

SCOTTSDALE

CITY COUNCIL MEETING

MEETING NOTICE AND AGENDA



COUNCIL

W.J. "Jim" Lane, Mayor
Suzanne Klapp
Virginia L. Korte
Kathleen S. Littlefield

Linda Milhaven
Guy Phillips
David N. Smith

Tuesday, August 29, 2017

Unless an exception is made, or unless otherwise noted, the Council will not begin discussion on any new items after 10:00 p.m. Items that are not heard will be continued to the next scheduled Council meeting (September 12, 2017).

5:00 P.M.

MARKED AGENDA

CITY COUNCIL MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

Call to Order – 5:04 p.m.

Roll Call – All present

One or more members of the Council may be unable to attend the Council meeting in person and may participate telephonically, pursuant to A.R.S. §38-431(4).

Pledge of Allegiance – Troop 194, Troop Leader Priscilla Sanders

Invocation – Pastor Lou Fitting, Camelback Seventh Day Adventist Church

Mayor's Report – Mayor Lane read a proclamation in honor of Parks and Recreation Month.

Presentations/Information Updates – None

Public Comment – Roberto Duran and Richard Porter expressed concern about the Coronado Golf Course and the City Manager's memorandum in response to the citizen petition they submitted on March 7, 2017. Sonnie Kirtley recognized the contributions of the Scottsdale Community Council and noted the passing of Chairman Jim Getty.

Public Comment time is reserved for citizens to comment on non-agendized items that are within the Council's jurisdiction. No official Council action can be taken on these items. Public Comment time is also the designated time for presenting a citizen petition. There is no limit on the number of petitions a citizen may present; however, each citizen is limited to a total time of three minutes to present and speak to the petition(s). A Request to Speak card must be submitted together with the petition(s) before the Mayor announces the second Public Comment period. Speakers may address the Council once under Public Comment at the beginning or the end of the meeting, but not both. Public Comment is limited to a total of 15 minutes at the beginning and 15 minutes at the end of the meeting. **Speakers are limited to three minutes to address the Council during "Public Comment."**



PERSONS WITH A DISABILITY MAY REQUEST A REASONABLE ACCOMMODATION BY CONTACTING THE CITY CLERK'S OFFICE AT (480-312-2412). REQUESTS SHOULD BE MADE 24 HOURS IN ADVANCE, OR AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE ACCOMMODATION. FOR TTY USERS, THE ARIZONA RELAY SERVICE (1-800-367-8939) MAY CONTACT THE CITY CLERK'S OFFICE (480-312-2412).

FOR ADDITIONAL INFORMATION VISIT: WWW.SCOTTSDALEAZ.GOV/COUNCIL/MEETING-INFORMATION

CONSENT AGENDA **ITEMS 1-28**

How the Consent Agenda Works: The Council may take one vote to act on all of the items on the Consent Agenda, or may remove items for further discussion. If you wish to speak on an item on the Consent Agenda, please complete a Request to Speak card for each topic you wish to address. **You will be given one opportunity to speak on any or all Consent items listed on the agenda.** After all of the speakers have finished, the Council will decide which items to remove for additional discussion and/or presentation from staff. Items not removed from the Consent Agenda will be considered in one motion. Items removed for clarification or discussion by the Council will be acted on as appropriate.

– Councilmember Korte made a motion to approve Consent Agenda Items 1 through 28, absent Item 17, which was moved to the Regular Agenda. Councilman Phillips seconded the motion, which carried 7/0.

1. **[Pitch Pizzeria Liquor License \(51-LL-2017\)](#) – Approved on Consent.**
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: 6350 E. Thomas Road, Suites 100 and 200
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
2. **[Pitch Pizzeria Liquor License \(52-LL-2017\)](#) – Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a person and location transfer of a Series 7 (beer and wine bar) State liquor license for a new location and owner.
Location: 6350 E. Thomas Road, Suites 100 and 200
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
3. **[Blue Clover Distillery Liquor License \(54-LL-2017\)](#) – Approved on Consent.**
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: 7042 E. Indian School Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
4. **[Los Sombreros Liquor License \(55-LL-2017\)](#) – Approved on Consent.**
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: 2534 N. Scottsdale Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
5. **[Sasaki Sushi and Bar Liquor License \(56-LL-2017\)](#) – Approved on Consent.**
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: 7373 E. Scottsdale Mall, Suite 6
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
6. **[The Blind Pig Liquor License \(57-LL-2017\)](#) – Approved on Consent.**
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: 3370 N. Hayden Road, Suite 116
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

