

**SCOTTSDALE CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, DECEMBER 3, 2024**



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

CALL TO ORDER

Mayor David D. Ortega called to order a Regular Meeting of the Scottsdale City Council at 5:00 P.M. on Tuesday, December 3, 2024 in the City Hall Kiva Forum.

ROLL CALL

Mayor Ortega asked City Clerk Ben Lane to conduct the roll call.

Present: Mayor David D. Ortega; Vice Mayor Barry Graham; and Councilmembers Tammy Caputi, Tom Durham, Betty Janik, Kathy Littlefield (participated electronically), and Solange Whitehead

Also Present: City Manager Jim Thompson, City Attorney Sherry Scott, City Treasurer Sonia Andrews, Acting City Auditor Lai Cluff, and City Clerk Ben Lane

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilwoman Caputi.

MAYOR'S REPORT

Mayor Ortega called attention to the ongoing wars in foreign countries as they fight to protect their democracy and freedom and asked for a moment of silent reflection for these war-torn countries and for the safety of our military personnel.

Mayor Ortega recognized the City of Scottsdale's Information Technology staff on their Digital Cities Award from the Center for Digital Government. For the second year in a row, Scottsdale took the top spot in the Center for Digital Government's annual Digital Cities Survey, ranking No. 1 among cities with populations between 125,000 and 249,999.

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

CITY MANAGER'S REPORT

- **Fast Five Video Update**

Note: The Council may make comments or ask questions to the presenter(s); however, no Council action will be taken.

City Manager Jim Thompson introduced a "Fast Five" video produced by the City's Communications Office which provided updates on several City events and offerings.

PUBLIC COMMENT – Steven Sutton discussed the signage at Chaparral Dog parked being moved and switched due to turf renovation and made recommendations for new signage.

ADDED ITEM

*****18A. Added Item**

Item No. 18A was added to the agenda on November 26, 2024, and requires a separate vote to remain on the agenda.

Request: Vote to accept the agenda as presented or continue the added item to a future Council meeting (December 5, 2024 or January 14, 2025).

MOTION AND VOTE – ADDED ITEM

Mayor Ortega made a motion to accept the agenda as presented. Councilmember Durham seconded the motion, which carried 6/0, with Mayor Ortega; Vice Mayor Graham; and Councilmembers Caputi, Durham, Janik, and Whitehead voting in the affirmative. Councilwoman Littlefield was not present for this vote.

CONSENT AGENDA

1. Curries Liquor License (74-LL-2024)

Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for an existing location with a new owner.

Location: 10885 N. Frank Lloyd Wright Boulevard

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

2. Starfire Golf Club Liquor License (77-LL-2024)

Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for an owner transfer of a Series 6 (bar) State liquor license for an existing location with a new owner.

Location: 11500 N. Hayden Road

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

3. Paradise Valley Burger Co. Liquor License (79-LL-2024)

Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for a new location and owner.

Location: 15689 N. Hayden Road, Suite 129

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

- 4. Samsara Liquor License (80-LL-2024)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for an existing location with a new owner.
Location: 7323 E. Shoeman Lane
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- 5. Peacock Indian Bar & Grill Liquor License (81-LL-2024)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for an existing location with a new owner.
Location: 17025 N. Scottsdale Road, Suite 140
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- 6. Celebration of Fine Art Liquor License (83-LL-2024)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for a new location and owner.
Location: 7899 E. Mayo Boulevard
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- 7. Sanchas Cocina y Cantina Conditional Use Permit (2-UP-2024)**
Request: Find that the conditional use permit criteria have been met and adopt **Resolution No. 13257** approving a conditional use permit for a bar on a ±4,650 square foot site zoned Highway Commercial District/Parking Type 3, Downtown Overlay & Parking Type 2, Downtown Overlay (C-3/P-3 DO & P-2 DO).
Location: 4333 N. Civic Center Plaza
Staff Contact(s): Erin Perreault, Planning and Development Services Director, 480-312-7093, eperreault@scottsdaleaz.gov
- 8. Triple Wash Ranch Abandonment (11-AB-2023)**
Request: Adopt **Resolution No. 13256** authorizing the abandonment of the western five feet of North 114th Street adjacent to Parcel Nos. 216-74-005F, 216-74-439, and 216-74-006E and the portions of East Morning Vista Road adjacent to Parcel Nos. 216-74-005F and 216-74-739 with Single-Family Residential District, Environmentally Sensitive Lands (R1-190/ESL) zoning.
Location: 11348 and 11303 E. Morning Vista Road and N. 114th Street
Staff Contact(s): Erin Perreault, Planning and Development Services Director, 480-312-7093, eperreault@scottsdaleaz.gov
- 9. Losavio Residence Abandonment (2-AB-2024)**
Request: Adopt **Resolution No. 13276** authorizing the abandonment of a 33-foot-wide General Land Office (GLO) roadway easement along the eastern boundary (North 132nd Place alignment) of Parcel No. 217-31-047B for a ±1.8 acre site with Single-Family Residential, Environmentally Sensitive Lands, (R1-43 ESL) zoning, totaling approximately 13,200 square feet of right-of-way.
Location: 13214 E. Mountain View Road
Staff Contact(s): Erin Perreault, Planning and Development Services Director, 480-312-7093, eperreault@scottsdaleaz.gov

- 10. Nuessle Residence GLOPE Abandonment (5-AB-2024)**
Request: Adopt **Resolution No. 13270** authorizing the abandonment of a 33-foot General Land Office Patent Easement (GLOPE) half-street right-of-way adjacent to the southern boundary (along E. Roy Rogers Drive) and the western 8 feet of the 33-foot GLOPE along the eastern boundary (N. 78th Street) with Single-Family Residential, Environmentally Sensitive Lands, Foothills Overlay (R1-70 ESL FO) zoning, totaling approximately 12,500 square feet of right-of-way.
Location: 28820 N. 78th Street
Staff Contact(s): Erin Perreault, Planning and Development Services Director, 480-312-7093, eperreault@scottsdaleaz.gov
- 11. Wildcat Hill Phase 1B Final Plat (1-PP-2019#3)**
Request: Approve the final plat replat of Wildcat Hill Phase 1B to create 61 lots on ±184.23 acres of a ±352 acre site, as per Phase 1B of the Sereno Canyon Community Phasing Plan and Final Plat with Single-Family Residential, Environmentally Sensitive Lands (R1-70 ESL) zoning.
Location: South of Cave Creek Road and Bartlett Dam Road
Staff Contact(s): Erin Perreault, Planning and Development Services Director, 480-312-7093, eperreault@scottsdaleaz.gov
- 12. Fiesta Ranch Final Plat (5-PP-2022)**
Request: Approve the final plat for a 227-lot residential subdivision with amended development standards on a ±273 acre site.
Location: 13701 E. Rio Verde Drive (south side of E. Rio Verde Drive, east of N. 136th Street)
Staff Contact(s): Erin Perreault, Planning and Development Services Director, 480-312-7093, eperreault@scottsdaleaz.gov
- 13. The CLAYTON on Earll Rezoning (3-ZN-2024)**
Request: Adopt **Ordinance No. 4653** approving a zoning district map amendment from Highway Commercial Downtown Overlay (C-3 DO) to Downtown/Downtown Multiple Use Type 2 Downtown Overlay (D/DMU-2 DO) zoning on a ±2.93 gross-acre site
Location: 7330 E. Earll Drive, 7332 E. Earll Drive, 3126 N. Civic Center Plaza, and 3134 N. Civic Center Plaza
Staff Contact(s): Erin Perreault, Planning and Development Services Director, 480-312-7093, eperreault@scottsdaleaz.gov
- 14. PRC Internalized Community Storage Facilities Text Amendment (1-TA-2024)**
Request: Adopt **Ordinance No. 4656** to amend the City of Scottsdale Zoning Ordinance (Ordinance No. 455), Article V, Section 5.2605 (Planned Regional Center District-Use Regulations) to allow underground internalized community storage facilities as a permitted use in the Planned Regional Center (PRC) District.
Location: Citywide (19601 N. Scottsdale Road, catalyst site for text amendment)
Staff Contact(s): Erin Perreault, Planning and Development Services Director, 480-312-7093, eperreault@scottsdaleaz.gov
- 15. Downtown District Health and Fitness Studio Text Amendment (2-TA-2024)**
Request: Adopt **Ordinance No. 4654** to amend the City of Scottsdale Zoning Ordinance (Ordinance No. 455), Article V, Section 5.3004 (Downtown Sub-districts-Use Regulations) to allow health and fitness studios as a permitted land use in the Downtown Core (DC) Sub-district.

Location: Citywide (7045 E. 3rd Avenue, catalyst site for text amendment)
Staff Contact(s): Erin Perreault, Planning and Development Services Director, 480-312-7093, eperreault@scottsdaleaz.gov

(Moved to Regular Agenda, see page 6)

16. WestWorld of Scottsdale Wireless License Agreement

Request: Adopt **Resolution No. 13237** authorizing Wireless Communications Antenna Site Revocable License Agreement No. 2024-168-COS with Cellco Partnership, doing business as Verizon Wireless, permitting wireless telecommunications facilities on certain portions of land the City owns or has an interest in known as WestWorld of Scottsdale.

Location: 16601 N. Pima Road

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

17. Western Spirit: Scottsdale's Museum of the West Funding for Renovations of the Existing 10-year-old Museum Structure

Request: Direct the City Manager and City Treasurer to include in the upcoming proposed budgets a total of \$1.2 million, over the next two fiscal years (\$600,000 in Fiscal Year 2025/26 and \$600,000 in Fiscal Year 2026/27) to renovate the existing original museum (not including the expansion). The cost of renovating the existing museum should be allocated between Scottsdale Museum of the West, Inc., and the City, consistent with the respective maintenance responsibilities outlined in the approved Museum Management Agreement.

Staff Contact(s): Rachel Smetana, Tourism & Events Director, 480-312-2890, rsmetana@scottsdaleaz.gov

18. Loss Trust Fund Legal Services Contracts

Request: Adopt **Resolution No. 13289** authorizing the following contracts with the following firms to provide potential legal defense of the City in future legal matters, but only in exceptional circumstances where outside counsel is necessary:

1. Contract No. 2024-204-COS with Burns Barton
2. Contract No. 2024-205-COS with Dickinson Wright, PLLC
3. Contract No. 2024-206-COS with Grasso Law Firm
4. Contract No. 2024-207-COS with Holloway Odegard & Kelly, P.C.
5. Contract No. 2024-208-COS with Lundmark, Barberich, La Mont & Puig, P.C.
6. Contract No. 2024-209-COS with Pierce Coleman
7. Contract No. 2024-210-COS with the Law Offices of Robert S. Murphy, LLC
8. Contract No. 2024-211-COS with Struck Love Bojanowski & Acedo, PLC
9. Contract No. 2024-212-COS with Wieneke Law Group, PLC

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

*****18A. Audit Committee Recommendation for the Environmental Advisory Commission Sunset Review**

Request: Accept the Audit Committee's recommendation and authorize the continuation of the Environmental Advisory Commission.

