

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

Wednesday, December 12, 2018

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 (January 8, 2019).

5:00 P.M.

MARKED AGENDA

CITY COUNCIL MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

Call to Order – 5:02 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 – Girl Scout Troop 128, Leader Ladawn Bentley

Invocation – Pastor David Joynt, Valley Presbyterian Church

Mayor's Report – Mayor Lane presented Councilman Smith with a bell in recognition of his service on the Council. Councilman Smith thanked supporters and City leadership and emphasized the importance of community involvement.

Presentations/Information Updates – None

Public Comment – Howard Alper presented a citizen petition asking to have signs prohibiting the use of electric scooters posted on the North canal sidewalk at Soleri Bridge and at the north canal sidewalk at the Marshall Way Bridge. Deborah Speilman spoke in support of the citizen petition presented by Mr. Alper. Lisa Randall invited the public to attend the Second Annual Old-Fashioned Pancake Breakfast at 9:00 a.m., Saturday, December 15, at the Little Red Schoolhouse, hosted by the City Council and Scottsdale Firefighters.

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 1-22**

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.

– Vice Mayor Phillips made a motion to approve Consent Agenda Items 1 through 22. Councilmember Korte seconded the motion which carried 7/0, with Mayor Lane; Vice Mayor Phillips; and Councilmembers Klapp, Korte, Littlefield, Milhaven, and Smith voting in the affirmative.

1. [Wonderspaces \(14-UP-2018\)](#) – **Approved on Consent.**
Request: Find that the conditional use permit criteria have been met and adopt **Resolution No. 11325** approving a Conditional Use Permit for a bar in a gallery space internal to Fashion Square Mall in a 15,987± square-foot suite with Downtown/Downtown Regional Use – Type 2, Planned Block Development Downtown Overlay (D/DRU-2 PBD DO) zoning.
Location: 7014 E. Camelback Road, Suite 584
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

2. [Wonderspaces Liquor License \(69-LL-2018\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 6 (bar) State liquor license for a new location and owner.
Location: 7014 E. Camelback Road, Suite 584
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

3. [Mick Liquor License \(77-LL-2018\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 7 (beer and wine bar) State liquor license for an existing location and owner, new license series.
Location: 9719 N. Hayden Road, Suite B
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

4. [Agave Del Mar Liquor License \(78-LL-2018\)](#) – **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: 8390 E. Via De Ventura, Suite F105
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

5. [State 48 Lager House Liquor License \(79-LL-2018\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 3 (in-state microbrewery) State liquor license for a new location and owner.
Location: 15600 N. Hayden Road, Building A
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

6. [State 48 Lager House Liquor License \(80-LL-2018\)](#) – **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: 15600 N. Hayden Road, Building A
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

7. **[Sonesta Suites Scottsdale Liquor License \(81-LL-2018\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a person transfer of a Series 6 (bar) State liquor license for an existing location with a new owner.
Location: 7300 E. Gainey Suites Drive
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
8. **[Little Chicago Pizza \(82-LL-2018\)](#) – **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: 1645 N. Hayden Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
9. **[One Mediterranean Liquor License \(83-LL-2018\)](#) – **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: 4180 N. Drinkwater Boulevard
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
10. **[7 Eleven No. 25845M Liquor License \(84-LL-2018\)](#) – **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 an existing location with a new owner.
Location: 8402 E. McDowell Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
11. **[West Coasts Petroleum LLC Liquor License \(85-LL-2018\)](#) – **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 an existing location with a new owner.
Location: 8350 E. McDowell Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
12. **[Whining Pig Liquor License \(86-LL-2018\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 7 (beer and wine bar) State liquor license for a new location and owner.
Location: 10121 E. Bell Road, Suite 110
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
13. **[Permanent Extension of Premises for Maui Pasta \(9-EX-2018\)](#) – **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 a Series 12 (restaurant) State liquor license for an existing location to expand the patio.
Location: 7704 E. Doubletree Ranch Road, Suite 115
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
14. **[Permanent Extension of Premises for La Locanda \(10-EX-2018\)](#) – **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 a Series 12 (restaurant) State liquor license for an existing location to expand the patio.
Location: 6830 E. 5th Avenue, Suites 106, 107, and 108
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**

