

**SCOTTSDALE CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, NOVEMBER 12, 2024**



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

CALL TO ORDER

Mayor David D. Ortega called to order a Regular Meeting of the Scottsdale City Council at 5:00 P.M. on Tuesday, November 12, 2024 in the City Hall Kiva Forum.

ROLL CALL

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

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

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilwoman Whitehead.

MAYOR'S REPORT

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

CITY MANAGER'S REPORT

- **Fast Five Video Update**

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

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

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

PRESENTATIONS/INFORMATION UPDATES

• Certificate of Appreciation – United States Vietnam War Commemoration

Presenter(s): Justin Layman, Vice Chair, Veterans Advisory Commission Note: The Council may make comments or ask questions to the presenter(s); however, no Council action will be taken.

Communications and Public Affairs Director Kelly Corsette and Veterans Advisory Commission Chair Land Anderson and Vice Chair Justin Layman presented the United States Vietnam War Commemoration Certificate of Appreciation to the Mayor and City Council.

PUBLIC COMMENT – Steven Sutton presented a citizen petition regarding signage at Chaparral Dog Park.

MINUTES

Request: Approve the following Council meeting minutes from October 8, 2024:

MOTION AND VOTE - MINUTES

Mayor Ortega made a motion to approve the Regular Meeting Minutes of October 8, 2024. Councilwoman Janik seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Graham; and Councilmembers Caputi, Durham, Janik, Littlefield, and Whitehead voting in the affirmative.

CONSENT AGENDA

1. Sip Coffee & Brew House Liquor License (69-LL-2024)

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

Location: 3617 N. Goldwater Boulevard

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

2. Jing Scottsdale Liquor License (70-LL-2024)

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

Location: 10605 N. Scottsdale Road

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

3. Okay Maguey Liquor License (71-LL-2024)

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

Location: 8390 E. Via De Ventura, Suite F105

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

4. Aria at Silverstone Rezoning (15-ZN-2005#4)

Requests:

1. Adopt **Ordinance No. 4650** approving a zoning district map amendment from Planned Community District with P-C Comparable Commercial Office District (P-C C-O) to Planned Community District with P-C Comparable Multi-Family Residential District (P-C R-5) zoning, including an amendment to the Silverstone Development Plan and amendment to the Silverstone Land Use Budget to allow R-5 zoning on this site and increase the overall number of residential units in the Silverstone Planned Community District from 976 units to 1,076 units, for a new 100-unit townhome community on a ±16.3-acre site.
2. Adopt **Resolution No. 13248** declaring the document titled "*Aria at Silverstone Development Plan*" to be a public record.

Location: 22602 N. 74th Street

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

Principal Planner Greg Bloemberg gave a PowerPoint presentation (attached) on the proposed Aria at Silverstone Rezoning.

5. The Loop Rezoning (2-ZN-2010#2)

Requests:

1. Adopt **Ordinance No. 4649** amending the previously approved development plan and amended development standards, including building height, floor area ratio, volume, open space, front yard setback, and permissible height and area regulations, resulting in a new development plan that conforms to the normal development standards of the Industrial Park (I-1) zoning district on a ±18.36-acre site.
2. Adopt **Resolution No. 13247** declaring the document titled "*The Loop Development Plan*" to be a public record.

Location: 17821 N. 85th Street, 17799 N. 85th Street, 17791 N. 85th Street, and 17761 N. 85th Street

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

6. Water Campus Administration Building Design-Build Manager Construction Phase Contract

Request: Adopt **Resolution No. 13242** authorizing Design-Build Manager Preconstruction Phase Contract No. 2023-004-COS-A2, the second amendment to the contract with Willmeng Construction, Inc., in an amount not to exceed \$7,201,733.96, to provide construction services for Phase 0 and early material procurement services for Phase 1 of the Scottsdale Water Campus Administration Building Expansion and New Lab Project.

Location: 8787 E. Hualapai Drive

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

City Engineer Alison Tymkiw gave a PowerPoint presentation (attached) on the proposed Water Campus Administration Building Design-Build Manager Construction Phase Contract.

7. Outdoor Dining Patio Revocable License Agreement Amendment

Request: Adopt **Resolution No. 13252** authorizing Outdoor Dining Patio Revocable License Agreement No. 2014-118-COS-A1, a five-year extension to the agreement with Masyno Canal Building, LLC (licensee), and BQ Concepts, LLC (sub-licensee), for an outdoor dining patio on city property.

Location: 7114 E. Stetson Drive, Suite 100

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

8. Termination of the Monterra Food and Alcohol License Agreement

Request: Adopt **Resolution No. 13269** to authorize:

1. Contract No. 2024-186-COS with National Western Capital Corporation, LLC, exercising the City's right to terminate the Monterra Food and Alcohol License Agreement (Contract No. 2013-191-COS).
2. A Fiscal Year 2024/25 General Fund Operating Contingency Transfer, of \$2,000,000, to the WestWorld Department Operating Budget for the payment to National Western Capital Corporation, LLC pursuant to the termination provision of Contract No. 2013-191-COS.

Location: 16601 N. Pima Road

Staff Contact(s): Nick Molinari, Community Services Assistant Executive Director, 480-312-1011, nmolinar@scottsdaleaz.gov

Community Services Assistant Executive Director Nick Molinari gave a PowerPoint presentation (attached) on the proposed Termination of the Monterra Food and Alcohol License Agreement.

9. Advance Water Purification Facility Cost Share Agreement

Request: Adopt **Resolution No. 13266** to authorize:

1. Agreement No. 2024-182-COS with the City of Phoenix and other parties, in the amount of \$223,800, to share costs for feasibility studies and testing of the 91st Avenue Advanced Water Purification Facility.
2. The Water Resources Executive Director, or designee, to perform all acts necessary to give effect to this Cost Share Agreement and Resolution.

Staff Contact(s): Kevin Rose, Interim Water Resources Executive Director, 480-312-5621, krose@scottsdaleaz.gov

(Moved to Regular Agenda, see page 5)

10. State Lobbying and Information Services Contract Amendment

Request: Adopt **Resolution No. 13263** authorizing Contract No. 2020-183-COS-A4, the fourth extension to the contract with The Aarons Company, LLC, in the annual amount of \$54,000, to provide state lobbying and information services on behalf of the City.

Staff Contact(s): Dale Wiebusch, Government Relations Director, 480-312-2683, dwiebusch@scottsdaleaz.gov

11. Proposition 202 Grant Funds Acceptance

Request: Adopt **Resolution No. 13265** to authorize:

1. Agreement No. 2024-181-COS with the Salt River Pima-Maricopa Indian Community for the acceptance of Proposition 202 Tribal Gaming Funds, in the amount of \$992,090, for the support of educational, conservation, recreational, health and human services programs; the promotion of commerce and economic development; and other programs and activities benefiting the general public.
2. A Budget Transfer, of up to \$300,000, from the adopted Fiscal Year 2024/25 Government Relations Division Operating Budget to newly created cost centers under the Community Services Division to record the related grant activity.

Staff Contact(s): Dale Wiebusch, Government Relations Director, 480-312-2683, dwiebusch@scottsdaleaz.gov

PUBLIC COMMENT – CONSENT AGENDA

There was no public comment on the Consent Agenda items.

MOTION AND VOTE – CONSENT AGENDA

Councilmember Durham and Councilwoman Janik requested additional information on Item 4 [Aria at Silverstone Rezoning].

Vice Mayor Graham and Councilwoman Janik requested additional information on Item 6 [Water Campus Administration Building Design-Build Manager Construction Phase Contract].

Councilwoman Littlefield requested additional information on Item 8 [Termination of the Monterra Food and Alcohol License Agreement].

Vice Mayor Graham requested Item 9 [Advance Water Purification Facility Cost Share Agreement] be considered as part of the Regular Agenda.

Mayor Ortega made a motion to approve Consent Agenda Items 1 through 8, 10 and 11. Councilwoman Whitehead seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Graham; and Councilmembers Caputi, Durham, Janik, Littlefield, and Whitehead voting in the affirmative.

REGULAR AGENDA

9. Advance Water Purification Facility Cost Share Agreement

Request: Adopt **Resolution No. 13266** to authorize:

1. Agreement No. 2024-182-COS with the City of Phoenix and other parties, in the amount of \$223,800, to share costs for feasibility studies and testing of the 91st Avenue Advanced Water Purification Facility.
2. The Water Resources Executive Director, or designee, to perform all acts necessary to give effect to this Cost Share Agreement and Resolution.

Staff Contact(s): Kevin Rose, Interim Water Resources Executive Director, 480-312-5621, krose@scottsdaleaz.gov

Interim Water Resources Executive Director Kevin Rose gave a PowerPoint presentation (attached) on the proposed Advance Water Purification Facility Cost Share Agreement.

PUBLIC COMMENT – ITEM 9

There was no public comment on this item.

MOTION AND VOTE – ITEM 9

Councilwoman Janik made a motion to adopt Resolution No. 13266 to authorize:

1. Agreement No. 2024-182-COS with the City of Phoenix and other parties, in the amount of \$223,800, to share costs for feasibility studies and testing of the 91st Avenue Advanced Water Purification Facility.
2. The Water Resources Executive Director, or designee, to perform all acts necessary to give effect to this Cost Share Agreement and Resolution.

