CITY COUNCIL REPORT

Meeting Date: August 31, 2016
General Plan Element: *Land Use*
General Plan Goal: *Create a sense of community through land uses*

ACTION

Sixt Rent a Car at Scottsdale Seville
2-UP-2016

Request to consider the following:

1. Find that the Conditional Use Permit criteria have been met and adopt Resolution No. 10545 approving a Conditional Use Permit for vehicle leasing, rental or sales within an existing suite at the Seville retail center with 11.5 +/- acres site, located at 7001 N. Scottsdale Road, with Central Business District, Parking P-4 District, (C-2/P-4) zoning.

Key Items for Consideration

- Conditional Use Permit Criteria for vehicle rental, leasing and sales.
- Comment received in opposition.
- McCormick Ranch Property Owners' Association approval.
- Planning Commission heard this case on July 27, 2016 and recommended approval with a 5-0 vote.

OWNER

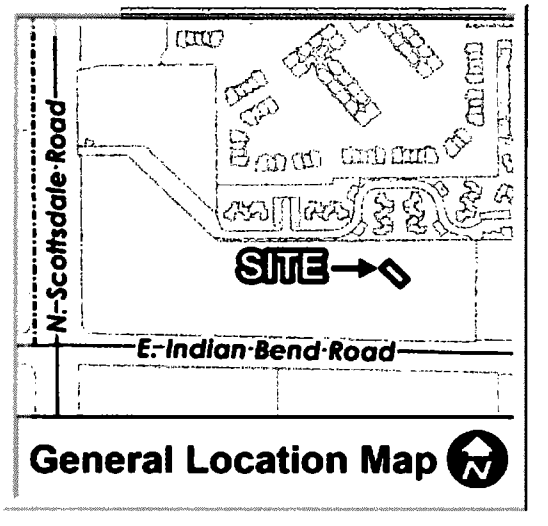
Hca Az LLC/Etal
602-252-1954

APPLICANT CONTACT

Taylor Earl
Earl, Curley & Lagarde, P.C. (Taylor Earl)
602-265-0094

LOCATION

7001 N. Scottsdale Rd., Suite # E-195



Action Taken _____

BACKGROUND

General Plan

The General Plan Land Use Element designates the property as Commercial. This category includes areas designated for commercial centers providing goods and services to the surrounding residential population, and retail businesses, major single uses, and shopping center, which serve community and regional needs.

Zoning

In 1988, the City Council approved the request to rezone the site from R-4R (Resort Residential) to C-2 (Central Business) with a P-4 Parking Overlay to allow for a mixed-use shopping center (Ord. # 2374). The site is currently zoned Central Business, Parking P-4 (C-2/P-4) District which allows for various commercial shopping and service needs such as; health and fitness studio, plant nursery, and personal care services. The Zoning Ordinance requires a Conditional Use Permit for Vehicle Leasing, Rental, and Sales within the Central Business (C-2) zoning district.

Context

The subject property is located at the northeast corner of N. Scottsdale Rd. and E. Indian Bend Rd. within the existing Seville shopping center. The shopping center is comprised of mixed-uses such as retail, restaurant and office. Located at northeast corner of the shopping center, Sixt Rent a Car will occupy a vacant suite that is adjacent to commercial and residential uses. Please refer to context graphics attached.

Adjacent Uses and Zoning

- North: Existing residences (Traviata Condominiums) zoned, Multiple-family Residential (R-5) District.
- South: McCormick-Stillman Railroad Park (City of Scottsdale) zoned, Open Space (O-S) District.
- East: Existing commercial center (Seville Shopping Center) zoned, Central Business, Parking P-4 (C-2/P-4) District.
- West: Existing resort (Town of Paradise Valley).

Other Related Policies, References:

- Scottsdale General Plan 2001
- 2008 Transportation Master Plan
- 2010 Design Standards and Policy Manual
- 65-Z-88 (Ord. # 2374): City Council approval of rezone from R-4R to C-2/P-4
- 69-DR-1989: Development Review Board approval for mixed-use shopping center

APPLICANTS PROPOSAL

Purpose of Request

The applicant is requesting a Conditional Use Permit for a Vehicle Rental, Leasing and Sales use within the existing Seville shopping center, located at the northeast corner of N. Scottsdale Rd. and E. Indian Bend Rd. Access to the site is provided by the existing driveway along E. Indian Bend Rd and site improvements exist including exterior lighting and landscaping. The Zoning Ordinance requires a Conditional Use Permit for Vehicle Leasing, Rental and Sales within the Central Business (C-2) zoning district.

Development Information

- Existing Use: Vacant suite within the mixed-use shopping center
- Proposed Use: Vehicle leasing, rental, and sales
- Parcel Size: 11.5 Gross Acres, 9.5 Net Acres
- Parking Required: 11 parking stalls
- Parking Provided: 18 parking stalls

IMPACT ANALYSIS

Land Use

The 1,680 square foot vacant suite is located within the northeast corner of the Seville retail shopping center and was previously operating as retail. The operations of the proposed use will have low impact as parking of the rental vehicles will be restricted to eighteen (18) designated spaces and all vehicles servicing, maintenance and fueling will occur off-site. There are no exterior modifications proposed and the site is fully developed with streets, curb, gutter, parking, retention and landscaping.

Conditional Use Permit

Conditional Use Permits, which may be revocable, conditional, or valid for a specified time period, may be granted only when expressly permitted after the Planning Commission has made a recommendation and City Council has found as follows:

A. That the granting of such Conditional Use Permit will not be materially detrimental to the public health, safety or welfare. In reaching this conclusion, the Planning Commission and the City Council's consideration shall include, but not be limited to, the following factors:

1. Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination.

- All services will be performed off-site.
- Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination is not anticipated.

2. Impact on surrounding areas resulting from an unusual volume or character of traffic.

- Access to the site is provided from the existing E. Indian Bend Rd. driveway which is located along southern portion of the site.

- The addition of Vehicle leasing, sales and rental is not anticipated to alter existing traffic patterns for the area.

B. The characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas.

- All operations will be internal to the building and will not compromise the existing character of the surrounding area.

C. The additional conditions specified in Section 1.403, as applicable, have been satisfied. The proposal meets the provisions for Vehicle Leasing, Rental or Sales as identified in Zoning Ordinance Section 1.403.T., including:

1. Required parking shall not be used for vehicle display or storage.

- No required parking will be used for vehicle storage. Eleven (11) spaces are required for the proposed use and eighteen (18) are provided along the northern edge of the Seville shopping center.
- The Seville shopping center provides 797 parking stalls and the number of parking stalls required are 735 which leaves the center with 45 extra spaces available.
- Vehicles will not be stored in the required parking spaces.

Community Involvement

The applicant notified all property owners within 750 feet of the site and held an open house on January 20, 2016. A copy of the applicant's Citizen Involvement Report is attached to this report. The city also notified all property owners within 750 feet of the site. Correspondence received by a neighbor suggested shifting the designated eighteen (18) stalls further west away from the existing residential gate and to help mitigate after hour employee noise from restaurant staff. Due to security and accessibility to the rental vehicles, the applicant does not want to relocate the designated parking spaces.

OTHER BOARDS & COMMISSIONS

Planning Commission

Planning heard this case on July 27, 2016 and recommended approval with a 5-0 vote.

Staff's Recommendation to Planning Commission

1. Staff recommended that the Planning Commission find that the Conditional Use Permit criteria have been met, and make a recommendation to City Council for approval, per the attached stipulations.

STAFF'S RECOMMENDATION

Recommended Approach:

1. Find that the Conditional Use Permit criteria have been met and adopt Resolution No. 10545 approving a Conditional Use Permit for vehicle leasing, rental or sales within an existing suite at

the Seville retail center with 11.5 +/- acres site, located at 7001 N. Scottsdale Road, with Central Business District, Parking P-4 District, (C-2/P-4) zoning.