Staff Contact(s): Lai Cluff, Acting City Auditor, 480-312-7851, lcluff@scottsdaleaz.gov

PUBLIC COMMENT – CONSENT AGENDA

There was no public comment on the Consent Agenda items.

MOTION AND VOTE – CONSENT AGENDA

Mayor Ortega stated Item 15 [Downtown District Health and Fitness Studio Text Amendment (2-TA-2024)] was moved to the Regular Agenda.

Councilwoman Whitehead made a motion to approve Consent Agenda Items 1 through 14, 16 through 18A. Councilwoman Janik seconded the motion, which carried 6/0, with Mayor Ortega; Vice Mayor Graham; and Councilmembers Caputi, Durham, Janik, and Whitehead voting in the affirmative. Councilwoman Littlefield was not present for this vote.

REGULAR AGENDA

15. Downtown District Health and Fitness Studio Text Amendment (2-TA-2024)

Request: Adopt **Ordinance No. 4654** to amend the City of Scottsdale Zoning Ordinance (Ordinance No. 455), Article V, Section 5.3004 (Downtown Sub-districts-Use Regulations) to allow health and fitness studios as a permitted land use in the Downtown Core (DC) Sub-district.

Location: Citywide (7045 E. 3rd Avenue, catalyst site for text amendment)

Staff Contact(s): Erin Perreault, Planning and Development Services Director, 480-312-7093, eperreault@scottsdaleaz.gov

Senior Planner Katie Posler gave a PowerPoint presentation (attached) on the proposed Downtown District Health and Fitness Studio Text Amendment (2-TA-2024).

Applicant Whitney Goodwin, with The Lifestyle Collective, gave a PowerPoint presentation (attached) on the proposed Downtown District Health and Fitness Studio Text Amendment (2-TA-2024).

PUBLIC COMMENT – ITEM 15

Mayor Ortega opened public comment on this item.

Jennifer Biffer, Scottsdale resident, spoke in support of this item.

Mayor Ortega closed public comment on this item.

MOTION AND VOTE – ITEM 15

Vice Mayor Graham made a motion to deny Ordinance No. 4654. Mayor Ortega seconded the motion, which carried 5/2, with Mayor Ortega; Vice Mayor Graham; and Councilmembers Janik, Littlefield, and Whitehead voting in the affirmative and Councilmembers Caputi and Durham dissenting.

19. Cosanti Commons aka Sundown Commons (2-GP-2023, 6-ZN-2023, and 3-DA-2023)

Requests:

1. Adopt **Resolution No. 13137** authorizing a minor amendment to the Scottsdale General Plan 2035 to change the land use designation from Commercial to Mixed-Use Neighborhoods on a ±8.6 gross acre site.
2. Adopt **Ordinance No. 4639** amending the City of Scottsdale Zoning Ordinance (Ordinance No. 455) for the purpose of changing the zoning on the "District Map" to zoning approved in Case No. 6-ZN-2023 from Central Business (Conditional), Parking

District (C-2 (C) / P-4) zoning to Planned Unit Development, Planned Shared Development Overlay (PUD PSD) zoning, including approval of a Development Plan with amended development standards for a new mixed-use development consisting of approximately 79,200 square feet of existing commercial buildings and a new 3-story, approximately 345,000 square foot, Multi-Family Residential building with approximately 196 units on a ±8.6 gross acre site.

3. Adopt **Resolution No. 13138** declaring the document entitled "*Cosanti Commons Minor General Plan Amendment and Rezoning Development Plan*" to be a public record.
4. Adopt **Resolution No. 13139** authorizing Development Agreement No. 2024-084-COS with High Street Residential, Inc.

Location: 7000 E. Shea Boulevard

Presenter(s): Katie Posler, Senior Planner

Staff Contact(s): Erin Perreault, Planning, Economic Development, and Tourism
Executive Director, 480-312-7093, eperreault@scottsdaleaz.gov

Senior Planner Katie Posler gave a PowerPoint presentation (attached) on the proposed Cosanti Commons aka Sundown Commons Minor General Plan Amendment and Rezoning Development Plan.

Applicant Representative, John Berry, with Berry Riddell, LLC gave a PowerPoint presentation (attached) on the proposed Cosanti Commons aka Sundown Commons Minor General Plan Amendment and Rezoning Development Plan.

PUBLIC COMMENT – ITEM 19

Mayor Ortega opened public comment on this item.

The following individuals spoke in support of this item:

- David Turnbull, President & Chief Executive Officer for The Cosanti Foundation
- Adam Weisman, Scottsdale resident
- Katelyn Stum, Scottsdale resident
- KJ Hoffman, Scottsdale resident
- Beth Malvestiti, Scottsdale resident
- Lee Kauftheil, Scottsdale resident
- Nikola Sisic, Scottsdale resident
- Braxton Palmer, Scottsdale resident
- Simon Mezger, Scottsdale resident
- Marian Chakour, on behalf of WRA Scottsdale & Shea, LLC

Mayor Ortega closed public comment on this item.

MOTION AND VOTE – ITEM 19

Councilwoman Janik made a motion to Adopt Resolution No. 13137; Adopt Ordinance No. 4639; Adopt Resolution No. 13138; and Adopt Resolution No. 13139. Councilwoman Caputi seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Graham; and Councilmembers Caputi, Durham, Janik, Littlefield, and Whitehead voting in the affirmative.

20. Scottsdale Community Sustainability Plan

Request: Adopt **Resolution No. 13308** approving the Scottsdale Community Sustainability Plan.

Presenter(s): Lisa McNeilly, Sustainability Director

Staff Contact(s): Erin Perreault, Planning and Development Services Director, 480-312-7093, eperreault@scottsdaleaz.gov

Sustainability Director Lisa McNeilly gave a PowerPoint presentation (attached) on the proposed Scottsdale Community Sustainability Plan.

PUBLIC COMMENT – ITEM 20

Mayor Ortega opened public comment on this item.

The following individuals spoke in support of this item:

- Natalie Chrisman Lazar, Bike Scottsdale
- Ute Brady, Chair of the Scottsdale Environmental Advisory Commission
- Brandon Putman, Scottsdale resident
- Lyla Yango, Scottsdale resident
- Freya Karve, Scottsdale resident
- Ryan Johnson, Scottsdale resident
- Tim Whitney, Scottsdale resident and co-founder of Circular Earth
- Tammy Bosse, Scottsdale resident
- Lee Kauftheil, Scottsdale resident
- Alexandra Craig, Scottsdale resident
- Michael Craig, Scottsdale resident
- Jason Lowry, Director of Sustainability Initiatives for Local First Arizona
- Emerson Randall, Scottsdale resident
- Taliana Alcoverde, Scottsdale resident
- Tara Iyengar, member of the Scottsdale Environmental Advisory Commission

Mayor Ortega closed public comment on this item.

MOTION AMENDMENT NO. 1 - ITEM 20

Councilwoman Janik made a motion to amend (#1) the Scottsdale Community Sustainability Plan as follows:

- accept recommendations by the Scottsdale Environmental Advisory Commission to delete the crossed out red font text and accept all upper-case red font text; and
- accept recommendations by staff to delete crossed out blue font text and accept all uppercase blue font text as indicated on Page 1 of 122 pages Exhibit A draft "City of Scottsdale Community Sustainability Plan." Councilwoman Whitehead seconded the motion.

ALTERNATE MOTION – ITEM 20

Vice Mayor Graham made an alternate motion to continue the item to the second City Council Meeting in January 2025. Councilwoman Littlefield seconded the motion, which failed 2/5, with Vice Mayor Graham and Councilwoman Littlefield voting in the affirmative and Mayor Ortega and Councilmembers Caputi, Durham, Janik, and Whitehead dissenting.

VOTE AMENDMENT NO. 1- ITEM 20

The Council then voted on the original motion to amend (#1) the Scottsdale Community Sustainability Plan, which carried 5/2, with Mayor Ortega and Councilmembers Caputi, Durham, Janik, and Whitehead voting in the affirmative and Vice Mayor Graham and Councilwoman Littlefield dissenting.

MOTION AND VOTE AMENDMENT NO. 2 – ITEM 20

Councilwoman Janik made a motion to amend (#2) the Scottsdale Community Sustainability Plan Energy Targets section as found on page 10 as follows:

- delete “and 90% by 2050” from the target “Reduce citywide greenhouse gas emissions by 45% by 2035 and 90% by 2050 (from 2022 levels)”
- delete “and 90% by 2050” from the target “Reduce municipal greenhouse gas emissions by 45% by 2035 and 90% by 2050 (from 2022 levels)”

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

MOTION AND VOTE AMENDMENT NO. 3 – ITEM 20

Councilwoman Whitehead made a motion to amend (#3) the Scottsdale Community Sustainability Beyond Waste Targets section as found on page 12 as follows:

- delete “and 90% by 2040” from the target “Reduce landfill refuse per single-family households by 25% by 2030 and 90% by 2040 (from 2022 levels)”
- delete “and 90% by 2040” from the target “Reduce municipal landfill refuse by 35% by 2030 and 90% by 2040 (from 2024 levels) (excludes municipal green landscaping debris hauled under city contract)”
- add a “residential and commercial food waste collection service” goal to this target

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

MOTION AND VOTE AMENDMENT NO. 4 – ITEM 20

Councilwoman Janik made a motion to amend (#4) the Scottsdale Community Sustainability Air Quality Targets section as found on page 13 as follows:

- change the target “Reduce municipal fleet fuel use by 10% by 2030 and 40% by 2050 (from 2023 levels)” to “Reduce municipal fleet fuel use consistent with fleet replacement schedule”
- delete “four-fold by 2027 and ten-fold by 2030 (from 2023 levels)” from the target “Increase the number of publicly available charging ports four-fold by 2027 and ten-fold by 2030 (from 2023 levels)”

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

MOTION AND VOTE – ITEM 20 AS AMENDED

Councilwoman Janik made a motion to adopt Resolution No. 13308 as amended. Councilwoman Whitehead seconded the motion, which carried 5/2, with Mayor Ortega; and Councilmembers

Caputi, Durham, Janik, and Whitehead voting in the affirmative and Vice Mayor Graham and Councilwoman Littlefield dissenting.

PUBLIC COMMENT

No public comments were received.

CITIZEN PETITIONS

21. Receipt of Citizen Petitions

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

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

No citizen petitions were received.

MOTION AND VOTE – ADJOURNMENT

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

ADJOURNMENT

Mayor Ortega adjourned the Regular Meeting at 8:26 P.M.

SUBMITTED BY:



Ben Lane, City Clerk

Officially approved by the City Council on January 28, 2025

C E R T I F I C A T E

I hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Regular Meeting of the City Council of Scottsdale, Arizona, held on the 3rd day of December 2024.

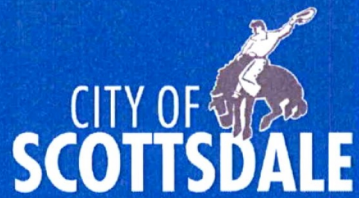
I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 28th day of January 2025.