Councilmember Durham seconded the motion, which carried 6/1, with Mayor Ortega and Councilmembers Caputi, Durham, Janik, Littlefield, and Whitehead voting in the affirmative and Vice Mayor Graham dissenting.

12. Mercado Village Minor General Plan Amendment and Rezoning (1-GP-2024 and 1-ZN-2024)

Requests:

1. Adopt **Resolution No. 13243** approving a Minor General Plan Amendment to the Scottsdale General Plan 2035 Future Land Use Map from Commercial to Mixed-Use Neighborhoods on ±2-acres of a ±6.64-acre site.
2. Adopt **Ordinance No. 4648** approving a zoning district map amendment from Commercial Office Planned Community District (C-O PCD) to Planned Unit Development, Planned Community District (PUD PCD) zoning on ±2-acres of the overall ±6.64-acre site with a Development Plan on the entire ±6.64-acres of the overall site for a mixed-use development, including 255 multi-family units and ±13,142 square feet of co-work and live-work area.
3. Adopt **Resolution No. 13244** declaring the document titled "*Mercado Village Development Plan*" to be a public record.

Location: 10299 N. 92nd Street and 10301 N. 92nd Street

Presenter(s): Jeff Barnes, Principal Planner

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

Principal Planner Jeff Barnes noted the applicant requested a continuance. This request was not received by the City Clerk at least two business days prior to the Council Meeting to allow for agenda modification. Per the 2024 Rules of Council Procedure Rule 9.2, requests failing to comply with the two-day notice requirement for a continuance may be made by the applicant, but are subject to public comment and may or may not be granted at the reasonable discretion of the City Council by a simple majority vote.

Applicant Representative Kurt Jones, with Tiffany & Bosco, P.A., gave a presentation requesting a continuance to the December 4, 2024 City Council Meeting.

PUBLIC COMMENT – ITEM 12

Mayor Ortega opened public comment on this item.

Dr. Bob Saeger, Scottsdale resident, spoke in opposition of the continuance request.

John Nichols, Scottsdale resident, spoke in opposition of the continuance request.

Mayor Ortega closed public comment on this item.

MOTION AND VOTE – ITEM 12

Mayor Ortega made a motion to continue the item to the December 4, 2024 City Council meeting per the applicant's request. Councilwoman Whitehead seconded the motion, which carried 6/1, with Mayor Ortega; Vice Mayor Graham; and Councilmembers Caputi, Durham, Littlefield, and Whitehead voting in the affirmative and Councilwoman Janik dissenting.

13. Paloma Conditional Use Permit (7-UP-2023)

Request: Find that the conditional use permit criteria have been met and adopt **Resolution No. 13245** approving a conditional use permit for a bar in a new ±1,532 square foot building with Central Business, Parking District, Downtown Overlay (C-2/P-3 DO) and Parking District, Downtown Overlay (P-2 DO) zoning.

Location: 4439 N. Saddlebag Trail

Presenter(s): Greg Bloemberg, Principal Planner

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

Principal Planner Greg Bloemberg gave a PowerPoint presentation (attached) on the proposed Paloma Conditional Use Permit.

Applicant Representative Ashley Marsh, with Gammage & Burnham, PLC, gave a PowerPoint presentation (attached) on the proposed Paloma Conditional Use Permit.

PUBLIC COMMENT – ITEM 13

There was no public comment on this item.

MOTION AND VOTE – ITEM 13

Councilwoman Janik made a motion to find that the conditional use permit criteria have been met and adopt Resolution No. 13245 approving a conditional use permit for a bar in a new ±1,532 square foot building with Central Business, Parking District, Downtown Overlay (C-2/P-3 DO) and Parking District, Downtown Overlay (P-2 DO) zoning. Councilwoman Whitehead seconded the motion, which carried 6/1, with Mayor Ortega and Councilmembers Caputi, Durham, Janik, Littlefield, and Whitehead voting in the affirmative and Vice Mayor Graham dissenting.

14. Scott Resort Parking Reduction Request (4-DR-2024)

Request: Approve applicant's request for a parking reduction that is greater than ten percent (10%) of the total parking required for an existing resort on a ±8-acre as allowed in Zoning Ordinance Section 9.104.F.4.c with Multi-Family Residential (R-5) zoning.

Location: 4925 N. Scottsdale Road

Presenter(s): Greg Bloemberg, Principal Planner

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

Principal Planner Greg Bloemberg gave a PowerPoint presentation (attached) on the proposed Scott Resort Parking Reduction Request.

Applicant Representative Jordan Rose, with Rose Law Group, PC, gave a PowerPoint presentation (attached) on the proposed Scott Resort Parking Reduction Request.

PUBLIC COMMENT – ITEM 14

Mayor Ortega opened public comment on this item.

The following individuals spoke in support of this item:

- Brent Bieser, Scottsdale resident

- James Hawkins, Scottsdale resident
- Mark Winkleman, Scottsdale resident
- Jake Gray, Grossman Company Executive Vice President
- David Hamblen, Scottsdale resident
- Jill Hamblen, Scottsdale resident
- Ryan Hoste, Scottsdale resident
- Everette Jesse, Scottsdale resident
- Brian Rice, Scottsdale resident

Mayor Ortega closed public comment on this item.

MOTION AND VOTE – ITEM 14

Councilwoman Whitehead made a motion to approve the applicant's request for a parking reduction that is greater than ten percent (10%) of the total parking required for an existing resort on a ±8-acre as allowed in Zoning Ordinance Section 9.104.F.4.c with Multi-Family Residential (R-5) zoning. Councilwoman Caputi seconded the motion, which carried 6/1, with Mayor Ortega and Councilmembers Caputi, Durham, Janik, Littlefield, and Whitehead voting in the affirmative and Vice Mayor Graham dissenting.

15. Appeal of Scottsdale Arts Public Art Decision

Request: Review the September 11, 2024 decision denying the applicant's revised proposal for public art for the Remi Hotel and affirm, modify, or reverse the decision of Scottsdale Arts.

Presenter(s): Brent Stockwell, Assistant City Manager

Staff Contact(s): Brent Stockwell, Assistant City Manager, 480-312-7288, bstockwell@scottsdaleaz.gov

Assistant City Manager Brent Stockwell gave a PowerPoint presentation (attached) on the proposed appeal of Scottsdale Arts public art decision.

Scottsdale Arts President and Chief Executive Officer Gerd Wuestemann and Scottsdale Arts Director of Public Arts Kati Ballares gave a PowerPoint presentation (attached) on the proposed appeal of Scottsdale Arts public art decision.

Applicant Representative David Brooks, with Brooks & Affiliates, PLC, gave a PowerPoint presentation (attached) on the proposed Appeal of Scottsdale Arts Public Art Decision.

PUBLIC COMMENT – ITEM 15

There was no public comment on this item.

MOTION AND VOTE – ITEM 15

Mayor Ortega made a motion to affirm the decision of Scottsdale Arts denying the applicant's revised proposal for public art for the Remi Hotel. Councilwoman Janik seconded the motion, which carried 6/1, with Mayor Ortega; Vice Mayor Graham; and Councilmembers Durham, Janik, Littlefield, and Whitehead voting in the affirmative and Councilwoman Caputi dissenting.

PUBLIC COMMENT

No public comments were received.

CITIZEN PETITIONS

16. 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): Ben Lane, City Clerk, 480-312-2411, blane@scottsdaleaz.gov

A citizen petition presented by Steven Sutton regarding signage at Chaparral Dog Park was accepted and acknowledged.

MOTION AND VOTE – ITEM 16

Councilmember Durham made a motion to direct the City Manager to investigate the matter and prepare a written response to the Council, with a copy to the petitioner. Councilwoman Whitehead seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Graham; and Councilmembers Caputi, Durham, Janik, Littlefield, and Whitehead voting in the affirmative.

MAYOR AND COUNCIL

NOTE: Item 17 [Boards, Commissions, and Task Force Nominations] was considered before Item 12 [Mercado Village Minor General Plan Amendment and Rezoning (1-GP-2024 and 1-ZN-2024)] per a request from Mayor Ortega.

17. Boards, Commissions, and Task Force Nominations

How the Board and Commission Nomination Process Works: The Council will review applications submitted for the board and commission openings under consideration. From this applicant pool, the Council will select nominees for further consideration.

- Environmental Advisory Commission (three vacancies) – Councilwoman Caputi nominated Ute Brady, Andrew Scheck, and Siobhan Ulreich-Power; Councilwoman Littlefield nominated Scott Newell; Vice Mayor Graham nominated John Knapp, Joshua Stearns, and Judah Waxelbaum.
- Historic Preservation Commission (two vacancies) – Councilwoman Janik nominated Brandon Fadden and Courtney Lage; Councilwoman Littlefield nominated Kat Djordjevic; and Councilwoman Caputi nominated Ryan Hilbun.
- Library Board (one vacancy) – Councilwoman Littlefield nominated Janice Shimokubo.
- Loss Trust Fund Board (one vacancy) – Mayor Ortega nominated Mark Stephens.
- McDowell Sonoran Preserve Commission (one vacancy) – Councilwoman Whitehead nominated Pruitt Layton; Councilmember Durham nominated Nicholas Hartmann; and Councilwoman Littlefield nominated Michael Pomarico.

