formed, how they formed up on fifth avenue, about how Historic Old Town formed, and you can even go all the way to the canal. The canal has an absolutely fabulous history and I can remember hearing over the years of people calling it the big ditch.

There wouldn't be water to go to all these homes if there wasn't for the big ditch. So I -- and I even presented this plan several times many years ago, and there's so many ways you can tell the history of that. It should be a passive park. We don't need to have dynamite exploding all over the place. It's just some place even your horse could ride down, you could take your dogs for a walk. But there are a number of issues, and in historic old down, I'm proud to say that we have come a long way: We have managed to preserve a number of our buildings, and we started that committee over 20 years ago. Because we were losing them and one of the reasons we were losing them is we didn't have certain staff members assigned to follow the Historic Old Town guidelines.

So somebody would come in and they would just approve it. Now it's red-flagged, but we still need to go back to having assignment of at least two to three staff members who handle just Historic Old Town. And I thank you very much, and I'm so happy to see, by the way, you guys are cleaning everything up. the alleys are looking good. It just -- it's so refreshing. My office is still down there. So I'm down there quite a bit. Thank you very much. Appreciate it.

Mayor Ortega: Thank you, Marilyn. At this point, I see no other requests for public comment. and so accordingly, I will close public comment.

**WORK STUDY ITEM 01 – EMERGENCY MANAGEMENT PLAN AND PROGRAM**

[Time: 00:57:41]

Mayor Ortega: We will now move to item number 1, which is the emergency management plan and program. So our presenter is Troy Lutrick, the emergency manager.

Emergency Manager Troy Lutrick: Good evening, Mayor Ortega and Councilmembers. Thank you for allowing me to present to you tonight. I'll start off by saying if any of my presentation rhymes, it's purely by accident. I have no poetic talent. But that was very nice.

So my presentation will probably last about 15 minutes. I've got about 20 slides or so to get through. We're going to cover a lot of information, but I'm happy to answer questions as best I can at the end. So tell you a little bit about myself. I've been the emergency manager here in Scottsdale for about 3 1/2 years. Almost 35 years of experience and specialized qualifications in emergency response to natural disaster response, crisis response, high profile incidents, et cetera.

So this presentation is really a compressed version of about a 2 1/2 hour course that I teach to our staff that I affectionately call EOC 101, so emergency operations center 101. So we're going to try to pack that into about 15 minutes or so. We'll cover a lot of stuff, but hopefully it will give you some idea of the things that I think about and that keep me awake at night. So there's two core principles on this slide that I think are important to start off with, and all emergencies begin and end locally, and it means whatever the emergency is, it starts somewhere at a very small scale and can obviously grow much larger, but eventually when all of those personnel that have come to assist go back to where they came from, it's back to a local emergency and we have to recover from that.

So second one is failing to plan is indeed planning to fail and that really comes true when we talk about emergency management. So in the Office of emergency management, our primary objective on a day-to-day basis is to properly organize our staff and our citizens to be proactively prepared. We must act now instead of reactively waiting for something to occur, and that really is the key we'll talk a lot about tonight.

[Time: 01:00:32]

It's not a matter of if something will happen, it's a matter of when, and how severe. I'd like to follow what's called the 90/10 rule and it's kind of the blue skies/gray skies rule. Blue skies are when everything is beautiful outside and we don't have any pending storms or any danger out there, and that's really the time where we can make the biggest impact in preparing for, you know, an eventual emergency if it were to happen. Sorry about that.

So basically what it means is 90% of my time, and the Office of emergency management time, must happen before an incident occurs. That really is when we can be the most impactful. That includes training all city staff at the appropriate levels for their positions and responsibilities, and that's our role to determine that. We'll talk about that here in a few minutes. Provide the public with proactive, actionable preparedness information. We do that through lots of different means, including our website and press releases and all those kinds of things when things are occurring.

And then really cultivating the whole community resiliency, and that means how does the community take care of themselves when things are rough outside, so to speak, when things are going on. So that's the basis for what really is an emergency to us, and this is just a list of some of them that obviously we know about are pretty common. I won't go through each one of these, but you'll recognize some of these. You should have these slides in your packet also. So cyber-attack is really very

high on my list. It's silent. It can come from anywhere in the world and it can be very damaging to our systems and processes that we have out there.

Climate change and environmental, we know there's a lot of that occurring. We're hearing a lot just recently about atmospheric rivers, the Alabama tornadoes that just hit a couple of weeks ago, and at the time I made this slide, seven people had died in those tornadoes. 20 tornadoes touched down in the matter of a couple hours and wildfires, that's obviously a big concern here in Scottsdale to us.

We had the Rio fire in 1996. That fire burned 22,000 acres in one day. So we can have those kinds of dangers in wildfire. Some of these others you may be familiar with. Flooding. Scottsdale was kind of built around the Indian Bend Wash and the flooding that comes off of our mountains and the way things occur here. And fortunately, we turned it into a really nice linear park, an area for us to enjoy rather than a concrete canal, so to speak, that you see in a lot of places. It's a pretty big deal to us here.

Pandemics. We all just, you know, are coming out of the COVID-19 pandemic here in the city. We ran the incident management team for 720 days straight. and you know, had really good success with that, but that was a scary time, certainly in the beginning for us, as that started. We have a lot of big special events. And you think about all of the media that you see out there and the things that can go wrong at special events.

We do a great job of planning for these, but sometimes things go bad and sometimes that's not even preventable. Domestic terrorism, active killer shooting. Those are synonymous terms now. We've had those events here in the city, and they could happen again. But again, our job is to prepare for those ahead of time. Including all of you. Hurricanes.

Now we don't get direct hits, but if you remember Norbert in 2015 caused a lot of flooding damage here and basically shut down all of our freeway systems. So we do get those kind of secondary hits, and just a list here of some of the ones that are the largest and most well-known. Earthquakes and tsunamis. We're not well-known for earthquakes in Arizona but our neighbors are and when they have a big earthquake, they're going to escape to the east, which is Arizona.

[Time: 01:04:46]

So we have kind of secondary things to think about when those things occur. So this is a typical emergency management cycle. You'll see a lot of different forms of this in various classes and online. But what I want to do is kind of explain what these phases really mean as we go through. So mitigation is basically the actions that we take to try to mitigate something getting much worse as we go through. So flooding would be a good example.

The things that we do for our flood preparedness and our stormwater team does, those are mitigation efforts that we know either have created problems in the past or could in the future. So we're taking action to make those happen ahead of time. Again, in the blue skies, 90% of the time. Preparation, that's training, it's education, it's exercises. It's having sessions like this where we can educate folks to understand what the true risks are.

All of that is kind of in the emergency management or Office of emergency management preparedness arena before the event. Whatever that event is, any event that comes to mind, any of these things that we've talked about so far, really once it occurs, now it's reactive. Now we can -- all we can do is respond and try to minimize things that have occurred and make them a little easier to live with. So all of that is part of the response phase.

Certainly we have an incredible public safety team here, both in our police department, our fire department, and they have lots of resources, but they generally respond or react to something that has already occurred. Again at that point, we're kind of in the gray skies area. So it's important to kind of carve that piece out and understand that we have incredible resources here, and then last phase is recovery. Recovery is kind of that long term, moderate to long term part of the process that gets us back to some sort of normal.

What are we expecting to be like? COVID-19 made a lot of changes permanent to us that we will probably live with for the rest of our lives. So we will continually be in recovery. But that recovery process is, again, after the fact. So a couple of terms that are important to understand the differences between an event and an incident. An event is something we know is coming and we've had time to prepare for, whereas an incident is something that really we had no notice about, it just occurred and now we need to react to it.

[Time: 01:07:23]

So this particular graphic kind of describes that, and the green on this arrow is a planned event incident. So that can be truly a planned event, we know something is coming, one of our large special events or even a small special event. We have a lot of time to prepare for those and take actions and have meetings and prepare policies and documents and things that will occur. And those can obviously go bad and it can change from a planned event to an emergency and could even go all the way to a disaster.

But the incident happens right now, that event from that last slide, it just occurred and now we need to respond and try to stabilize things, get people back to some sort of normal and safe. We don't have that discretionary time to plan and have those meetings, we need to jump right into action. So here's another example of that, kind of a real world timeline. The kind of red column there that says disaster, a typical disaster does not last very long.

It's the recovery, and that's the waves after that red line that last for a very long time and you think about, you know, the recovery in New York City after 9/11, they're really still in a recovery phase now, you know, 22 years later, 21 years later.

So the disaster itself can be very short, it's all the after-effect and the recovery process that we need to be aware. And that green part ahead of it where it says preparedness is that blue skies again. It's what do we do now to train and prepare everybody so the damage is less impactful to us when it occurs. This particular slide is very busy, I'm not going to walk through each step, but I think it's pretty interesting because it talks about how do we get federal resources to assist us here if we were to need those.

And the incident occurs there at the top, you kind of see the blue splash there, and these are all the steps or checkmarks that need to be accomplished for us to get federal resources here, and that can take some time, so think about to that all emergencies begin locally, if it's here first for us, we're going to be on our own until those larger resources from other places come in to help us, but you can tell there are a lot of resources that have to occur, that can be days or weeks, and until they arrive, we are still financially responsible for those things.

They possibly will reimburse us if we get an approved declaration, which is quite often hard to get. But that's reimbursement and it can take years to get that reimbursement. So we have to be prepared ahead of time and I know you all think about this quite often. Here's another example of kind of the bureaucracy of how we get help to come here. This is us down at the bottom in those light green boxes.

[Time: 01:10:33]

That's Scottsdale, you know, reacting to what's going on, and then pushing it up through the county and the state and eventually to the federal government to support us, and again, there's just a lot of steps. It's very complex. So what do we need to do? I talked about in the beginning this is EOC 101 so emergency operations center. We have one of those and I'm going to show you a couple pictures here in a few minutes about it, of that.

Locally you see a physical location in which multiagency coordination occurs the EOC helps form a common operating picture of the incident for decision makers and support staff, relieving on-scene incident commanders of the burden of external coordination and helping secure additional resources. So if it's not something we can handle ourselves and we need outside resources, we do that from the EOC, and that's through a slew of policies we'll talk about.

We make policy level decisions there. We order resources and assets and track them to make sure that they are properly paid for and tracked and safe. We dispatch and coordinate all those resources from the EOC. We do communications support, financial tracking and coordination is obviously a really large piece of that. Detailed incident documentation because we're going to need that for the financial submittals to get reimbursed and then information analysis and intelligence dissemination.

That all comes out of kind of that common operating picture that's mentioned at the beginning. Here's a few pictures of our emergency operation center. City manager Thompson helped us revitalize this last year. It's now state of the art and has all of the tools that we need in there to assemble our EOC decision makers to make those decisions.

So, NIMS. What is NIMS? National Incident Management System. I've recently invited you to attend a virtual training that covers some of that in a very compressed, again, very compressed style with you this is the actual definition. NIMS guides all levels of government, non-governmental organizations and the private sector to work together to prevent, protect against, mitigate, respond to and recover from incidents. That's the official government definition of it.

That is derived out of presidential policy directive 5, which was in 2003, and presidential policy directive 8, which was revised actually in 2011. There are many other policy directives but these two

specifically lay out the National Incident Management System, which we are required to follow. Just another -- I know you can't read this from where you are, but I'll read to you.

The highlight there is the scope of NIMS includes all incidents, regardless of size, complexity or scope, and planned events, for example, sporting events. Table 1 below describes the utility of NIMS as an incident management doctrine. We'll get a little more in depth with this, but these are some of the bullet points that we'll talk about. Again, this sheet, you probably cannot read it. It should be in your packet for you.

But phase one there, kind of the second bullet at the top is where we are kind of tonight with a miniature version of EOC 101. That's typically about an hour and a half to two hours, depending on the group, and we usually do that in the emergency operations center. These other phases go into additional levels of training and information that our staff needs to know, depending on their area of responsibility, and the Office of emergency management manages all of that, plans for all of that. This is the second page out of that same document.

[Time: 01:14:26]

You can see there's five essential columns here. Level one on the left side is basically brand new employees. They have training that they're required to do as soon as they come on board. If they haven't done it with another organization. and then it goes up through responsibility. Level 5 there, the column on the far right is where the Mayor and council reside. In that court that I talked about that you were invited to is one of those requirements in there. We can obviously talk more about there and I can follow up for details if you'd like to know, but I wanted to show you that we do have a plan in place and kind of a schedule to follow.

So federal NIMS -- NIMS requires federal compliance. It's called compliance checklist. These are the 11 things and I won't go through each one of them, but each one of these are required for us to stay NIMS-compliant under the federal government's definition and you might ask, well, when is this all due?

It was actually derived in 2003 through those presidential policy directives, and it was required by 2006, September 30th of 2006. Now, a lot of jurisdictions struggle with accomplishing all of these. We do pretty well here. Training is one of the areas that's always hard to keep up because as we bring in brand new employees, we have to start them on that training track and advance them through their NIMS training through their career.

But this is kind of the check sheet that we're required to follow and I'll just mention one other thing. We do this because this compliance is tied to Homeland Security grants and projects that we ask for federal support on. So this is kind of how they keep us tied to that stuff, make sure we're following the rules. So there are lots of written plans in place and I certainly won't go through this list. This represents probably, I don't know, six or 7,000 pages of documents that are out there that we're a part. Some are directly city-related.

We also integrate with the county, the state, and the federal government. All of these plans have to be kept up to date. But that really is not the important part. Right? We can have lots of plans on the shelf

in three ring binders but what does that mean to the people in the field? They're not going to memorize that stuff. That's really our job and the Office of emergency management to make sure that we've documented accurately how we're going to respond to or react to something. What's really important is how do we get it into the minds and hearts of the people that work for us and are going to respond out there to help.

And that's the key to that NIMS training that I've spent quite a bit of time talking about so far. So again, if you'd like to have more information on this, I will bring all 8,000 pages to your office and we're happy to go through one page at a time if you'd like. It very boring and non-poetic. It doesn't rhyme at all. I'm sure you're all familiar with the Scottsdale code chapter 10, which basically describes the Office of emergency management, it's under the direction of the city manager and he's certainly very supportive of us, but I thought I'd bring attention to it. This is just one snippet of that.

It's a couple of pages in there that we can dive a little bit deeper into if needed. But essentially just as the city manager will create, supervise, control the emergency management program and shall perform the following functions, and one of those is emergency operations coordination, we're certainly there. So what are some current threats to Scottsdale? We talked a little bit about these but they deserve kind of being highlighted a little bit as we walk through these. We do very large, complex special events, and we do an excellent job at that, a really good job at it and they're amazing, right?

We're going to have a million of our friends here in the next two weeks, right, coming to visit and all of my friends around the country are just dying to come, and I'm like, so show up and I'll take you on a quick tour and show you around. We do an amazing job at that. But it's certainly a threat. It's a vulnerability that we have to think about, right? Especially in today's day and age.