7. **Scottsdale Zoom Liquor License (58-LL-2017) – Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 10 (beer and wine store) State liquor license for a new location and owner.
Location: 8300 N. Hayden Road, Suite A-112
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
8. **VomFASS Liquor License (59-LL-2017) – Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 9S (liquor store with sampling privileges) State liquor license for an existing location with a new owner.
Location: 7135 E. Camelback Road, #145
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
9. **Starlite BBQ Liquor License (60-LL-2017) – Approved on Consent.**
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: 7620 E. Indian School Road, Suite 101
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
10. **Grayhawk Beer Company Liquor License (61-LL-2017) – Approved on Consent.**
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: 20831 N. Scottsdale Road, Suites A7 and A8
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
11. **Adeline Hotel Liquor License (62-LL-2017) – Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a new Series 11 (hotel/motel) State liquor license for an existing location and owner.
Location: 5101 N. Scottsdale Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
12. **Pacific Edge Wine and Spirits of Arizona Liquor License (63-LL-2017) – Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 4 (wholesaler) State liquor license for a new location and owner.
Location: 8350 E. Evans Road, Suite E-2
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
13. **Chimayo Scottsdale Liquor License (64-LL-2017) – Approved on Consent.**
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: 14700 N. Frank Lloyd Wright Boulevard, Suite 159
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
14. **New York Bagels 'N Bialys Liquor License (65-LL-2017) – Approved on Consent.**
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: 1455 N. Scottsdale Road, Suite 110
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

15. **Permanent Extension of Premises for Hand Cut Burgers and Chophouse (2-EX-2017) – Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a permanent extension of premises for an existing Series 12 (restaurant) State liquor license for an existing location to expand the patio.
Location: 7135 E. Camelback Road, Suite 154
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
16. **Scottsdale Discount Auto Conditional Use Permit (1-UP-2017) – Approved on Consent.**
Request: Find that the conditional use permit criteria have been met and adopt
Resolution No. 10878 approving a Conditional Use Permit for vehicle repair on a 0.17±-acre parcel with Highway Commercial (C-3) zoning.
Location: 1620 N. 87th Street
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
17. **101 Restaurant Conditional Use Permit (3-UP-2017) – Councilmember Korte made a motion to approve zoning case 3-UP-2017. Councilwoman Milhaven seconded the motion, which carried 7/0.**
Request: Find that the conditional use permit criteria have been met and adopt
Resolution No. 10879 approving a Conditional Use Permit for live entertainment on a 13,042± square-foot site with Highway Commercial (C-3) zoning.
Location: 8740 E. Frank Lloyd Wright Boulevard
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
18. **Paseo De Las Flores Replat (2-PP-2016) – Approved on Consent.**
Request: Approve a replat of “Tract B” in the amended Paseo Village subdivision to create Lot 1 of a 2.64±-acre parcel with Neighborhood Commercial, Planned Community District (C-1 PCD) zoning.
Location: 7300 N. Via Paseo Del Sur
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
19. **Library Services and Technology Act Grant – Approved on Consent.**
Request: Adopt **Resolution No. 10881** to authorize:
 1. Acceptance of a FY 2017/18 Library Services and Technology Act grant from the Arizona State Library, Archives and Public Records in the amount of \$36,000 for the Library’s “Footprints on the Desert: Frank Lloyd Wright in Arizona” Program.
 2. The Library Director to act as necessary to accept and administer the grant.
 3. A budget transfer in the amount of \$36,000 from the adopted FY 2017/18 Future Grants and/or Grant Contingency budget to a newly created operating cost center to record the related grant activity.**Staff Contact(s):** Bill Murphy, Community Services Director, 480-312-7954, bmurphy@scottsdaleaz.gov
20. **Drug, Alcohol, and Violence Prevention Education Intergovernmental Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 10858** authorizing Agreement No. 2017-099-COS with Scottsdale Unified School District No. 48 in the amount of \$100,000 to provide substance abuse and violence prevention services and programs in Scottsdale Schools for FY 2017/18.
Staff Contact(s): Bill Murphy, Community Services Director, 480-312-7954, bmurphy@scottsdaleaz.gov