- Neighborhood Advisory Commission (one vacancy) – Councilmember Durham nominated Larry Hewitt.
- Paths and Trails Subcommittee (one vacancy) – Vice Mayor Graham nominated Molly Rosin; Councilwoman Caputi nominated Sarah Hecht; and Councilwoman Janik nominated Jack Roberts.
- Veterans Advisory Commission (four vacancies) – Councilwoman Caputi nominated Mark Ashley, Stephen Casares, Steven Jackson, and Pauline Zaro; Councilwoman Littlefield nominated Tyler Pencek and Hank Scherf; Councilmember Durham nominated Donna Tew; and Vice Mayor Graham nominated Mike Smothermon.

Note: The only Council action to be taken on Item No. 17 is to select nominees for appointment consideration at a future Council meeting (appointments scheduled for December 2024).

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

Request: At the request of Mayor Ortega, direct the City Manager and City Treasurer to agendize an item for discussion and possible Council action to include in the upcoming proposed budgets a total of \$1.2 million, split between the next two fiscal years (\$600,000 in FY 2025/26 and \$600,000 in FY 2026/27) to renovate the existing original museum (not including the expansion), which should be allocated between Scottsdale Museum of the West, Inc. and the City, consistent with the respective maintenance responsibilities outlined in the approved Museum Management Agreement.

Note: The only possible Council action to be taken on Item No. 18 is: (1) Direct the City Manager or responsible Charter Officer to agendize the item for a future meeting; (2) direct the City Manager or responsible Charter Officer to investigate the matter and prepare a written response to the Council; or (3) take no action. No public comment will be taken at this time.

Mayor Ortega noted that, per his request, this item was added to the agenda on November 7, 2024.

MOTION AND VOTE – ITEM 18

Mayor Ortega made a motion to direct the City Manager and City Treasurer to agendize the item for a future meeting. Councilwoman Whitehead seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Graham; and Councilmembers Caputi, Durham, Janik, Littlefield, and Whitehead voting in the affirmative.

MOTION AND VOTE – ADJOURNMENT

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

ADJOURNMENT

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

SUBMITTED BY:

Ben Lane

Ben Lane, City Clerk

Officially approved by the City Council on December 5, 2024

CERTIFICATE

I hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Regular Meeting of the City Council of Scottsdale, Arizona, held on the 12th day of November 2024.

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

DATED this 5th day of December 2024.



Ben Lane, City Clerk



Aria at Silverstone

15-ZN-2005#4

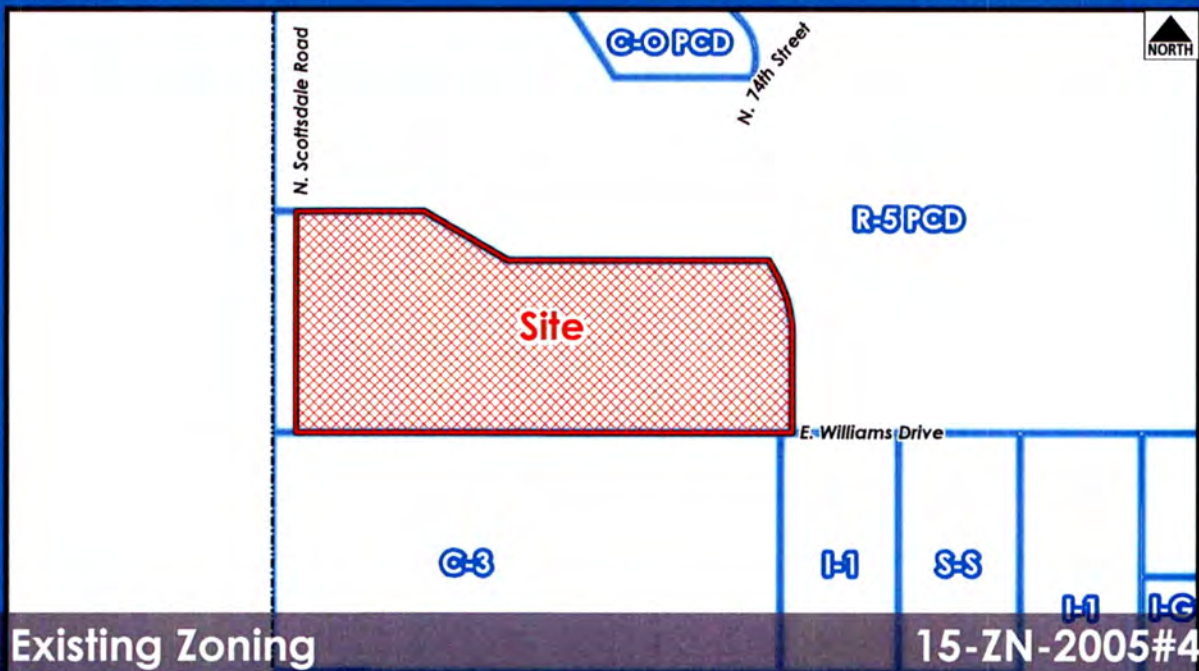
City Council
November 12, 2024

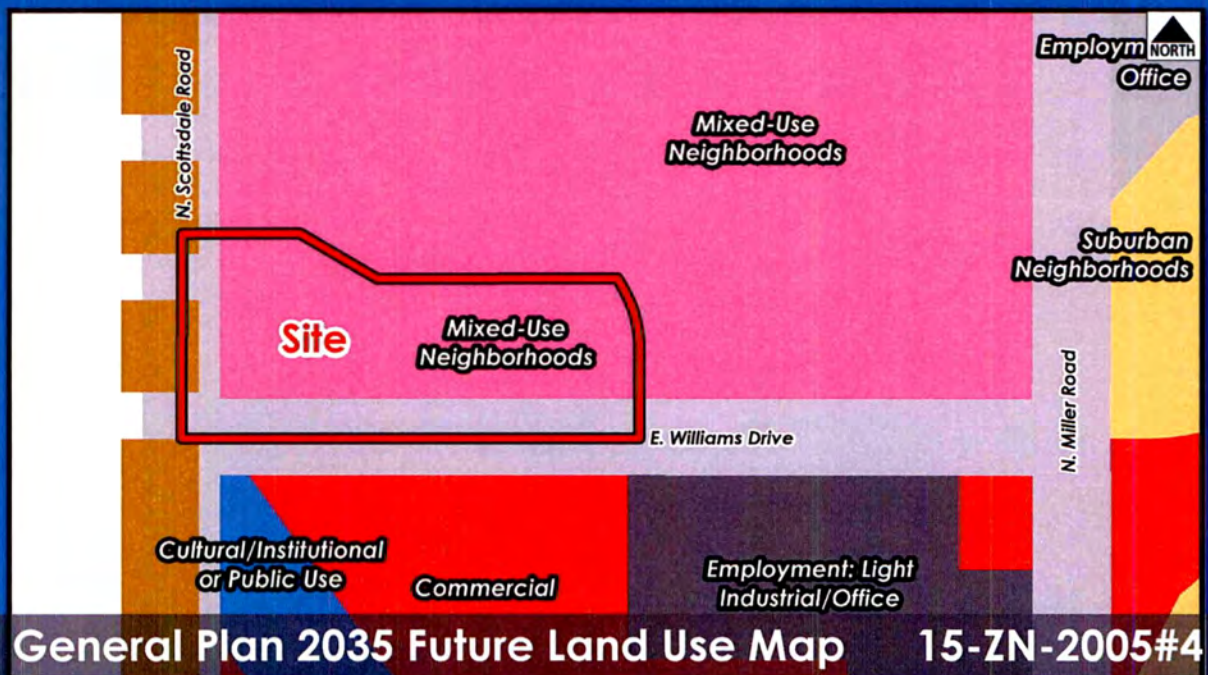
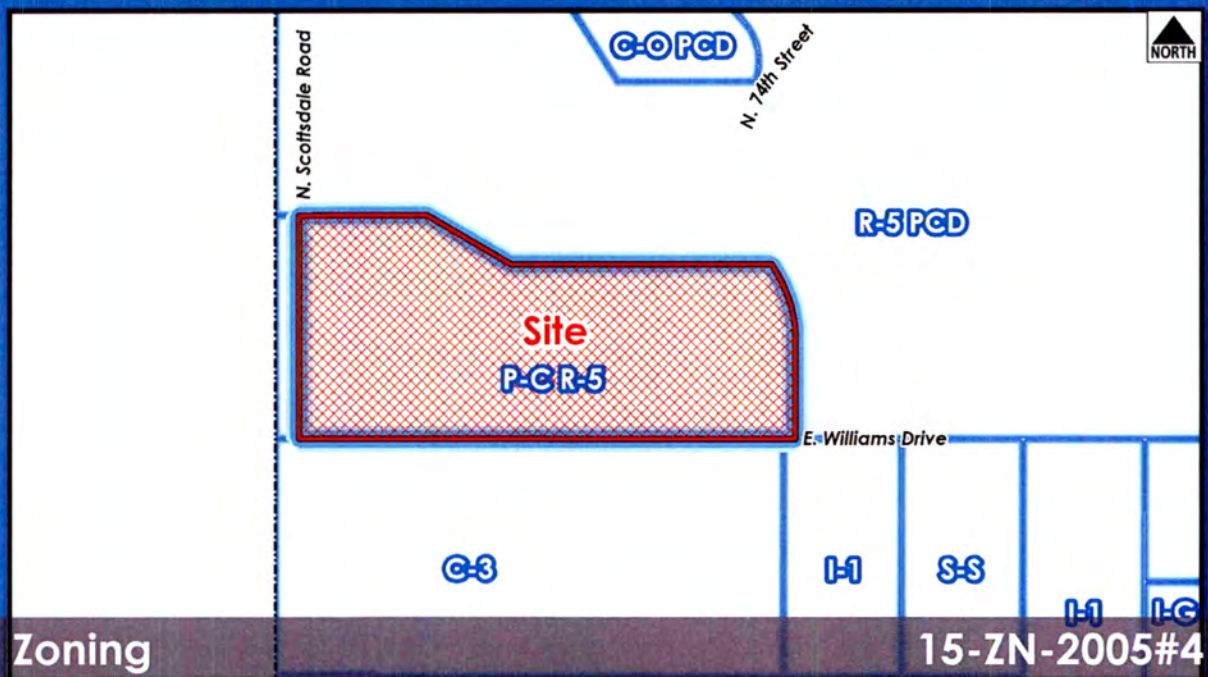
Coordinator: Greg Bloemberg