[Time: 01:18:43]

Severe weather, we talked a lot about the stormwater flows. Atmospheric rivers again, you know, it just seems like we're hearing more and more about these dangerous storms that we have to be ready for, and we really have no control over those. But we are going to start seeing them more and more often, it appears. Cyber-attack, we talked about. I'm not an expert in cyber, but again, it's a high concern for me. Mass casualty is always a concern, right?

We want people to be free and enjoy, you know, the outdoors and the places that they go to do all the things that are fun in Scottsdale, but it's something we have to consider and think about. Flooding, similar to the severe weather but specifically seems like everybody else's water comes to Scottsdale, and we have to deal with it, you know? And it all runs right down Hayden road in Indian Bend. All of the SRP reservoirs are above us, right?

And when those top out, then they have to release water, which some of that ends up in our city and headed down to the Verde and the Salt. Wildfires we talked about, we have one of the largest wildfire urban interface issues for a very municipal, you know, urban city in the country. We really have a lot of potential concern here, and we have folks working on that stuff regularly. But it's something to think about. Pandemics. There's so many out there, I couldn't even list them all now.



Even Dengue Fever is now in Arizona, right? There's just so many things that are out there that we have to be concerned -- drought is certainly a concern, and we've talked a lot about that. Hazmat incidents, right? They're driving down our 101 Freeway every day. Fuel shortages. Remember a few years ago, we had those issues. That can create a lot of havoc for us. Earthquake, we talked about. It's basically that secondary damage to the infrastructure, and those domestic refugees that are going to escape here when the big one happens. Private sector impacts. What industries does Scottsdale rely upon? A lot of them.

We have a lot of big industries here that we count on for services or products or interaction, and that's very important us to. And so we are working on a business continuity network that includes some of them so we can hear their concerns and they can support us and hopefully we can support them. Here's something that most people don't realize, is heat. We know it gets hot here. That's very common to all of us, right?

I've been here 52 years and each summer just feels hotter and hotter. Did you know that it is the number one killer of natural -- weather-related natural deaths, it's the number one killer. That's a big deal, and it's hard to get away from it once you're in it. So this is my last slide. I know we've covered a lot of things, but now I want to tell you kind of what we've done to start tackling this beyond all of the documents and the processes that we have in place.

With City Manager Thompson's support and idea, and Fire Chief Shannon, we came up with this Venn diagram which essentially is subcommittees of groups from city employees, all these names are city employees, except for one group where we have some outside business continuity folks that come in and participate in this. But they all get together and talk about vulnerabilities.

[Time: 01:22:20]

You know, any kind of vulnerability that their particular profession, department or service might be involved in, and what we've found is they start to cross-collaborate, and they realize, well, this particular group has an issue that they feel is vulnerable or we're vulnerable to, and another group has something very similar. So my job and Office of emergency management is to connect those and get those people meeting together to talk about solutions and maybe there is a solution, maybe there's not.

But this is expanded from five subcommittees to now eight, and this is just a representation of how they all kind of meet in the middle, talk about their vulnerabilities and come up with solutions that are both effective and safer for us financially, financially more effective for us so they can, you know, not work on two different projects for potentially two different expenses but one together that works for everybody.

So, I know I moved really fast through a lot of stuff. I hope that I gave you an idea about what the Office of emergency management is concerned with, what we deal with, and again, what we think about every day. So if you have any questions or comments, I'm happy to try to address those.

Mayor Ortega: Councilwoman Janik.

Councilwoman Janik: Thank you. That was a very thorough presentation. I do have one question and it has to do with planned events. The slide where you considered Barrett Jackson, et cetera. Do you actually give guidance to the police department as to how many policemen should be available, what type of response times you expect, or is that more the responsibility of the police department?

Troy Lutrick: Great question. Mayor and Councilwoman Janik, I don't give the police chief direct -- you know, direct orders or expectations. That's really their job. They're the experts. Same for the fire department. They know what typically they've experienced in the past, how many personnel they need, what kind of specialties they need out there and they decide that.

They also take into consideration, you know, what's kind of the world events that are out there right now, and they can focus in on those things. So what I do provide is the National Incident Management System oversight for them, and there's a very specific planning process that is part of that list that I went through of requirements, the checklist.

And I provide them that kind of guidance so that ahead of time and what we put on what's called an incident action plan is compliant with that system. So they provide that input, Office of emergency management really acts kind of like the third leg of the stool to tie all that public emergency services stuff together, and I provide them that kind of direction.

Councilwoman Janik: Okay, thank you.

Troy Lutrick: You're welcome.

[Time: 01:25:18]

Mayor Ortega: Let me point out a few things. First of all, well, two years and two weeks ago, I declared the emergency proclamation upon taking office with other council people and we went through a lot. There are partnerships, and I point that out with Honor Health especially, that, you know, worked together in terms of our even acquiring some freezers for the vaccinations and other crossover participation. So that's been important.

Something that really hasn't been noted is last year in November, I lifted that emergency proclamation. It was kind of quietly done, and I removed that by my signature. The other thing is, you mentioned Homeland Security, and I'll point out that Homeland Security, the regional offices relocated to Scottsdale, and the Scottsdale Air Park area.

So they've got their helicopter and jet and so forth, and we have -- you know, they have several hundred employees that are now based here in Scottsdale and I think that direct communication that you talked about is, you know, really excellent. The other side of it is that certainly personal security, neighborhood security is very important. You talked about events.

I came across the assistant police chief from Chandler, and he mentioned that they were providing 126 or so officers for a big event and one of the things that's interesting about that, we have this reciprocity, so essentially, you know, fire -- well, police cover for us, we cover for their events, and it's basically at no cost to our -- it's part of our employment agreement. So there's a lot of

intercommunication between cities that keep everyone safe, and that requires a discipline, right, that we train and prepare for.

So we're really proud of being able to handle that. I would also say that wherever we can do an IgA with the county, we have an emergency corridor for evacuation, lots of other details, and even our stadium is an ancillary staging area. So all of these things are built into an amazing network that, you know, I commend you for and certainly, you know, will provide the tools and the training as you request. So I'm pointing those items out. Let's see, Councilwoman Caputi.

Councilwoman Caputi: I just want to say great job. I can't say strongly enough how important it is that we be proactive and not reactive. I know we've had this conversation about if COVID taught us one thing, it's not when another black swan is going to come, or sorry, it's not when, it's if. So the fact that we're getting in front of it is just incredibly important. And actually I can't believe it took two years for you to get here in front of us.

We should probably be doing, you know, much more proactive things. I know we even mentioned this in our retreat as something that was very important to us as a council, being proactive and getting in front. I was showing Councilwoman Janik, I actually brought the certificate of completion, and I think it would be great for the whole council to participate more in the emergency management preparation because I think aside from our first responders, you know, we're kind of in the front line too when something crazy happens and it's great that we understand the plan and that we are prepared.

So fantastic job. Just, you know, more. More is better. Thank you.

Troy Lutrick: Thank you.

Mayor Ortega: Okay. At this point, I think we're concluded on the first work study item. We'll move on. Thank you very much, Troy.

#### **WORK STUDY ITEM 02 – QUARTERLY CAPITAL IMPROVEMENT PLAN (CIP) UPDATE**

[Time: 01:29:36]

Mayor Ortega: We'll move on with the quarterly capital improvement plan, CIP, update. We have -- our presenter is city engineer Alison Tymkiw. We need some walk-up music, right? That would be nice. Keep it -- daaaa da da da. Welcome.

City Engineer Alison Tymkiw: Thank you. Good evening, Mayor and members of council. My name is Alison Tymkiw, I'm the city engineer, and I'm going to give you a brief quarterly CIP update for quarter two. Okay. First off is the agenda. First I'm going to focus on the bond 2019.

Following that, I'll talk about other projects that are currently in design, and then other projects under construction. This slide represents question 1, which is parks, recreation and senior centers, and it's the current projects that are scheduled in the fiscal year 22-23. A couple of things I want to note on this slide is, bond project 30, which is the Indian School Park Field 1 lighting. Those poles, bases, fixtures all arrived in January and installed, and they're set to be active the end of this week.

Another project I want to highlight here is build the multi-use sports fields in the area of Bell Road. Phase 2 is currently progressing, which is the west world sports complex. Construction is progressing with irrigation, sidewalks, lighting, and most recently, getting the fields ready and the parking lots ready for parking for both the Barrett Jackson and the Open and then I'm going to highlight build, which is project 55, build a 17-acre part at Ashler Hills Drive and 74th Way.

This slide shows build a 17-acre at Ashler Hill Drive and 74th Way. The description is open turf play areas, shaded ground, restrooms, lighted sports courts including basketball and pickle ball, walking paths and trails, lighted parking, 70 spaces. As you probably remember, we brought this to you for the municipal use master site plan, which was approved in October. Following that, it was approved by DRB in November. The design is at 60%. Construction is planned to start in the fall.

We're currently working with our CM at risk contractor to do some value engineering and the picture that you see before you is actually the artist's concept that was just approved at the Scottsdale arts advisory board earlier this month, and it's basically that trellis feature at the shade areas that surround the pickle ball courts.

Okay, this is question 2. Question 2 represents community spaces and infrastructure. These are the active 22/23 projects. A couple that I want to highlight here is one that everybody has been very used to seeing. It is project 1, replace aging infrastructure and improve public event spaces on the Civic Center Plaza.

As the Mayor had indicated earlier, the first portion of that Civic Center has been open, the west portion, and we actually held an event there, the first event was held on Sunday, and then the construction is progressing with the remainder of the Civic Center to be open in the spring of this year, which includes the east bowl.

Another project to highlight here is the install the solar systems, number 57, at the north Corp campus. I will have a later slide on the parking deck construction so there will be some more information there and then I'm going to highlight number 45, which is renovate horse barns to increase rentable space. This picture shows one of the barns at West World.

Most of the barns that are scheduled to be renovated or replaced were built in the 1980s and they require renovation to remain useful and rentable. We started with one barn, barn A. It was in the most critical condition. And it is currently being replaced. Demolition began on December 12th. The shell and the stalls are complete. The contractor is finalizing some reinforcement work as well as new electrical, and the fire sprinklers and they are on track to be completed with this barn at the end of this month in time for the Arabian horse show.

[Time: 01:35:44]

This is bond question 3. We have two slides for bond question 3. This is public safety and technology and if you recall in previous updates, a lot of these are the IT-related projects and many of them, as you can see on this slide, are going to be wrapping up at the end of fiscal year 22-23. A couple of projects, number 5, which is modernize the computer equipment rooms to protect city servers.

Actually since this slide was created, the first UPS, and the second one at SCPA, have both been replaced, so they are complete, and then the next phase of this project will be coming back and replacing the HVAC units in the computer rooms and then the second project on this list is 7, which is replace outdated 911 computer-aided dispatch and records management to improve efficiency.

The RMS was scheduled to go live at the end of 2022, which it did. It went live on November 1st. And then the next portion of the project which is the 911 computer-aided dispatch, that's scheduled to go live in April of 2023. I'm going to highlight project number 28, which is build the new fire station near Hayden road and loop 101 to improve response times. That project is currently in design. This slide -- wrong way. Sorry.

This slide is the rest of the projects in this question and I'd like to highlight here project 36, which is provide free WiFi at the Civic Center Plaza. That was delivered with the Civic Center project and that WiFi was live as of Friday, so it is available and it was available for the event over the weekend. So that's actually another project that will be added to the completed projects list.

[Time: 01:37:47]

And then this is 28, build a new fire station near Hayden Road in the loop 101 to improve response times. This is an updated exhibit that shows the fire station as well as the well site, one of our well sites is currently being drilled on this site and I will highlight that towards the end of the presentation. This project is to design and construct a new 12,000 square foot fire station west of the airpark near the 101 and Hayden Road.

This site is at Hayden and Mayo. The schematic design is complete. We'll be beginning the municipal use master site plan process. We held our first public meeting in November of 2022. We actually just held another meeting with one of the HOAs, the HOAs that's directly south of this. They had a lot of interest in the fire station as well as the well site and some of the transportation in the area. Construction is targeted for the end of this year with completion the end of the following year. And then this is the list of the completed bond projects.

In question 1, we had some of the court resurfacing, we already had resurfacing and we'll be adding Indian park to that too. We had several projects at west world. Number 46 was just added to this list, replace the subject address system at west world, that was recently completed, and then question three, we have some of our emergency response and some of our IT-related projects and then other projects in design.

This is Carefree Highway, Cave Creek Road to Scottsdale Road. To update road to current standards for minor arterial cross-section per the design standards and policy manual. You can see that cross-section here. It's to include landscape media and bike lanes in multiuse path, intersection improvements throughout the corridor, drainage improvements, and it includes ALCP funds, which is arterial lifecycle project funds.

The status is we're working on 30% design, and construction is anticipated in summer of 2024. There is a minor clarification on this slide in the financial. Can I put this up here? So the financial information

shown here is what we currently have in the project for design. the project is in design. So we have an inception to date budget of 2.8 million.

We have the inception to date actual spend of 329,000, inception to date which is committed is 8.1 million and then our balanced budget is 673,000 and we actually are forecasting the additional \$8.6 million to be added in 2023-24, and that's for the construction of this project and then I have a few projects under construction.

First is Pima Road, Pinnacle Peak Road to Happy Valley Road, construct a six-lane major arterial cross-section with landscape media and turn lanes, bike lanes, sidewalk, curb and gutter. Some major roadway drainage, as well as some ITS improvements. This photo here shows the work on the channel excavation and box culverts for the La Mirada shopping center. You can see it's a major regional drainage channel that's going here. The contractor has completed the first series of large water -- large diameter water line replacements that are needed to be able to put in the box culverts for this project and utility relocations are occurring as well.

Prep work for the upcoming Pima Road and Happy Valley intersection work has started. This project is scheduled to be complete in the spring of 2024. Then we have the aquifer storage and recovery wells. I had mentioned that one of the wells is sharing the site with the fire station that I had highlighted, and that's well 160, which I'll get to here in a moment which is currently being drilled. This project is to build deep well water recharge and recovery facilities to ensure long-term sustainability of the city's drinking water.

Supports improved storage capacity to meet safe yield and enhance drought preparedness. So we have four wells that are currently in various stages of construction. Well 54C is that Miller and Deer Valley and the equipping of that well is approximately 20% complete, expected to be completed in March of 2024. We've been seeing a really long delay in the equipping of these wells. Due to supply chain and primarily a lot of the electrical equipment that's required. They're having really long lead times.

[Time: 01:43:03]

For equipping these wells, we would previously see 12 to 14 months, now we're seeing 24 to 36 months to get the wells equipped. Well one 59 is at Legacy and Miller and the equipping of that is expected to start in May. Well 161 is at the Bell sports complex. That equipping is expected to start in June and as I mentioned, well 160 is at may owe and Hayden. That drilling phase began in December of 2022, and that's expected to be completed by March of 2023. These drilling operations are 24/7 during this process, and that was one of the items that we had talked to the HOA about.