RESPONSIBLE DEPARTMENT

Planning and Development Services
Current Planning Services

STAFF CONTACT

Meredith Tessier
Planner
480-312-4211
E-mail: mtessier@ScottsdaleAZ.gov

APPROVED BY

Meredith Tessier, Report Author — Date 08/15/2016

Tim Curtis, AICP, Current Planning Director — Date 8/15/2016
480-312-4210, tcurtis@scottsdaleaz.gov

Randy Grant, Director — Date 8/15/16
Planning and Development Services
480-312-2664, rgrant@scottsdaleaz.gov

ATTACHMENTS

1. Resolution No. 10545
   Exhibit 1: Context Aerial
   Exhibit 2: Stipulations
   Exhibit A to Exhibit 2: Site Plan
   Exhibit 3: Additional criteria for Vehicle Leasing, Rental or Sales
2. Applicant's Narrative
3. Aerial Close-Up
4. Zoning Map
5. Citizen Involvement
6. Neighborhood Correspondence
7. City Notification Map
8. July 27, 2016 Planning Commission minutes

RESOLUTION NO. 10545

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, FOR A CONDITIONAL USE PERMIT FOR VEHICLE LEASING, RENTAL OR SALES WITHIN AN EXISTING SUITE NUMBER E-195 LOCATED AT THE SEVILLE RETAIL CENTER, 7001 N. SCOTTSDALE ROAD, WITH CENTRAL BUSINESS DISTRICT, PARKING P-4 DISTRICT, (C-2/P-4) ZONING.

WHEREAS, the Planning Commission held a public hearing on July 27th, 2016; and

WHEREAS, the City Council, held a public hearing on August 31st, 2016.

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

Section 1. That the City Council finds:

a) That the granting of this conditional use permit per stipulations set forth on Exhibit 2 will not be materially detrimental to the public health, safety or welfare based on, but not limited to, the following factors: damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination and impact on surrounding areas resulting from an unusual volume or character of traffic;

b) that the characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas; and

c) that compliance with the additional conditions for Outdoor vehicular display, set forth on Exhibit 3, is required.

Section 2. That a description of the conditional use permit is set forth in Case No. 2-UP-2016. The property that is subject to the conditional use permit is shown on Exhibit 1 and the conditional use permit approval is conditioned upon compliance with all of the stipulations that are set forth in Exhibits 2 and 3. All exhibits are incorporated herein by reference.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this _____ day of _____, 2016.

ATTEST:

By:_____
Carolyn Jagger
City Clerk

CITY OF SCOTTSDALE, an Arizona municipal corporation

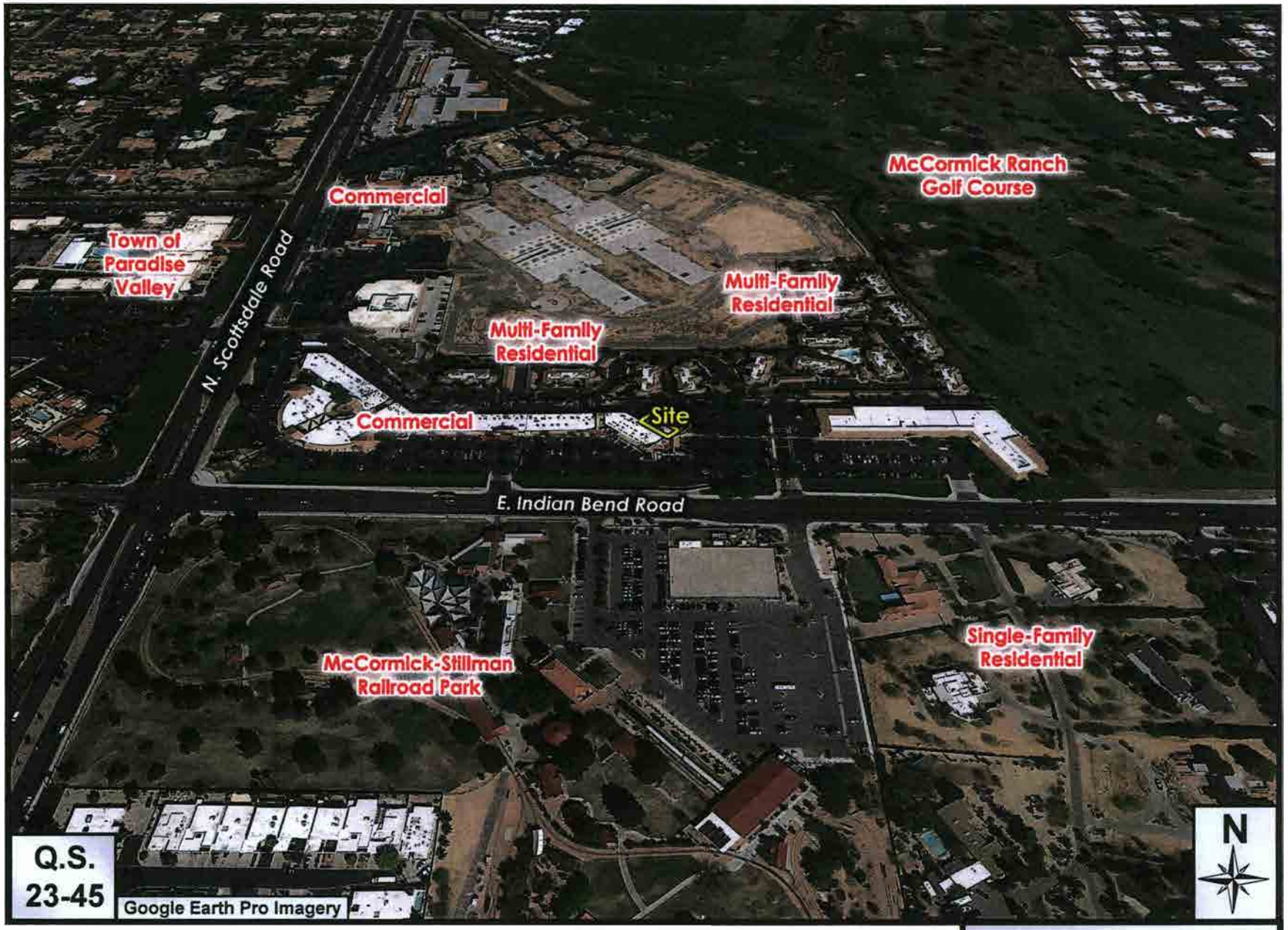
By:_____
W.J. "Jim" Lane
Mayor

ATTACHMENT #1

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By: _____

Bruce Washburn, City Attorney
By: Joe Padilla, Deputy City Attorney



Sixt Rent a Car at Scottsdale Seville

Resolution No. 10545
Exhibit 1
Page 1 of 1

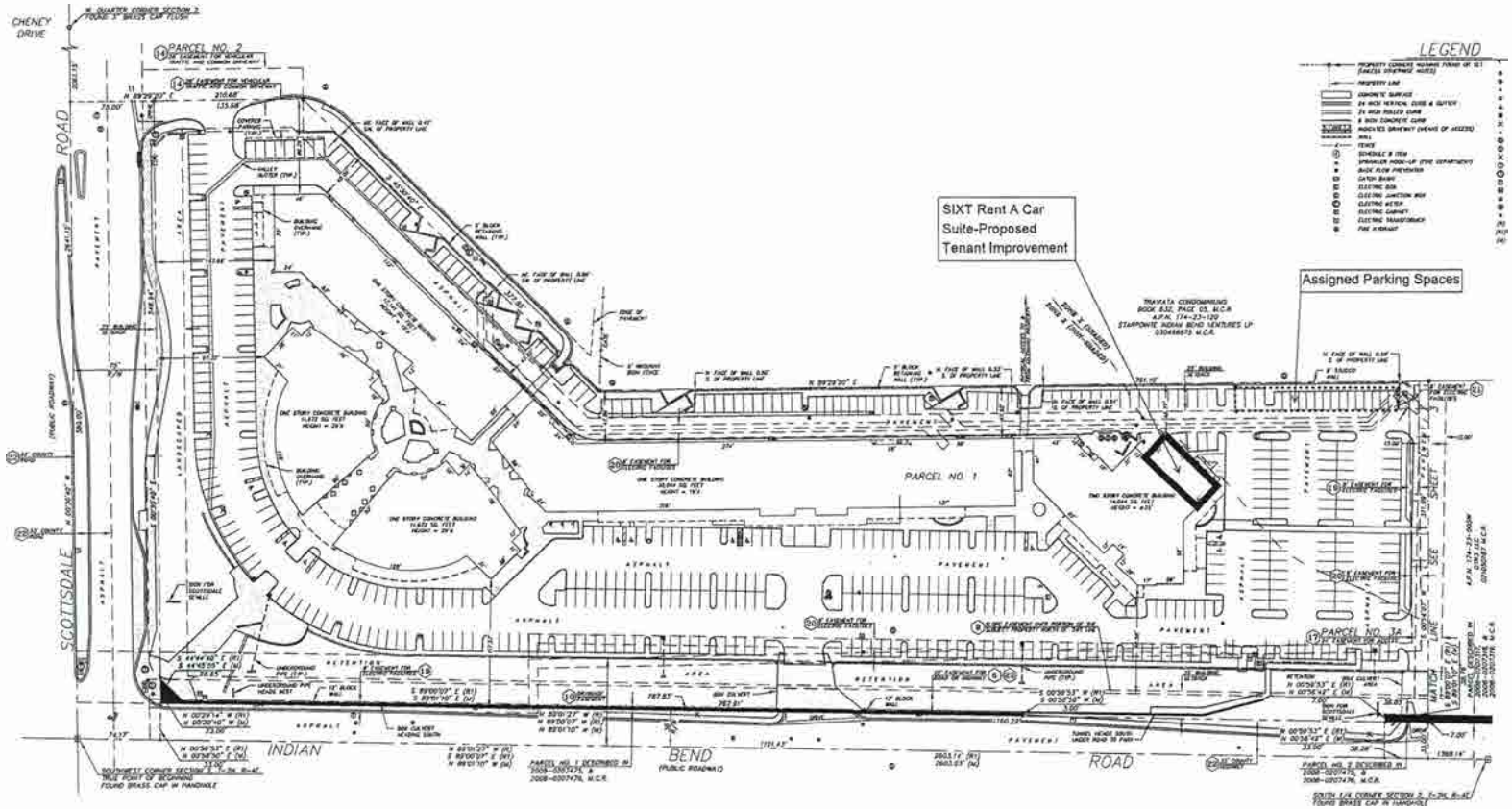
2-UP-2016

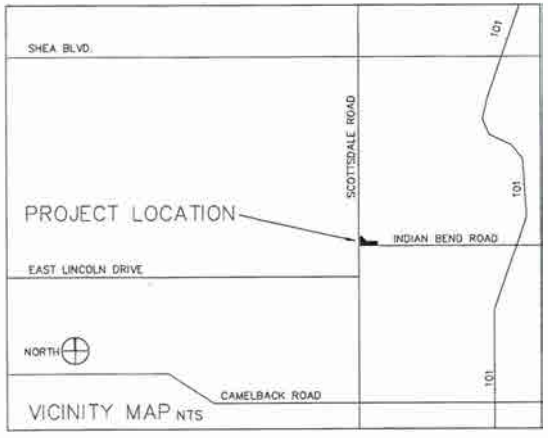
Stipulations for the Conditional Use Permit
For a Vehicle Rental
Sixt Rent a Car at Scottsdale Seville
Case Number: 2-UP-2016

These stipulations are in order to protect the public health, safety, welfare, and the City of Scottsdale.

SITE DESIGN

1. CONFORMANCE TO CONCEPTUAL SITE PLAN. Development shall conform with the conceptual site plan submitted by Earl, Curly and Lagarde and with the city staff date of 03/04/2016, attached as Exhibit A to Exhibit 2. Any proposed significant change to the conceptual site plan as determined by the Zoning Administrator, shall be subject to additional action and public hearings before the Planning Commission and City Council.
2. PARKING. Development shall be limited to twenty-eight (28) parking spaces with eighteen (18) parking spaces reserved along the northern edge as shown on the Site Plan, Exhibit A.





PROJECT DATA

Project Name:	SIXT Rent A Car Conditional Use Permit
Project Address:	7001 N. Scottsdale Road, Suite E-195 Scottsdale, AZ 85253
Parcel Number:	174-23-005Z
Zoning:	C-2/P-4
Gross:	+/- 11.5 acres
Net:	+/- 9.5 acres
F.A.R.	42% (no change)
Setback:	N-25', S-25', E-0', W-25' (Existing setbacks - no changes are being proposed)
Parking:	Per City of Scottsdale Zoning Ordinance Section 9 (City Code) Mixed-Use Commercial Center (MUCC) - 182,408 sf interior floor area @ 1 sp/300 sf = 608 sp Outdoor patio (Wildflower Bread Co.); 800 sf - first 350 sf = 450 sf; 450 sf @ 1 sp/350 sf = 2 sp 18 spaces assigned to Sixt for rental car display and storage = 18 sp TOTAL REQUIRED per CITY CODE = 628 sp

Obligation to City for McCormick-Stillman Railroad Park (MSRR):

MSRR Overflow Parking on Weekends = 100 sp
Grand Total Required = 728 sp
Total Parking Provided = 797 sp
Accessible Spaces Required = 32 sp
(4% of total provided)
Total Accessible Spaces Provided = 32 sp

Project Name:	SIXT Rent A Car - Conditional Use Permit
Property Owner:	HCA AZ LLC/ET AL 1991 Broadway St., Suite 300 Redwood City, CA 94063
Property Location:	7001 N. Scottsdale Road, Suite E-195 Scottsdale, AZ 85253
Center Management:	Matheson Realty Attn: Lisa Grace

2-UP-2016
03/04/16

Resolution No. 10545
Exhibit A to Exhibit 2
Page 1 of 1

APPENDIX B-BASIC ZONING ORDINANCE SEC. 1.403

T. *Vehicle leasing, rental or sales.*

1. Required parking shall not be used for vehicle display or storage.

Conditional Use Permit Narrative

NEC–Scottsdale Road and Indian Bend Road
7001 N. Scottsdale Road, Suite E-195
Scottsdale, AZ

Prepared: February 9, 2016

Representative:

Earl, Curley & Lagarde, P.C. (Taylor Earl)
3101 N. Central Ave., Suite 1000
Phoenix, AZ 85012
tearl@ecllaw.com
(602) 265-0094

ATTACHMENT #2

Sixt Rent A Car
7001 N. Scottsdale Road, Suite E-195
Conditional Use Permit request

PROJECT SUMMARY

Our office represents the U.S. division of Sixt Rent A Car, LLC (Sixt USA), who seeks to utilize an approximate 1,680 square feet of existing retail space within the established Seville retail shopping center for a vehicle rental office. The overall retail property consists of approximately 9.5 acres and is located at 7001 N. Scottsdale Road (APN 173-23-005Z). This property is zoned C-2/P-4 and is fully developed with streets, curb, gutter, parking, retention and mature landscaping.



The City's C-2 zoning permits "vehicle . . . rental . . . with . . . outdoor vehicle . . . storage," so long as a Conditional Use Permit (CUP) is first obtained. Accordingly, the subject request is to obtain a CUP to operate a vehicle rental center within the Seville Shopping Center (Seville)—under the existing C-2 zoning.

