



Approved 7/26/2023 (cg)

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

WEDNESDAY, JULY 12, 2023

SUMMARIZED MEETING MINUTES

PRESENT: Renee Higgs, Chair
Barney Gonzales, Commissioner
Diana Kaminski, Commissioner
George Ertel, Commissioner
Christian Serena, Commissioner

REMOTE: William Scarbrough, Commissioner

ABSENT: Joe Young, Vice Chair

STAFF: Tim Curtis
Eric Anderson
Katie Posler
Jeff Barnes
Bryan Cluff
Becca Cox
Caitlyn Gulsvig
Jason McWilliams

CALL TO ORDER

Chair Higgs called the regular session of the Scottsdale Planning Commission to order at 5:01 p.m.

ROLL CALL

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

MINUTES REVIEW AND APPROVAL

1. Approval of June 28, 2023 Regular Meeting Minutes including Study Session.

Commissioner Kaminski moved to approve the June 28, 2023 regular meeting minutes. Seconded by Commissioner Ertel, the motion carried unanimously with a vote of six (6) to zero (0) by Chair Higgs, Commissioner Gonzales, Commissioner Kaminski, Commissioner Ertel, Commissioner Scarbrough and Commissioner Serena.

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CONSENT AGENDA

2. [16-UP-2007#2 \(The George Hotel\)](#)

Request by owner for an amendment to an existing Conditional Use Permit (16-UP-2007) for site plan amendments for a travel accommodation to allow for a new three-story hotel building, one-story gym/café, site improvements, and renovations and expansions to existing hotel buildings on a +/- 4.74-acre site with Multiple-family Residential Planned Community District (R-5 PCD) zoning, located at 7330 N. Pima Road. Staff contact person is Katie Posler, 480-312-2703. **Applicant contact person is Miguel Fuentesvilla, 520-795-9888.**

Item No. 2 moved to the regular agenda; Commissioner Ertel moved to make a recommendation to City Council for approval of case 16-UP-2007#2 per the staff recommended stipulations, including the three new stipulations presented by staff, based upon the finding that the Conditional Use Permit criteria have been met. Seconded by Commissioner Kaminski, the motion carried by a vote of four (4) to two (2) with Chair Higgs, Commissioner Kaminski, Commissioner Ertel, and Commissioner Scarbrough all voting in favor and Commissioner Gonzales and Commissioner Serena dissenting.

3. [21-ZN-1997#2 \(Tuscany at McCormick Ranch\)](#)

Request by owner for approval of a zoning district map amendment to modify the stipulations of previously adopted Ordinance No. 3053 via case 21-ZN-1997, increasing the maximum number of units from 71 to 73, for an existing Residential Healthcare Facility on a +/- 3.5-acre site with Multiple-family Residential Planned Community Development district (R-5 PCD) zoning located at 9000 East San Victor Drive. Staff contact person is Jeff Barnes, 480-312-2376. **Applicant contact person is Brian Vaccaro, 602-265-0094.**

4. [35-UP-1997#2 \(Tuscany at McCormick Ranch\)](#)

Request by owner for approval of an amendment to an existing Conditional Use Permit for a Residential Healthcare Facility, to modify the stipulations of case 35-UP-1997 to increase the maximum number of units from 71 to 73, for a +/- 3.5-acre site with Multiple-family Residential Planned Community Development district (R-5 PCD) zoning located at 9000 East San Victor Drive. Staff contact person is Jeff Barnes, 480-312-2376. **Applicant contact person is Brian Vaccaro, 602-265-0094.**

Items No. 3 and 4; Commissioner Serena moved to make a recommendation to City Council for approval of cases 21-ZN-1997#2 and 35-UP-1997#2 per the staff recommended stipulations after determining that the proposed Zoning District Map Amendment is consistent and conforms with the adopted General Plan and based upon the finding that the PCD findings and Conditional Use Permit criteria have been met. Seconded by Commissioner Ertel, the motion carried unanimously by a vote of six (6) to zero (0) by Chair Higgs, Commissioner Gonzales, Commissioner Kaminski, Commissioner Ertel, Commissioner Scarbrough and Commissioner Serena.

REGULAR AGENDA

5. [2-TA-2022 \(Harvest of Scottsdale\)](#)

Request by owner to amend the Zoning Ordinance (Ord. No. 455) Article I, Section 1.403.M. (Marijuana use) to allow drive-through operations for marijuana dispensaries. Staff contact person

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is Bryan Cluff, 480-312-2258. **Applicant contact person is Lauren Niehaus, 303-827-9039.**

Item No. 5; Commissioner Ertel moved to make a recommendation to City Council for approval of case 2-TA-2022 after determining that the proposed Text Amendment is consistent and conforms with the adopted General Plan. Not hearing a second, the motion failed. Commissioner Gonzales moved to make a recommendation to City Council for denial of case 2-TA-2022 after determining that the proposed Text Amendment is not consistent and does not conform with the adopted General Plan. Seconded by Commissioner Serena, the motion carried by a vote of four (4) to two (2) with Commissioner Gonzales, Commissioner Kaminski, Commissioner Scarbrough, and Commissioner Serena all voting in favor and Chair Higgs and Commissioner Ertel dissenting.

6. [10-UP-2015#4 \(Harvest of Scottsdale\)](#)

Request by owner for an amendment to an existing conditional use permit (10-UP-2015#3) for a marijuana dispensary, including elimination of the 5-year timing stipulation and the addition of drive-through operations for a site located at 15190 N Hayden Road with Industrial Park (I-1) zoning. See also related text amendment 2-TA-2022. Staff contact person is Bryan Cluff, 480-312-2258. **Applicant contact person is Lauren Niehaus, 303-827-9039.**

Item No. 6; Commissioner Kaminski moved to make a recommendation to City Council for approval of the elimination of the 5-year timing stipulation based upon the finding that the Conditional Use Permit criteria have been met. Seconded by Commissioner Ertel, the motion carried by a vote of four (4) to two (2) with Chair Higgs, Commissioner Kaminski, Commissioner Ertel, and Commissioner Scarbrough all voting in favor and Commissioner Gonzales and Commissioner Serena dissenting. Commissioner Kaminski moved to make a recommendation to City Council for approval of the addition of drive-through operations at a marijuana dispensary based upon the finding that the Conditional Use Permit criteria have been met. Seconded by Commissioner Ertel, the motion failed by a vote of two (2) to four (4) with Chair Higgs and Commissioner Ertel voting in favor and Commissioner Gonzales, Commissioner Kaminski, Commissioner Scarbrough, and Commissioner Serena dissenting. Commissioner Kaminski moved to make a recommendation to City Council for denial of the addition of drive-through operations at a marijuana dispensary based upon the finding that the Conditional Use Permit criteria have not been met. Seconded by Commissioner Serena, the motion carried by a vote of four (4) to two (2) with Commissioner Gonzales, Commissioner Kaminski, Commissioner Scarbrough, and Commissioner Serena all voting in favor and Chair Higgs and Commissioner Ertel dissenting.

WRITTEN COMMENT CARDS:

Item No. 2: Virginia McDearmon

REQUEST TO SPEAK CARDS:

Item No. 2: Gordon Medill, Chris Medill, and Andre Golnazarian.

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ADJOURNMENT

With no further business to discuss, the regular session of the Planning Commission adjourned at 6:55 p.m.