At our meeting in conjunction with the fire station and then the final project is a north corporation yard garage. As you can see from the picture, the deck construction is complete. The contractor is currently installing electrical and lighting under the deck. They're installing conduits underground for electrical vehicle charging. They're preparing to mill and overlay the existing lot and then stripe the entire garage, and then the scope of work for the solar portion for project 57, which is install solar systems at the north corporation campus, that's scheduled to start at the end of this month. And that concludes my update and I'm available if you have any questions.

Mayor Ortega: Thank you. One frequently asked question is, what's happening with question 1, number 42, the dog park, Thompson Peak.

Alison Tymkiw: Yes.

Mayor Ortega: So appreciate a status report on that.

Alison Tymkiw: Sure. Yes, Mayor. Members of the council. That project is currently in design. The site is located under the large electrical power lines that are APS, SRP and WAPA, and it's been quite a process to go through and get clearance from each of those different utilities. We're currently finding that it's difficult to actually put shade structures and the restroom building within that corridor. So we're trying to look for alternatives.

Mayor Ortega: Thank you. Next, Councilmember Graham, please.

Councilmember Graham: Thank you for the report. Where is the South Corporation yard?

[Time: 01:45:39]

Alison Tymkiw: It's down at McKellips, I don't know the cross street. Miller?

Councilmember Graham: Okay. Status on the roundabout or traffic circle at Osbourne and Miller, do you know?

Alison Tymkiw: Yes, Councilmember Graham. That project is currently projected to be complete in April of this year.

Councilmember Graham: Were there delays with that project? It seemed -- I mean, you know, it seemed -- it seems like it's been protracted.

Alison Tymkiw: Yes, Councilmember Graham, there were significant delays on that project. When we were starting -- prior to starting construction, we had to do some significant water and sewer utility work through the intersection, and there were several delays with that contractor getting that work done.

Councilmember Graham: Did we get reimbursement, were we helping utility companies, was reimbursement requested or received?

Alison Tymkiw: Councilmember Graham, there are utilities, it was water and sewer and it was our contractor doing the work. So we are working with them on delay claims.

Councilmember Graham: But whose infrastructure was it?

Alison Tymkiw: It was the City of Scottsdale's.

Councilmember Graham: Okay. So we discovered that it was -- needed upgrades when we went down there?

Alison Tymkiw: That's correct.

Councilmember Graham: Okay. The other thing is just sort of a friendly request. When we get these CIP updates, if I may ask, a little more detail on financial information, because I can't tell how much -- is there cost overrides, are we going to be able to buy everything that was in each question for the bond? We all know costs are up, prices are up.

You know, labor shortages, supply chain, and so it would be nice to have a feel for are we going to be able to deliver what level are we going to be able to deliver for the people that voted for these questions. So if that's possible in the future. I do appreciate your presentation. I know that you're an engineer, you're not in finance, so -- and there is some -- there is some summary information on these, I saw that. So it could be illustrative.

Alison Tymkiw: Sure, Councilmember Graham, also just to note that typically we do the CIP update and the financial update at the same meeting, but it just didn't work out this meeting.

Councilmember Graham: Oh, okay. So that just shows I'm new around here and I didn't realize that.

Alison Tymkiw: It's okay.

Councilmember Graham: I hope my colleagues forgive me for asking that question. Thank you, Mayor.

Mayor Ortega: Thank you. I do want to point out on the same roundabout, there at Osbourn and Miller, we had some citizen input from pleasant valley asking to see if we could put an artwork there. So I just want to keep that thought and see whether there's any coordination with the Scottsdale art people for a possible art piece there.

I'd like to initiate some of that, if we could look at some public input, and I'm assuming there is some electrical in that roundabout somewhere. Not for a fountain or something, you know, that would be spraying water around, but I think it's a great opportunity for a community amenity there.

[Time: 01:48:51]

Alison Tymkiw: Mayor, typically in our roundabouts, if we are going to do public art, we usually do a very large scale piece because we don't want to attract people walking into the center of the roundabout. That's very dangerous.

Mayor Ortega: Yes.

Alison Tymkiw: That was the decision not to do it on this project.

Mayor Ortega: Oh, so there's nothing in this one.



Alison Tymkiw: No, it didn't have the appropriate funding.

Mayor Ortega: Okay. Well, that's good to know. I hadn't realized that direction was considered and will follow up on that. Okay. I see no other hands up, so with that, we will conclude the agenda item on the CIP update.

**WORK STUDY ITEM 03 – OLD TOWN CHARACTER AREA PLAN AND ZONING ORDINANCE UPDATE (5-GP-2021, 1-TA-2021, 1-II-2010#3)**

[Time: 01:49:34]

Mayor Ortega: Now moving on, we will be coming to the Old Town Character Area Plan and zoning ordinance update. This concerns case 5, General Plan 2021, and 1TA 2021, as well as the use, consideration as 12010 numbered 3, a modification. Our presenters are Adam Yaron, principal planner, and Brad Carr, planning and development manager.

Adam Yaron: Thank you, Mayor, members of the council. My name is Adam Yaron. I'm principal planner with the city's long-range planning department. My counterpart in this process and colleague is Brad Carr. Planning area manager with current planning and tonight's item is essentially the first of two work study sessions that we'll be having with you.

Tonight's item is intended to be essentially the unveiling of the legislative drafts that we have considered as part of this update process. We are not looking for specific direction from council on tonight's item, but wanted to give this council an opportunity to kind of absorb all the material that we have to present, as well as try to solicit additional public input on the plan, and so we'll use that as the basis of tonight's item moving forward.

In Scottsdale as you all know, we have three levels of planning that's all character based, General Plan consists of three distinct and interrelated levels. We have city-wide planning, a very holistic view, city-wide perspective. At a more tighter level, we have Character Area Planning and then at the most finite of levels, we have neighborhood planning.

These character based plans serve as the platform community decision-making, and provides the ability to address issues and challenges in existing and mature neighborhoods. Additionally, in terms of this background for this item, City Council provided direction to review, conduct public outreach, and potentially update the 2018 Old Town Scottsdale Character Area Plan as depicted on the right side of the screen, affected sections of the city's zoning ordinance that relate to downtown, and then finally the downtown, infill and incentive district.

In terms of our project timeline, this process really is rooted in the City Council adoption of our General Plan 2035, which took place in June of 2021, followed by an August 2021 initiation by City Council with what we call the Old Town updates. That continued on with a series of work study session and planning commission non-action meetings through September of 21, and then we had the General Plan ratified by the voters in November of 2021.

Following that process, between October and May of 2022, staff had a series of open houses, as well as allowed for the public to have their input heard through self-guided open houses that we provided on

our product webpage and how to, again, continued planning commission and City Council work study session through those items.

I will say that we did get additional direction within that time period for additional public input, which kind of protracted the time frame, but that resulted in staff drafting updates to the plan and ordinance between June and October of 2022. We had a series of City Council 101s in November and December of '22, in which we were able to incorporate comments received and released finally our legislative draft in the early part of January 2023. Just two weeks ago, we had six open houses in which we invited members of the public to come and listen and learn about the proposed amendments and we have available online on our project webpage guided ongoing open houses which provide for community input specifically on this item.

In terms of public notification, we had email and print go to the listed sources that are provided on the left side of the screen, and as well as reached out directly to community groups that are well-known within Scottsdale's government environment and trying to solicit their input into the proposed changes that we have available.

[Time: 01:54:07]

I will say of note specific to the direct mailings for property owners, we started this process with direct mailings to more than 3500 mailings, and continued with our legislative draft, we also mailed a second time with this legislative draft and those open houses that I mentioned just previously. Regarding public participation, in fall of 2021, we had those in-person open houses that I mentioned that resulted in 117 participants. We had a continued spring 2022 in-person open house that had additional events where it resulted in 59 participants. Those self-guided open houses which ran for a yearlong resulted in 68 total participants, and we had our winter open house series, which again in 2023, which presented a legislative drafts resulted in 84 participants, and our online open houses had seven topics covered and to date only have two participants on it.

All of those citizen input reports were included in your agenda packet for review, but as we do receive additional public input through this process, we'll make sure to bring that back before council to consider on these items. Those outreach items that were initially directed to staff in that August of 2021 included the topics of vision and values, downtown development types, building heights, both base and bonus, the definition of mixed use, development flexibility, bonus considerations, open space, and quality development.

These are the topics we'll be covering in tonight's presentation, and at which point we will take breaks at each point in which we complete a topic to allow for council to ask questions of staff, and again, to perhaps receive additional comments from council if they'd like to share at this time. In terms of these proposed amendments and public input received, the next series of slides again kind of root all of these items and proposed changes within Scottsdale's recently ratified General Plan 2035. Again, we're focusing on the Old Town Character Area Plan in this effort, as well as the implementing items of our zoning ordinance, urban design and architectural guidelines and our infill incentive plan.

There will be a series of proposed changes that we'll either show in either yellow on screen or orange.

the ones in yellow result in proposed changes that came out of those public input processes, and then more recently, the ones in orange are those that received -- were received through our recent release of the legislative draft, and were brought forward for council to consider. But again, all of those public comments that originated from those open houses as well as online input were available and within your agenda packet.

So to start, the topic of vision and values, as we all know, the Old Town Scottsdale Character Area Plan establishes a vision and value, specifically for this part of our community. It also shapes the physical form of downtown and consists of five chapters including land use, character and design, mobility, arts and culture and economic vitality. Vision statements aren't -- excuse me -- vision statements are inspirational, lofty and ambitious. They don't contain details or steps for achieving goals.

The 2018 vision statement is the same as the previous 2009 Old Town plan vision, as a result of a two-year city-wide public outreach effort to update the 1984 downtown plan through extensive input from citizens and stakeholders. The intent of the values remains the same, but was updated with more contemporary language.

[Time: 01:57:53]

Our vision statement for General Plan 2035 is presented on screen for council to review. All of our council was a part of this update process. Councilmember Graham, this was while your time was served on the planning commission. The General Plan vision statement includes four community aspirations. Within the community aspiration for distinctive character, our reference is specifically to Old Town, which states that Scottsdale will respect and be sensitive to our history and legacy found in the heart of Old Town, which defines our sense of place.

With what we heard for this item related to vision and values, we heard generally support for vision and values as written. But when we did hear commentary from the public, it was support to revise the vision to remove the word metropolitan, so our proposed legislative change is to strike the word metropolitan and then indicated through public comment that we received and thought was a well-placed comment, was to add the word "and maintains," so the vision statement as amended is provided on the right side of the screen to read as follows: Comprised of its unique districts, Old Town Scottsdale is a dynamic city center which recognizes and maintains its western heritage while boldly looking to its future.

Through some of the discussions with City Council, we heard some comments that perhaps the vision statements that articulate more detail than what's provided in the current vision statement, and there were specific reference to the Old Town growth area, and its description of the Old Town area. This was not originally included in your PowerPoint packet for tonight so I just want to note for the record that this was an item that was added, but its intention, again, is to describe and characterize Old Town, and so because it may be hard to read, I'll read it quickly from the slide here. Old Town growth area is the commercial, cultural, civic and symbolic center of the community. Old Town includes a collection of interconnected, mixed-use districts. While one of the city's local and regional draws for shopping, dining and entertainment, Scottsdale's Old Town is a prime tourist destination.

The Old Town growth area, through the Old Town Scottsdale Character Area Plan, denotes locations for some of the greatest development intensity within the community. Building heights generally range between 2 and 6 stories, depending on location and district context and may exceed six stories in certain areas identified in the Old Town Scottsdale area plan.

At the center of the growth area is the downtown core, identified, described and defined by a specific boundary in the Old Town Scottsdale Character Area Plan, is pedestrian oriented, and includes downtown's historic legacy and heritage, specialty retail, arts galleries, restaurants, public art, and the highest concentration of individually designated historic buildings found in the city. In contrast to the majority of the area, the downtown core is comprised of the lowest intensity of development in Old Town.

The small lot development pattern active ground level land uses and pedestrian focus of the downtown core are some of the primary elements that give Old Town its most identifiable character. Again, this description would be an additional consideration for council to consider when comparing that to, again, the legislative drafted vision that we have available on screen. Mayor, City Council, again, this completes the discussion on the topic of vision and values. Happy to answer any questions at this time or receive comment from the council. Thank you.

Mayor Ortega: Sure, Adam. Let me lead off, you know, this is a long process, but actually before the June 21st adoption by our council, as you noted, I think we had eight work study sessions, we acted as a committee of a whole, and then it was unanimously adopted, then it was ratified by the voters, so what we see on page 14 is identical with what the -- the General Plan 2035 stated, which people voted on rather than, you know, somewhat short handing anything.

[Time: 02:02:21]

Also I think page 12 has, you know, the larger vision statement recounting, you know, generally all areas, but the first paragraph relating generally to, you know, encouraging our diverse livability and so forth, and then itemizing our distinctive character. So all of those words were written by City Council in conjunction with the community through the public process. I'm for respecting every word as far as a -- kind of like a mandate, these are general terms that do describe, you know, our work together, and it also is general enough to be applicable for the Character Area Plan.

We went through all that process sentence by sentence over a period of time, and I think it's best to keep it intact, so to speak. the other reference about, you know, the 2018 character area and it based on the, I think, 2009 study, you know, that's, again, quite dated from what we've transacted as our council. So on the 2018 description, you know, the discussion of striking out one word of metropolitan is just really obsolete as to form, compared to what we transacted and what was published as the General Plan.

Those are just kind of general observation. I'm glad that's before us because that reinforces -- we were very satisfied that all elements of the General Plan were approved. You know, parks, culture, art, transportation, we added sustainability, and certain education elements into the whole picture. and it really does reinforce what brings people to Scottsdale in our Super season, right? It's the identity that we have in the area. I don't see any other hands up. We can keep moving on. Again, these are just first

impressions and I like the way you showed it on the timetable, that, you know, we actually ratified the general -- sorry -- adopted the General Plan at the same time we opened up approximately the character area discussion. Councilwoman Janik.

Councilwoman Janik: Just real quick. Thank you very much for outlining all the outreach you did as the Mayor said. You did a phenomenal job of making sure that you reached out to everyone, and all those involved got a chance to respond. And if they didn't for the most part, it's their own fault because they weren't looking to respond. So thank you.

Adam Yaron: Thank you, Councilwoman.

Mayor Ortega: Councilmember Graham.

Councilmember Graham: Thank you, Mayor. This, Mr. Yaron, you said this was not included in the packet but it was later?

Adam Yaron: Thank you, Councilmember Graham. The slide wasn't included in the original distribution of council's agenda items and we wanted to bring this item for council to consider as part of this item.

Councilmember Graham: Okay, very good. Thank you. Thank you, Mayor.

Mayor Ortega: Sure and why don't we continue and again, looking at some of the mapping that could have been in the General Plan as well, we're looking specifically at the Character Area Plan as we move forward. Development types and building height.

[Time: 02:06:12]

Adam Yaron: Thank you, Mayor, members of council. We'll move on to development types and building height. As we all know, the Old Town Scottsdale Character Area Plan serves as the policy document for Old Town and we look for implementing tools such as the zoning ordinance to regulate those policies and implement them.