Ben Lane, City Clerk

ITEM 15



Downtown District Health and Fitness Studio Text Amendment 2-TA-2024

City Council
12/3/24

Coordinator: Katie Posler

Request

Adopt Ordinance No. 4654 to amend the Zoning Ordinance (Ordinance No. 455), Article V., Section 5.3004 (Downtown District Sub-districts - Use Regulations) to allow health and fitness studios as a permitted land use in the Downtown Core (DC) Sub-district.





Proposed Code Changes

Ver. 1.2

Table 5.3004.D.
Land Uses for Each Sub-district of the Downtown District

Land use	Downtown Core (DC) Sub-district	Downtown Civic Center (DCC) Sub-district	Downtown Medical (DM) Sub-district	Downtown Multiple Use (DMU) Sub-district	Downtown Regional Use (DRU) Sub-district
Adult use				CU	CU
After hours establishment				CU	CU
Ambulance service			P		
Bar	CU	CU		CU	CU
Big box					P
Civic and social organization		P		P	P
Cultural institution	P	P	P	P	P
Day care center			P	P	
Dwelling unit	P(1)	P	P	P	P
Educational service—elementary and secondary school					CU
Educational service—other than elementary and secondary school	P		P	P	P
Financial institution	P		P	P	P
Funeral home and funeral service				CU	CU
Game center and/or pool hall				CU	CU
Health and fitness studio	P (5)		P	P	P
Helipad			P		CU
Hospital			P	P	P

Limitations on uses:

1. A dwelling unit shall not occupy more than thirty-five (35) percent of the first floor area.
2. A theater with live entertainment is subject to a Conditional Use Permit.
3. All facilities are within a soundproof building. However, outdoor activities are permitted if:
 - a. An employee or pet owner shall accompany an animal at all times when the animal is outside the building.
 - b. The property owner/operator maintains all outdoor areas in a clean and sanitary condition, including immediate and proper disposal of animal waste.
 - c. The outdoor areas are set back at least one hundred (100) feet from any lot line abutting a residential district, or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A., measured from the property boundary to the zoning district line all within the City limits.
 - d. There is no outdoor kennel boarding.
4. Refer to Article VII.
5. Health and fitness studios within the Downtown Core:
 - a. Shall be limited to 3,000 square feet, and
 - b. All health and fitness activities shall take place within the building.

Ver. 1.2

Parking Discussion

- On site, remote parking, in-lieu credits
- Subject site: 21 required spaces, 18 provided on site. 3 to be acquired.
- Parking ratio SF to match tenant size limitation:

Fitness studio (no larger than 3,000 gross square feet)

A. One (1) space per three hundred (300) square feet of gross floor area.

B. A fitness studio larger than 3,000 gross square feet shall comply with Table 9.103.a.

- Fitness studio has same parking ratio (1/300) as typical restaurant land use in Downtown area

Neighborhood Outreach

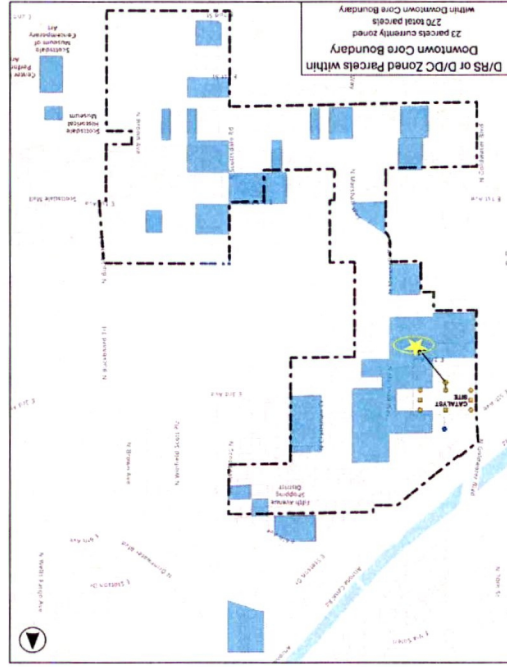
- City & Applicant Notification of 1,250' radius & Interested Parties
- Open House Meetings:
May 28, 2024 & May 30, 2024
- Legal Ads, Web resources
- Public comments received

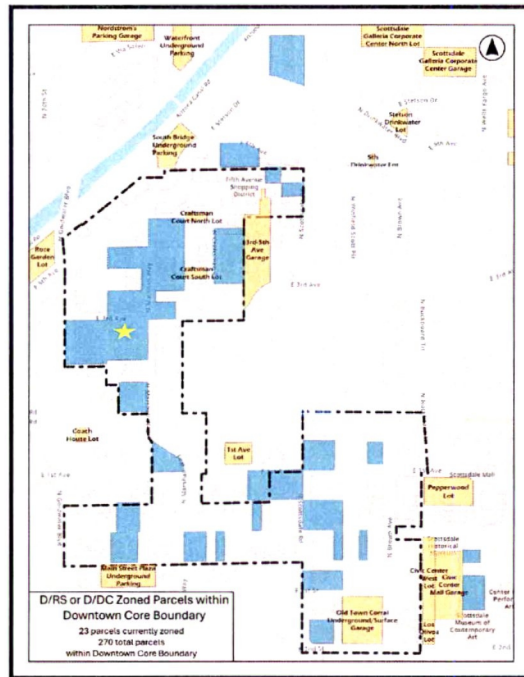


Downtown District Health and Fitness Studio Text Amendment 2-TA-2024

City Council
12/3/24

Coordinator: Katie Posler





Existing Requirements

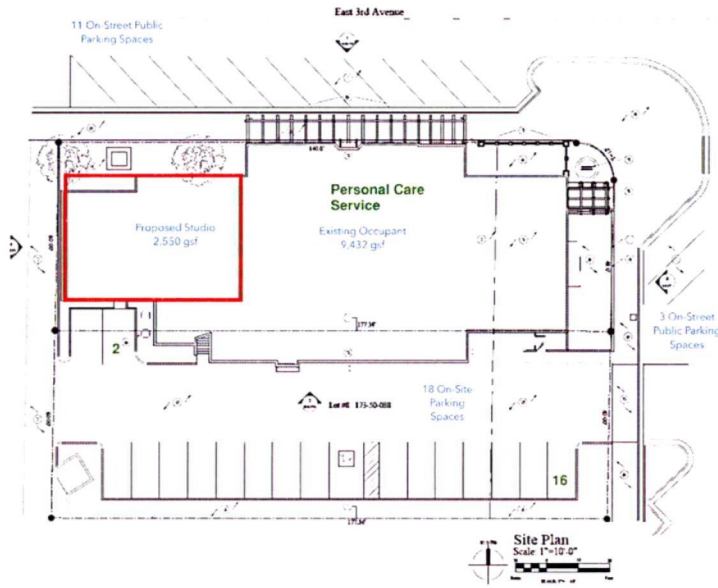
- Health and fitness studios are not a permitted land use in the Downtown Core Sub-district



SITE PLAN

KEYNOTES

1. Property Line Typical
2. Easement Line
3. Existing Occupants GLAM of Scottsdale/Scottsdale Med Spa
4. Site Wall
5. Building Entrance
6. Outdoor Patio
7. Patio Enclosure
8. Public Sidewalk
9. Existing Fountain
10. On-Site Parking, 18 spaces
11. On-Street Public Parking, 14 spaces
12. Alley Way
13. Building Entrance
14. Landscape Area
15. Curb Cut and Site Access Drive
16. Existing HVAC Equipment



What does PVOLVE bring?

ITEM 15
APPLICANT

- Vibrant experience that aligns with the character of Downtown Core
- Offers a one-of-a-kind boutique fitness method not found anywhere else
- Promotes healthy and active community connections
- Synergistic with the surrounding businesses including high end retailers, galleries, beauty salons, spas, restaurants and clothing boutiques

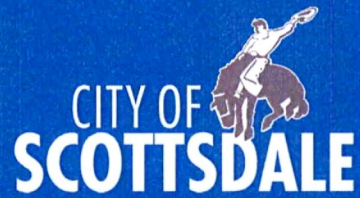
Traffic/Parking Solutions

ITEM 15
APPLICANT

- 18 parking spaces on site
- 14 on street parking spaces available within 10 ft
- Free parking at 5th Ave Garage within 4-minute walk
- Our patrons are health and fitness focused and will take advantage of the bike and walking paths
 - 700-775 ft from Arizona Canal, bike paths and Downtown Trolley stops
 - 150 ft from Old Town Art Walk path
 - Dedicated bike lane on nearby Indian School Road
- Studio class times coordinated to minimize overlap during surrounding business' peak hours

THANK YOU

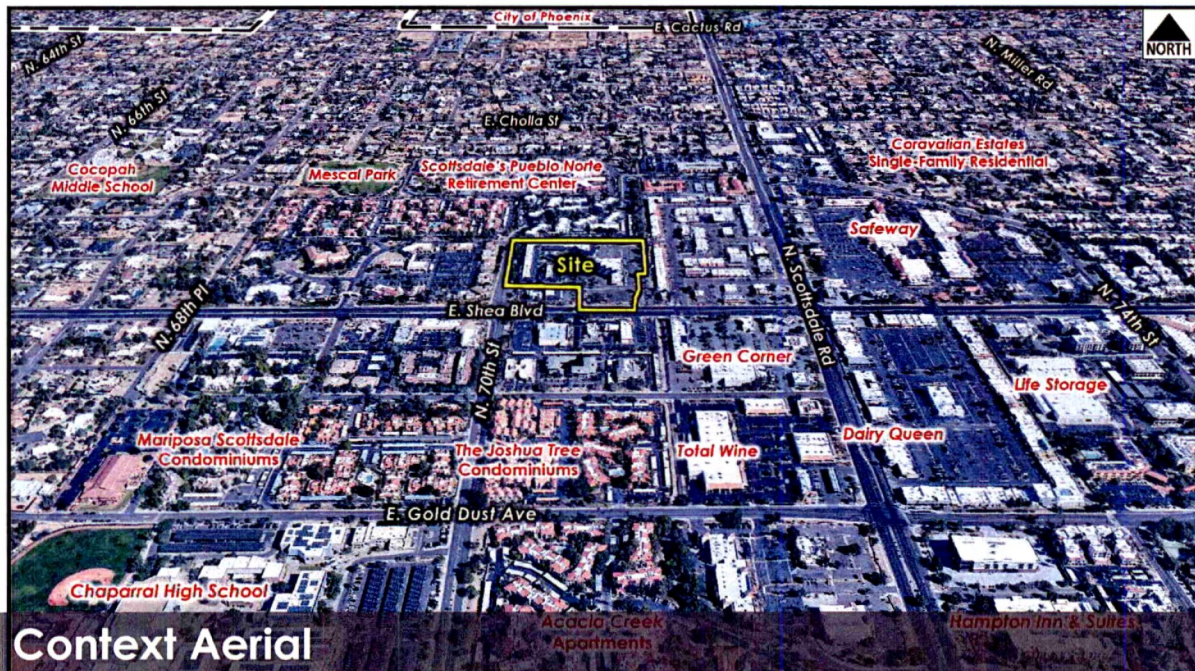
PVOLVE



Cosanti Commons (aka Sundown Commons)