Two features of the rental center's operation will ensure this use is both low intensity and compatible with existing uses in the area. (1) Parking of rental vehicles will be restricted to 18 reserved spaces on the northern edge of the Seville parking lot. (2) All

vehicle servicing (i.e. internal and external cleaning, fueling, maintenance, etc.) will be done off-site.

The subject suite will be internally upgraded and renovated to feature an inviting space for customer reception and transactions, as well as administrative office space.

Only three neighbors came to our neighborhood meeting, and all were in support of the proposal.

SIXT COMPANY BACKGROUND

By way of company background, Sixt's parent company (Sixt SE) was founded in 1912 and has since grown to over 2,000 retail locations throughout 105 countries, with 140,000 vehicles, and an incredible $1.81 billion in annual revenues in 2014. In 2013 and 2014, Sixt was voted the World's Leading Business Car Rental Company at the World Travel Awards. Sixt is well known for its motto: "Drive luxury. Pay economy."

The extensive financial, marketing and customer service background of the company's international arm will support Sixt at this proposed Scottsdale location. Such support has already helped Sixt be successful at its other Arizona locations.

Sixt has grown a network of over 50 U.S. locations and exceeded annual revenues of $100 million in just five years. It is continuing to build a nationwide network of corporate and franchise locations in select U.S. markets and is currently operating in 13 of the top 20 U.S. airports.



Sixt's U.S. fleet consists of cars from all major manufacturers, including Mercedes-Benz, BMW, Volkswagen, Audi, Jaguar, Ford, General Motors, Infiniti, Nissan, Toyota, Kia and Cadillac.

One hundred percent of Sixt's U.S. rental fleet is less than twelve months old and is required to be the current year model or future year. Sixt vehicles average only 15,000 to 25,000 miles driven. The website www.carrentals.com recognized Sixt USA for having the "Top vehicle satisfaction" among regional car companies based on customer reviews.

We believe having a company of this caliber and reputation will be a great benefit to Scottsdale, particularly as a support to its tourism market by providing visitors with a quality transportation option.

CONDITIONAL USE PERMIT REQUEST

The proposed Sixt rental center tenant suite is located on the far eastern end of the existing Seville shopping center which is located at the northeast corner of Scottsdale Road and Indian Bend Road. The proposed suite location in relationship to the overall shopping center is identified on the images below.





COMPLINACE WITH USE PERMIT TESTS

A. That the granting of such conditional use permit will not be materially detrimental to the public health, safety or welfare. In reaching this conclusion, the Planning Commission and the City Council's consideration shall include, but not be limited to the following factors:

1. Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination.

This use does not generate smoke, odor, dust, vibration or illumination. As mentioned previously, this Conditional Use Permit request seeks to lease an existing approximate 1,680 square feet retail space within the established Seville retail shopping center to allow for a vehicle rental office and related vehicle parking.

The Sixt tenant suite will be internally upgraded and renovated to feature an inviting space for customer reception and transactions, as well as administrative office space. The proposed use characteristics fit well within the retail shopping center and are in line with the shopping center hours. The hours of operation will be 7:00 a.m. to 7:00 p.m., 365 days of the year. There will be two shifts per day, each with two rental sales agents

and one manager on duty. The doors of the establishment will remain in a closed position except when allowing patrons to enter and exit.

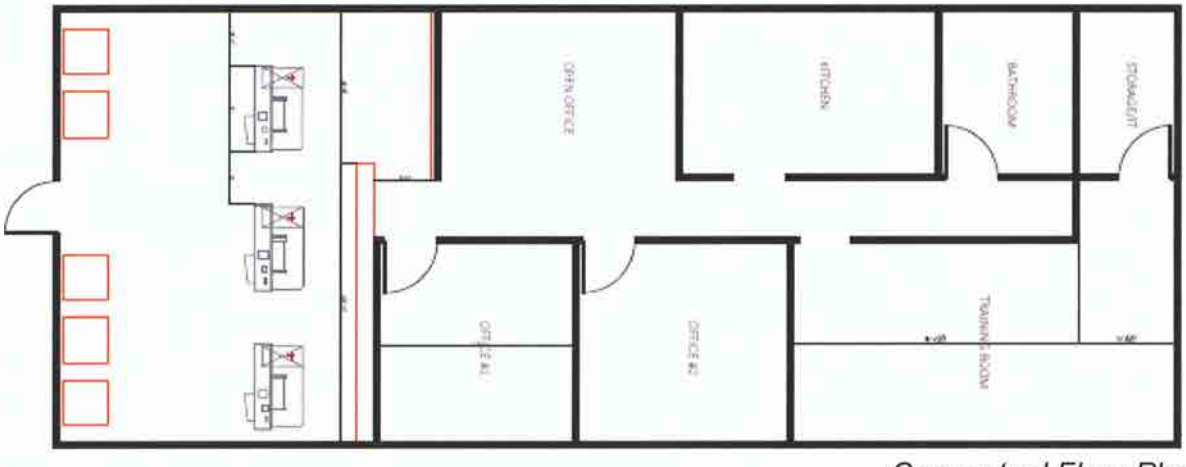
This new Sixt Scottsdale location will be consistent with the design and efficient operational standard of other Sixt locations, where customers are greeted by friendly sales associates and are assisted at individual counter spaces. The existing condition of the tenant suite is shown below. This suite will be renovated to provide a warm and inviting customer experience (see preliminary rendering and preliminary site floor layout below):



Existing Tenant Space



Conceptual Tenant Space Modifications



Conceptual Floor Plan

Although some rental centers perform on-site maintenance of the vehicles, that will not be the case here. All servicing of the rental vehicles for the proposed center (i.e. internal and external cleaning, fueling, maintenance, etc.) will be done off-site.

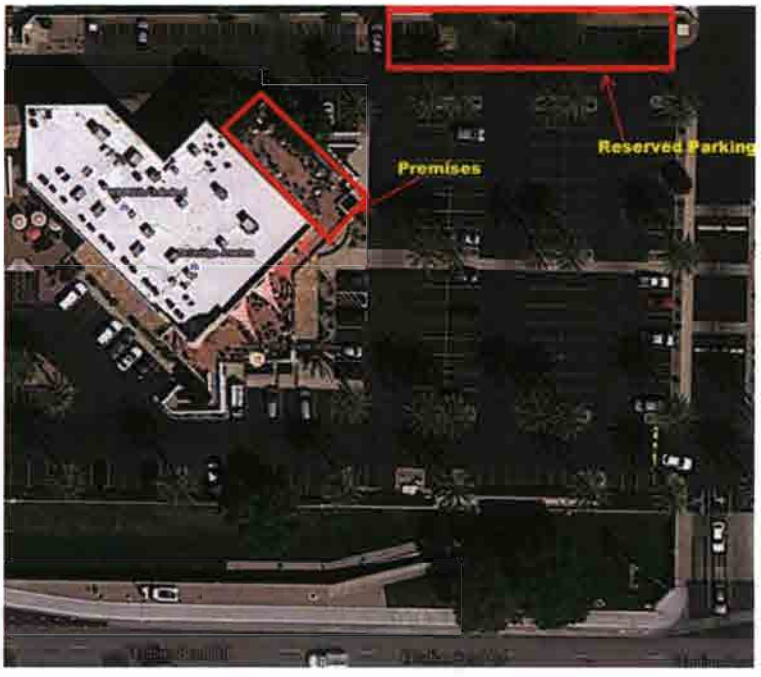
No additional outdoor lighting is proposed. The shopping center establishment currently provides exterior lights in the parking lot. All lighting is maintained by the Seville shopping center owners.