Within the Old Town Scottville Character Area Plan, the land use chapter has an associated development maps type that speaks to where the location and intensity of development may be expected. Again, it's a tool intended to communicate to the public where that intensity may occur. It also brings in some association to building height and building transitions between those development types, but it's not to communicate any type of regulation in its concept.

This plan has been a conceptual development type map that's been used for the community going back to 1984. We have a series of illustrations that show the evolution of this map over time. Starting on the left side of the screen showing that 1984 version shows the blue area is type 2 and the green area type 1 in terms of hierarchy of development types, the smallest development type, intensity, height and massing can be achieved in the green areas, followed and surrounded by the blue areas of a type 2 area.

Moving on to the center portion of the graphic is a 2009 update, which brought forward and introduced the regional medical and downtown regional retail north of the CAP canal and near the Honor Healthcare campus, in which 150-foot of building height was formulated to be considered as part of that adaptation and amendment of that plan, and then in 2018, we formalized the location of where height was considered in 2009 up to 150 feet with the creation of the type 3 development type, again, showing those locations near the Honor Healthcare campus at the southeast corner of Second Street and Scottsdale Road.

Those areas shown in purple north of the CAP canal. In addition to those areas, we expanded the type 3 area south of the Arizona canal, in the area near Stetson and Scottsdale Road, as well as that area west of Scottsdale Road nearest as to what we know today as the museum of the west location. Additionally some changes that were brought forward in 2018 was the creation of the type 2.5, and we'll cover what those nuances and differences are on the next series of slides.

So what we heard from the public relating to the development types, their designations, locations and transitions was support for development types to guide development intensity and their location. Downtown core and Historic Old Town are important areas that should not be changed. And there was a desire from -- an express desire from the community to provide stronger regulation of transitions between development types, especially to the type 1 development types, and interest in removing the type 2.5 development type.

So we have a series of changes that are going to be presented on the next series of slides. The first being a proposal to introduce a sensitive edge buffer. It's that area keynoted as number one on the right side of the map. This sensitive edge buffer is intended to expect that development transition and scale, height and intensity. So as to create compatibility between the higher scale and lower scale development types that surround it, and from an ordinance standpoint, or regulatory standpoint, we'll be -- there's a proposal to remove the ability to request amendment to step back transitions adjacent to those lower scale type 1 areas.

We'll cover on the next series of slides that that looks like in greater detail. Here's just a general inset blow-up map if you will to show the conditions of how type 1 sits juxtaposed to other development that surround the site, they're often separated by streets, alleys and in some instances property lines. So what we've proposed in the legislative draft is a proposal to remove the ability to request amendments to step back transitions adjacent to type 1 areas. If you orient yourself to the right side of the screen, the lowest graphic on the right side, we have a couple different examples. One is showing the condition of a property line where type 1 shown in green is adjacent to a type 2 area.

[Time: 02:11:16]

And those conditions where properties are only separated by a property line and not a street, there would not be an ability to amend a stepback. Same condition exists for type 1 adjacent to type 2 or type 3 areas which is centered on the right most graphics. Where, again, because of the closeness in proximity to type 1 for type 2 and type 3 areas when separated by alleys, our proposal is to not allow amendment to stepback transitions to occur.

Where we do believe it's appropriate to allow for the condition for the development community to ask for and for council to consider such a request is when there's a separation of a street. In large part, because the separation of a street provides the expansive open space that might be worthy of consideration of council and it doesn't particularly bring such great imposition in terms of height or massing to those lower type 1 development areas.

The ordinance will maintain the ability in that instance to request amendment to step back transitions when separated by a street only. Moving on to the proposal with keynote area 2, the proposal to delete the type 5 development type and replace it with type 2. The area keynoted as number 4 on the map shows a proposal to amend a type 3 area near the Arizona canal to be type 2. And this change would support a similar change that was supported in 2009, which changed then a development type designated as 1 to 2, and so by this proposal, that change would be consistent with the same proposal that was approved by then City Council in 2009.

And we do have a series of slides that speak to possible considerations for council to consider. Specifically this is a portion near fifth avenue that was a particular focus for council in examining the Old Town plan. Again, this area is an existing type 3 area shown that's outlined in red on the right side portion of the map, shows existing development heights which if council were to consider proposals based on ordinance allowances, could allow for development heights up to 84 feet.

[Time: 02:13:55]

When we evaluated the proposal, that top tier of the cake, if you will, became difficult to provide meaningful space for development to occur, and so we've right-sized the proposal by bringing back a proposal that would change that same designated area from type 3 to type 2. In that proposal, it would bring the effective maximum building height consideration for this area from 84 feet down to 66 feet, which is a change in 18 feet.

Additionally, there's an alternative option for council to consider for this particular area, which would be to designate all of that area as type 1, which would effectively change the current maximum building height which could be considered by council from 84 feet down to 48 feet, which is a change in 36 feet in building height.

Mayor Ortega: Excuse me, Adam, just since we're concentrating on the canal area and before we get into the height next, I just want to call attention that part of our, again, deliberation with the General Plan called for our open space consideration along the canal, where we now have solstice park and where there's consideration in this particular case, this ends up being sort of a tail zoning.

It's so skinny and long, I feel, you know, and it's type 3, so it gets right against a type 1, which is one of the criteria I recall discussing, you know, a year ago or year and a half ago. The other illustrations that you show here, for instance, at the canal bank as I just want to call attention to that, so we have validation from the General Plan and the general discussion to preserve our space because you can see that the alleyway, even if it's 16 feet, is substantially -- it increases that promenade along the canal pretty substantially from where the SRP area ends.

If we look at the illustration that you show at the top with a type 3 net area and, again, I believe that definitely needs to be modified, and you look at the difference between the middle one, if it were to go to type 2, and the net difference if it was all type 1. Type 1 is more consistent with the 2009, as you said. I believe that criteria. Where that triangle south of the canal is. The other thing that we're noting here is that the so-called alley or that back area that can add to the promenade, it 10 feet higher than Fifth Avenue.

So that gives an opportunity as you look at the lower illustration for a height of approximately 58 feet at the canal side from the -- well, from Fifth Avenue. So we had an impractical what I'd call a tail or whatever piece of irregular zoning between type 1 and type 3. The other thing that I've noted is that the -- going back to your page -- your primary illustration, from 84 to 09, when we had -- they apparently gave up that triangle in '09 to the south of the canal. So we look at that area between Fifth Avenue and the canal.

Now, it's important to say that this area as a type 1, which was my recommendation and that's part of the illustration that you're showing here, if it is type 1, it still means it's redeveloped. It doesn't mean that everything is frozen in time and those buildings that are there would remain as a one-story. It just means that we're respecting the canal height, even the Southbridge 1, the original Southbridge, maintained type 1 height in that area. Correct?

Adam Yaron: Mayor, that's correct.

[Time: 02:18:39]

Mayor Ortega: Generally. So, we know what the results are, we know the success of whatever, steak 44 and whatever businesses are there, with a profile that works with a type 1B, and type 1B was illustrated in your configurations there. So if we look at this in consideration of the canal bank, I'm geared to type 1, specifically in that their owe area, but if you go to your other illustration, where the type 1 abuts type 2 and you had those stepbacks, let's see, that was illustrated where we said we should respect those stepbacks if they're abutting or -- I guess that would be page 23.

So 23 illustrates where we have a type -- well, a type 1 next to a type 2. But in mapping, in mapping, I'd say that applies mostly to the area west of Goldwater. In other words, there's a lot of contact area where type 1 contacts more type 2, let's say. Now, you haven't illustrated the type 1 against type 3, which was presently the 2018 plan. It has in the Fifth Avenue area type 1B, right against type 3. Our personal direction and the grief we went through with Southbridge 2, that's a difficult reach, and it certainly is contradictory to go that far.

So I like one of your illustrations which would really take the type 1B right to the canal, and the purpose of that would be to be compatible along the skinny part, but also we have an open development for that triangle between Fifth Avenue and the canal. That's consistent with Southbridge 1. So it is buildable as certainly as modeled and it can be new construction. Sometimes a perception is that, you know, type 1 means that everything stays the same. Which is not true. Right?

I mean, someone may choose to build one story on type 1, brand new, and compatible with the west or the context, or in the historic area, you know, do a replacement building, but again, at a lower scale



to work it through. I just thought I'd mention that because that's where this awkward area, when you look at the net difference, there's no gain or loss here if it went all type 18 directly basically Wesley Jewelers is, and you still have an alleyway on the public side and expanded canal area for development. Just observations.

Again, I'm relating to what you're showing. Now, you're going back to the canal development type map, I guess, and I don't -- oh, excuse me, Vice Mayor Durham, Councilmember Graham.

[Time: 02:22:16]

Vice Mayor Durham: Thank you, Mayor. I have a couple of quick questions while we're on these maps. On page 19, sort of the 2009 version, what did we call the hatched areas? Those are not marked as type 2 or 3 or whatever.

Adam Yaron: Mayor, members of council, Councilmember Durham, the crosshatch area wasn't indicated as a typology on the map. This was really just a talking point because we had a downtown regional and downtown medical zoning district that allowed for the consideration of heights up to 150 feet. So by purposes of this graphic on screen, it's trying to communicate that the type 3 development type and where heights could be achieved to that greatest maximum has been a long consideration for this community going back to 2009 in the locations that are crosshatched on the 2009 map. The 2018 update expanded some of those areas south of the Arizona canal and west of Scottsdale Road.

Vice Mayor Durham: But in 2009, did we call those type 2 or --

Adam Yaron: Yes. Thank you, Vice Mayor Durham. I'm sorry. Those were type two developments.

Vice Mayor Durham: So, they were type 2 with special considerations.

Adam Yaron: Yes.

Vice Mayor Durham: Okay. We've gotten a couple of emails that refer to map number 4, and I can't really identify what map number 4 is, but I think they talk about preserving the zoning of areas 2 and 4, are they talking about page 26, page 25 and 26?

Mayor Ortega: 21, I think. 21.

Vice Mayor Durham: Yeah, well there are a couple of -- yeah. I guess that's what they're thinking of as map number 4, but I didn't see anything that identifies that as map number 4.

Adam Yaron: Thank you, Vice Mayor Durham. The keynote references in the map are just that, they're just showing locations of change that are contemplated on the development types map. And keynote four area is an area we just covered with some discussion about the 2009 plan previously had this area designated going from type 1 to type 2, and it was approved by the then City Council to type 2.

In 2018, a different City Council amended that same area to go from type 2 to type 3, and our proposal is to revert that action from type 3 back to type 2 for this proposal. It sounded like some comments

heard from the Mayor is that his preference perhaps, and Mayor, I don't want to use your words but for that tail would be for that same area or portions of that area to be all as type 1.

Vice Mayor Durham: My last question on page 27, I think you've got it right there, how was it -- I mean you show in the first two illustrations that the type 2 or type 3 sits on top of type 1, and what does that signify? How would that be possible for a type 3 building to be on top of a type 1 building?

[Time: 02:26:03]

Adam Yaron: Thank you. The existing area of development type 1 is an area that effectively follows the existing building footprints to show where that typology exists. However, some of those buildings exist on lot areas that are bigger than just their building footprint and they're separate in those instances.

Vice Mayor Durham: Okay, so that's really the underlying lot is really a type 3 lot.

Adam Yaron: Those portions frontage to Fifth Avenue would be designated as type 1.

Vice Mayor Durham: Right.

Adam Yaron: But the rear portion closest to the canal would be designated in a higher development type, as existing today, as type 3 and as proposed would go to type 2.

Vice Mayor Durham: Right. Okay. Thank you.

Mayor Ortega: Councilmember Graham.

Councilmember Graham: Thank you, Mayor. Good presentation so far, Adam. I just for the record, I like where we're going with the setback transitions. Just want to express that. We discussed this when we met, you, me and Brad met. For the record, I still don't understand the boundary of the sensitive edge buffer, as far as why that was designed the way it was. Putting that on the record.

So maybe that could -- more clarity or something at some point, because it seems like why this unit but not that unit. I think you probably remember that.

Adam Yaron: Thank you, Councilmember Graham. I'm happy to answer the question now or if you have additional ones, I'm happy to field those as well.

Councilmember Graham: The last thing is question about this slide right here, the abnormal zoning, I guess you could call it, tail. Is this the only occasion of something like that in the Old Town area?

Adam Yaron: In terms of development type designation splits, Councilmember Graham and members of the council, this is the only specific area where we have this type of nuance but I just want to bring some clarity to the term zoning parcel lines.

There are lots of instances throughout the city where zoning doesn't follow parcel lines, and this proposal isn't reflecting zoning conditions. This is reflecting at a policy level where height could be considered by request and review of council, of course.

Councilmember Graham: Okay. I probably do prefer type 1 of these scenarios. You can answer that question, but I really want to be brief. I want to respect my colleagues' and your time, so we can also send an email about if you'd prefer. So thank you. Thank you, Mayor.

Mayor Ortega: Thank you. Let's continue.

[Time: 02:28:52]

Adam Yaron: Thank you, Mayor, members of council. If I may, just to touch on -- before we continue, Councilmember Graham's question related to the sensitive edge buffer, if I may. The sensitive edge buffer is intended to -- I wouldn't say force but are intended to have a developer communicate and demonstrate how appropriate transitions are occurring, and our current ordinance currently requires such consideration to be made on the application of rezonings within Old Town, however, the legislative drafts that was included in your agenda packet articulate some language with a bit more clarity, so as to have an applicant demonstrate within I believe it's 100 feet of a type 1 area, how a building transitions in mass, height and scale, and how it may use landscaping to help mitigate some of those transition areas.

Councilmember Graham: Yeah, that's the framework, but the actual selection, you know, it's just something I'm not quite clear, I don't want to belabor this so we can continue. Thank you, Adam.

Adam Yaron: Councilmember Graham, if I may, I believe it's easy enough to answer, is that essentially -

Councilmember Graham: Please, briefly.

Adam Yaron: the sensitive edge buffer was proposed as a means to -- was drafted as a result of public input.

Councilmember Graham: Thank you.

Mayor Ortega: Let me just add one other thing and again, this is just conceptual. Nobody is legislating zoning changes at this time. Having worked in the downtown Old Town area, along the storefront, what we call the storefront, you know, in my lifetime, we've been using 26 feet at the building line and this is 30 feet.

So just to give you an idea, it's nominally close to the scale that you'd expect, and you know, maybe a little bit more parapet there to work with. Or -- but it's within scale of what would work whether there's an historic building on the other side of the road in the Fifth Avenue area. Thank you.

Adam Yaron: Thank you, Mayor. Members of council, we'll move on. So our proposal in context, recognizing the verdict is still out, if you will, on where this may end up is to show that area on the north side of Fifth Avenue nearest to the canal as type 2, which would again expand that full area that

was keynoted on that development type as 4, from a type 3 area, which was in pink, to now being type 2 area shown in blue.

We did hear some public comment that resulted in staff drafting up alternate considerations, which really focused on how development is proposed to take shape nearest to Fifth Avenue. Those alternates from the public resulted in alternates 2 and 3 and I'll briefly talk to you about what that looks like. In that proposal, it was a change to amend the existing type 1 nearest to Fifth Avenue to a type 2 area, so as to match the proposed legislative change, and is a means to continue the character that was established by that development type.