Context Aerial

15-ZN-2005#4





Request Summary/Background

- Part of 160-acre Silverstone Planned Community (P-C) District (15-ZN-2005)
- Rezone from P-C C-O to P-C R-5
- Amendment to Silverstone Land Use Budget required to allow for residential on the site.
- 100 attached single-family residences on fee-title lots
- Public comment received
- PC recommended approval with a vote of 7-0

Silverstone Land Use Budget (15-ZN-2005)

2. MAXIMUM DENSITY/INTENSITY. The maximum dwelling units/density and maximum intensity for Parcels shown on the above-referenced land use plan shall be as indicated in the land use budget table below, and as stipulated below.

Parcel	Acres	Comparable Zoning	Land Use	Floor Area/ Units
A and B	4.48	C-O	Municipal	45,000 sq.ft.
C	12.47	C-2	Retail	95,000 sq.ft.
D	12.42	C-O R-5	Office RESIDENTIAL	165,000 sq.ft. 100 UNITS
E	17.47	R-5	Residential	262 units
F	21.82	R-5	Residential	186 units
G	23.77	R-5	Residential	258 units
H	34.26	R-5	Residential	270 units
Wash/Park	12.92		Wash/Park	--
Other	20.39	--	Streets, etc.	--
Total	160			205,000 sq.ft. 476 units 140,000 s.f. 1,076 units

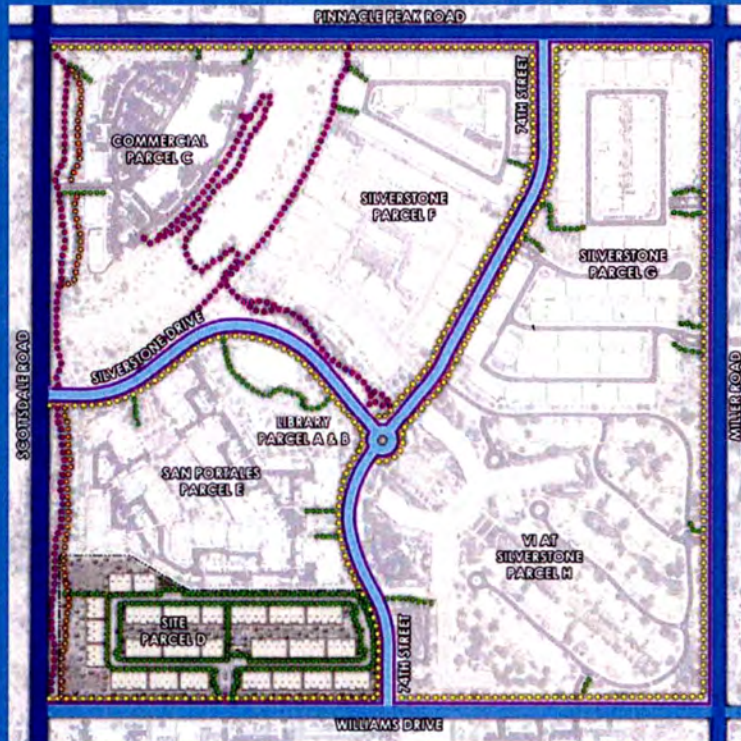
Original Site Plan



Current Site Plan



Circulation Plan (Silverstone PCD)



Circulation Plan (Enlarged)



Typical Concept Building Perspective



Aria at Silverstone

15-ZN-2005#4

**City Council
November 12, 2024**

Coordinator: Greg Bloemberg

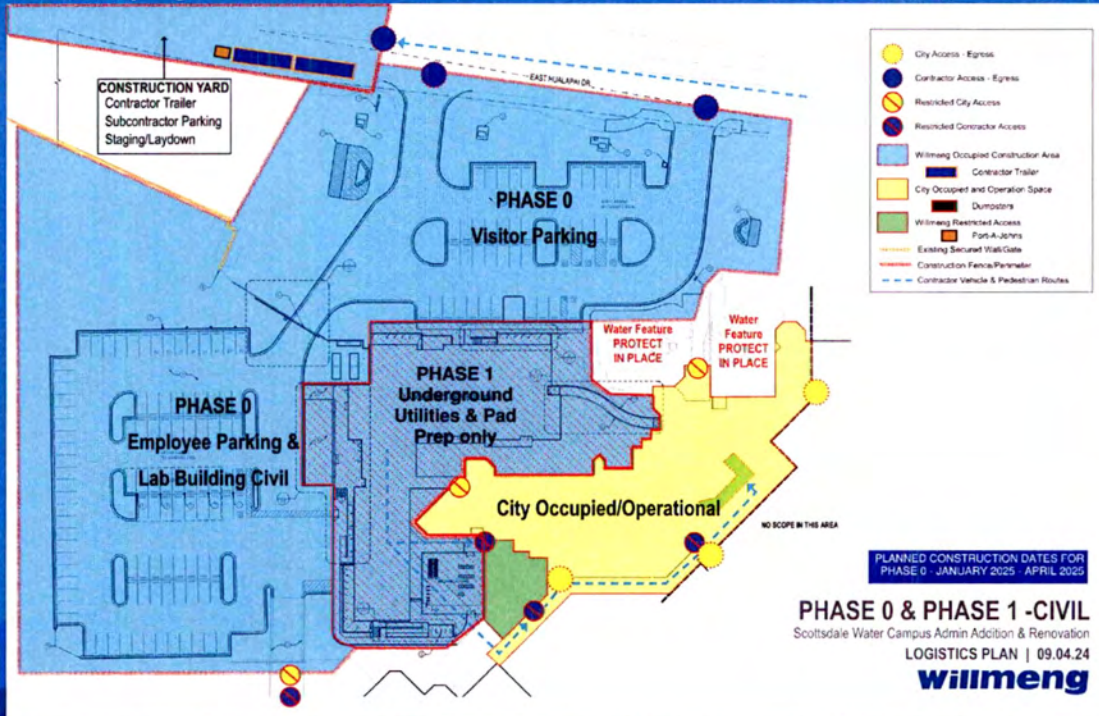
- Contract Amendment No. 2023-004-COS-A2 with Willmeng Construction, Inc. in an amount not to exceed \$7,201,733.96 to provide construction services for Phase 0 and early material procurement services for Phase 1 of The Scottsdale Water Campus Laboratory Expansion and Administration Building .



The site plan illustrates the proposed 100-unit apartment building at 1000 S. 1st St. The building footprint is a large rectangle with a central courtyard area labeled "N.I.C. UNDER SEPARATE PERMIT". The site is bounded by S. 1st St. to the north, S. 2nd St. to the south, and S. 3rd St. to the east. The plan includes parking spaces, landscaping with trees and shrubs, and a streetcar lane along S. 1st St. The site is divided into two sections, L1.1 and L1.2, by a dashed line.

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Preliminary Logistic Plan



CITY OF
SCOTTSDALE

Questions?