15. **[Black Rock Coffee Conditional Use Permit \(8-UP-2018\)](#) – **Approved on Consent.**
Request: Find that the conditional use permit criteria have been met and adopt **Resolution No. 11328** approving a Conditional Use Permit for a new restaurant with a drive-through on a 0.6-acre site with Industrial Park (I-1) zoning.
Location: 8700 E. Thomas Road
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov**

16. **[Simoneau Abandonment \(13-AB-2018\)](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 11327** authorizing the abandonment of the following areas:
 1. The east 8 feet of the west 33 feet of General Land Office Patent Easement (GLOPE) along N. 79th Street.
 2. The south 8 feet of the north 33 feet of GLOPE along E. Pinnacle Vista Drive.
 3. The 20-foot wide right-of-way along the south boundary line of a property with Single-Family Residential District, Environmentally Sensitive Lands, Foothills Overlay (R1-70 ESL FO).**Location:** 27301 N. 79th Street
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov**

17. **[Crossroads East Rezoning and Development Agreement \(19-ZN-2002#7 and 2-DA-2018#2\)](#) – **Approved on Consent.**
Requests:
 1. Adopt **Ordinance No. 4379** approving a zoning district map amendment to amend the Crossroads East Development Plan’s Land Use Budget, approved with case 19-ZN-2002#6, to transfer 10 acres from the Commercial Office (C-O) allotment to the Multi-Family Residential (R-5) allotment, with no change in overall residential density.
 2. Adopt **Resolution No. 11329** authorizing Development Agreement No. 2002-141-COS-A4 with the Arizona State Land Department.
 3. Adopt **Resolution No. 11330** declaring the document titled “*Revised Crossroads East Land Use Budget*” to be a public record.**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov**

18. **[Pima & Bronco Rezoning \(10-ZN-2018\)](#) – **Approved on Consent.**
Requests:
 1. Adopt **Ordinance No. 4378** approving a zoning district map amendment from Single-Family Residential Environmentally Sensitive Lands (R1-70 ESL) to Single-Family Residential Planned Residential Development Environmentally Sensitive Lands (R1-43 PR ESL) zoning and a development plan and amended development standards on a 20±-acre site.
 2. Adopt **Resolution No. 11331** declaring the document titled “*Pima & Bronco Development Plan*” to be a public record.**Location:** Southwest corner of N. Pima Road and E. Bronco Trail
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov**

19. **[Planned Airpark Core Development \(Raintree Redevelopment\) Text Amendment \(5-TA-2018\)](#) – **Approved on Consent.**
Request: Adopt **Ordinance No. 4376** to amend the City of Scottsdale Zoning Ordinance No. 455 to amend Section 5.4006 Use Regulations to add Internalized Community Storage as an allowed land use in the AMU, EMP, and AV subdistricts.
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov**

20. **Town of Paradise Valley Intergovernmental Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 11336** authorizing Contract No. 2018-204-COS with the Town of Paradise Valley to provide the town with plan review, permitting, and inspection services for the underground parking garage serving the Palmeraie mixed-use development by Five Star Development Resort Communities, LLC.
Location: Southwest corner of N. Scottsdale and E. Indian Bend roads
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
21. **On-Call Electrical Engineering Services Contracts for Capital Improvement and Facilities Projects – Approved on Consent.**
Request: Adopt **Resolution No. 11320** authorizing the following on-call electrical engineering services contracts for two years with the option to extend for three additional one-year periods in an amount not to exceed \$1,500,000 for the initial two-year term of each contract:
1. Contract No. 2018-198-COS with Kimley Horn and Associates, Inc.
2. Contract No. 2018-199-COS with LSW Engineers Arizona, Inc.
3. Contract No. 2018-200-COS with Energy Systems Design, Inc.
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
22. **Scottsdale Artists School, Inc., Lease Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 11321** authorizing Agreement No. 1993-027-COS-A3 with Scottsdale Artists School, Inc., for use of the Loloma School building.
Location: 3720 N. Marshall Way
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