And additional consideration was brought forward to instead of using somewhat invisible line to establish development times. The proposal by that public comment was to amend the development type nearest Scottsdale Road on the north side of Fifth Avenue from type 1 to type 2 in addition to those other changes on the west leg of Fifth Avenue that was proposed again by that public commenter from type 1 to type 2.

As we previously heard when staff evaluated it, based on the comments received, it was worthy of demonstrating that, again, that same area could be considered as all -- as type 1 for you all to consider, and review, but those are three public considerations brought forward to public comment and we wanted to make sure we had them available for you in this packet.

Mayor Ortega: Well, here again, I would comment that where you have a successful Southbridge project, it complies with type 1. Why would we rezone a building -- sorry -- why would we want to consider a policy change when the building is already built? In fact, the city participated with the parking garage and all that stuff. So it seems a little counterintuitive to consider, of course when it popped up to type 3, it popped up to 150 feet, potentially, or even higher, plus 10 with the 2018 criteria.

So capping an existing building that was already built to the standard, and then adding on to the zoning for some reason doesn't make sense to me. It seems more like, as you said, type 1 continuation because that would be blending contextually with what you have in a successful Southbridge 1. Just a comment. You know, I find it kind of additive, especially if you've had something built out that the city participated. Councilwoman Whitehead.

[Time: 02:34:27]

Councilwoman Whitehead: Thanks, Mayor. On your alternate 3, that seems to make sense to have a road that separates the two types. How did half of this -- is this building on alternate 2 owned by one party? I mean, it looks like a contiguous building and half of the building is type 1 and half is type 2. Can you just give me a little history on that?

Adam Yaron: Thank you, Councilmember Whitehead, members of council. In terms of ownership that exists for the properties that are subject to this conversation, there's multiple property owners. And relative to the proposed change on how those development types existed, they were again rooted going back to the original 84 plan as being areas appropriate for type 1.

And then there was amendment brought forward in 2009 after what was effectively the first major update to a 25-year-old plan at that time, to change areas with what we know today as Southbridge 1 and its surrounding development from type 1 to type 2. Then in 2018, a change to type 3, and our proposal, again, is to bring that back to a type 2 designation.

Councilwoman Whitehead: Okay. I could go back, maybe this is a level of detail I missed before, but just that one little block from Scottsdale Road to Stetson that has split between it, is that -- what was that in 2018? If you look at alternate 2.

Adam Yaron: Thank you, Councilmember Whitehead. That area between Stetson drive and Scottsdale Road was intended to maintain the character between the development types on both sides of the roadway.

Councilwoman Whitehead: Okay. Got it.

Adam Yaron: In terms of height, massing and scale.

Councilwoman Whitehead: Okay. Thanks.

Councilmember Graham: That was a good question. Good catch.

[Time: 02:36:42]

Mayor Ortega: Please, proceed. Councilwoman Caputi.

Councilwoman Caputi: I feel a little confused. But just to respond to that question why would we change if there's already something there, I think the whole point is that we want to have flexibility. So I'm not in general in disagreement with changing types. I think that eliminating and amending types and reducing this ability to ask for things, it just compromises our ability to be flexible and adaptable, right?

So we can always make something lower, and we do. In fact, over the last two years, I think every single project that's come before us, we asked for height reductions. So that's always our -- we can do that as a council without having to necessarily change types. I mean, again, I can't think of a project over the last two years where we didn't ask to bring height down.

So I would actually -- I would never limit our ability to negotiate for better projects by changing types, and again, that logic of well, there's already something there, but you know, things change. In the city. and I think it's super important that we maintain our flexibility. Thank you.

Mayor Ortega: Thank you. Now we're going to fast talk through the rest -- go ahead. Proceed.

Adam Yaron: Thank you, Mayor, members of council. We'll move on to an additional change that are keynoted as five and six on the development types map. This is where our 2018 Character Area Plan boundary designates the location of the Historic Old Town area, shown on the left side portion of the graphic, surrounded -- that's designated in green and surrounded by that black and yellow

crosshatching. The keynote 6 area is the Grimaldi's site if you will on the west side of Scottsdale Road in which our current and existing urban design and architectural guidelines incorporates that site within the Historic Old Town boundary, so that was an error that staff caught when reviewing this document and one that we're trying to correct in our proposal, which is to include keynote 6 area within the Historic Old Town boundary.

Additionally, keynote 5 area was a similar site that was -- that was included in the existing urban design and architectural guidelines as being part of the Historic Old Town area, because not included again in the Historic Old Town boundary. In that change, what we're identifying as the Chase Bank site at the corner of Indian School and Scottsdale Road is an area that's currently designated as type 2. Staff's proposal in review of this item is to amend that development type from type 2 to type 1, again because current zoning would reinforce as a C2DO property a maximum building height of 36 feet and by altering that type designation, it would effectively support the existing zoning and reinforce the urban architectural design guidelines in that urban designation.

Moving on to base maximum building heights, on screen before you is where height can be achieved from a base development standard within Old Town. Within Historic Old Town, you can get to a base maximum of 40. In all other areas of type 1, you can get to 48 feet, in type 2, up to 66.

[Time: 02:40:34]

Currently on the existing cap plan is a type 2.5, which can get to 66 feet, and type 3 up to 84 feet. There are, of course, bonus maximum building heights which depending on the development site area of a proposal can achieve and request, and counsel can make a discretionary action to consider, those bonus building heights that are presented on the same matrix on the screen, whereas to provide some example, type 3 for those low tier developments between 20 to 100,000 square feet in size, you can get bonus height maximum up to 90 feet.

One hundred to 200,000 square feet, you can get up to 120, and for those largest tier development sites, up to 150 feet in height. Not every property can request bonus height, limited number of properties can meet those minimum lot areas, and so again, it's just intended to communicate where height could be considered. When we talk to the public about these items, we heard support for current base maximum building heights with varying support for existing bonus maximum building heights, and Old Town property owners did voice concern about any reduction in current redevelopment potential by amending those heights.

We of course know that building height considerations, there are a number of factors that can influence building height including a building's purpose, how adaptable a building might be to a change in use, and then of course zoning development standards which limit and regulate those heights over time. Based on the use of the building heights may be different and floor plate may be different, and so we can't apply uniform standard in saying that an 80-foot building is effectively eight stories tall, in fact, there are many buildings that are far less than that and reach greater heights that we'll cover on a following slide.

So, what's proposed within our legislative draft is maintaining the base building height maximums. Again, if you recall we're striking type 2.5, and we are proposing to amend the bonus maximum

building heights, specifically in those large tier type 3 development types where for the largest of tier developments over 200,000 square feet or more in sizes roughly 4 1/2 acres, maximum building heights that are currently available for consideration up to 150 feet would be amended to 115, and then for those mid-tier development sites between 100 and 200,000 square feet from 120 to 102. Here is more of a bar chart depiction of how that -- what that height really looks like and how it may be considered, but to give some demonstration of, again, how we can apply height and can consider height.

As an example on the low left portion of the screen, the honor health neuroscience building, which is developed as a type 3 development type at 83 feet, so it's almost as that base maximum and again it's only a 6-story building in size, so again, there's no uniform standard where you can consider 80 feet is eight stories, that's the intention of this graphic and what it's trying to communicate. We did benchmark other communities and how they did various considerations. Looking at valley wide -- all have bonus height maximums as a tool to encourage redevelopment within their community.

With this change, we'll be falling slightly under what our peers are offering in other communities. But again, this is intended to communicate that bonus height is not an unfamiliar topic within the Phoenix metro area. For those properties that can consider bonus development heights, on the screen before you is again the proposed development type map on the left side portion of the graphic, and then an existing condition map for ownership as best as staff could depict, a representation of similar ownership where properties could be assembled and brought forward for council to consider potential heights that we just covered.

[Time: 02:44:55]

This is not where height currently exists because, of course, you can see fashion square isn't included on this map. We do see the location of honor health where height does exist, but it's through the application of a special campus zoning district and not the PBD district which allows for those bonus heights. But again, on this graphic, it's intended to communicate that not every area of the community could achieve that top tier development site area being 4 1/2 acres or more in size and being an area designated as type 3 to achieve that greatest maximum in height. Mayor, members of council, that completes this discussion.

We just reviewed the topics of sensitive edge buffer, deleting the type 2.5 and replacing it with type 2. Amending type 3 areas near the Arizona canal to be type 2, and amending type 2 area at the southeast corner of Indian School and Scottsdale road to be type 1, as well as reducing the maximum bonus building heights in the type 3 areas. Staff is available to answer any questions at this time or receive comment from council. Thank you.

Mayor Ortega: Thank you. I don't see any hands up, so we will -- okay.

Councilwoman Caputi: Really?

Mayor Ortega: Well, now I do. Councilwoman Caputi.

Councilwoman Caputi: I want to point out I love the slide that shows the progression of 1984 up to now. I definitely want to remind everyone that this particular plan has been 30 years in the making. We've had extensive community outreach and planning. It's been regularly updated. The community has been reached out to. It's flexible.

Council has unanimously adopted it. There's nothing hasty about this plan. I also want to remind everyone that our downtown is one of three growth areas as we all know, and we have a successful economic formula in Scottsdale that depends on our downtown being vibrant. These couple square blocks of Old Town or downtown have to make up for an awful lot of our city amenities, and so we really want to be careful here. And having appropriate density downtown is what allows us to be more sensitive in other parts of our city.

So I think, Mayor, you pointed out during your state of the city that Scottsdale actually has doubled the open space of any city in the valley right now. Which is amazing. We should be proud of that and to me, that means that we've done a great job, that development actually is right-sized and contextual. And I also want to make the point that every economic report we have looked at on this council shows that we need more residents and commerce in our downtown area.

So vacant parcels and aged buildings everywhere. The plan that we have right now allows us to have flexibility, and it also respects the fact that we have Historic Old Town, and I love that, but I want to reiterate we're entering into a rescission and our own city treasurer told us that. So I think we need to understand that this is the worst possible time to be discouraging economic development, and sending it elsewhere, and you mentioned that other cities are higher than us. I also want to point out to people that other cities are starting to command higher rents in their downtown.

[Time: 02:48:22]

Other cities are getting higher rents in their downtown and even our city is starting to see higher rents in other parts of our city, like the Airpark. So I think this, to me, says that downtown Scottsdale is becoming a less desirable place for investment, and we just need to be very, very careful before we make changes that are going to impact our ability to attract future investment, and to repeat, we don't have to make drastic changes.

We can always adjust as we go. That's our priority and that's what we do. We look at projects on a case-by-case basis and we keep it flexible and we make sure that we get the absolute best projects. I think decreasing the flexibility will just make sure that we don't see the best projects, and I just want to caution this council that this is a really bad time to be limiting the opportunity for us to look at great projects. Thank you.

Mayor Ortega: Thank you. I have a few comments, then we'll go to Councilwoman Whitehead and Councilmember Durham. Actually, in the Old Town area, we're pretty much 100% leased and I'm very familiar with the area.

There are some parcels where essentially there's an absentee owner or whatever going on. The other thing that's important to point out, what's missing in the 2009 plan and then to the 2018 is that there



was no General Plan adoption for 2010. That was failure. It did not succeed in that community discussion.

So I was involved with the General Plan 2001, and then 10 years later, it did not have that. I believe we have more validation, there was a skip between '09, when essentially a lot of the, again, policy document, this is not -- but it was -- it did become amended zoning standards, but what happened in my opinion is that there was a substantial subsidy when a property was vested for 50 feet, and it was granted 150 feet, that is just a direct gift.

That is a subsidy, and when we look at what was built and the aggravation of having a referendum to stop that sort of thing, then it becomes very counterproductive where the wish becomes higher because the subsidies seem to make the number work. So on one hand, when height and density get so far out of hand, the last buyer just can't turn the deal anymore because it's a paper project. So that's a two-edged sword.

The thing that we have to work with is the validation. There is a mapping in our General Plan for the Old Town Character Area Plan, correct? I don't know if that's in here yet, but it showed that that sensitivity area did need to flow, perhaps I missed it and it later, but it was, again, voted on by the people.

And it was the idea that that should stretch really to the canal for our own sake. Now, that gives me more validation in moving forward, where there can be more thoughtful practice. I see Councilmember Whitehead, Councilmember Graham.

[Time: 02:52:07]

Councilwoman Whitehead: I just feel like I also want to echo what the Mayor just said, less is more. Being the same as everybody else does not bring tourism. I just spent a lot of my holiday season in our downtown and it's thriving and everything I brought there, I brought quite a few people that were just thrilled. So I -- you know, at the time when excessive heights or dramatic change in heights were being approved in downtown was also the time that as the Mayor pointed out, we were having referendums, the City Council couldn't pass a General Plan, so I think there was a disconnect and that's okay.

But I've got to tell you, the General Plan that just passed, it has given us the direction to go -- to change the Character Area Plan, to go ahead and meet that ratified General Plan. It doesn't mean we're going to get rid of all the height, but we're going to clean up some of these oddball zoning that you simply cannot -- you can't build, you know, a type 3 next to a type 2 and meet any of our required setbacks. I mean, it's just sort of like a mess.

Almost I'm very concerned about this motivation to assemble property and that is what the type 3 is doing. And what that does is it incentivizes some larger possibly out of state developer to come and offer our local land owners, you know, a pretty sweet deal to get rid of their property. So that they can assemble and go to height, just sort of bland anywhere in the USA height, whereas right now, what we're seeing happening in downtown, which is exactly what we want and is exactly what I certainly spend the most time knocking on doors and talking to people than anybody else in this last year, what

we want is for those unique developments that are maybe three or four story on top of shops, individual buildings to be unique and add to our character.

Not big conglomerate developments like Southbridge 2 which costs residents \$250,000 to overturn the City Council vote. So I don't think we're picking heights, but I don't think that saying that Southbridge 1 is not what we want. It's a very successful development. And we're not asking for, you know, anything different. So I'm absolutely committed to this process. I know for a fact after spending 12 months knocking on doors and talking with our constituents, they want to look at this and I'm just -- I think you're doing a great job giving us these options, really getting into the details about, you know, these odd ball adjacent types and the history, and from 2009 to 2018 was a pretty significant jump. So thank you.

Mayor Ortega: Councilmember Littlefield, then Councilwoman Graham.

Councilmember Littlefield: Thank you, Mayor. Very nice presentation. Thank you so much for putting this out like this. It's a lot of work, a lot of detail going into this. I'd like to echo actually Councilwoman Solange Whitehead's comments. I think she's right on target. I think this is the shift and the direction that a lot of us and a lot of the citizens here in Scottsdale want us to take.

There may be some tweaking that we want to do. But I think in general, this is a very good direction. I think there has been a disconnect in some respects over the past few years with the citizens and the direction that the council has been moving us into with high rise and definitely in the downtown area, this shows up.

I would like to ask our legal department, there have been some questions regarding the legality of doing some of this stuff, and I have a question for you. If someone wants to sue us for lowering the height limits, our defense could be, I believe, that only someone who had already been granted extra heights under the current rules would have a standing to sue.