2-GP-2023 & 6-ZN-2023 & 3-DA-2023

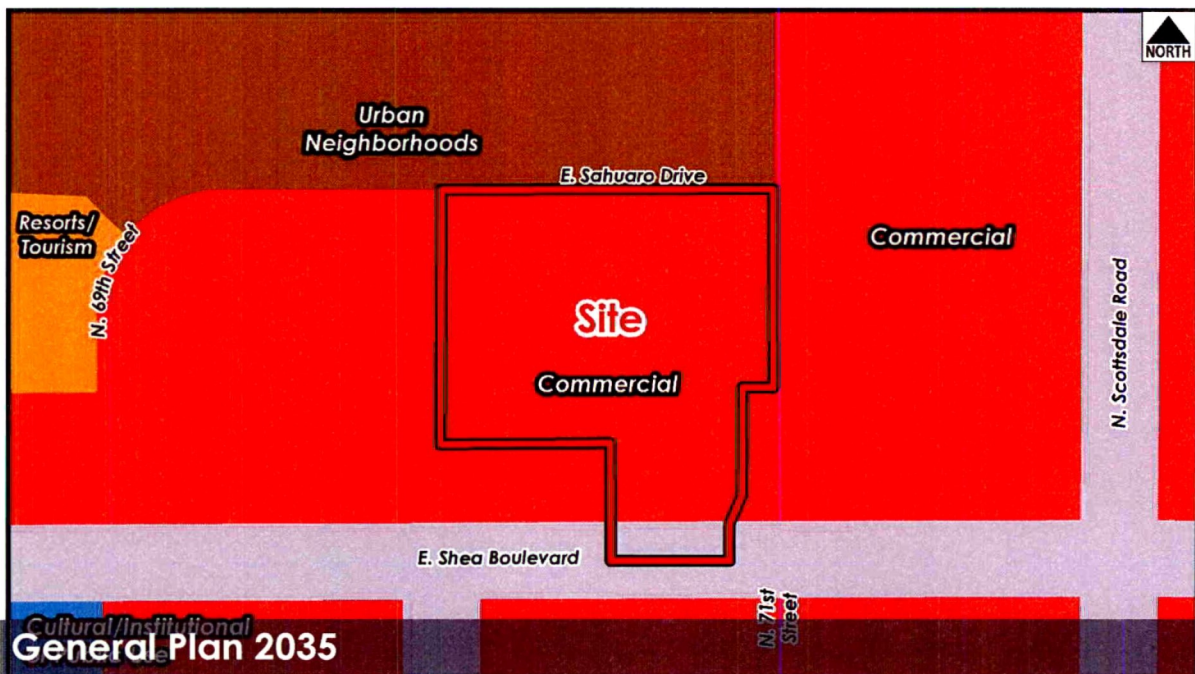
**City Council
12/3/2024
Coordinator: Katie Posler**

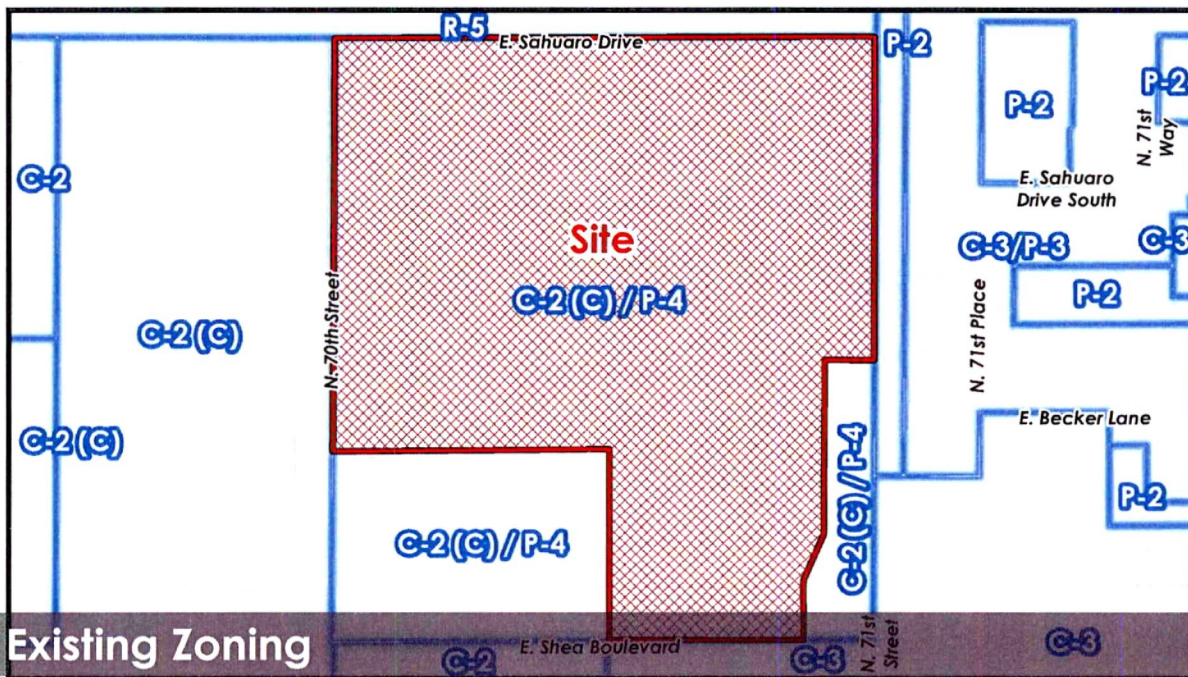


Context Aerial



Detail Aerial

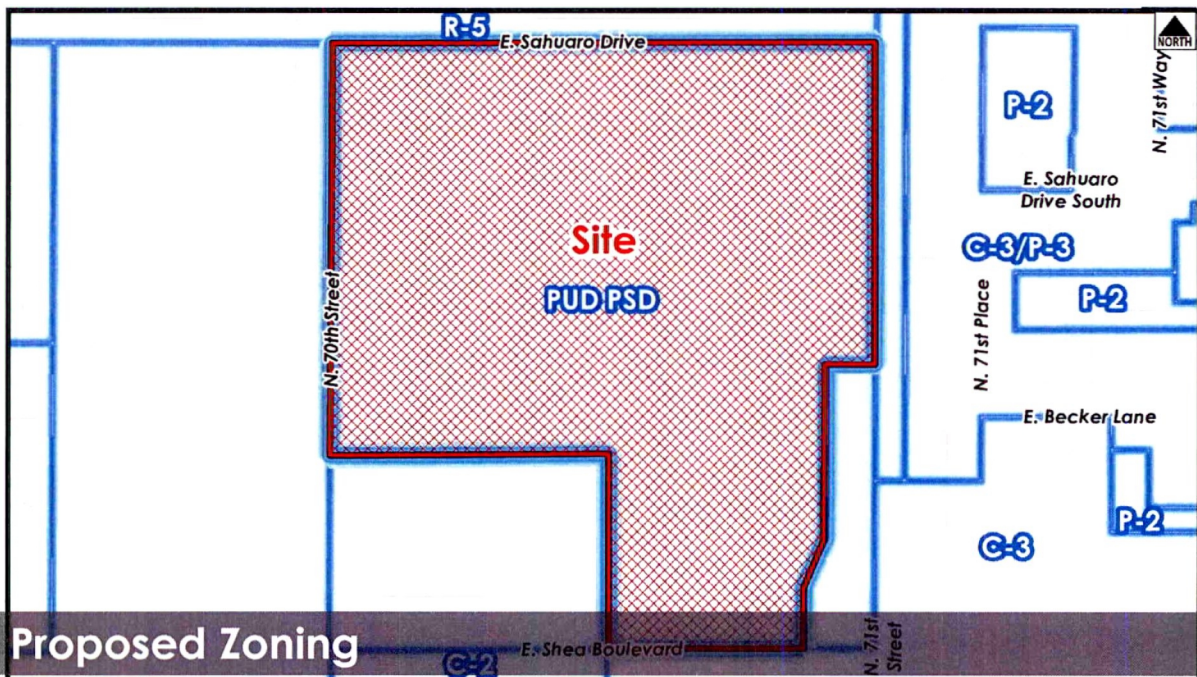
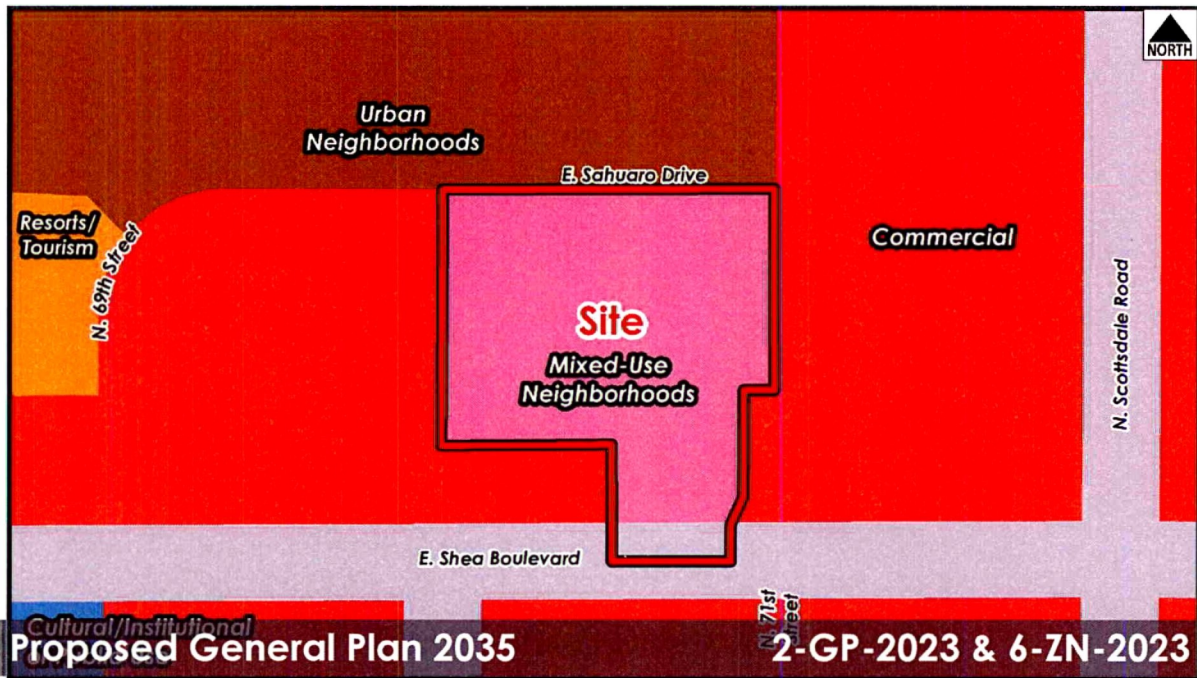




Requests:

1. Adopt Resolution No. 13137 for a minor General Plan Amendment to the City of Scottsdale General Plan 2035 to change the land use designation from Commercial to Mixed-Use Neighborhoods on a +/- 8.6 gross acre site located at 7000 E. Shea Boulevard.
2. Adopt Ordinance No. 4639 for a Zoning District Map Amendment from Central Business (Conditional), Parking District (C-2 (C) / P-4) zoning to Planned Unit Development, Planned Shared Development Overlay (PUD PSD) zoning, including approval of a Development Plan with Amended Development Standards for a new mixed-use development, consisting of approximately 79,200 square feet of existing commercial buildings and a new 3-story, approximately 345,000 square foot, multi-family residential building with approximately 196 units on a +/- 8.6 gross acre site located at 7000 E. Shea Boulevard.
3. Adopt Resolution No. 13138 declaring "Cosanti Commons Minor General Plan Amendment and Rezoning Development Plan" as a public record.
4. Adopt Resolution No. 13139 authorizing Development Agreement No. 2024-084-COS.