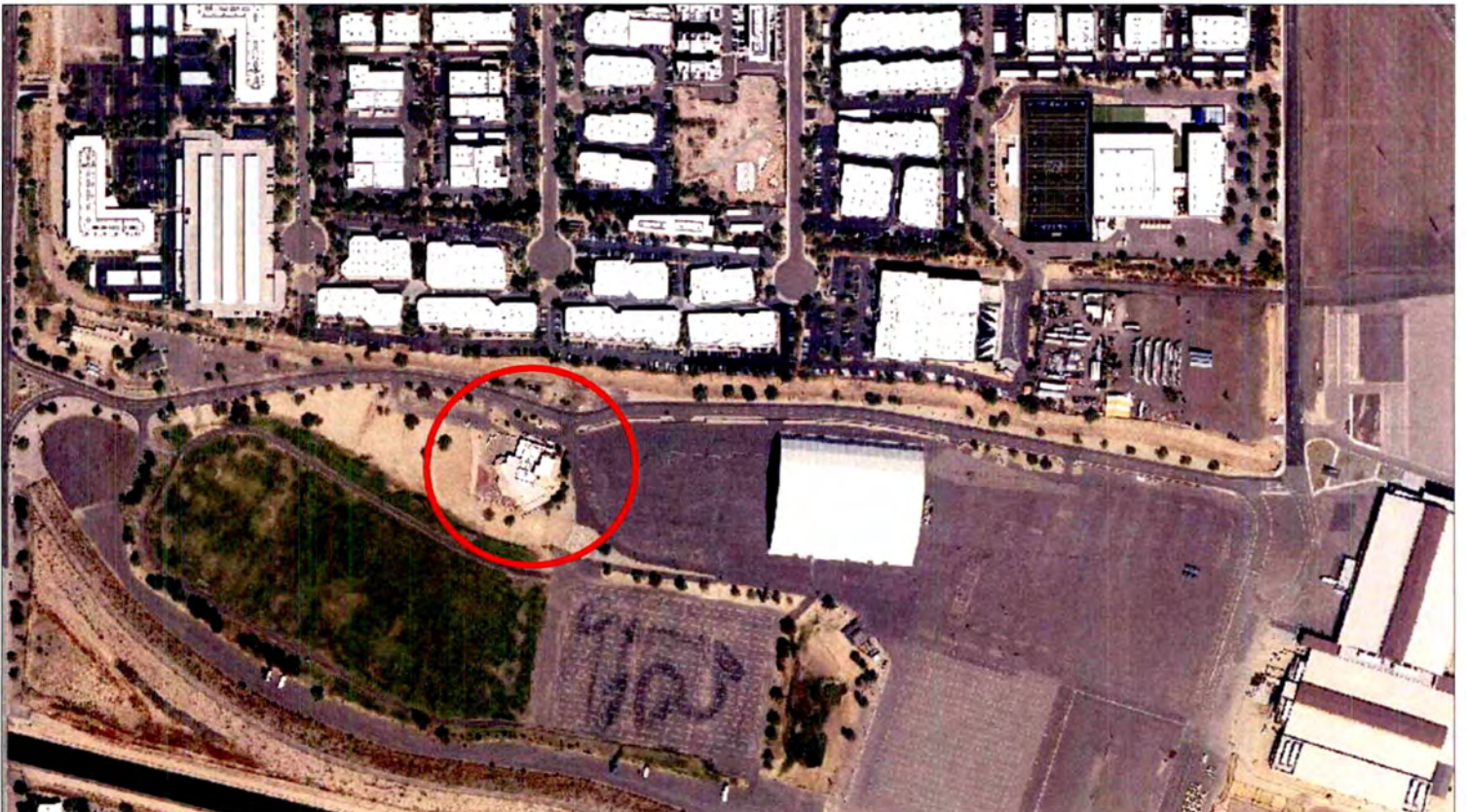
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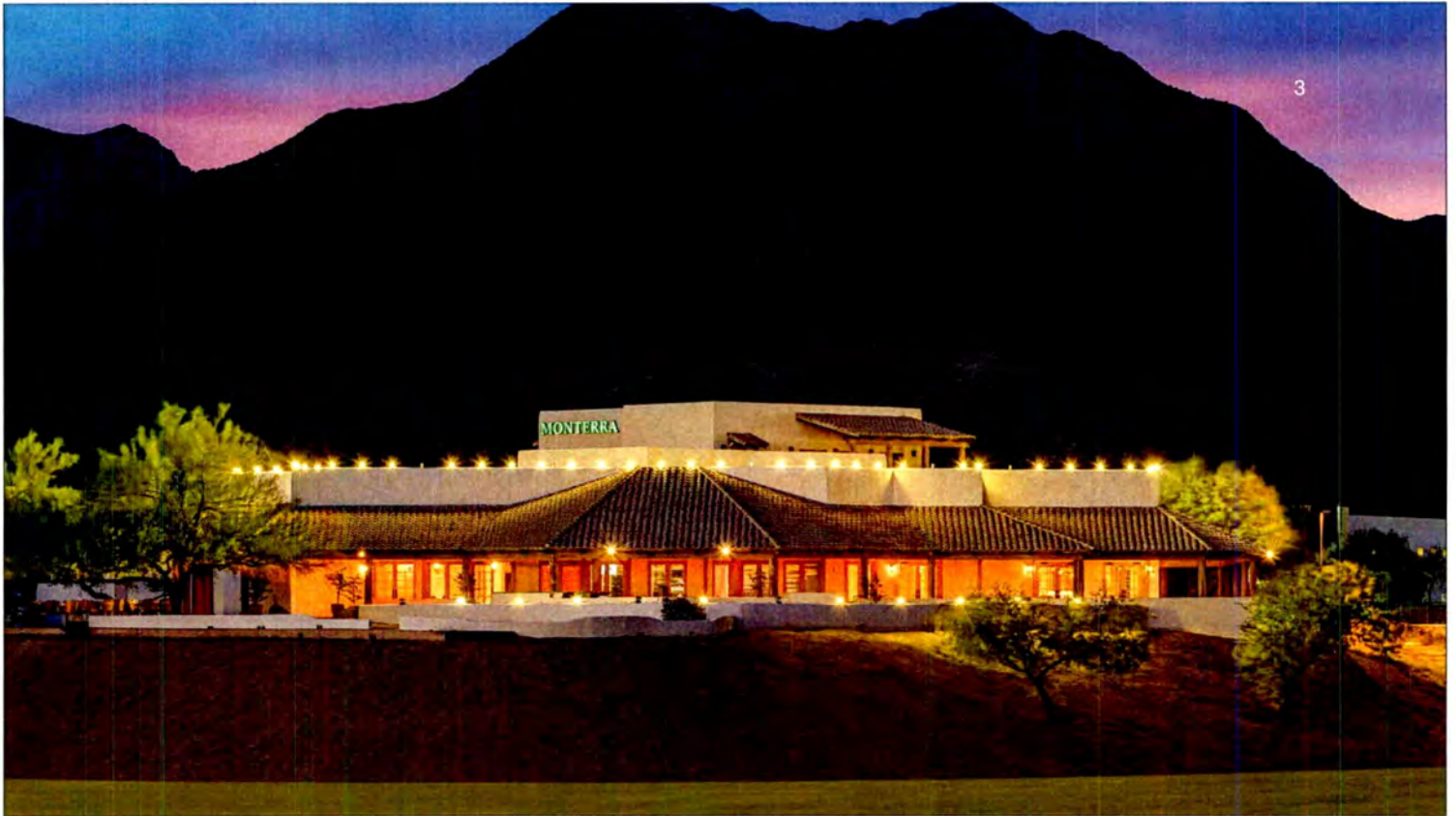
Item 8

Monterra Management Rights Acquisition

Nick Molinari

Community Services Assistant Executive Director





Monterra Background & History

The City of Scottsdale (City) entered into a land use agreement with the United States Bureau of Reclamation (BOR) on July 29, 1982 for a 75-year lease (50-year initial term, with a 25-year extension option) to create recreational and entertainment activity in the north Scottsdale region.

Until 1997, the facility now known as WestWorld was privately managed and the operator had exclusive food and beverage rights for the entire facility. In 1997, when the City purchased the management rights to the WestWorld property from a private operator (Horseworld Joint Venture), the City had the right to buyout the existing Monterra master food and beverage agreement, but elected not to pay the additional \$2 million buyout fee.

The City of Scottsdale has never held the management rights for Monterra, which have been transferred between several private entities since 1986.



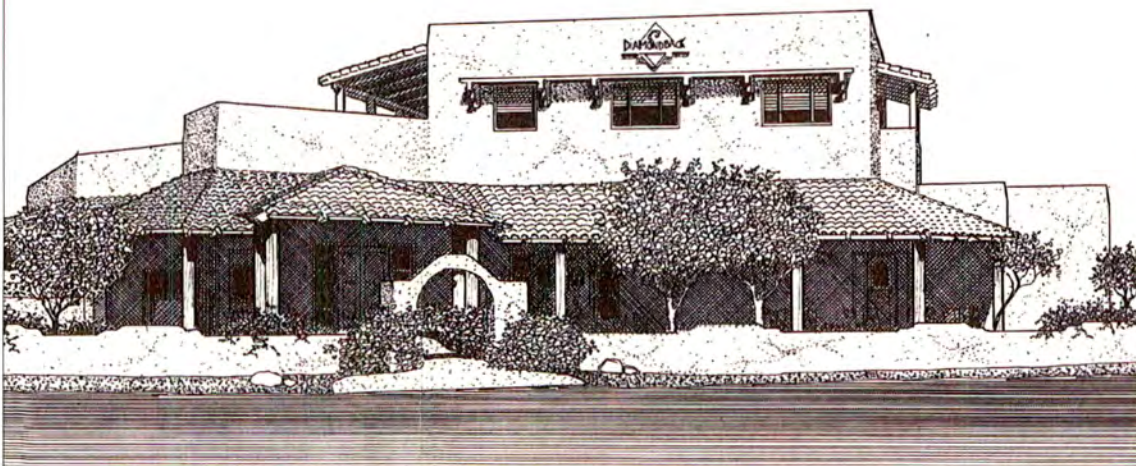
Monterra Background & History

Monterra Management Rights (all through the term of the COS/BOR agreement)

- Between 1987 and 1992 Horseworld Joint Venture built amenities at WestWorld property, including a restaurant, the “Diamondback Steakhouse and Saloon” (Monterra).
- In 1997, the City purchased the management rights to WestWorld for \$4.5 million, but elected not to exercise right to acquire the management rights for Monterra from Pegasus Restaurant and Catering for an additional \$2 million. The City entered into an agreement with Pegasus for all food and beverage service at WestWorld, including the Monterra building.
- Simultaneous to the City-Pegasus agreement, Pegasus entered into a sub-concession agreement with Big 4 Catering to provide restaurant, catering, and concession services at Monterra.
- In 2002, the food and beverage master license for Monterra was transferred from Pegasus to National Western Capital Corporation and currently remains as such. The most recent contract was approved by Scottsdale City Council in 2013 and runs through the term of the City’s agreement with the BOR.