So would someone who claimed they might in the future make an application for more height at some time, would they have standing in the courts? Or is there no guarantee that it would be granted extra heights under the current rules, even if they applied for it?

[Time: 02:57:02]

Acting City Attorney Padilla: Vice Mayor, members of council, that's a difficult question to answer. It's sort of -- it's a hypothetical without specific facts. So, a 207 claim, you would have to look at the nature of the claim and all of the facts that are set forth by the claimant to make that determination. So, I really don't have an answer for you.

We would analyze these claims on a claim-specific basis to make that determination and we would report back to the council probably in executive session on what the potential is for 207 claims validity against the city.

Councilwoman Littlefield: On the surface of this presentation, do you see any major problems with this, doing what we wish to do here?

Acting City Attorney Padilla: I think that we would have to analyze this further, after -- as this goes through, this is the first step, as this goes through a process of making adjustments and amendments, we would have a better idea of where this is going to go. As the items are being presented right now, it's really difficult to say what the city's risk would or would not be.

Councilmember Littlefield: Then I would just ask that the legal department do that, as this moves forward.

Acting City Attorney Padilla: Yes.

Councilmember Littlefield: Thank you.

Mayor Ortega: Councilmember Graham, Councilmember Janik.

[Time: 02:58:28]

Councilmember Graham: I'll be brief. The 2.5 always kind of bugged me, this sort of anomalous zoning zone. So I support its deletion and I thought the 2018 plan was very imperfect for the record. I thought that when I was on planning commission and we studied it and we compared and contrast what we're doing here with what was there, or what is there. And so, I look forward to this. I'm generally supportive, and I think that this is the direction that the residents are telling us to go. Thank you, Mayor.

Mayor Ortega: Councilwoman Janik.

Councilwoman Janik: Thank you, Mayor. I just wanted to say that there's still plenty of room for growth with the current plan that we're reviewing, and the growth, it will give more guidance to the developers for what our expectations are, and to a certain extent, that will make the process more streamlined. Because we don't have such great variability and it is the direction that the citizens want us to go, and after all, that's who we're supposed to be representing. Thank you.

Mayor Ortega: And, you know, the current zoning is generally C2D0 in these areas. The -- whenever a case has been approved or under construction, it's already been enabled. We are talking generally about the policy guidelines and reflecting what the community is telling us at this point. Thank you. Continue with the presentation.

Adam Yaron: Thank you, Mayor, members of council. We'll move on to the topic of mixed use. Our General Plan expresses again citywide goals and policies for the community. It designates all of Old Town as mixed-use neighborhoods and has a definition that reads as focusing on human scale development and are located in areas with strong access to multiple modes of transportation, and major regional services.

These areas accommodate higher density housing, combined with complementary office or retail uses. Mixed use neighborhoods are most suitable near and within growth and activity areas of which the three that we have, Old Town is one of them and then it further describes in greater description the

greater Airpark, which is not part of tonight's discussion, but so as to communicate that again you see the notation on the inset map of Old Town Scottsdale shown in that fuchsia color indicating all of Old Town is mixed use neighborhoods.

When we kind of contract ourselves to from a citywide perspective moving into a character area perspective, our current 2018 Old Town Scottsdale Character Area Plan defines mixed use as the practice of allowing more than one type of land use in a building or set of buildings and mixed use may be developed in a variety of ways, either horizontally in multiple buildings or vertically in the same building or through a combination of the two.

[Time: 03:01:35]

In terms of the regulatory measures that describe mixed use developments, our zoning ordinance defines mixed use as a development that contains non-residential and residential uses that are arranged either horizontally and/or vertically within a developments area. We did benchmark the topic of mixed use and how it's defined and applied within other communities, looking at other value benchmark cities and broadly speaking, mixed use in terms of its definition at all levels, describes a combination of two or more differing land uses within a parcel or structure so as to communicate that, again, Scottsdale is consistent with our other value-wide communities.

There was some anomaly with City of Phoenix, which expects that in its most urban area, 50% of the ground floor is a use that is different from the uses or floors above it. But from an ordinance standpoint, mixed use can be applied in a variety of ways. Depending on what the makeup of that particular community is, and what they're trying to encourage or perhaps in some instances discourage, so some examples of that are described in the lower portion of the graphic.

In terms of the provision of mixed use with what we heard related to Old Town, we heard support to utilize percentages to regulate ground floor uses to establish mixed use development. We heard support for non-residential land uses that activate the ground floor. Specifically in an area between the Goldwater and Drinkwater couplets, south of the Arizona canal and I'll have an accompanying map on the next slide to show that.

This would maintain the character of the downtown core and Historic Old Town by encouraging those active ground level uses, and still support continued support for development flexibility. So what's proposed is a proposal that limits the amount of residential space at the first floor within an area that we're calling the active pedestrian area, where that area is shown in the crosshatching on the screen before you.

That area is generally south of the Arizona Canal, between the Goldwater and Drinkwater couplets. Our zoning ordinance currently expects that in the type 1 areas or those areas in green, residential space cannot occupy more than 35% of the first-floor area, thus the 65% remaining -- those other areas outside type 1 or those areas that are in type 2 or type 3 but within the crosshatching, residential space would not occupy more than 80% of the first-floor area.

Again, thus allowing 20% to be required as non-residential space. Or those more active uses on areas that are frontage to pedestrian place roadways, or those areas shown in green within the

crosshatching. Beyond those areas, residential space at the first floor would no longer be limited outside of the active pedestrian area within Old Town. Mayor, members of council, we just reviewed the active pedestrian area along the topics of mixed uses.

I will say regarding the compilation of what's recommended in terms of the 80/20 split for those other areas. We didn't have or conduct rather market vacancy rates to show support for the proposal, but that was generally the feel of what we received and heard from the community through our public outreach process, and so Mayor, members of council, we're happy to receive questions or receive comment from you at this time.

Mayor Ortega: Councilmember Whitehead, Councilwoman Caputi --

Councilwoman Whitehead: This is an area I would also recommend some flexibility, and I think the Mayor is right in that we want to try to keep these streets active and incentivize businesses, but I think we're going to have to really drill down and make sure we have enough flexibility to do what makes sense street by street, block by block.

Mayor Ortega: Councilmember Caputi, Councilwoman Janik.

[Time: 03:05:54]

Councilwoman Caputi: I'm okay with the 35% in the Old Town area but I don't understand how we got to 20% for the other areas. It's just arbitrary, and I think without us knowing what the market is asking for, it seems really silly and I've said this in this council before. It just doesn't make sense. If the market is not asking for more retail, then all we are going to get is empty storefronts and that is actually what's happening in some of the retail buildings downtown.

I've spoken with a couple of the owners and we all have eyes. So I think that's a great idea, we should maintain more flexibility. We shouldn't have a particular, you know, 20%, we're just pulling that out of the air, that we really need to know before we would make a limit like that. Thank you.

Mayor Ortega: I like the 20%. It probably should be 25%. The reason I say that is that's what people are familiar with. It's one thing to have a sliding door and a patio right at the sidewalk and somebody in their PJs and somebody watching a big screen TV in some of these walkable areas. It's not really expected and not really appropriate when it could be on the second or third floor.

Now, as far as the kind of use that would be -- that also is consistent with our General Plan discussion of pedestrian friendly activated street versus saying, well, you know, someone has their enclosed patio at 80% of the area as you're walking around it. So that -- I think it's a reasonable balance. I'd even go 50/50.

So 25% would be in my opinion minimum for -- again otherwise you're going to have kind of the -- you know, the beach look where you've got -- in La Jolla where you've got just people on the sidewalk nearby and it eliminates that walkability part. Councilwoman -- again, these are just speaking figuratively. Saying market rate, market rate, no, we -- what people are expecting is some activity. That's also a reason why covered walkways are good, because you can see in the window, right? You

can see your shelter more, and it's more consistent with our motif and character of the downtown area. Councilwoman Janik, Councilwoman Littlefield.

Councilwoman Littlefield: I agree with what Councilwoman said. We need to maintain flexibility, we need to keep looking at the data regularly, and we need to look at it almost under a microscope, building by building, street by street, to see what's working and what isn't working. Certainly we don't want to have businesses fail because we're forcing a building to have more commercial development. So I would say again, we need to keep reviewing it and make sure it works. Thank you.

Mayor Ortega: Thank you. Councilwoman Littlefield.

Councilmember Littlefield: Thank you, Mayor. I like it. I think it makes sense to me, but I agree with Councilwoman Janik. We need to keep an eye on it, we need to watch it, we need to make sure that it works like we think it might. So I think it's good as is.

Mayor Ortega: Thank you. Continue.

[Time: 03:09:27]

Adam Yaron: Thank you, Mayor, members of council. We'll move on to the topic of development flexibility and the application of bonus provisions as they're considered by City Council. We talked with the public about are development flexibility for properties less than 20,000 square feet in size. That's generally been the rule of thumb for the more common smaller properties that exist within Old Town, and then for all those properties greater than 20,000 square feet, where the application of our plan blocked development overlay district can be considered how they be fashioned in a development proposal. Related to the expansion of flexibility afforded to those smaller properties, the proposal that we're bringing forward is expanding the development review board's authority to amend setbacks and stepbacks on smaller properties.

Again, those properties smaller than 20,000 square feet. You can see on the graphic before you the lion's share of those properties exist within our type 1 areas already, but that amendment would allow for amendments from 10 to 20%. It may seem like a unruly proposal just to change the requirements but we're talking of a difference of 1 to 2 feet of amended setback to 2 to 4. This would still allow council to affirm, modify or reverse an action, but smaller property owners would not have to go back before planning commission and City Council for those minor amendments to setback or stepbacks.

Related to the larger development proposals or PBD projects greater than 20,000 square feet, we heard that parcels within a proposed PBD ought to be contiguous to one another, and so one example of one that is not is the Scottsdale collection at the southeast corner of camelback and Scottsdale Road. And our proposal is to bring clarity to the ordinance by suggesting that for development projects with multiple parcels with exception to adjacent right-of-way, again, if you collapse those right-of-way widths and alleys, such properties must be contiguous to one another under single ownership or control to meet the gross lot area minimum.

I do want to just make a point of note that more control indicates there could be multiple property owners participate in a PBD proposal, but they would all be subjected to the same development

agreement between the city and the ultimate proposal. So it's to not take away from the opportunity for multiple property owners to participate in a larger redevelopment proposal that's considered by council.

Mayor Ortega: While you're here, Councilwoman Whitehead has a question.

Councilwoman Whitehead: I just want to say how much I support the flexibility for the types of development that we want and we know add value to our city. So I think that's really great. We really did that with the parking too. We were trying to enable our local and smaller land owners to do cool things. So I am really glad to see that, and also I do like I know Councilwoman Janik was very strongly in favor of the contiguous PBD and was pushing for that in the General Plan, so I support that as well.

Adam Yaron: Thank you, Mayor. Moving on to the application of where bonus development standards can be considered to provide some background to council and the public, our downtown D district was the companion district that implemented the 1984 plan, and that zoning district allows for bonus floor area for specific design features such as above or underground parking, incorporation of dwelling units, and the application of historic preservation to designated properties. For those properties that never rezone to the D district, the downtown district, they have the application of the downtown overlay, which essentially is a companion overlay to those legacy zoning districts of C1, C2 or C3 property. Where no bonus provisions are offered but other flexibility considerations in terms of setbacks and stepbacks are fashioned in a similar way to our D district.

[Time: 03:13:50]

For those properties designated with the PBD district, this is a district that is intended to implement the Old Town plan and achieve maximum flexibility allowing for properties to be tailored to stepbacks and setbacks as well as to allow for bonus development consideration such as increased height maximums, increased gross floor area ratios, increased density, and as I mentioned, those amended stepbacks and setbacks. That of course comes with a tradeoff for council to consider with each request, unique unto each of its own.

As established within our current zoning ordinance, are essentially a menu of options for council to consider when those requests were made, allowing for those special public improvements or public benefits to allow for bonus developments to be bonus development standards rather to be requested, they include major infrastructure improvements, public parking areas, public open spaces, cultural improvement program contributions, enhanced transit amenity, pedestrian Amenities, workforce housing and then there's this catch all of uncategorized improvements and/or other community benefits so as to not limit our opportunity to accept will a bright idea that maybe isn't considered in these options.

When we were charged with evaluating our current bonus system, we were fortunate enough to work with land use economists that have been associated with our Old Town area going back to the original 1984 plan. Grun and Grun associates, in which we asked them to assess the feasibility of our Old Town with and without bonuses and to identify the amount of available public benefit to provide, if any, to the market sectors of multifamily, office and hotel land uses.

Additionally we were -- we had asked them to evaluate the differences between the value of the requested bonus standard and the value provided to the community through those public improvements, and as a result of what we heard, which was the continued support for those public benefits as a tradeoff for those bonus development standards, they ought to favor benefits such as open space, and pedestrian amenities.

Based on the report recommendations, a proposal that we have brought forward for council to consider is a doubling of the existing bonus development fees, based on that market analysis of the market sectors that we mentioned, this would be of course rooted in the existing sections of the zoning ordinance in terms of how they're factored and evaluated, but they would be included on the city's fee schedule that's reviewed and updated by City Council annually, so that if market conditions change over time, the council and community wouldn't have to subject themselves to a text amendment process.

[Time: 03:16:47]

It could be heard through our normal process that council considers annually. Those proposed changes in the fees are presented on screen for bonus floor area. Bonus building height, and bonus density. In terms of the bonus provisions and how they're applied value-wide, 8 of the 13 cities that we looked at allow for some type of flexibility in change for public benefits. Bonuses generally include increased height density and floor area ratio, so again, we're in line there. Common public benefits also included specific desired uses, improve public infrastructure amenities, open space and landscaping and transit integration. I will note that the bonus provisions and the communities that we looked at are generally all in a state of redevelopment.

So this is a critical tool to redevelopment within the community and one that council should consider at this point in time. So we do have, as I've communicated with council earlier this week, we do have Grun and Grun associates who conducted that economic study available to answer any questions as well as staff who can field questions or comments from the council at this time. Thank you very much.

Mayor Ortega: Councilwoman Whitehead.

Councilwoman Whitehead: Thanks. You know, I can't find the page. Open space, everybody loves to talk about open space, but I'm here to make sure it actually gets in the plan. When I was looking at -- there was a page within the draft plan about open space in parks and we have -- as a council, we have moved forward the Fifth Avenue Goldwater what used to be the rose garden as a park, and I don't think it was designated as future open space.

But I don't have the page with me. I just want to point that out. And I'm just going to throw out there, this is a bit in the weeds that we'll be looking at tree sizes as well for how we define mature trees. Those are just sort of some comments from the overall plan, not your presentation. But by the way, thank you very, very much.

Mayor Ortega: Okay. Councilman Littlefield.



Councilmember Littlefield: I would just like to second that with the rose garden. I think that's important to many, many citizens in Scottsdale. It's got a history, and I think it could be brought out and advertised better and marketed as more of an amenity than it is. So I think that would be good.