2. ***Impact on surrounding areas resulting from an unusual volume or character of traffic.***

No changes are proposed for current traffic ingress or egress into the parking lot. Because the rental center will operate within an existing 1,680 sf tenant suite, within a long-standing commercial center, the established circulation patterns will be utilized.

The overall number of parking spaces in the Seville shopping center is 797. The total number of required parking spaces (inclusive of the 11 required by Sixt's proposed use) is 735. (Even accounting for the 17 additional spaces made available for Sixt's fleet vehicles, the center will still have 45 extra spaces available.)

Under Sixt's lease with Seville, Sixt has the right to utilize 28 parking spaces in the Seville Parking lot. 18 of those are reserved for the exclusive use of Sixt in the area designated on the inset aerial and another 10 are floating spaces within the general parking lot.



Fleet vehicles will be restricted to 17 of the 18 reserved parking spaces. Sixt anticipates this number of spaces will be more than sufficient to house its on-site rental fleet vehicles. At any given time, Sixt anticipates an average of only 9 fleet vehicles will be unutilized (i.e. not being rented).

1 of the 18 reserved spaces will be restricted to use by employees and customers, and all 10 of the floating spaces will be restricted in the same manner. Thus, we will provide 11 parking spaces for employees and customers, which will meet the 11-space requirement generated by Sixt's proposed use under the ordinance. Sixt anticipates these 11 spaces will be more than sufficient for employees and customers. It anticipates employee and customer parking will not exceed 5 at any given time during the day.

The following table sets forth Sixt's parking arrangement for clarity:[1]

17 Reserved Spaces	Fleet Parking
1 Reserved Space	Employee/Customer only (no fleet)
10 Floating Spaces in Parking Lot	Employee/Customer only (no fleet)

Thus, Sixt will be provided its 11 required parking spaces, plus an additional 17 parking spaces for fleet vehicles, which will be more than sufficient for the reasons stated above.

Notwithstanding the foregoing, Sixt will also utilize an operational safeguard to keep rental vehicles within the scope of the 17 designated spaces. First, Sixt has arranged for overflow parking to occur at its Phoenix Sky Harbor Airport location, if needed. And second, Sixt operates a proprietary computer software that anticipates if/when vehicles need to be transported to the airport lot well *before* the reserved spaces are filled.

The comptuer software constantly analyzes several data points, including customer pick-up times, cutomer drop-off windows, and years of proprietary rental history, to anticipate parking availability.

If the software determines more spaces are needed for the amount of incoming fleet vehicles on a particular day, the software will notify the office staff. Staff will then use on demand contracted drivers to transfer fleet vehicles from the subject site to Sixt's Phoenix Airport location, thus freeing up the necessary parking spaces within the Seville center *before* those spaces are needed. Thus, again, Sixt will restrict fleet vehicles to 17 of the 18 reserved spaces on the north side of the parking lot.

Related to parking is the topic of overall activity on the site. The average amount of vehicle transactions per day is expected to be modest. (The following customer estimates are based on the busiest seasons of the year, which generally coincide with Scottsdale's tourism seasons). On weekdays, Sixt anticipates an average of nine returns per day (check-ins) and an average of 10 rentals per day (check-outs). On weekends, Sixt anticipates approximately 20 rentals per day (check-outs) and 10 returns per day (check-ins). These figures are expected to drop during the slower months of the year.

Additionally, not all transactions will occur on site. Sixt offers free delivery and pick up to customers. Sixt will work with concierges at Scottsdale hotels to schedule delivery and pick-up of vehicles for the use of hotel guests. This service will be particularly appreciated by those Scottsdale visitors who prefer to go straight to a hotel upon arrival

[1] While the 17 fleet parking spaces may be used by employees and customers, the reverse is not true. Thus, fleet vehicles will not exceed or be parked outside of 17/18 of the spaces reserved for Sixt.

as well as by those who only wish to rent a car for a portion of their stay (such as those taking a road trip to Sedona or Flagstaff).

Given the information provided in this section, the proposed rental center will have no negative impact on the parking or circulation of the Seville shopping center or on the adjacent major arterial roads (Scottsdale Road and Indian Bend Road).

B. The characteristics of the proposed conditional uses are reasonably compatible with the types of uses in the surrounding areas.

As mentioned, this use seeks to lease an existing approximate 1,680 square feet retail space within the established Seville retail shopping center to allow for a vehicle rental office and related vehicle rental inventory parking. The general character of the area is commercial and office. The proposed use permit is compatible with the surrounding area and commercial land uses. Most of the businesses within this commercial center operate during the day time business hours. The operating characteristics of this use are in line with the other retail establishment and do not extend into the late evening. Given that all vehicle servicing (i.e. internal and external cleaning, fueling, maintenance, etc.) will be done off-site, we believe this request will fit seamlessly into the established shopping center and will not negatively impact the adjacent residential condominiums since the reserved spaces are not directly adjacent to a residential building.

Indeed, three neighbors attended the neighborhood meeting that we held within the proposed tenant suite at Seville. All three were in support of the proposal. Two of the three live in the adjoining condominiums.

C. The additional conditions specified in Section 1.403, as applicable, have been satisfied.

No required parking will be used for vehicle display.

Conclusion

Based on the success of its Arizona locations, Sixt is excited to open this Scottsdale location and believes the Seville retail center is an appropriate location to do so. The center has adequate circulation space, the creation of reserved parking spaces for fleet vehicles is more than sufficient, all vehicle fueling, cleaning, and maintenance will be conducted off-site, there will be constant and coordinated access to off-site overflow parking if needed, and a free delivery option is available to customers (whether at a hotel or not).

Issuance of a Conditional Use Permit will not negatively or significantly alter the character of the existing retail shopping center. The proposed conditional use permit is compatible with surrounding uses. It is a low impact use so there should be no adverse

noise impacts on the neighboring area. The doors will remain in a closed position except to allow patrons in and out of the establishment.

Based on the foregoing, we respectfully request approval of this request for a Conditional Use Permit.

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ATTACHMENT #3



Sixt Rent a Car at Scottsdale Seville

2-UP-2016

ATTACHMENT #4



Sixt Rent a Car at Scottsdale Seville

2-UP-2016

NEIGHBORHOOD NOTIFICATION REPORT

Sixt Rent A Car
7001 N. Scottsdale Road, Suite E-195
Conditional Use Permit request

PROJECT DESCRIPTION

Our office represents the U.S. division of Sixt Rent a Car, LLC (Sixt USA), who seeks to lease an approximate 1,680 square feet retail space within the established Seville retail shopping center to allow for a vehicle rental office with related rental vehicle inventory parking. The overall retail property consists of approximately 9.5 acres and is located at 7001 N. Scottsdale Road (APN 173-23-005Z). This property is zoned C-2/P-4 and is fully developed with streets, curb, gutter, parking, retention and mature landscaping.

The City's zoning permits "vehicle leasing, rental or sales with indoor or outdoor vehicle display and storage" on property that is zoned C-2 subject to procuring a Conditional Use Permit (CUP) with the City of Scottsdale. Sixt is seeking a Conditional Use Permit (CUP) to operate a vehicle rental office in an existing suite of the Seville commercial shopping along with a minimal outdoor area for rental vehicle inventory parking. This request does not seek to rezone or change the already permitted uses on the property. This request merely seeks CUP approval to operate a low intensity vehicle rental office.

The subject suite will be internally upgraded and renovated to feature an inviting space for customer reception and transactions, as well as administrative office space. Sixt's fleet vehicles will be parked within 18 designated spaces within the Seville parking lot, and all vehicle servicing (i.e. internal and external cleaning, fueling, maintenance, etc.) will be done off-site.