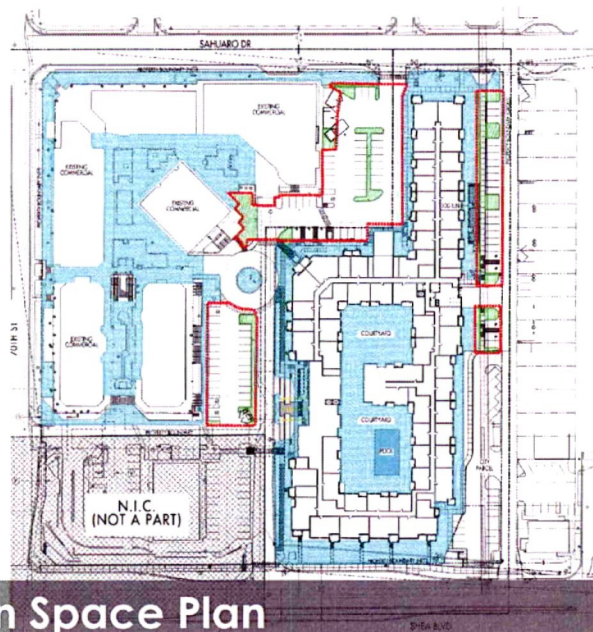


Development Review Board Summary

- Applicant provided update on the project to better fit the context of the area
- 4th floor was removed to result in a 3-story building
- Unit count was reduced from 240 units to 196 units (reduction of 44 units)
- STIPULATION:
 - MAXIMUM BUILDING HEIGHT. No building on the site shall exceed 3-stories and 42 feet in height, exclusive of roof top appurtenances, measured as provided in the applicable section of the zoning ordinance. Exceptions for mechanical equipment and roof top appurtenances shall comply with the PUD district requirements.



Site Plan



REQUIRED COMMON OPEN SPACE

SITE AREA (GROSS): 375,447 S.F. (8.619 AC)
 REQUIRED COMMON OPEN SPACE: 37,545 S.F. (10% OF GROSS SITE AREA)

COMMON OPEN SPACE PROVIDED
 94,600 S.F. TOTAL

OVERALL COMMON OPEN SPACE PROVIDED
 94,600 S.F. TOTAL PROPOSED = 25% OF GROSS SITE
 57% INCREASE IN OPEN SPACE
 (94,600 PROPOSED OPEN SPACE - 59,996 S.F. EXISTING OPEN SPACE =
 34,604 S.F. INCREASE / 59,996 S.F. x 100 = 57% INCREASE)

REQUIRED PARKING LOT LANDSCAPING (SITE)

TOTAL PARKING LOT AREA: 44,300 S.F. (1.01 AC)
 REQUIRED LANDSCAPING: (15% OF PARKING LOT AREA = 44,300 x 15% = 6,645 S.F. REQUIRED)

PARKING LOT LANDSCAPING PROVIDED
 6,830 S.F. TOTAL (15.43%)

PARKING LOT AREA (44,300 S.F.)

**PROVIDED PARKING LOT LANDSCAPING MEETS 15% MIN. REQUIREMENT

KEY MAP

THIS SHEET





Perspectives



VIEW OF BUILDING FRONTAGE: PLEASANT HAVEN



Perspectives



INTERNAL ENTRANCE



Perspectives



Perspectives

- Add **MINIMUM** to Average Setback
- To allow greater setback than the Average

Street – Land Use	MINIMUM Average Setback	Provided Average Setback
Shea – Residential	40'	50.92'
Shea – Commercial	32'	205.35'
70 th – Residential	30'	332.40'
70 th – Commercial	28'	30.07'
Sahuaro – Residential	30'	47.17'
Sahuaro – Commercial	28'	28.19'

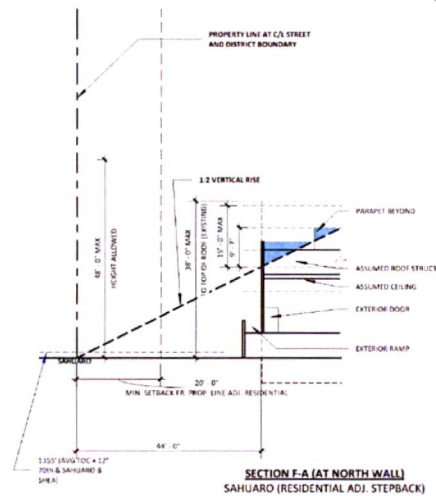


Amended Standards

- Encroachment beyond the building envelope
- For BUILDING, WALL, AND ROOF ELEMENTS OF EXISTING STRUCTURES to allow for existing condition of commercial building

G. *Encroachment beyond the building envelope.*

1. A maximum encroachment of fifteen feet (15) feet may be allowed for:
 - a. Architectural ornaments and similar features, and
 - b. Trellis, canopies, balconies, patios and partial or full patio enclosures, covered walks, and screen walls.
 - c. **BUILDING, WALL, AND ROOF ELEMENTS OF EXISTING STRUCTURES**



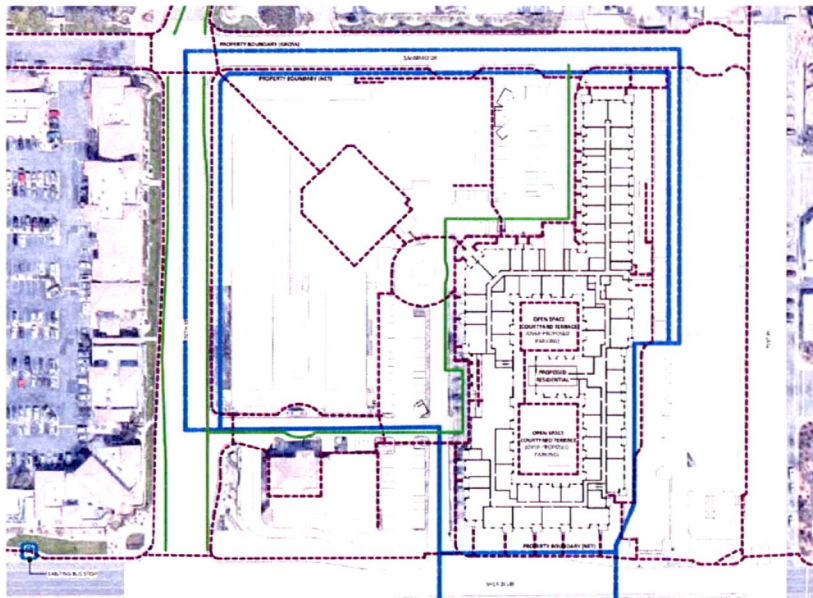
Amended Standards

Key Items

- 4th story was removed, reduced unit count from 240 to 196 (-44 units)
- Conformance with PUD Criteria
- Reinvestment in an existing underutilized shopping center
- Addition of residential dwelling units to site (196 units, 22.74 DU/AC)
- Increased pedestrian connections internally & externally
- New 8' sidewalk along E. Shea Boulevard
- 6-0 recommendation of approval from Airport Advisory Commission on 2/21/24
- 6-0 recommendation of approval from Development Review Board on 3/21/24 – based on revised version of the project limited to 3 stories, STIPULATIONS reflect this
- 6-1 recommendation of approval from Planning Commission on 4/24/2024
- Case was continued at the 6/4/2024 and 8/20/2024 City Council meetings
- Public comment received, opposition and support