21. **Fire Department Urban Area Security Initiative Grant – Approved on Consent.**
Request: Adopt **Resolution No. 10880** to authorize:
 1. The acceptance of a FY 2017/18 Arizona Department of Homeland Security and Federal Emergency Management Agency Urban Area Security Initiative grant in the amount of \$60,000.
 2. The Fire Chief or designee to conduct all negotiations and to execute and submit all documents in connection with the grant.
 3. A budget transfer in the amount of \$60,000 from the adopted FY 2017/18 Future Grants Budget and/or Grant Contingency Budget and the creation of a new cost center to record the related grant activity.**Staff Contact(s):** Tom Shannon, Fire Chief, 480-312-1821, tshannon@scottsdaleaz.gov

22. **School Resource Officer Intergovernmental Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 10882** authorizing Agreement No. 2017-135-COS with Scottsdale Unified School District for the provision of Scottsdale Police Officers to serve as School Resource Officers.
Staff Contact(s): Alan Rodbell, Chief of Police, 480-312-1900, arodbell@scottsdale.gov

23. **Carefree Highway and 56th Street Annexation Intergovernmental Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 10835** to authorize:
 1. Agreement No. 2017-076-COS with Maricopa County in an amount not to exceed \$500,000 from Maricopa County to construct left-turn lanes on Carefree Highway at Mountainside Drive and at Arroyo Road.
 2. City staff to initiate the process of annexing the 40-foot east half of 56th Street from Olesen Road to Seven Palms Drive and the 55-foot north half of Carefree Highway from 56th Street to 60th Street.
 3. A FY 2017/18 \$620,000 capital budget appropriation transfer from two sources: (1) \$500,000 from the General Fund Capital Contingency, and (2) \$120,000 from the Intersection Mobility Enhancements capital projects (YE19) to a newly created capital project to be titled “Carefree Highway Left-Turn Lanes.” The \$500,000 budget transfer will be funded by a Maricopa County Department of Transportation Contribution and the \$120,000 budget transfer will be funded by the Transportation Sales Tax.**Staff Contact(s):** Paul Basha, Transportation Director, 480-312-7651, pbasha@scottsdaleaz.gov

24. **Scottsdale Airport Terminal Area Redevelopment Project – Approved on Consent.**
Request: Adopt **Resolution No. 10861** authorizing CM@Risk contract amendment No. 2017-060-COS-A1 with JE Dunn Construction Company in the amount of \$7,874,909, along with a City Project Contingency of \$27,077, for a total increase of \$7,901,986, to conduct construction phase services, including the second phase of the Terminal Area Redevelopment Project at Scottsdale Airport.
Staff Contact(s): Gary Mascaro, Aviation Director, 480-312-7735, gmascaro@scottsdaleaz.gov

25. **ArtWalk Event – Approved on Consent.**
Request: Adopt **Resolution No. 10868** to authorize:
 1. Beginning in FY 2017/18, funding not to exceed \$75,000 per year from the portion of the Tourism Development Fund that is allocated toward event retention and development for the ArtWalk event.
 2. Event Funding Agreement No. 2017-133-COS with Scottsdale Gallery Association for a three-year term.**Staff Contact(s):** Karen Churchard, Tourism and Events Director, 480-312-2890, kchurchard@scottsdaleaz.gov

26. **Grand Prix of Scottsdale Event – Approved on Consent.**
Request: Adopt **Resolution No. 10869** to authorize:
 1. Funding not to exceed \$75,000 from the portion of the Tourism Development Fund that is allocated toward event retention and development for the Grand Prix of Scottsdale event.
 2. New Event Funding Agreement No. 2017-134-COS with Grand Prix of Scottsdale, LLC.**Staff Contact(s):** Karen Churchard, Tourism and Events Director, 480-312-2890, kchurchard@scottsdaleaz.gov

27. **Community Event Funding Program – Approved on Consent.**
Request: Adopt **Resolution No. 10870** authorizing the addition of multi-year community event funding guidelines and criteria for the FY 2017/18 Community Event Funding Program.
Staff Contact(s): Karen Churchard, Tourism and Events Director, 480-312-2890, kchurchard@scottsdaleaz.gov
28. **Monthly Financial Report – Approved on Consent.**
Request: Accept the FY 2016/17 Monthly Financial Report as of May 2017.
Staff Contact(s): Judy Doyle, Budget Director, 480-312-2603, jdoyle@scottsdaleaz.gov