DIAMONDBACK STEAKHOUSE



Get a real taste of the Old West at Diamondback Steakhouse, where great food and fun go hand-in-hand. Enjoy the finest cuisine from savory steaks and ribs, to pasta and fish, all served cowboy style to tame even the heartiest appetites.

For a rip-roarin' good time, schedule your next round-up at **Diamondback Steakhouse**. With our many private rooms and outside patio seating to accommodate large or small groups, it's the perfect place for Western theme parties, weddings, cocktail receptions, corporate events and dinner banquets.

Benefits of Termination

- Strategic control and alignment with WestWorld events and development of the WestWorld Master Plan
- Financial
- Increased rental options



Strategic Control & Alignment with WestWorld Master Plan

Possibility of NWCC assigning rights to another vendor

NWCC currently has the rights to sell the management/food and beverage rights to another vendor or bring in a 3rd party to activate the space. As WestWorld has become busier, there is potential for conflict with existing events. If the City/WestWorld is responsible for booking as one of our own event spaces, we can effectively manage activity.

WestWorld Master Plan

With WestWorld's ongoing master planning process, now is the ideal time to align Monterra's management with broader goals focused on improving access, parking, and event distribution. City control of Monterra ensures the space can be seamlessly integrated into the master plan, supporting both existing major events and facilitating new activities at this multifunctional venue.



Financial – Increased Revenue

Current activity at Monterra under existing contract

- Current percentage to the City for food and beverage revenue at Monterra is 2%
- Current FY 2024/25 anticipated revenue at Monterra - \$205,000
- Current FY 2024/25 anticipated percentage to the City at 2% - \$4,100

*** Projected annual revenue at 19% commission (based on current activity) - \$40,000**

Conservative activity projections at 35 events per year (16 in current FY)

- Anticipated rental fee - \$87,500 (at \$2,500 per event)
- Food and beverage (projected at 19 additional events annually at 19% commission) - \$85,000
- **\$172,500** annual revenue (compared to current revenue at \$4,100)
- Payback on \$2 million investment – 11.6 years



Financial – Increased Revenue

Expected future activity at Monterra Facility

- 50 events per year - \$125,000 in rental fees (based on \$2,500 per use)
- Anticipated food and beverage revenue at Monterra - \$640,000 (no increased alcohol sales)
- Anticipated food and beverage revenue to the City at 19% - \$121,600
- **Projected annual revenue at 19% commission (based on current activity) - \$246,600**
- Payback on \$2 million investment – 8 years



Financial – Expense Savings

Concessionaire Space

If NWCC sublicenses the space to another vendor, the City and WestWorld will need to find alternate space on the property for our food and beverage vendor, which is currently M-Culinary.



Addition of Ideal Space to WestWorld's Rental Portfolio

Monterra's 12,000 square feet of event space is a valuable addition to WestWorld's current rental inventory, creating ideal space for mid-sized events.

North Hall, Equidome, and City Tent – 120,000 square feet // South Hall – 37,000 square feet

Target Market

- Holiday parties
- Corporate meetings
- Retreats
- Weddings
- Graduations
- Ancillary event space for current event producers



Questions?



WestWorld Revenue

General Fund Expense	General Fund Revenue	Employee (FTE) Data
FY 2019/20 - 4,926,862	FY 2019/20 - 4,499,778	FY 2019/20 – 32.72 (20 FT, 12.72 PT)
FY 2020/21 - 4,698,282	FY 2020/21 - 6,120,507	FY 2020/21 – 32.72 (20 FT, 12.72 PT)
FY 2021/22 - 5,509,924	FY 2021/22 - 7,313,897	FY 2021/22 – 33.72 (21 FT, 12.72 PT)
FY 2022/23 - 6,974,786	FY 2022/23 - 7,639,465	FY 2022/23 – 32.54 (21 FT, 11.54 PT)
FY 2023/24 - 6,822,771	FY 2023/24 - 8,305,291	FY 2023/24 – 33.01 (32 FT, 1.01 PT)



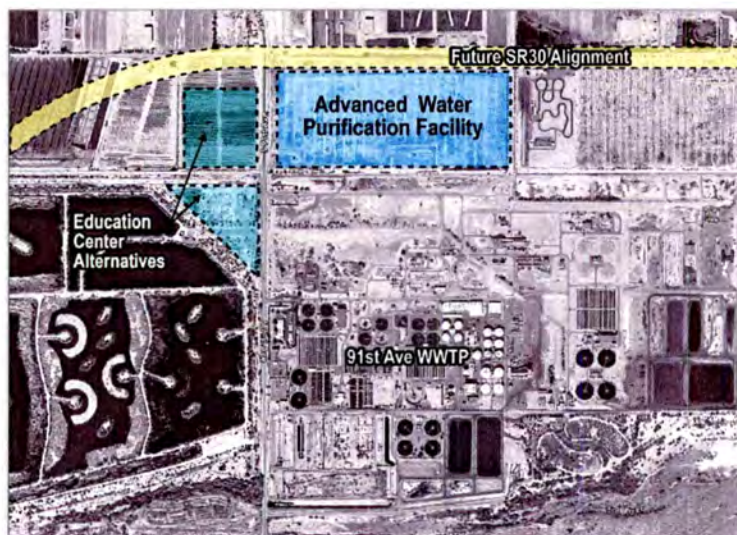
91ST AVENUE - ADVANCED PURIFIED WATER

Item 9

- Advanced Water Purification Facility located adjacent to the 91st Ave WWTP
- Regional facility could produce advanced purified water from other valley cities' flows
- Purified water conveyed to the drinking water system(s)

50-80
MGD

Purified water
production
capacity



REGIONAL OPPORTUNITY

- The Agreement will “advance the design, construction, and governance of an operating multi-party AWPf.”
- This initial scope of work split based on the Potential Flow Ownership of which Scottsdale is 7.46% and determines the Initial Contribution Level of \$223,800 for Scottsdale.

gilbert



Glendale
ARIZONA



EPCOR

mesa·az



Regional Advance Water Purification Facility Feasibility

Staff Recommends:

Adopt Resolution No. 13266 approving Contract No. 2024-182-COS, between the cities of Phoenix and Scottsdale and other parties to share costs for the feasibility studies and testing of the 91st Avenue Advanced Water Purification Facility in the amount of \$223,800.