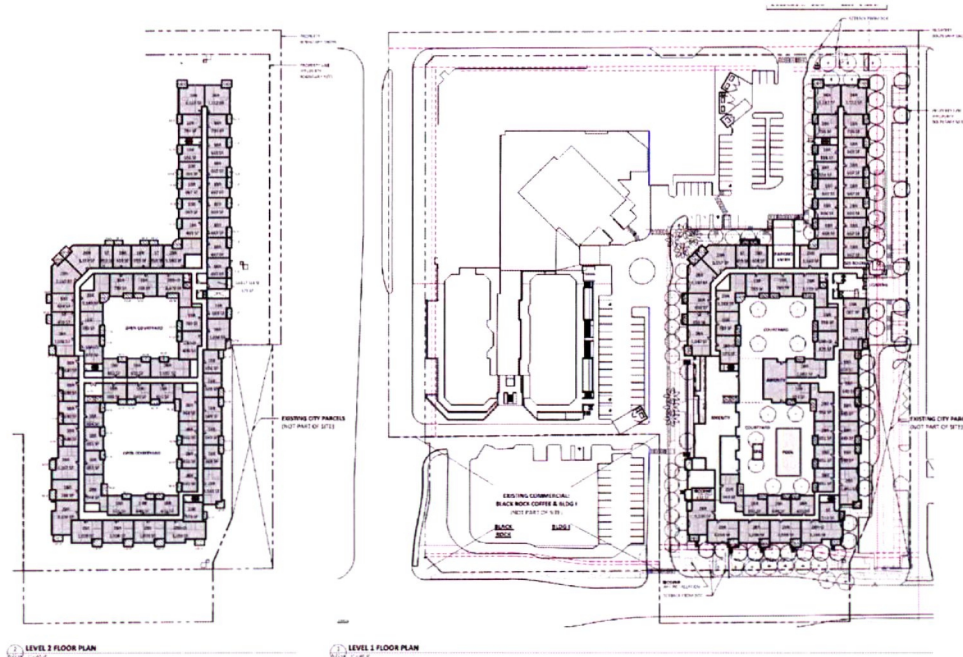


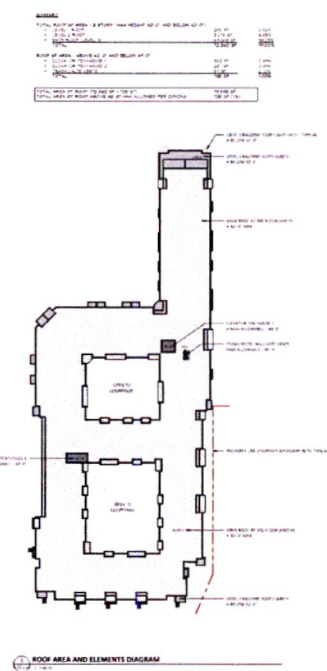
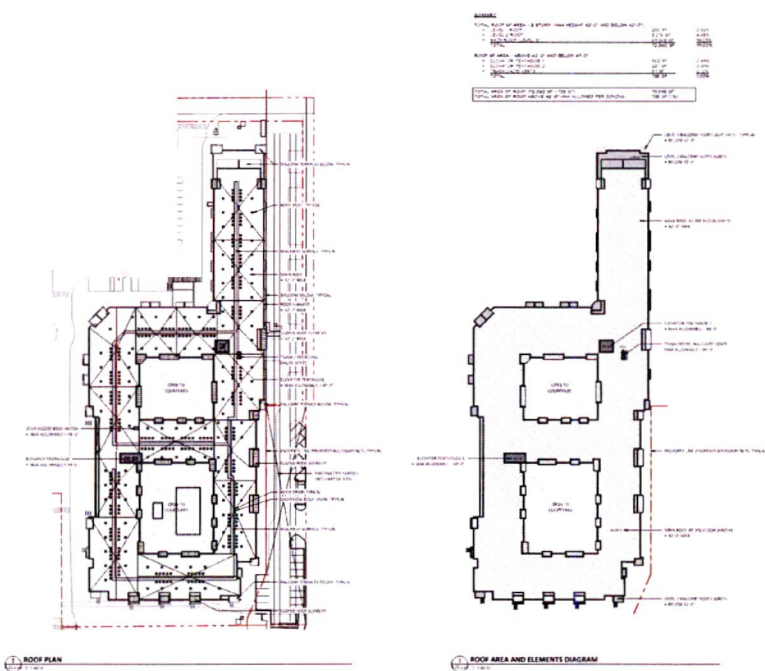
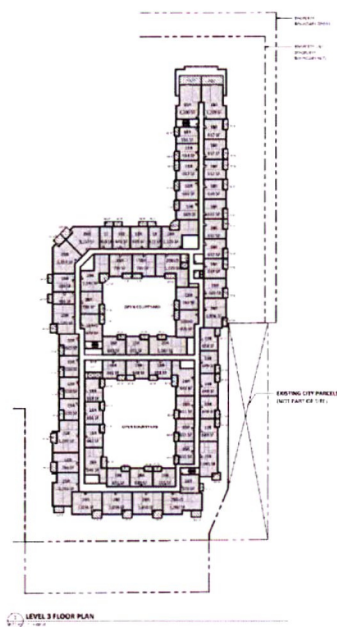
- PEDESTRIAN CIRCULATION
- BICYCLE CIRCULATION
- PROPERTY BOUNDARY
- FUTURE SHARED USE PATH

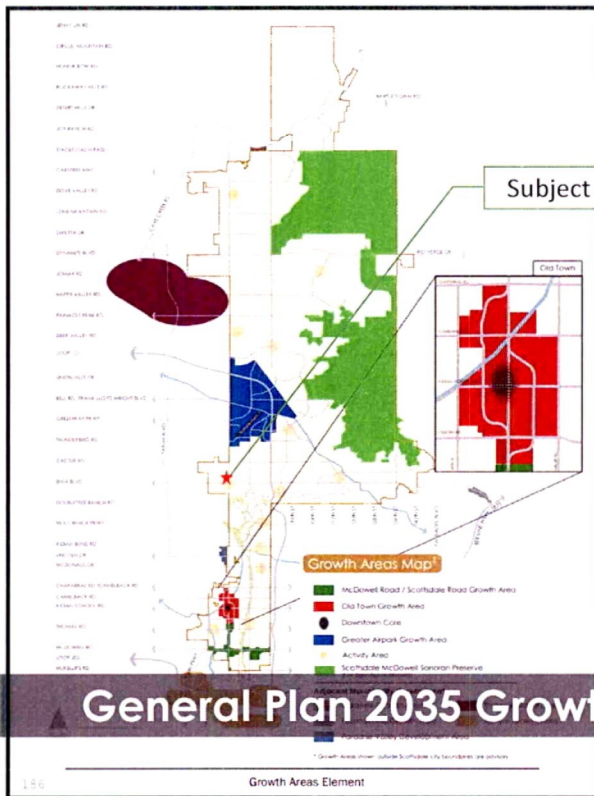
Pedestrian Circulation



PLANT LEGEND (EXST. COMMERCIAL)

[illegible]

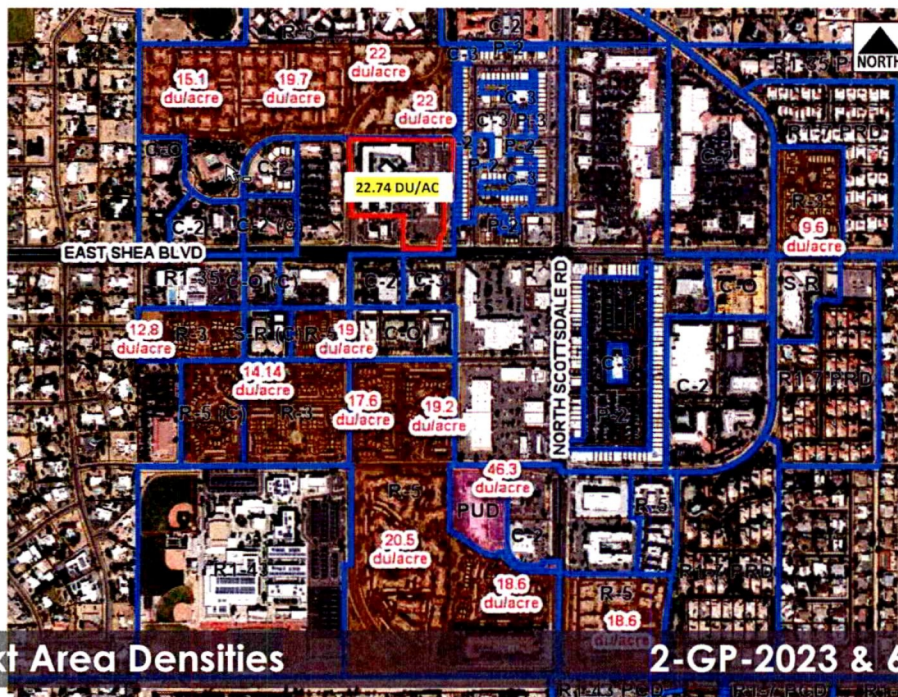


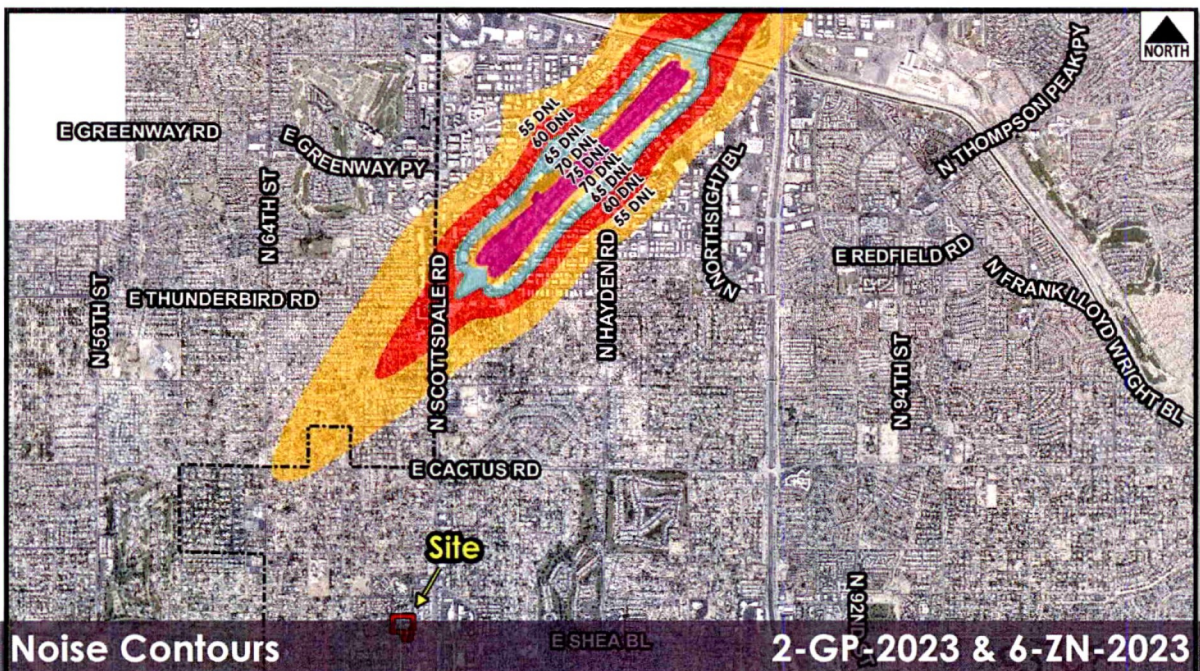
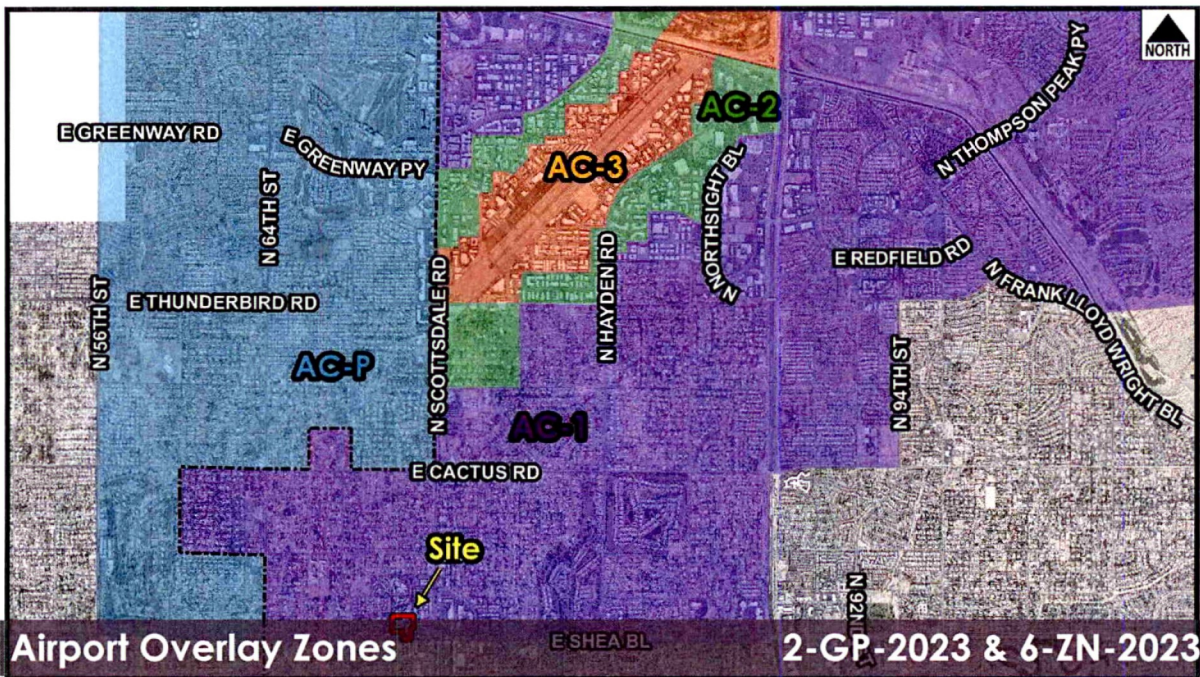


Activity Area

Scottsdale General Plan 2035 designates Activity Areas as locations where development is concentrated, but to a lesser degree than Growth Areas. Activity Areas vary in size, intensity, type of activity, and development. Development in these areas should consider the surrounding context.