OVERVIEW OF ELEMENTS OF CITIZEN NOTIFICATION

The Neighborhood Notification Report was prepared in accordance with the City of Scottsdale Neighborhood Notification Checklist. As prepared, the Report meets the City's requirements and the recommended notification area as identified by the Planning Department. In accordance with City's requirements, the following process was completed:

- An Open House Meeting was deemed to be the most appropriate notification technique to inform the adjacent property owners/residents and/or interested parties of the request.

ATTACHMENT #5

- On January 8, 2016, Earl, Curley & Lagarde P.C. mailed the required Neighborhood Meeting Notification/Invitation letter. There were a total of 268 letters mailed to: all property owners within 750-feet of the subject site (as provided by the Maricopa County Assessor data base), and all HOAs within 750-feet of the subject site (as provided by the Planning Department), to advise them of the proposed Conditional Use Permit application and to notify them of the neighborhood open house meeting to discuss the application.

- A copy of the Neighborhood Meeting Notification/Invitation letter and mailing list was also provided to the City's Planner handling the case. The list of adjacent property owners and homeowners associations, along with assessor's map exhibit which shows which property owners were notified is provided (*see Appendix*).

- The letter invited residents to attend a neighborhood open house meeting at the potential suite 7001 N. Scottsdale Road, Suite E-195, Scottsdale, Arizona on Wednesday, January 20, 2016 from 6:00 PM to 7:00 PM. The letter provided a brief explanation of the proposed application and explained the purpose of the meeting and included an aerial exhibit and suite location.

- The neighborhood meeting letter also included the applicant's contact information, such as address, phone, e-mail, and fax number, so if anyone wanted to express concerns, issues, or problems, they could also do so by calling, writing, emailing, or faxing the applicant. The letter also provided the name and email of the City's Planner handling this case.

- A "Project Under Consideration" sign was also posted on the property to inform those interested in the case of the Neighborhood Open House. The sign included information such as: date, time and location of the open house meeting, overview and description of request, applicant's contact information, staff's contact information, and the case project number.

Neighborhood Open House Meeting

- The neighborhood open house meeting was held on Wednesday, January 20, 2016 from 6:00 PM to 7:00 PM to inform those in attendance of the proposed application. Only 3 neighbors attended the open house meeting and they registered their attendance on the sign-in sheet. Two attendees stated they live in the residential condominium community to the north of the subject site. The other attendee stated she lives across Indian Bend Road in a residential community southeast of the adjacent office site.

- Taylor Earl, on behalf of the Sixt, opened the open house meeting with a brief review of the proposed use and proposed Conditional Use Permit request. Mr.

Earl explained the office would be renovated to become the Sixt rental office, fleet vehicles would be parked in designated spaces in the parking lot, any vehicles in excess of these spaces would be parked off-site in another Sixt parking lot, and all maintenance of the vehicles would be done off-site.

- Reaction to the overall Conditional Use Permit and plan was positive from all individuals in attendance. Their main questions related to hours of operation, assuring no maintenance of vehicles was done on-site and vehicle inventory.

- The floor was opened for question and comments from the attendees.

The questions from the neighborhood meeting consisted of:

Questions:	**Responses:**
What are the hours of operation?	Hours of operation are planned to be 7:00 AM to 7:00 PM, 7 days a week.
How many vehicles would be allowed to be parked/stored/display?	The rental vehicle inventory will be parked within 18 designated parking spaces. Any extra fleet vehicles would be transported to another Sixt location. Because its computer system will notify Sixt ahead of time whether the site is going to have more vehicles coming in than going out, it can arrange for drivers to transport vehicles to another site, to create available space for incoming fleet vehicles. Additionally, a concierge service will be offered whereby customers will have the option of having a vehicle delivered to them, including at area hotels. This is a great option for customers who may have taken a shuttle straight from the airport to the hotel, to avoid the typical rental car hassle, or those who wish to rent a car for a day-trip to Sedona, Flagstaff, or other Arizona cities.
Would there be any maintenance of the vehicles on site?	No. All vehicle servicing (i.e. internal and external cleaning, fueling, maintenance, etc.) will be done off-site.
Why is a Conditional Use Permit required?	It was explained that under this site's current zoning category, the proposed use is allowed if a conditional use permit is first obtained. It was further explained that this request <u>does not</u> seek to rezone or change the already permitted uses on the property. This request merely seeks CUP approval to operate a low

	intensity vehicle rental office. Mr. Earl also explained that our office represents the U.S. division of Sixt Rent a Car, LLC (Sixt USA), who seeks to lease an approximate 1,680 square feet retail space within the established Seville retail shopping center to allow for a vehicle rental office with related rental vehicle inventory parking.
A comment was made by a resident that she appreciated our notification letter and is excited to have a rental facility close to her home.	Thank you. We believe this use will be a compatible use with the shopping center and compatible with the area.
A comment was made by a resident that she has never received any notification from the shopping center in the past and appreciated our notification.	Thank you.
A comment was made regarding the existing commercial activity by other commercial users such as loading/unloading noise.	While this comment does not pertain to our use we agreed to inform the shopping center manager of her concerns.
The same neighbor requested we move the location of our fleet vehicles closer to her home. Currently, the spaces closest to her home are for employees of the commercial center. These employees have caused her significant problems over time. She felt that if we took the parking closest to her home, it would force those employee spaces to be moved further away from her.	We will discuss this with our client, though the employee parking area is more hidden behind the building and thus our fleet vehicles would not be as visible. This could have a negative effect on the security of the vehicles and the ability for Sixt to attract customers. It would also force customers to access rental vehicles in the restaurant unloading area behind the building, which is an undesirable aesthetic.

- There have been no other no concerns, issues or problems expressed by any of the participating individuals. Since there were no concerns, issues, or problems raised by the adjacent property owners and other interested individuals there was no need to hold a 2nd meeting to address any of the public concerns.

- Should any adjacent property owners and/or other interested individuals raise any concern between now and the Conditional Use Permit hearing date, the Project Team will make every effort to address their concern in the appropriate manner, such as but not limited to personal visits, phone calls, or other acceptable means. Members of the Project Team are committed to working with

the City of Scottsdale, surrounding neighbors, and any interested parties to ensure the compatibility and success of this application.

- This concludes the Neighborhood Notification Report for Conditional Use Permit application for the property located at 7001 N. Scottsdale Road, Suite E-195, Scottsdale, Arizona.

O:\INDEX\Sixt Rent a Car\Docs\Neighborhood Notification Report_1.25.2016.docx

EARL, CURLEY & LAGARDE, P.C.
ATTORNEYS AT LAW

Telephone (602) 265-0094
Fax (602) 265-2195
www.ecllaw.com

3101 North Central Avenue
Suite 1000
Phoenix, Arizona 85012

January 8, 2016

RE: 7001 N. Scottsdale Road, Suite E-195
New Application/Early Notification of Project under Consideration
Neighborhood Meeting

Dear Property Owner, Interested Party, or Association President,

On behalf of our client, the U.S. division of Sixt Rent a Car, LLC (Sixt USA), we would like to inform you that we will be filing a request for a Conditional Use Permit (CUP) with the City of Scottsdale to permit Sixt USA to operate a vehicle rental center within an existing suite of the Seville commercial shopping center located on the northeast corner of Scottsdale Road and Indian Bend Road. This request does not seek to rezone or change the already permitted uses on the property. This use is already permitted, provided a CUP is first obtained. This request, therefore, is to obtain a CUP and operate the vehicle rental center within the property's existing C-2/P-4 zoning district.

The subject suite will be internally upgraded and renovated to feature an inviting space for customer reception and transactions, as well as administrative office space. Sixt's fleet vehicles will be parked within 18 designated spaces within the Seville parking lot, and all vehicle servicing (i.e. internal and external cleaning, fueling, maintenance, etc.) will be done off-site.