Mayor Ortega: Councilwoman Caputi.

Councilwoman Caputi: Thank you, Mayor. Can you go back to the slide that shows the bonus development with the list? Thanks. So in a city in which we have an accumulation of mom and pop shops and type 1 development, we don't actually get any of these things for the city. I just want to remind people, these are really wonderful things that we're able to negotiate for, and without the ability to, you know, have decent sized development in our downtown, we don't actually get any of these things for the city.

[Time: 03:20:13]

I did meet privately one on one with the consultants, and I think they did an excellent job explaining their justification for increasing fees, and I think better defining public benefits and matching the fees more closely with the value is a fantastic idea. I mean, the city shouldn't leave money on the table if we could have more, on the other hand, of course downtown land is exceptionally high.

We've got rising interest rates, we've got supply chain issues, all of these factors, and of course we need to make it economically feasible for people to redevelop. We can't put so many barriers in place so that we discourage the redevelopment. We absolutely have to have reinvestment downtown. Again, our goal is to have a vibrant downtown. I'm pretty sure that's what all of us up here want. So I would just -- I would just encourage the council to make sure that we don't create financial disincentives to reinvestment because we certainly do want to have the downtown reinvested. I think I had one other comment but I can't think of it right now. So we'll leave it at that. If I remember, I'll circle back. Thank you.

Mayor Ortega: I do want to cover because the subject of the Goldwater Fifth Avenue parking area. and there was a little bit of early development or preliminary development of it. and I remember being a part of that suggestion. So if you can visualize that the so-called Goldwater Fifth Park is at the canal level, and you could still have parking underneath it, in other words, there's not a loss of parking if the deck -- if the purpose is to widen the deck of the enjoyment of the park -- sorry -- of the promenade, then it's actually -- I called it a deck park, right?

So I think that's where -- and there can still be tree wells as you have medians in a parking line, those can go to the second floor and you can have trees growing at the deck level. So just to reiterate that, that we're able to still have some open space, but at the elevated canal area, and still not lose parking. That's a detail, but again, that's part of where we talk about beneficial open space expanding where our promenade is. Councilwoman Whitehead.

Councilwoman Whitehead: You know, this slide is important and it is one of the many reasons I'm so excited that we're re-looking at the 2018 Character Area Plan. That plan was approved without any of that. There was no open space, the height was allowed without open space requirements, and one of the first -- well, the first development that I got involved in, in 2019, was to add public open space

perpetually protected with height that I honestly didn't have the votes to stop, so I was able to negotiate some of these things that were not part of the adopted Character Area Plan.

So -- and certainly workforce housing was not. That is something I was also the first to negotiate and now my colleagues are doing that as well. So I think this list is important, and is one of the ways that this 2023 plan can improve over the 2018 plan regardless of where we end up on heights. So thanks.

Mayor Ortega: Continue, please.

Adam Yaron: Thank you, Mayor. Members of council. We'll move on to the topic of open space and I'll try to address some of the comments that were just stated. The 2018 Character Area Plan within the character and design chapter focuses on open -- has particular focus on open space and connectivity. That's also rooted in our General Plan 2035 that was recently voter-ratified by the community in 2021. Which expresses the city's commitment to providing, maintaining and enhancing and expanding both on active and passive open spaces throughout the community to serve the local citizen and remain a highly desirable tourism destination.

There are within the open space element a series of policies that talk about the importance of open space within Old Town and where and how the city should capitalize on those opportunities through redevelopment efforts. What we heard when we talked about open space with the community was continued support for open space as an amenity in Old Town. Particularly when redevelopment efforts occur through those bonus provisions that are considered by council. And there was support for open space in that manner to be a requirement for plan block development proposals that seek those bonus development standards.

[Time: 03:25:21]

So, with our illustrative draft, we have a proposal that brings forward an open space requirement only when bonus developments are sought for PBD districts. Those bonuses are currently height, density, and floor area ratio. The proposal can be brought forward for PBD just amending setbacks and stepbacks and not seeking those bonus standards, open space would not be a requirement in those manners.

But in the proposal that we have brought before council to consider is a proposal for those bonus development standards for those mid and upper tier development projects being 100,000 and 200,000 square feet in size, 2 1/2% of the overall site would be provided as publicly accessible but privately owned open space areas, and then the same manner for properties -- or development sites 200,000 square feet or more in size, would provide 5% of the overall site as open space.

These public open space areas and public access to the public open space areas would be, of course, determined through a development agreement between the owner and the city, so as to not burden the city with long term maintenance of these sites and not take away from the development site area of a particular project.

We do have some graphic representations on the lower right portion of the screen showing what those spaces could look like depending on the size of a development area. It's not to communicate that these

areas provided these spaces with their proposals. It's just to give a flavor and idea of what those size and spaces could look like relative to properties of similar size.

So beyond those open space requirements when bonus developments are sought, if there is a delta that still needs to be provided for what that tradeoff and consideration is between the value of the benefit to the development community and what the city is considering is, of course, that same menu of options. What we believe right size the requirement from a minimum of 8,000 square feet to 10,000 square feet in size.

We believe that to be a right size namely because the parcel fragmentation and overall size of most park properties in the Old Town, not up with proposal has ever brought forward open space and we believe to be largely attributed to that size requirement so we feel like this could perhaps be a better point of consideration for the largest of properties that may have additional area to give or for council to consider in the request or pursuit for open space areas.

Relative to our public spaces and connectivity master plan, we heard support for the continued use of the public spaces and connectivity master plan to guide development of new or expand existing public realm and open space areas and pedestrian connections. We did hear that the map could be made clearer with an emphasis on connections within and between those open space areas and so we've brought forward a revised map to show all of Old Town in terms of open space and connectivity that exists, emphasizing connections within and between open space areas and including those areas that are entitled or perhaps desired future open space areas of the community.

It may be difficult to see at this scale and size, but the rose garden site, in terms of the last discussion of City Council related to that site, we tried to map in the types of open space that could be associated with that site. Councilwoman Whitehead, members of council, certainly we can look at that a little bit closer and revisit with our capital projects team what -- make sure it's right-sized and scaled to the overall site, but the intention of this graphic is to use as a communication tool with the public of how we want to continue connections and how they might be more meaningful in some areas versus others. -- convey the differences between play, supportive and compatible areas.

I'll cover what those areas are on the next slide. We've updated the pedestrian connectivity map to align with those definitions. Including our Old Town notation of where our Old Town major intersections exist or those areas on the map that are shown along the Goldwater and Drinkwater couplets in blue. Those essentially serve as our Gateway markers into Old Town, and the new notation of the active pedestrian area as to where, again, we might see that hierarchy of pedestrian spaces exist.

[Time: 03:30:00]

We did also receive a public comment since the legislative draft has been issued that spoke to the notation of Museum Square as a pedestrian place with the suggestion it renamed as La Loma Plaza. Staff does agree with that proposal and we would bring back a proposal that would just rename that area to La Loma Plaza. Those hierarchy of pedestrian spaces that are provided in the plan provide three different types within Old Town. Pedestrian place, pedestrian supportive and pedestrian-compatible

areas. Pedestrian places are those most intimate of places that provide both formal and informal gathering places.

The Marshall Way bridge is a good example of that, where wide sidewalks and outdoor dining activate areas in which pedestrians are commonly active and traffic is moving at low speeds. Pedestrian supportive is a hierarchy that can be looked at in areas such as Indian School Road, which includes wider sidewalks that provide shade. But are separated from traffic and shade of trees but specifically uses that exist in those areas may not orient directly to the street, and so it's just an area to serve essentially as a thoroughfare.

And then there's pedestrian compatible areas which can only be designated or is only designated rather on our Drinkwater and Goldwater couplets, which accommodate the pedestrian in both areas that are landscape separated and areas that are not but include sidewalks as well as trees to provide shade in those areas. Mayor, members of City Council, we just reviewed the topics that are provided on screen relating to the overall topic of open space. Staff is available to answer any questions or receive your comments at this time. Thank you.

Mayor Ortega: Thank you. Vice Mayor Durham.

Vice Mayor Durham: Thank you, Mayor. I wanted to ask how we define open space. Because going back to the marquee project, I wasn't on the council, but if I remember directly, they got credit for sort of the grass -- grassy part of parking lots and things like that. So you know, I don't think parking lots -- I would assume you don't calculate parking lots as open space, so exactly how do we determine what open space is?

Adam Yaron: Thank you, Vice Mayor Durham, members of City Council. Parking lot landscaping can be a requirement of the overall open space. But in terms of the bonus provision that we just talked about lowering the requirement from 18,000 to 10,000 square feet, there is specified requirements within that section of the zoning ordinance to talk about public accessibility, where that open space should exist in terms of it being of a contiguous area or surface, and how it orients to a specific project. and so those are requirements currently within the zoning ordinance. I don't know the specifics related to the marquee site. Brad, I'm going to look to you. Do you recall?

Brad Carr: Thank you. Honorable Mayor and Vice Mayor, I don't know the specifics of the marquee site, but from the standpoint of the zoning oranges there are specific definitions of what can count towards open space. Generally speak being it's those areas that can be enjoyed by a person or public that could include sidewalks, it can include plazas it can include a number of different areas. It doesn't necessarily mean that area is vegetative or just open in general. It has to have some type of pedestrian-oriented requirement towards it or application towards it.

[Time: 03:33:54]

Vice Mayor Durham: All right. Thank you.

Mayor Ortega: Councilwoman Caputi.

Councilwoman Caputi: I'm totally supportive of more open space, we're really proud of this, but I do want to remind people that what allows us to have this open space back to the list of bonus great things we get is we get this wonderful stuff, the open space and the parks and the green and the trees from projects that come in and develop and redevelop, right?

That's the whole point of the slide, where we're allowing -- we are enticing folks to come in and redevelop and we are in exchange receiving a wonderful community benefit, which is open space and grass and trees. Otherwise I'm not quite sure how the city provides that on our own, right? We raise taxes or we use it from our own coffers, but the beautiful thing about this is that in exchange for encouraging redevelopment downtown, we get more open space. The two things are matched together, and I think we're losing sight of that.

Although, of course, if we don't encourage redevelopment downtown, I suppose we could have lots of open space. But my point is, you know, this is great, let absolutely use open space as an incentive because that is a wonderful valuable thing for our city, and it's a great tradeoff. Thank you.

Mayor Ortega: Well, thank you, and my opinion here is that because the existing zoning is C1C2 or C3, originally, back to 1971, when the ordinance was adopted, somehow people say, well, no open space is required and because it was not in that original C1, C2 or C3 category.

However, the request to upzone, the request for change of that, means that there's some responsibilities that we've learned and that payoff for the amenities of our streetscape in the downtown. So on one hand, they'll say we don't have to give you any open space. Well, that was -- if you want to say C2, have a good day and stick with that. But if you want the benefits of what we've learned and how we've evolved, then it's certainly an integral part. We're glad it's included. Let's move on.

[Time: 03:36:33]

Adam Yaron: Thank you, Mayor, members of council. Just to give everyone an update, we have two more sections to go through and that should complete tonight's presentation, but just to give everyone an update on that. Moving on to additional proposed amendments, we just covered the seven topics that City Council had initially tasked staff to evaluate and have community conversations on specific to our Old Town area. But we do have some additional changes that we wanted to make. Sure, we provided some explanation to, and background. One has to deal with the way in which gross floor area ratio is measured.

Currently, within our Old Town area, residential units are measured separately by the allowed density, and so we have a proposal that brings forward a change to amend the definition of gross floor area to include residential floor space, so you'll see a series of legislative draft changes to our downtown district chart on the upper right portion of the screen, and that area is shown in the plan block development overlay as proposed by amending the gross floor areas up by .4.

We did go through a series of steps in trying to analyze how the application of gross floor area, excuse me, a bit of a tongue twister, is throughout areas of oiled town. We looked at all three development types. We have some representative examples of what that looks like on screen. Showing how in this

instance lot 10 on craftsman court previously had a gross floor calculation of .29, and with our amendment, would bring forward a change to 1.71 based on its residential use. This change wouldn't affect other proposed changes such as areas that don't have residential such as that property on Marshall Way shown on the right, which wouldn't have a change in their gross floor area because, again, it's not providing residential in its calculation.

Mayor Ortega: Okay, go back to that slide since you have it there, Adam, because this does speak to the detail. The one on the left has protruding balconies over public area that is not acceptable. They also have scuppers coming down. In other words, the line of the buildings left and right do not have protruding balconies.

Across the street, another one came through D.R. where the balconies were set at the property line. So since you have this here, this is one of the worst examples of what not to do. First of all, there's no shaded walkways. If you look at the building left to right, they have shaded walkways. Secondly, the protruding -- let's just say encroachment in the public way, if someone's got a drink or drops a pot and hits somebody on the head, it's happening in our public liability area.

So across the street, there was another one near Acme Grill or wherever it was where the outer line of the balcony is where the property was. And the balcony continued 6 feet into the property. It was clean and it had a covered walkway. So this is, you know, of all things that really irritate -- I mean, I've been working in the downtown area for close to 40 years, and when we see this, there's also an exposed scupper coming down that looks like it came from Home Depot, dropping water right in the middle of the sidewalk, and if you look at the wing walls, you see that wing wall? It actually protruding about 5 feet or 6 feet on each side of that. Well, it's gross.

[Time: 03:40:27]

It's just -- it's intruding into the public right-of-way with this wing wall because you've got the balcony on left to right. That came through D.R. board. It's got to stop. If we have that kind of encroachment first of all, the property is getting use of our city right-of-way, I wouldn't pay -- I wouldn't accept a dime for that encroachment.

But that's a totally alien kind of setup for everything else that we have or expect and if you compare to the other one across the street again, they pushed the balcony into the property line, you know, at the property line. Let it go 6-foot in and it's a very compatible thing.

So they cheated out that distance, and it's just totally irritating that that building is going to be there and it one of the details that we're going to have to modify so that in the Old Town Character Area Plan, now remember there's a loophole in our zoning ordinance that says you can do that. Anywhere. Anywhere. So if there's an apartment and they had a setback of 35 feet, they might be able to set a 6-foot balcony out there.

But, I mean I know these details because I deal with it, but it's not acceptable here. We have zero lot lines. We have a limited sidewalk and every time I go by there, it's raining, the gutter, you can hear the water coming down and it's coming across the sidewalk and that's a hazard too that we've permitted.

Typically they're hidden, they go to -- they're within the wall, they go down and under and exit through the curb. So there's some instances where we're going to have to, you know, just coincidentally this one got showed up here, but it's what's not to do and I think that's really what the lessons are.

There's some other lessons that are successful with mixed use, and unfortunately this has something that violates the covered walkway, and it violates -- actually creates liability for the city. I don't know if they're even expected to have enough insurance to cover it, okay, so that's the big -- we're looking at the big picture now, and I understand that. But I think we're going to have to look at that encroachment as unacceptable in the Old Town area, period. Wherever it is. Even if it's a non-intense pedestrian area off Goldwater. Otherwise, that is eating into -- well, okay, I'll end it there. But thank you for accidentally having that picture.