The subject site is within the Activity Area that is located around the N. Scottsdale Road and E. Shea Blvd. intersection.





PUD Criteria

1. As part of the approval or modified approval of an application for a PUD District, the Planning Commission shall recommend and the City Council shall find that the following criteria have been met:

a. The proposed development promotes revitalization, the goals, policies, and guidelines of the General Plan, area plans, and design guidelines.

b. The proposed development's uses, densities, or development standards would not otherwise be permitted by the property's existing zoning.

c. The proposed development will be compatible with adjacent land uses and promotes the stability and integrity of abutting or adjacent residential neighborhoods.

d. There is adequate infrastructure and city services to serve the development.

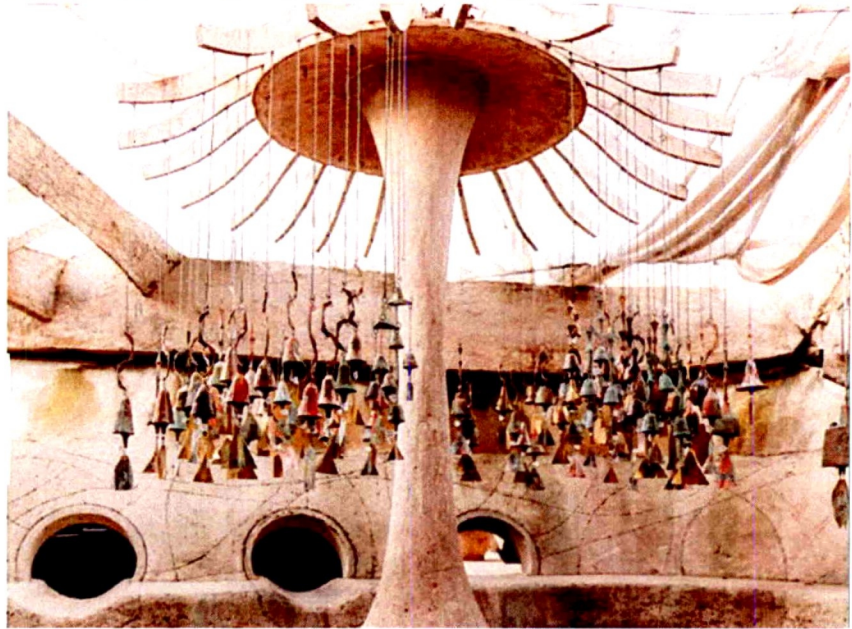
e. The proposal meets the following location criteria:

i. The proposed development is not located within any area zoned Environmentally Sensitive Lands Ordinance (ESL) nor within the boundaries of the Downtown Area.

ii. The proposed development fronts onto a major or minor arterial and/or major collector street as designated in the Transportation Master Plan.



Cosanti Commons



City Council
December 3, 2024

*All numbers and percentages
approximate

Scottsdale Celebrates the Legacy of Cosanti with the Soleri Pedestrian Bridge & Plaza



Today's Scottsdale Website Home Page



Cosanti

From Experience Scottsdale Website



“On the Arizona Registry of Historic Places.... Built between the mid-1950s to late 1960’s.... It is also the home of Cosanti Originals, makers of the widely collected artisan-crafted bronze and ceramic **windbells** first introduced by Soleri in the 1950s.”

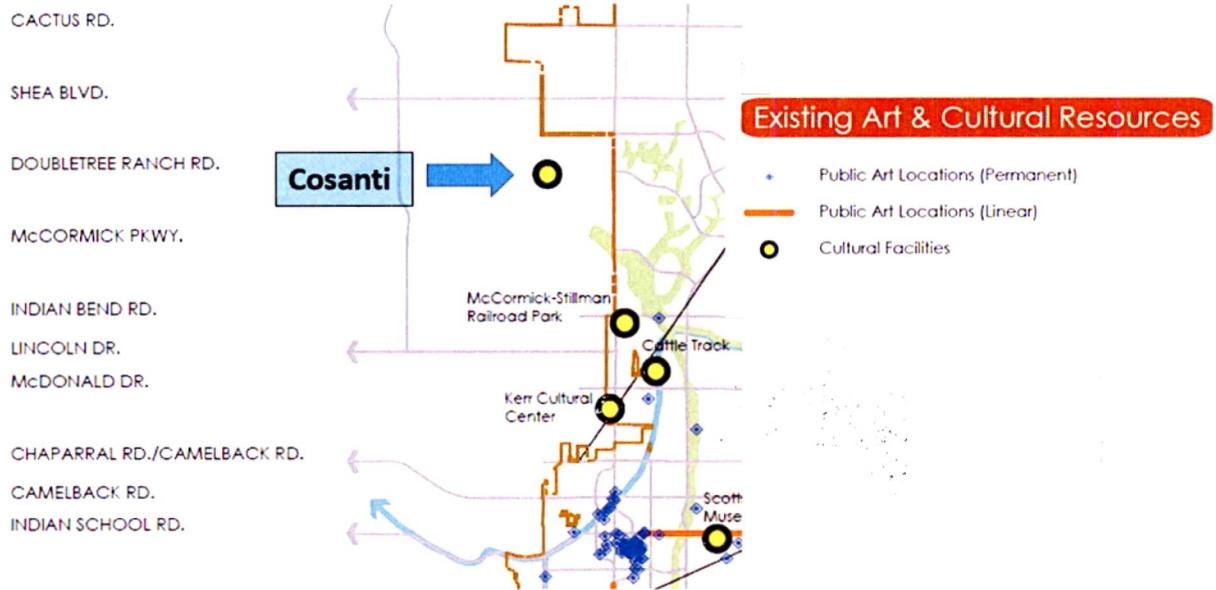


2035 General Plan Character & Culture

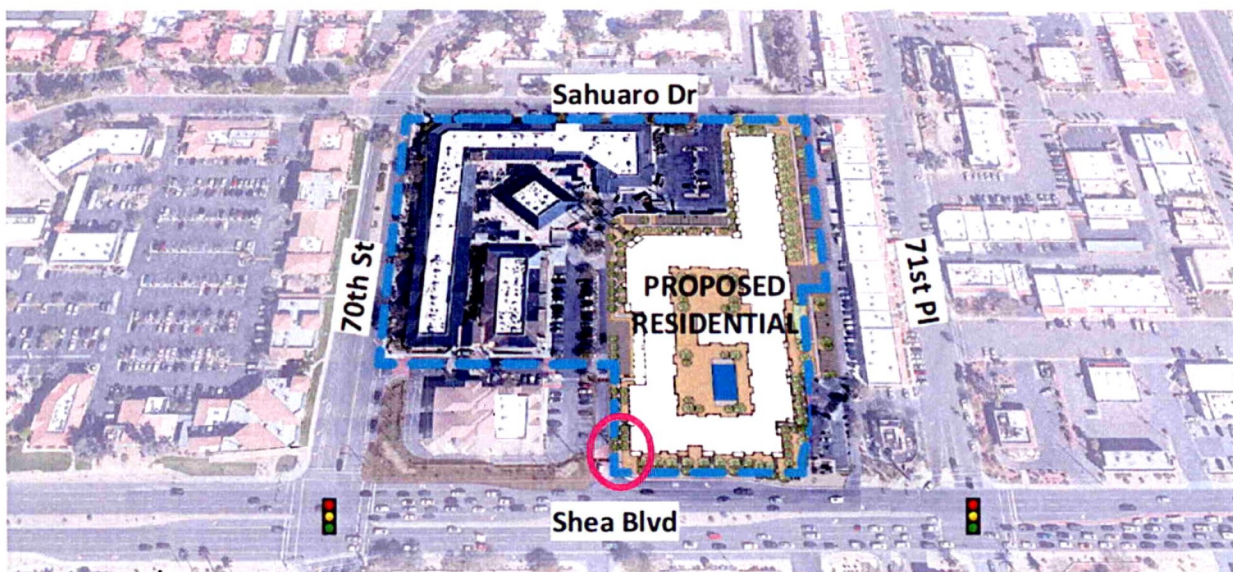
Goal ACC 4.3

- “**Develop partnerships with groups such as** the Scottsdale Historical Society, Frank Lloyd Wright Foundation, **Cosanti Foundation**, Cattletrack/Ellis Compound, the Smithsonian, Scottsdale’s Museum of the West, and other local, regional, and national historic and archaeological organizations....”

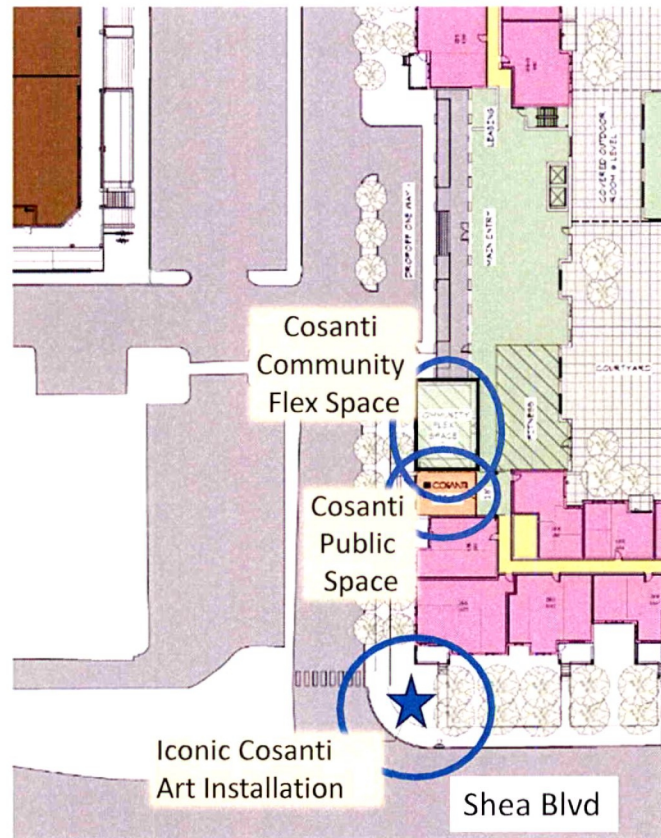
Graphic from General Plan 2035



Iconic Cosanti Art Installation on Shea Blvd.