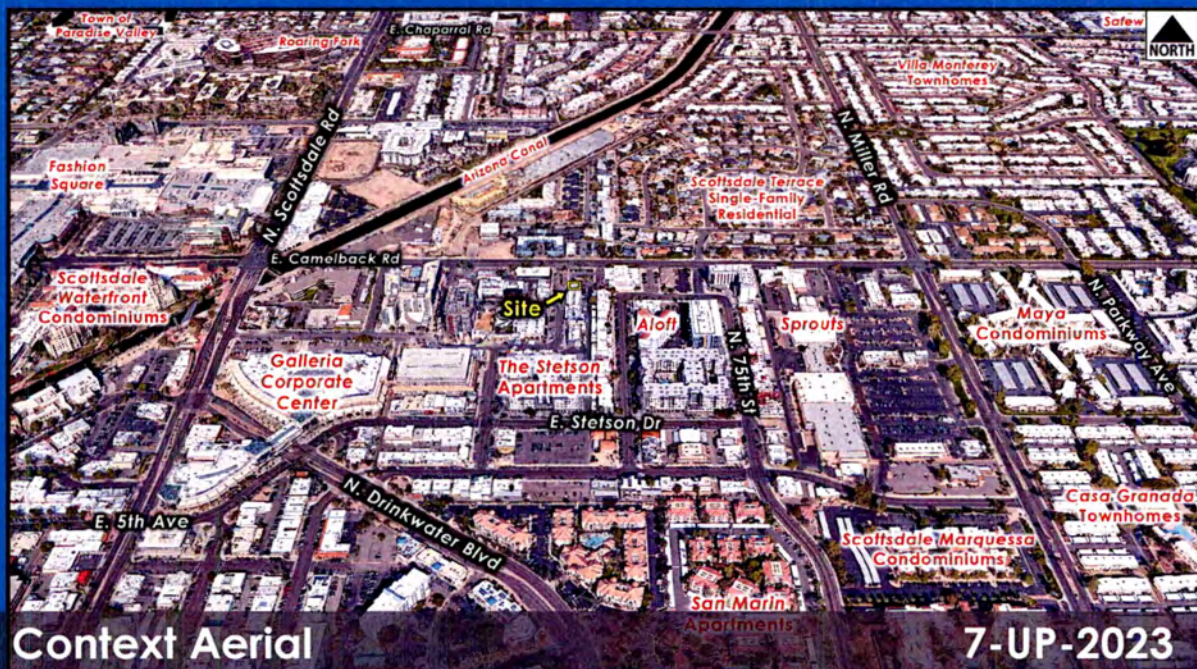
CITY OF
SCOTTSDALE

Paloma

7-UP-2023

**City Council
November 12, 2024**

Coordinator: Greg Bloemberg

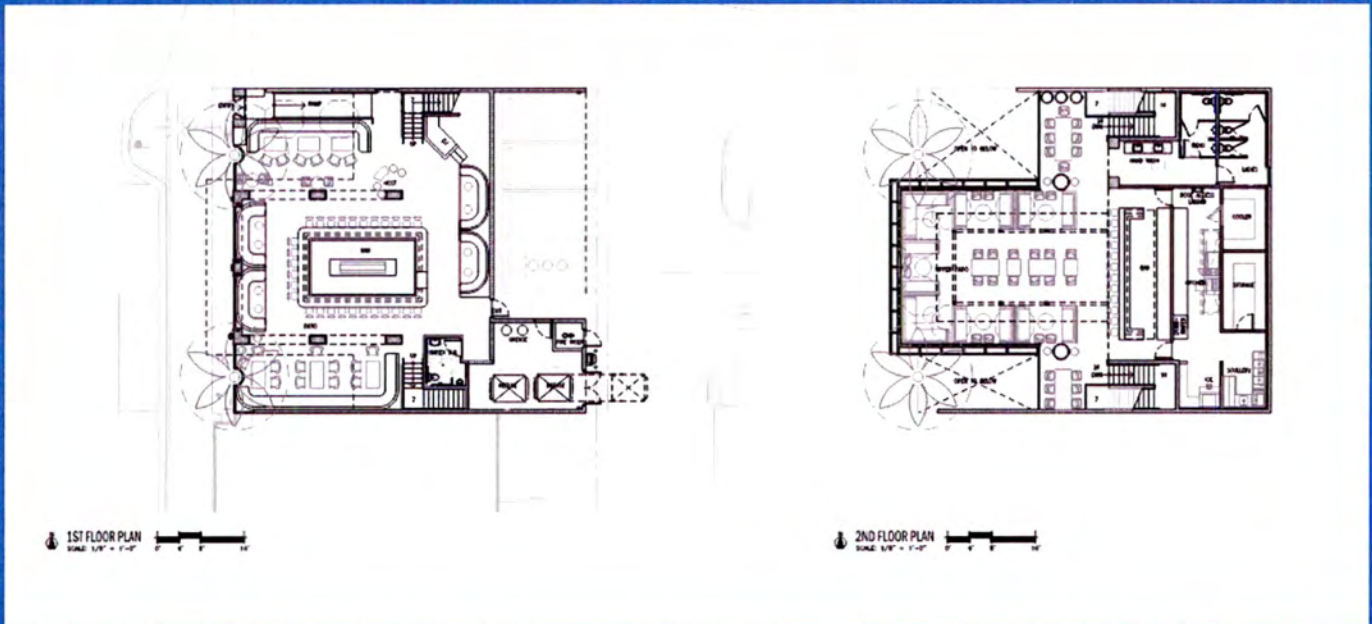




Request Summary

- Bar CUP for a building under construction
- Establishment will operate as a “hybrid” (restaurant by day, bar at night)
- Noise mitigation provided
- 17 remote parking spaces (availability verified)
- Public comment received

Site Plan/Floor Plan



10/9/2024 Planning Commission

- Lengthy discussion regarding noise mitigation
- Two additional noise-related stipulations added:
 - Min. 42" plexiglass barrier along perimeter of 2nd floor balcony
 - Owner to utilize a compressor/limiter to cap noise at ambient levels for the surrounding area
- Recommendation of approval passed 5-1 w/ added stip.