The Sixt USA parent company (Sixt SE) was founded in 1912 and has since grown to over 2,000 retail locations throughout 105 countries, with 140,000 vehicles and annual revenues in 2014 of $1.81 billion. In 2013 and 2014, Sixt SE was voted the World's Leading Business Car Rental Company at the World Travel Awards.

We are sending you this letter to you to make you aware of this upcoming Conditional Use Permit application and give you an opportunity to contact us regarding this request. We also wish to inform you that we are hosting a neighborhood open house meeting on **Wednesday, January 20, 2016 from 6:00PM to 7:00PM at 7001 N. Scottsdale Road, Suite E-195 , Scottsdale, AZ 85258 (the subject suite)** to provide additional information to interested parties and to answer any questions.

Additionally, please feel free to contact me ((602) 265-0094; tearl@ecllaw.com) or Ric Toris, one of our in-house planners ((602) 265-0094; rtoris@ecllaw.com) at any time to

obtain information or ask questions about the request. The City of Scottsdale City Planner assigned to this case is Meredith Tessier, who you may also contact with questions ((480) 312-4211; mtessier@scottsdaleaz.gov). For reference, our case number with the City of Scottsdale is 1094-PA-2015.

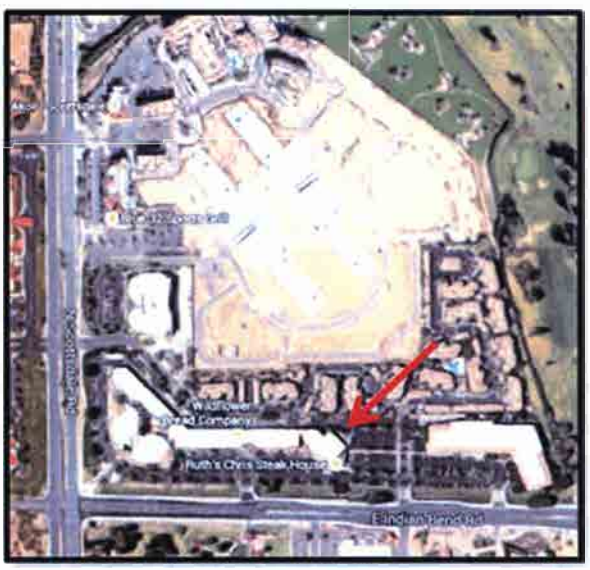
Sincerely,

Taylor C. Earl

Taylor C. Earl

CC: Meredith Tessier, City of Scottsdale
Ric Toris, Earl, Curley & Lagarde, P.C.

The proposed Sixt center will be located on the northeast corner of Scottsdale Road and Indian Bend Road, within the Seville center, at the suite identified on the image below.



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OVER 40 YEARS
OF CELEBRATING COMMUNITY
www.mrpoa.com

McCormick Ranch
Property Owners' Association

May 26, 2016

Taylor Earl
EARL, CURLEY & LAGARDE, P.C.
3101 North Central Avenue, Suite 1000
Phoenix, AZ 85012

Re: Conditional Use Permit

Dear Mr. Earl,

At its meeting of Wednesday, May 25, 2016, the McCormick Ranch Property Owners' Association Board of Directors reviewed the request from Sixt Rent a Car, LLC, to operate a vehicle rental office within the Scottsdale Seville Shopping Center. The Board voted unanimously to approve the request, and support Sixt Rent a Car, LLC, receiving a Conditional Use Permit from the City of Scottsdale.

If you have any questions regarding this approval, please call the Executive Director, Jaime Uhrich, at 480-860-1122, ext. 206.

Sincerely,

McCormick Ranch Board of Directors
board@mrpoa.com

RE: CASE#1094-PA-2015

Dear Ms. Tessier:

I am a neighbor abutting the Scottsdale Seville where Sixt Car Rental is going to be leasing, and it is my preference to remain anonymous but for the fact that I am a resident at Traviata. As to the CUP for the above-mentioned case number, I would like to say that I am not opposed to the CUP provided one condition is met: I would like to request that the location of the 18 spaces be moved to the next bank of spaces to the west, in other words, beginning just east of the pedestrian gate from Traviata to Seville, continuing eastward. (See enclosed map. The proposed spaces are immediately to the north of the Seville structure.)

The spaces I am specifically referring to are currently occupied largely by the employees of Ruth's Chris and The Cove Trattoria. Given that the parking lot for Seville is so large, it should be no problem to relocate those employee spaces specifically to the **south side** of Seville. Relocating the employee parking would have two positive effects: One, late night noise from employees who park to the north and east of Seville, which is disturbing to a number of Traviata residents, would be abated, and two, it would move the rental cars away from the back gate of Traviata, thereby easing the already problematic congestion at that gate area. There is already more than enough traffic there, from the office building employees coming in and out of the garage, the entrance/exit of which is directly perpendicular to the gate, to the delivery trucks, garbage trucks, service trucks, etc coming and going. Just today, I had to stop quickly when exiting Traviata as another car was passing eastbound at a speed greater than necessary or safe. Locating 18 additional vehicles next to the gate would just make an already difficult situation worse.

As for any concern about congestion in the proposed area, it should be noted that the curb behind those spaces is a red zone, and according to the Scottsdale Police Department, there needs to be enough room for another car to pass, and equally, for a car to pull out of an existing space. If a delivery truck is parked there, they are doing so illegally, no matter how briefly. They could pull forward (westward), beyond where the rental car spaces would be. They could also park on the south side, at least through the morning hours as the restaurants are not yet open.

To reiterate, I am not opposed to this CUP under the condition that the spaces be reallocated to the west as described, at the very least on a trial basis.

Thank you for your genuine attention to this matter.

Traviata Resident

Google Maps

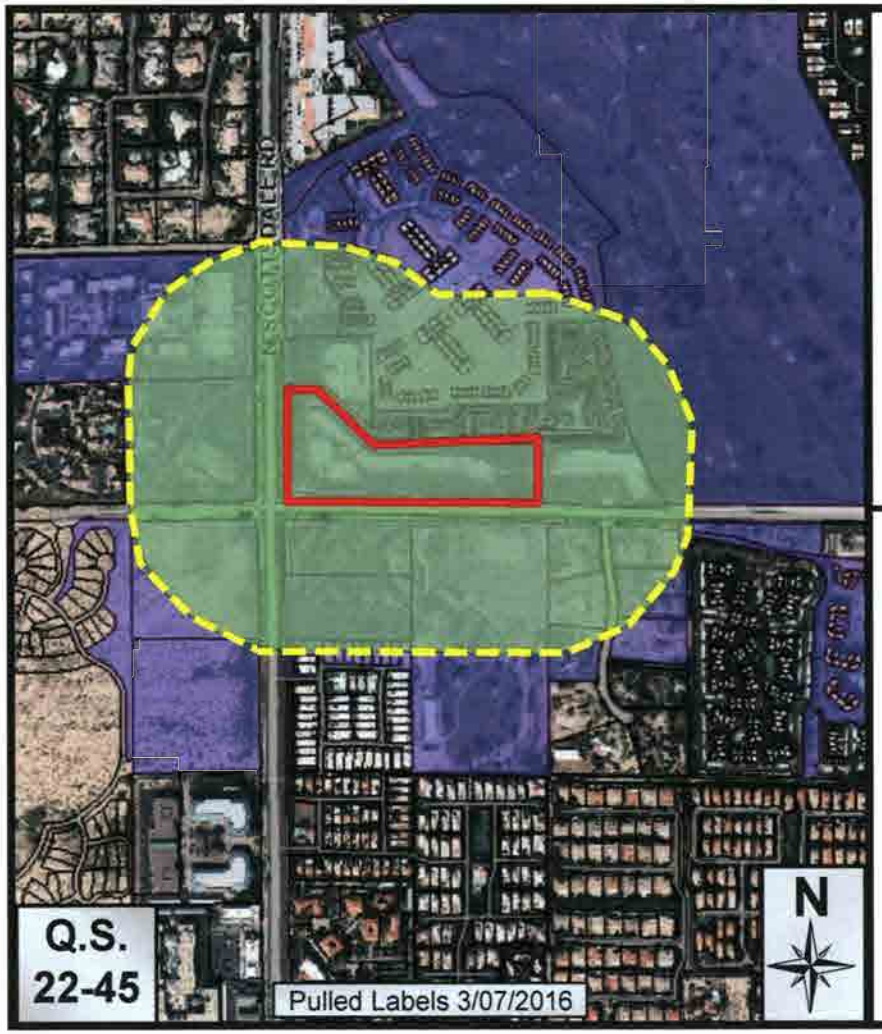
↓ Pedestrian Gate

Preferred/Proposed ↓ parking for Sixt



Map data ©2016 Google 20 ft

City Notifications – Mailing List Selection Map



Map Legend:

Site Boundary

Properties within 750-feet

Postcards - 184

Additional Notifications:

- Interested Parties List
- Adjacent HOA's
- P&Z E-Newsletter
- Facebook
- Twitter
- City Website-Projects in the hearing process

Sixt Rent a Car at Scottsdale Seville

2-UP-2016

ATTACHMENT #7

SCOTTSDALE PLANNING COMMISSION
KIVA-CITY HALL
3939 DRINKWATER BOULEVARD
SCOTTSDALE, ARIZONA

WEDNESDAY, JULY 27, 2016

DRAFT SUMMARIZED MEETING MINUTES

PRESENT:	Michael Edwards, Chair Matthew Cody, Vice Chair Larry S. Kush, Commissioner Michael J. Minnaugh, Commissioner Paul Alessio, Commissioner
ABSENT:	David Brantner, Commissioner Ali Fakih, Commissioner
STAFF:	Tim Curtis Joe Padilla Greg Bloemberg Keith Niederer Meredith Tessier Bryan Cluff Taylor Reynolds Gary Meyer

CALL TO ORDER

Vice Chair Cody called the regular session of the Scottsdale Planning Commission to order at 5:00 p.m.

ROLL CALL

A formal roll call was conducted confirming members present as stated above.

* Note: These are summary action minutes only. A complete copy of the meeting audio is available on the Planning Commission page on ScottsdaleAZ.gov, search "Planning Commission"

ATTACHMENT #8

MINUTES REVIEW AND APPROVAL

1. Approval of June 22, 2016 Regular Meeting Minutes including the Study Session.

   COMMISSIONER KUSH MOVED TO APPROVE THE JUNE 22, 2016 REGULAR MEETING MINUTES INCLUDING THE STUDY SESSION, SECONDED BY COMMISIONER ALESSIO, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF FIVE (5) TO ZERO (0).

EXPEDITED AGENDA

2. 38-UP-1991#2 (Enterprise Rent-A-Car)
   Request by owner to amend stipulations and eliminate obsolete stipulations of an existing Conditional Use Permit (38-UP-1991) for vehicle leasing, rental or sales on a 1.07+/- acre site zoned Highway Commercial District (C-3), located at 1815 N. Scottsdale Road. Staff contact person is Greg Bloemberg, 480-312-4306. **Applicant contact person is Josh Oehler, 602-696-6500**.

3. 6-UP-2011#2 (AT&T CMC Golf - Site No. W384-BB)
   Request by owner for a Conditional Use Permit for an existing Type 4 Alternative Concealment Wireless Communication facility (WCF) concealed within a 55-foot tall artificial palm tree, with associated ground mounted equipment, on a 1.24+/- acre located at 15695 N. 83rd Way with Industrial Park District (I-1) zoning. Staff contact person is Keith Niederer, 480-312-2953. **Applicant contact person is Julie Cocca, 602-421-4885**.

4. 1-UP-2016 (City Of Scottsdale Fire Station 613)
   Request by the City of Scottsdale for a Municipal Use Master Site Plan for a new city fire station on a 11.4 +/- acre parcel located at 26380 North Hayden Road with Single-family Residential, Environmentally Sensitive Lands, Foothills Overlay (R1-43 ESL F-O) zoning and to approve site plan, landscape plan, and building elevations for a new city fire station. Staff contact person is Meredith Tessier, 480-312-4211. **Applicant contact person is Matthew A Gorman, 602-279-4373**.

5. 2-UP-2016 (Sixt Rent a Car at Scottsdale Seville)
   Request by owner for a Conditional Use Permit for vehicle leasing, rental or sales within an existing suite at the Seville retail center with 11.5 +/- acres site located at 7001 N. Scottsdale Road, with Central Business District, Parking P-4 District, (C-2/P-4) zoning. Staff contact person is Meredith Tessier, 480-312-4211. Applicant contact person is Taylor Earl, 602-265-0094.

   Item No's 2, 3, 4 & 5: Recommended City Council approve cases 38-UP-1991#2, 6-UP-2011#2, 1-UP-2016 and 2-UP-2016, by a vote of 5-0; Motion by Commissioner Kush, per the staff recommended stipulations, based upon the finding that the Municipal Use and the Conditional Use Permit criteria have been met, 2nd by Commissioner Alessio.

REGULAR AGENDA

6. 2-GP-2016 (Paseo De Las Flores)
   Request by owner for a Non-Major General Plan amendment to the City of Scottsdale General Plan 2001 from the Office land use designation to the Commercial land use designation on a 2.64 +/- acre site located at 7300 N. Via Paseo Del Sur. Staff contact person is Meredith Tessier, 480-312-4211. Applicant contact person is George Pasquel III, 602-230-0600.

   Item No 6: Recommended City Council approve case 2-GP-2016, by a vote of 5-0; Motion by Commissioner Alessio, for a non-major General Plan amendment to the City of Scottsdale General Plan 2001 to change the land use designation from Office to Commercial, 2nd by Commissioner Kush.

7. 4-ZN-2016 (Paseo De Las Flores)
   Request by owner for a Zoning District Map Amendment to amend the Planned Community (P-C) zoning district from comparable Single-family Residential, (R1-7) zoning uses and property development standards to comparable Neighborhood Commercial (C-1) zoning uses and property development standards and amend the McCormick Ranch master Development Plan on a 2.64 +/- acre site located at 7300 N. Via Paseo Del Sur. Staff contact person is Meredith Tessier, 480-312-4211. Applicant contact person is George Pasquel III, 602-230-0600.

   Request to speak card: Angie Hisler

   Written comment card: Angie HIsler

Item No 7: Recommended City Council approve case 4-ZN-2016, by a vote of 5-0; Motion by Commissioner Alessio, per the staff recommended stipulations, after determining that the proposed Zoning District Map Amendment, development plan and amended development standards are consistent and conform with the adopted General Plan, 2nd by Commissioner Kush.

8. 8-TA-2010#3 (Medical Marijuana Text Amendment)
   Request by the City of Scottsdale, as the applicant, for a Text Amendment to the City of Scottsdale Zoning Ordinance (No. 455), amending Sections 1.403.L. and 1.403.M. regarding the Conditional Use Permit criteria for Medical marijuana use and Medical marijuana caregiver cultivation, including possible revisions to separation requirements and addition of protected uses. Applicant/Staff contact person is Bryan Cluff, 480-312-2258.

   Item No 8: Recommended City Council approve case 8-TA-2010#3, by a vote of 5-0; Motion by Vice Chair Cody; after determining that the proposed Text Amendment is consistent and conforms with the adopted General Plan and ask City Council to study placing a cap on the number of Marijuana facilities in the city, 2nd by Commission Kush.

   Request to speak card: Jennifer Hall

   Written Comment card: Jennifer Hall

ADJOURNMENT

With no further business to discuss, the regular session of the Planning Commission adjourned at 5:52 p.m.