Cosanti Collaborative Space



Revisions

- **Eliminated** 4th Floor
- **Increased** Setbacks from Shea Boulevard



Pedestrian Improvements - Shea Boulevard

Existing



Proposed



Open Space Required v. Provided

Required	Provided	Percent Increase
10%	25%	152% ↑

Average Building Setback Comparison Shea Boulevard

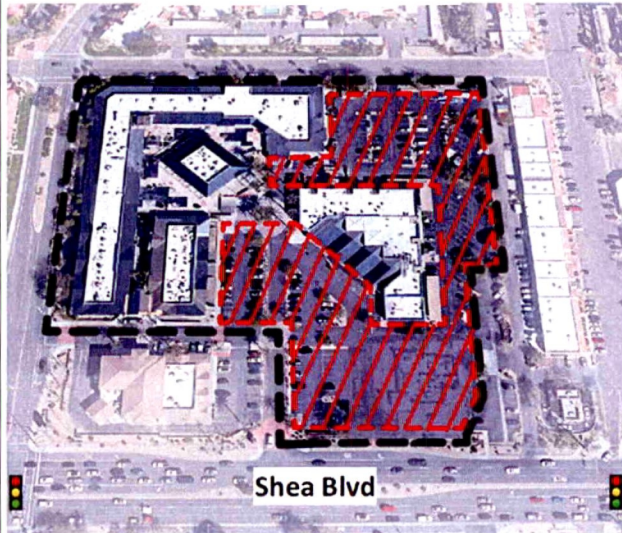
Existing C-2 Commercial Zoning (3 story allowed)	20 feet
Cosanti Commons (3 story)	41 feet
Percent Increase	105% ↑

Water Use

Compared to prior types of on-site uses, Cosanti Commons will achieve a 62% reduction in water use.

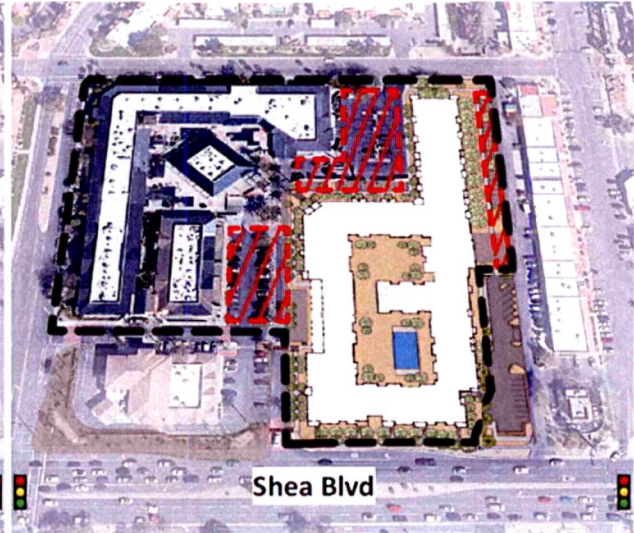
Urban Heat Island Impact: Asphalt

EXISTING SURFACE PARKING



43% of site

PROPOSED SURFACE PARKING



Reduced to 14% of site
(**67% reduction**)

Summary/Community Benefits (Partial List)*

- Invest \$90,000,000 into struggling retail area
- Revitalization of an underutilized property promotes long-term economic sustainability
- Eliminated 4th Floor
 - reduce height
 - reduce density

*All numbers and percentages approximate

- In “Age of Amazon” supports area small businesses
 - Retail is struggling in area:
 - CVS closed
 - 75 support letters from area businesses
- Reduce urban heat island impact
 - Eliminate over 1 acre of asphalt
 - 67% reduction

- Collaboration with non-profit Cosanti Foundation to increase visibility and number of visitors:
 - Installation of iconic art on Shea Blvd
 - Provide dedicated exhibit and retail space
 - Provide space for educational purposes

- Underground parking
- Reduce entitled water consumption by 62%
- Support tourism and the arts
- Public bike station on Sahuaro Drive
- No Short-Term Rentals

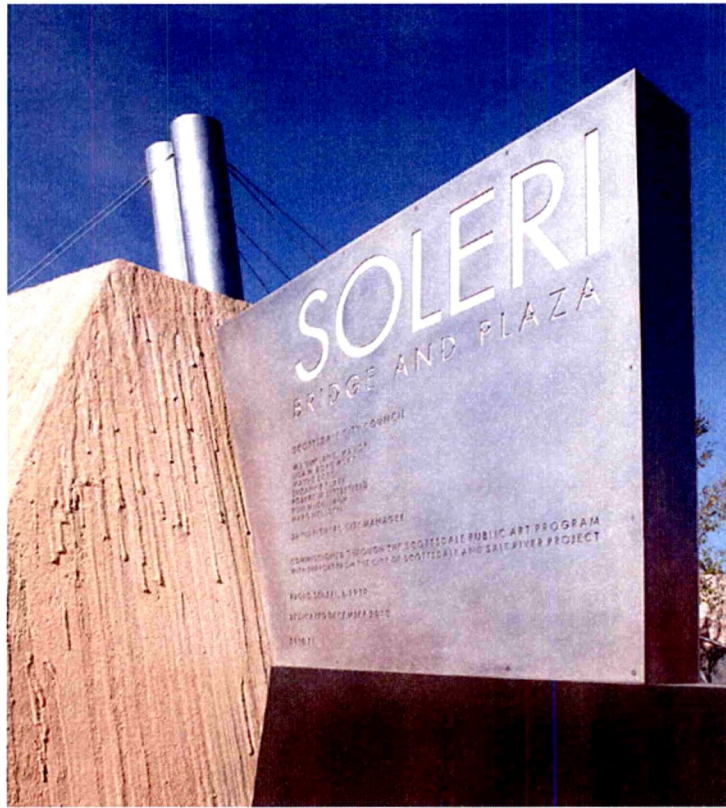
- Replace and widen sidewalk on Shea Boulevard
- Continued collaboration with Chaparral High School
 - Annual one-month free rent for teachers*
 - Annual one-month free rent for parents(s) with student enrolled at Chaparral High School*

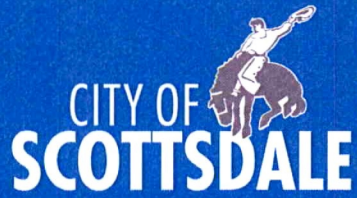
*Eight-year term

- Area multi-family residential vacancy rate 2%
- Rents estimated to be 18% less than other new construction
- More open space:
 - Required 10%
 - Proposed 25%
 - 152% increase

- Planning staff recommendation for approval
- Unanimous recommendation of approval from Airport Advisory Commission
- DRB unanimous recommendation of approval
 - Councilwoman Janik
 - Commissioner Gonzales
- Recommendation for approval from Planning Commission

Thank You





Scottsdale Community Sustainability Plan

Item 20 – December 3, 2024

Community Sustainability Plan: Background

- General Plan 2035 – policy/implementation community identified priorities
- 2022 and 2024 Organization Strategic Plans – Council priorities
- ASU's Walton Sustainability Solutions Service
- City Council meetings – Council/Community Feedback on Draft Plan
- Scottsdale Environmental Advisory Commission – Commission Feedback



Background (continued)

- Council-directed September 2024 community outreach meetings
- Opportunity to share ideas
- Almost 70 people attended, sharing 200 comments
- Feedback posted on-line



Edits

- Additional community dialogue
- Clarifications from Scottsdale Environmental Advisory Commission
- Other minor updates

Energy

NRG1 Reduce energy use and greenhouse gas emissions.

NRG2 Improve municipal energy performance.

NRG3 Reduce energy impacts of the built environment through sustainable building practices and policies.

DISTRIBUTED SOLAR CAPACITY (MEGAWATTS)



Source: [2022 Greenhouse Gas Emissions Inventory](#)

Water

WTR 1 Ensure water system resiliency.

WTR 2 Reduce municipal water use.



Figure 3. Source: Scottsdale Water

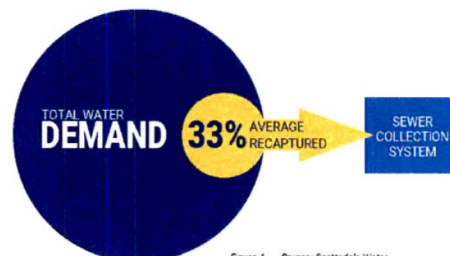


Figure 4. Source: Scottsdale Water

Beyond Waste

WST 1 Increase diversion rates.

WST 2 Strengthen local markets for recycled content, recyclable and reusable materials.

WST 3 Expand opportunities for diverting organic waste from the landfill.

WST 4 Reduce waste generation.

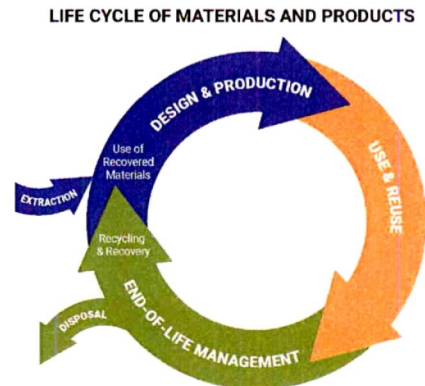


Figure 1. Source: *Materials Management in Oregon*

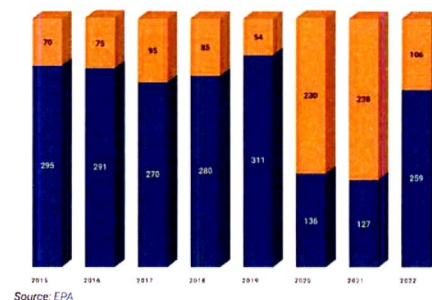
Air Quality

AQ 1 Clean Scottsdale's air.

AQ 2 Support adoption of electric and other alternative fuel vehicles.

AIR QUALITY INDEX
(PHOENIX-MESA-SCOTTSDALE
CORE-BASED STATISTICAL AREA)

■ Good or Moderate Days (#)
■ Unhealthy Days (#)



Source: [EPA](#)

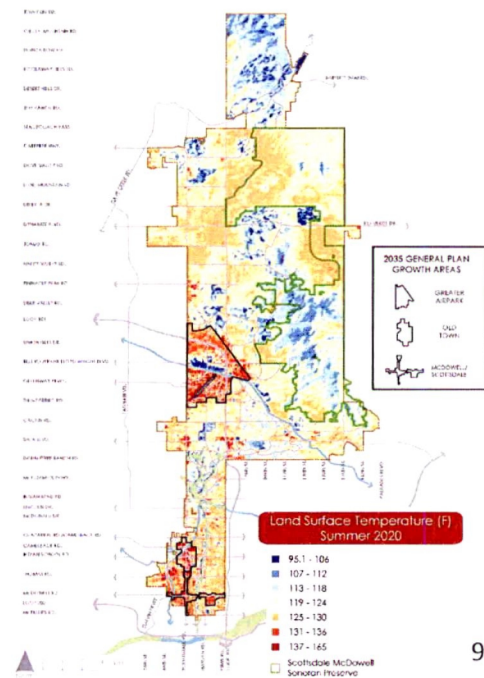
Extreme Heat

HT 1 Expand heat relief communication and education.

HT 2 Protect people from the health effects of extreme heat.

HT 3 Identify urban design improvements including structured shade and built environment.

HT 4 Plant more trees and implement other nature-based solutions.



9

City Council: Possible Action

Adopt Resolution No. 13308 approving the Scottsdale Community Sustainability Plan.