Adam Yaron: Well, I'm happy to have the picture here.

Mayor Ortega: it was just totally accidental.

[Time: 03:43:19]

Adam Yaron: I just want to bring some focus to the discussion with the fact that this topic and what we're trying to illustrate is really focused around the size of the space and less so about the design of a building. That's, of course -- that can be at the discretion of DRB and City Council to recall. So I want there to be some understanding that the intention in our proposal is to amend the GFAR ratios so as to account for those residential areas.

Some examples in the type 2 areas show the Griffin -- I'm sorry -- the Carter on the left side of the screen on a site that currently calculates at .05FAR. It's a predominant residential use. In our proposal, it would account and result in a 7.1GFAR. The intention is to have a better apples to apples comparison as we talk about development with the community and it gives the community a better example of what they might be able to expect a property yield in terms of size and massing.

The Griffin, a similar example currently 0 FAR. It's entirely residential and with this proposal would be amended to 2.02. For type 3 areas proposed, we have some examples of the Camden, which currently counts at .09, and the proposal would bring this property to 1.7 and then finally for Opt must and Orin village, a site that's predominantly residential, currently calking at .07 would yield 2.26 under the proposal.

Mayor Ortega: This is telling me that probably 2.0 is enough. You know, having a 2.002 on the Griffin, it may as well be 2.0. What is the FAR at the Airpark?

Adam Yaron: So the maximum FAR at the Airpark is 2.0. and part of that consideration and why it's 2.0 in the Airpark is they're predominantly larger sites, and so the intention with this proposal was to account for that adjusted increase in residential, which would bring forward that change of .4.

Mayor Ortega: Well, you meant 2.4, and I just --

Adam Yaron: .4 up from the -- yes.

Mayor Ortega: Sorry, 2.4 on top. My opinion, 2-point is enough. If you look at the Optima or whatever, that's pretty gross. It's really -- if it had been 2.0, it wouldn't probably look that much different. So that's just an opinion. At some point, I think it's really a stretch. You know, at some point the original FAR was .8 forever, then it bumped up to .6 or doubled to 1.7 and now we're going to 1 point -- or 2.4 I think 2.0 is enough.

In my opinion and these show what you can do successfully, even under 2.0, at 1.7 with that Camden. You know, it's successful, it lacks like it's got some breathing space on the corner, it's under 2.0. The other ones, you know, anyway, so wherever we land, there's just no definition on the top side. I just think that because the Airpark has 2.0, I don't see why we should be more dense, and look at the comparisons, they're pretty successful in the Old Town at 2.0. Councilmember Graham, Vice Mayor Durham.

[Time: 03:46:59]

Councilmember Graham: Sorry, Adam. Thank you, Mayor. I like 2, for the record. That seems like maybe a good number. So thank you.

Mayor Ortega: Vice Mayor Durham.

Vice Mayor Durham: Is this just for -- this was just for bonus purposes, right?

Adam Yaron: This is not for bonus purposes. This is adjusting all calculations for D and PBD by .4, so it's moving all those calculations up by .4. So as to account for this -- the fact that we haven't been accounting for residential space in our areas.

Vice Mayor Durham: Okay. All right. Thank you.

Mayor Ortega: Thank you. Continue. I have cooled off.

Adam Yaron: All right. Thank you, Mayor, members of council. We'll move on. the next item that is an additional item with our proposed amendments is amendments to setbacks along certain portions of Scottsdale road.

What we found was the current ordinance establishes setbacks for buildings along major streets, but Scottsdale Road has multiple development types with resulting varying setbacks, and we've got a proposal to update that section of the zoning ordinance which relates to setbacks along Scottsdale road to ensure that opposing sides of major streets adhere to the same standard. That illustration is shown with existing conditions on the left, showing a variety of setbacks ranging between 20 and 40 feet north to south starting at Earl all the way to camelback drive.

Depending on which side of the street you're on, and which development type you're adjacent to would require a specific setback requirement. We are proposing to standardize that requirement and making the setback the same north of Osborne to the Arizona Canal to 20 feet, and south of Osborne



Road to 40 feet consistent with developments that have recently entitled along that section of our Old Town area.

We've also brought forward change to our prevailing setback requirement, which is a setback requirement that initiates for properties that are longer than 200 feet in size so as to require the buildings undulate along the frontage and that you don't have a continuous building mass. We're also proposing a change in that manner from 25 to 35 feet to 45 to 60 along that section south of Osbourne along Scottsdale Road.

Moving on to shaded sidewalks, we have a proposal to update those sections referenced on the screen of our zoning ordinance to ensure structured and continuous shading over sidewalks are provided within those type 1 areas, or those portions that are green in nature. We did have through discussions with some members of council an alternate proposal which would be to consider that structural shade requirement within all areas of our active pedestrian area. Which is also provided on screen.

Mayor Ortega: Adam, sticking with that one, again, if we take the same principle, that type 3 should not be next to type 1. Now I realize at second, at Second Street, so I'm looking at the lower part of that dumbbell piece, so between second and Main Street or second and First street, that block there disrupts the same concept of a type 1 against the type 3. It just not acceptable. That block in there should be type 2 if at all just so that it had a transition. What happened is in the 2018 plan, all that got Jacked up from type 2 to type 3 against the type 1. Now if we're going to respect what type 1 means, it should never be next to a type 3. Especially when it was concocted four years ago. That's my opinion.

Now, I realize where the hospital bank is, that one had always been entitled generally speaking for 150 feet, because that's where the Osbourne hospital was or whatever, so we're looking at that to the east side of Scottsdale Road. But from Second Street to the -- where the first -- sorry -- type 1 is, that is -- it's just intolerable. I can't say you're going to step a little bit next to 150 food building and that's going to work. So it doesn't respect the Old Town character scale that we expect and my opinion, either you change that other area to type 2, so that it is next to the southern portion of there, where it swings through.

[Time: 03:51:58]

It's no different than the other situation on the north side next to camelback, where they took that triangle area 4 and they turned it all into a type 3 next to a type 1. It just -- it doesn't match up with the architectural standards or anything else. So, it's visibly, you know, it's wrong to have that. Now over here, where you come south on one side of Scottsdale Road, theoretically you could be at 150 feet. with setbacks that you describe.

But on the other side, where you have the couplet starting and turning towards Goldwater, you would have a canyon of 150-foot buildings on both sides of Scottsdale Road. That's just way wrong. In my opinion, I think when the brush was painted and the color got changed in 2018, it violated that step process that we would expect. And it also violates the architectural standards that always showed a type 1 to a type 2 to a type 3. That's what was sold to the public and the design guidelines and the downtown.

So in my opinion, that three -- the area 4 as shown, you know, that was questioning to go at least to a type 2, where that area 4 triangle is up near solstice park and that area has no business being a type 3. What are you going to do, go between two 150-foot buildings before you hit Old Town? That doesn't make sense to me at all. So that's where the shaded aspect of walkways and so forth are more meaningful with a type 2, and contiguous with a type 1. They make more sense to me.

So I mean, that's where the aggravation came from having, you know, that little tail up there near the canal with the type 3 next to a type 1 that was south -- part of that Southbridge debacle, and then the type 4 scaling up so high, so if you were coming south on Scottsdale Road, you would hit, again, you've got the galleria piece but you've got two monsters, 150-foot building on Scottsdale road. It ruins our gateways. That's what I feel.

One side is enough, but two sides would destroy the -- it gives you a canyon effect if that area. So I would strongly recommend, again, being consistent and having a little shaded loop around the green zone doesn't really do anything for the esthetics of a walkable town next to a 150-foot building. I think that's a violation of our recognizing the sensitivity of that area. Okay. I didn't see anyone else talking.

[Time: 03:55:03]

Adam Yaron: Mayor, if I may just ask for a point of clarity.

Mayor Ortega: Yes.

Adam Yaron: So this proposal related to shaded sidewalks as currently drafted requires those structured and continuous shading with sidewalks over the green areas. The alternative, regardless of their type color, and I understand and note your comments related to the designation of this area near the northwest corner of Second Street and Scottsdale Road and providing a separation of different development type adjacent to type 1, but would --

Mayor Ortega: So I would agree with the concept that where the couplet is, I think that's what you meant the area is?

Adam Yaron: What I was asking, would the preference be to apply and consider structured shading in all areas that are within that crosshatching of the active pedestrian area, rather than just those areas that are --

Mayor Ortega: Yes, within the couplet area. Because we want people to park and walk in through those areas. That's the whole purpose of having that familiarity with what people will expect. Now that's, I think, a reasonable concept. But we'll see where it can go. Miss Caputi.

Councilwoman Caputi: Of course we need shade we live in the southwest but again I don't like the idea of mandating some uniformed structure throughout our downtown. I think the beautiful thing about our city is that we, again, we have some design flexibility, and I know from sitting on DRB, you can achieve shade through many different ways.

Through cantilevering buildings, through positioning of the building, through trees, which an awning would prevent and I know that there's plenty of options for creating shade. So are you suggesting that we don't offer any other way of shading other than some awning, which will fade in our 115-degree heat?

Adam Yaron: Thank you, Councilwoman Caputi. Currently in the yellow text that's provided on screen, it would expect a structured element be provided in the type 1 areas. In all other areas, we would expect that the design guidelines, of course, and our Old Town urban and architectural guidelines would emphasize the important of shade and be a factor of consideration with any council or DRB action as well and so the alternate proposal would apply that structured element elsewhere.

That's really for you all to consider and provide guidance on, but that was one alternate proposal that was brought forward.

Councilwoman Caputi: Right. I would just want to maintain design flexibility for sure. Also, can you imagine a situation in which we would have a type 1 building exactly next to a type 3 and that would immediately go up to 150 feet? I'm just having trouble picturing that. I mean, I know in our design standard guidelines, again, even 150-foot building, of which how many are there in Old Town, or downtown, whatever we want to call it? A handful. But there's stepping.

This picture we have in our heads now of a place where you've got a small building and right next to it some towering, you know, structure, there's no situation in which that would happen in our downtown. We stagger the buildings even when they do go a little bit higher, right?

[Time: 03:58:46]

Adam Yaron: As best of my knowledge, I'm going to look to my colleague Brad to confirm, we definitely try to be sensitive to those conditions, and when a proposal is not usually conversations stop typically at prep level or of course get vetted and brought to council to consider.

Councilwoman Caputi: I'm totally sensitive to transitions but it starts to get weird when you -- why don't we get rid of all the type 3 then? At some point there's always going to be some transition spot. So I don't know. I think, again, as the council, we can always adjust, we can give permission. It doesn't have to go up to 100 feet. It barely ever does.

Again, that requires an assemblage, it requires all those extra things that have to happen, right? You're going to have to have 200,000 square feet and you've got to have, you know, you've got to pay for it and all those other things. It's not like it's instantly going to crop up next to a type 1 area. So anyway. All right, back to shading. Thank you.

Mayor Ortega: Thank you. I believe when you look at the Old Town character architectural guidelines, you will see that Ms. Caputi was on the DR board and the illustrations show type 1 to type 2 to type 3. So those are already illustrated, they're of record. We will find that illustration. So that's why it's so contradictory, and this is one thing I'm very firm about.

Also, nobody's talking about tattered awnings or such and such. We're looking at one of the reasons why actually Scottsdale is one of the top dog friendly pet locations is you can walk your dog in shaded walkways. It's a very great benefit, and it something that people enjoy. You have a sense of space along those walkways. So we'll be revisiting the consistency of architectural guidelines, and they were approved a year after this other one and sold as a tandem and it's totally unacceptable to have that contrast. That's why we're here reviewing this, and we'll look at the architectural guidelines that you approved and that's shown that way.

I know, because we use them. Any other comments about this section? I support shaded covered walkways. Wherever the buildings are. Remember, we had different lots all over Old Town, and somehow they make the walkways work as they come through DR, and the variety is really good. They're not all the same and yet they're a courtesy to everyone walking downtown. Continue.

Adam Yaron: Thank you, Mayor. Members of council. We've also -- we also were tasked at the onset of this process to evaluate the downtown infill incentive plan. That plan was adopted in 2010. and as you all may recall City Council removed references to the infill incentive district with their adoption of General Plan 2035.

[Time: 04:02:00]

This plan was unique in that when adopted it really provided flexibility when we've been able to adapt flexibility in other measures within our code, so our proposal is to repeal the infill incentive district plan specifically to downtown infill incentive plan. Additional items that are going to be brought forward within the legislative draft include bringing the Character Area Plan up to date and aligning with other policy documents, such as the voter ratified and council adopted General Plan.

So we've brought over definition amendments to align with what was approved by council and ratified by the voters. You've updated the Old Town bikeways map to align with the Old Town Scottsdale bicycle master plan. And we had one suggestion by a member of the public to move map 8 of public parking exhibit to an appendices so that we can update that document over time, but still retain it, and so that's a proposal that we'll be bringing back before council to consider, as well as we've updated our implementation chapter as well.

In terms of other ordinance clean-up, we've standardized setbacks at the streets, property lines and alleyways with this proposal and at this point, Mayor and council, we've reviewed the GFAR adjustments to now account for residential floor area, consistency in setbacks along Scottsdale Road, the provision of covered sidewalks in type 1 areas, and staff's proposal to repeal the infill incentive district and plan.

Mayor Ortega: I would conclude with one thing, is that the density question was not necessarily brought up. We looked at gross floor area, GFAR, but again relating to the General Plan 2035, this council recommended the high-density at 50 units per acre, and that was adopted and that was ratified by the voters. In some cases, we have seen sky is the limit of 100 units an acre, 120, 80 units, and there is by definition, again, we're looking at the guidepost that the voters approved, and we'll look at density later, but I mean, I want to bring that out, that that term was not really expressed, it was just an overall volume.

And we'll look for other answers, as we optimistically look forward to the next outreach and more, you know, work back to us. Really appreciate all the work that's gone into this. And I think there's good testing to measure. Go ahead.

Adam Yaron: Thank you, Mayor, members of council. To wrap up our next steps, we're here tonight again as a -- as one of the first of two work study sessions that we'll be having with the council. Hopefully at the next council work study session, we'll be in a position to receive direction on what plan may be considered by planning commission to make recommendation on, and for you all to potentially consider possible adoption, hopefully at the end of March.

[Time: 04:05:16]

We are asking the public and encourage you all as council to encourage your constituents to engage in our update process by going to [ScottsdaleAZ.gov](http://ScottsdaleAZ.gov) and you can search in the Old Town updates where we have our self-guided video series to bring the public current on all of these proposed changes as we have them current legislatively drafted, and of course that could change over time as we continue these work study session meetings and non-action meetings with City Council.

That concludes staff's presentation this evening. Appreciate the questions and comments. Appreciate Grun and Grun and Company here this evening to answer any questions, and again, thank you for your time.

Mayor Ortega: Good. I see no other questions. I'm open to a motion to adjourn.

Councilmember Graham: Motion to adjourn, Mayor.

Mayor Ortega: We have motion and a second. Please record your vote. Unanimous. We are adjourned. Thank you so much.