REGULAR AGENDA ITEMS 23-24

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.**

23. **Scottsdale Heritage Connection – Friends of the Library Donation Acceptance**
Request: Adopt **Resolution No. 11295** to authorize:
1. Acceptance of a \$101,200 monetary donation from Friends of the Scottsdale Public Library.
2. A FY 2018/19 General Fund Capital Contingency Budget Appropriation Transfer in the amount of \$31,200 to the Civic Center Library Scottsdale Heritage Connection Capital Project (PF03).
3. A FY 2018/19 General Fund Library Operating Budget Transfer in the amount of \$50,000 to the Civic Center Library Scottsdale Heritage Connection Capital Project (PF03) that will be funded by the Operating General Fund.
Presenter(s): Bill Murphy, Community Services Director
Staff Contact(s): Bill Murphy, Community Services Director, 480-312-7954, bmurphy@scottsdaleaz.gov
– Presentations by Community Services Director Bill Murphy and Friends of the Library representatives Carol Domaso and Doug Sydnor.
– Vice Mayor Phillips made a motion to adopt Resolution No. 11295. Councilman Smith seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Phillips; and Councilmembers Klapp, Korte, Littlefield, Milhaven, and Smith voting in the affirmative.

24. [Papago Plaza Rezoning \(6-ZN-2018\)](#)

Requests:

1. Adopt **Ordinance No. 4377** approving a Zoning District Map Amendment from Highway Commercial (C-3) to Planned Community (P-C) District zoning, utilizing the P-C comparable Planned Regional Center (PRC) District, including adopting a development plan and amended PRC development standards, on a ±11-acre site.
2. Adopt **Resolution No. 11326** declaring the document titled "*Papago Plaza Rezoning and Development Plan*" to be a public record.

Location: APN 129-12-00Y1 and 129-12-001K, southwest corner of McDowell and Scottsdale roads

Presenter(s): Greg Bloemberg, Senior Planner

Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664,

rgrant@scottsdaleaz.gov

– Presentations by Planning and Development Services Director Randy Grant, Senior Planner Greg Bloemberg, and applicant representative Jason Morris.

– Councilwoman Klapp made a motion to adopt Ordinance No. 4377 and Resolution No. 11326, with the following amendments to the stipulations (Exhibit 1 to Ordinance No. 4377):

1. **Strike Stipulation No. 4 and replace it with:**
PROJECT TIMING. Phase I, the retail phase of the development, shall include a minimum of one building of the retail component of the development as depicted in the "Phasing Exhibit" graphic to be included as part of the Development Plan approved by Resolution No. 11326. No part of this stipulation shall be interpreted as to prevent multiple phases from being constructed simultaneously.
2. **Add two new stipulations:**
ADDITIONAL OUTREACH. Prior to first Development Review Board hearing, the applicant shall hold two additional public outreach meetings facilitated by city staff, with notification within 1500 feet of the property.
PUBLIC ART. The applicant shall provide art installations within the retail component of the project as well as at or near the southwest corner of the intersection of Scottsdale and McDowell roads.

Councilmember Korte seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Phillips; and Councilmembers Klapp, Korte, Littlefield, Milhaven, and Smith voting in the affirmative.

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 25

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.

25. 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 agendaize 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

– Councilman Smith made a motion to direct the City Manager to investigate the citizen petition submitted by Howard Alper asking to have signs prohibiting the use of electric scooters posted on the North canal sidewalk at Soleri Bridge and at the north canal sidewalk at the Marshall Way Bridge and prepare a written response to Council with a copy to the petitioner. Vice Mayor Phillips seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Phillips; and Councilmembers Klapp, Korte, Littlefield, Milhaven, and Smith voting in the affirmative.

Mayor and Council Items – None

Adjournment – 7:59 P.M.