REGULAR AGENDA ITEM 29

How the Regular Agenda Works: The Council takes a separate action on each item on the Regular Agenda. If you wish to address the Council regarding any or all of the items on the Regular Agenda, please complete a Request to Speak card for each topic you wish to address and submit it to the City Clerk. Speakers will be given at least three minutes to speak per item. Additional time ***may*** be granted to speakers representing two or more persons. Cards for designated speakers and the persons they represent must be submitted together. **Comment cards must be submitted before public testimony has begun on that item.**

29. **Scottsdale Fashion Square Mall Rezoning and Infill Incentive District (25-ZN-2015 and 1-II-2016)**
Requests:
1. Adopt **Ordinance No. 4299** approving a Zoning District Map Amendment on a on a 56±-acre site from Downtown/Regional Commercial Office – Type 2, Planned Block Development, Downtown Overlay (D/RCO-2 PBD DO) to Downtown/Downtown Regional Use – Type 2, Planned Block Development, Downtown Overlay (D/DRU-2 PBD DO) and approval of a Development Plan with building height up to 150 feet, and further approving a Downtown Infill incentive District application over ±1.8 acres of the 56±-acre site with Downtown/Downtown Regional Use – Type 2, Planned Block Development, Downtown Overlay (D/DRU-2 PBD DO) zoning by approving a Development Plan and amendments to Property Development Standards of the Zoning Ordinance regarding the inclined stepback plane adjacent to the Downtown Boundary, specifically at the northeast corner of the Development Plan area (4710, 4626, 4500, 4700 and 4720 N. Scottsdale Road).
 2. Adopt **Resolution No. 10717** declaring “Development Plan Scottsdale Fashion Square”, as a public record.
 3. Adopt **Resolution No. 10506** authorizing Development Agreement No. 2017-077-COS.
Location: Northwest corner of Camelback Road and Scottsdale Road (6900, 7000, 7003, 7014, 7032, 7102, 7150, 7055 E. Camelback Road; 7000 E. Via Soleri Drive, 4150 , 4626, 4610, 4710, 4500, 4700, 4720 N. Scottsdale Road; 7001 E. Highland Avenue; and 4649 N. Goldwater Boulevard)
Presenter(s): Bryan Cluff, Sr. Planner
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
– Senior Planner Bryan Cluff and Applicant Representative John Berry presentations.

Motion No. 1

– Councilwoman Milhaven made a motion to adopt Ordinance No. 4299 approving a Zoning District Map Amendment on a 56±-acre site, Resolution No. 10717 declaring “Development Plan Scottsdale Fashion Square” as a public record, and Resolution No. 10506 authorizing Development Agreement No. 2017-077-COS. Councilmember Korte seconded the motion, which carried 5/2, with Councilmembers Littlefield and Smith dissenting.

Alternate Motion

– **Councilman Smith made an alternate motion that the case be continued to a future date when there is more specific agreements with neighbors, a rationale for the 150 feet, and more specifics about what the project is going to encompass. Councilwoman Littlefield seconded the motion, which failed 3/4, with Mayor Lane, Vice Mayor Klapp, and Councilmembers Korte and Milhaven dissenting.**

Motion No. 2

– **Councilmember Korte made a motion to call the question. Councilwoman Klapp seconded the motion, which carried 7/0.**

Public Comment – None

Public Comment time is reserved for citizens to comment on non-agendized items that are within the Council's jurisdiction. No official Council action can be taken on these items.

Public Comment time is also the designated time for presenting a citizen petition. There is no limit on the number of petitions a citizen may present; however, each citizen is limited to a total time of three minutes to present and speak to the petition(s). A Request to Speak card must be submitted together with the petition(s) before the Mayor announces the second Public Comment period.

Speakers may address the Council once under Public Comment at the beginning or the end of the meeting, but not both. Public Comment is limited to a total of 15 minutes at the beginning and 15 minutes at the end of the meeting. **Speakers are limited to three minutes to address the Council during "Public Comment."**

CITIZEN PETITIONS

ITEM 30

Citizen Petitions: This portion of the agenda is reserved for the submission and/or consideration of citizen petitions. There is no limit on the number of petitions a citizen may submit; however, **each citizen is limited to a total time of three minutes to speak to his/her petition(s)**. A Request to Speak card must be submitted, together with the petition(s), **before** the second Public Comment period begins.

30. Receipt of Citizen Petitions – None

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

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

Mayor and Council Items – None

Adjournment – 8:13 P.M.