Noise Mitigation

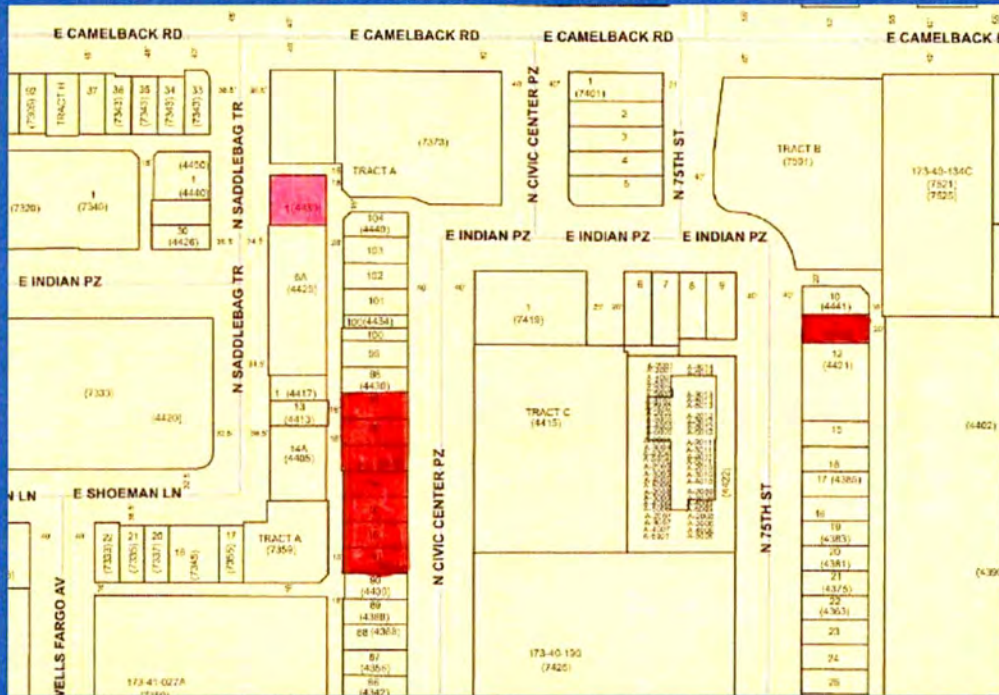


CITY OF SCOTTSDALE Paloma 7-UP-2023

City Council
November 12, 2024

Coordinator: Greg Bloemberg

Remote Parking



Criteria

- Within 600 feet
- Direct, safe, continuous pedestrian connection

Paloma

7-UP-2023

4439 North Saddlebag Trail

Item 13
Applicant



City Council
November 12, 2024

Diego Pops



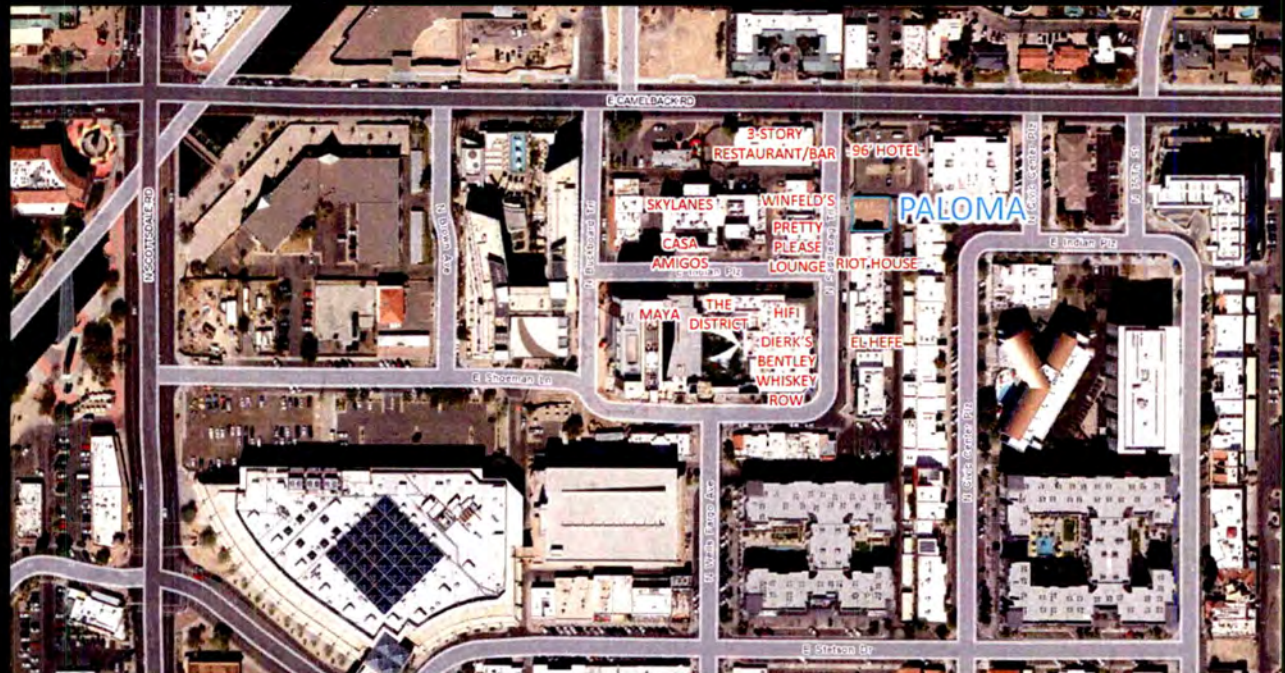
JOCQUE
CONCEPTS

Wine & More

pretty please
| ounge



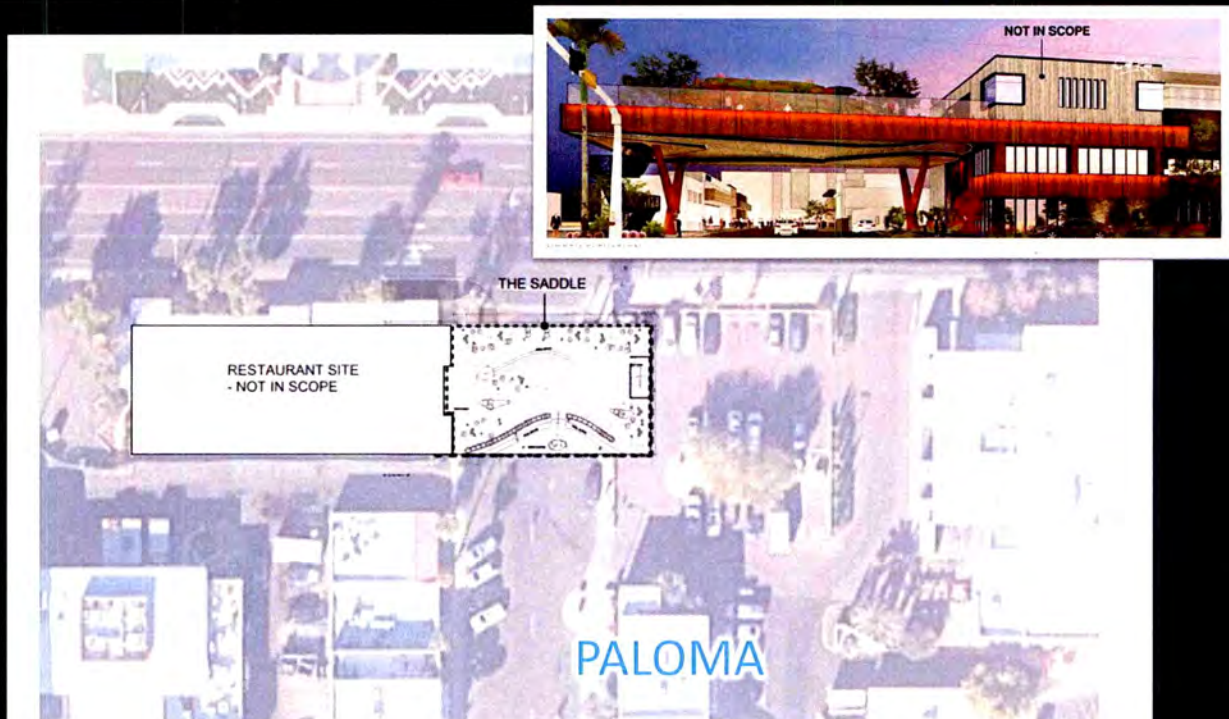
AERIAL MAP & CONTEXT



PRIOR TO REDEVELOPMENT



BUILDING CONTEXT



Context Aerial
The Saddle - Scottsdale, Arizona

11-06-2023



DEVELOPMENT PROPOSAL

- CUP to allow for a bar addition to a restaurant
- 0.84 acres
- Zoned C-2/P-3 D-O & P-2 D-O
- Building currently under construction (approved in 11-DR-2022)
- +/- 5,600 SF of indoor & patio space
- 34 FT building height
- 34 spaces required / 35 parking spaces provided



PERSPECTIVE RENDERING – DRB NOV. 2022



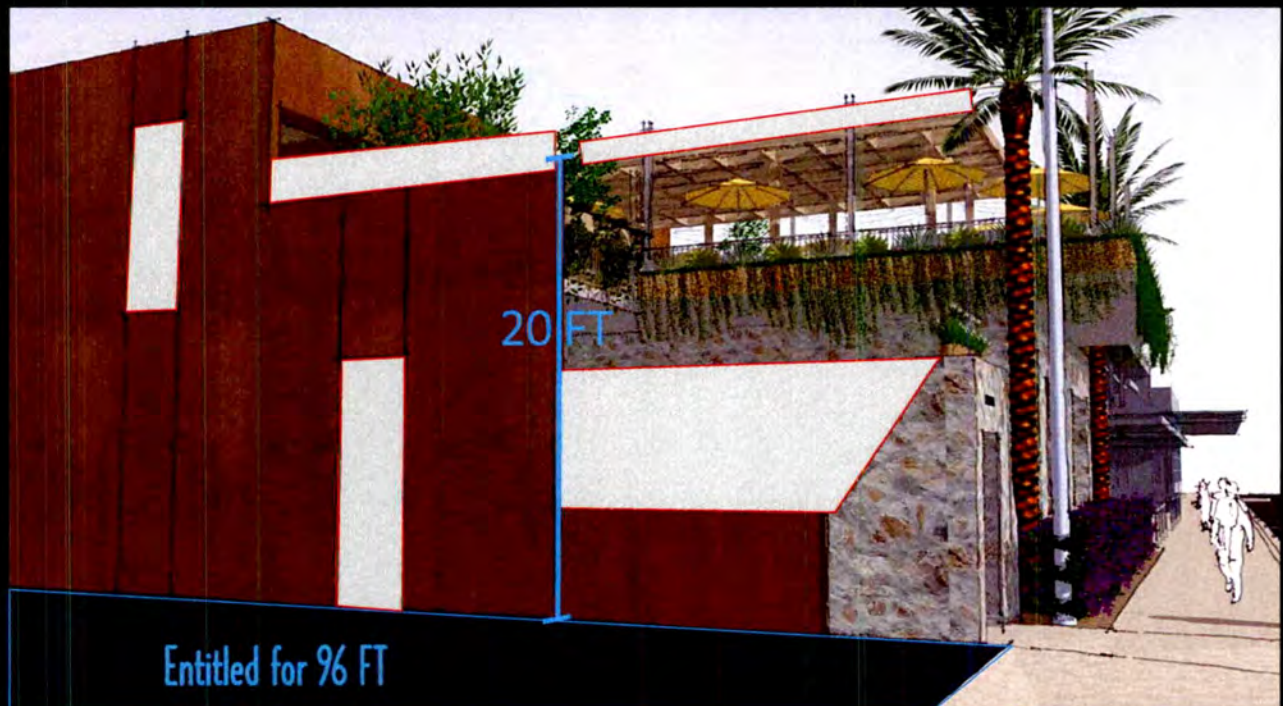
Looking southeast from Saddlebag Trail

NORTH ELEVATION - DRB NOV. 2022



Looking south

NORTH ELEVATION – FOLLOWING DRB



Looking south

DEVELOPMENT PROPOSAL



CUP APPROVAL CRITERIA

1. Granting of this CUP will not be materially detrimental
 - Use is located within an area of similar intensity
 - No live entertainment and small bar area
 - Separation from residences to the north
 - Noise mitigation through north façade improvements and PC Stipulations (Plexiglass and limiter)
 - Use is not expected to generate vehicular traffic that would impact existing patterns
2. Granting of this CUP is compatible with surrounding area
 - Use is located within the Entertainment District, which is occupied by similar uses
 - Use is separated from nearest residence by 375 FT
 - Characteristics of use are compatible with other, more intense uses within the Entertainment District

CUP APPROVAL CRITERIA

3. Conformance with “bar” stipulations in Section 1.403.C

- Hours of operation are consistent with surrounding uses (no after-hours activities)
- Patio use will not disrupt daytime pedestrian-oriented activities
- Use does not displace any existing establishment—Paloma brings a new food & beverage opportunity to the City where there was a vacant office building
- Exceeds Parking Requirement
- Neighboring residences are adequately buffered
 - Noise mitigation
 - Strategic building & patio orientation
 - Speakers faced downward & away
 - No live entertainment
- Police Department support—approved Active Management Plan

SUMMARY OF REQUEST

- New restaurant and bar concept from reputable, Scottsdale operator
- All criteria for the CUP are satisfied
 - Heart of Entertainment District with existing uses of greater intensity;
 - No disruption to parking or traffic patterns;
 - Nearest single-family residential is across from Camelback Rd.
- DRB Approval
- Planning Commission Recommendation of Approval
- City Staff recommendation of Approval

Paloma

7-UP-2023

4439 North Saddlebag Trail



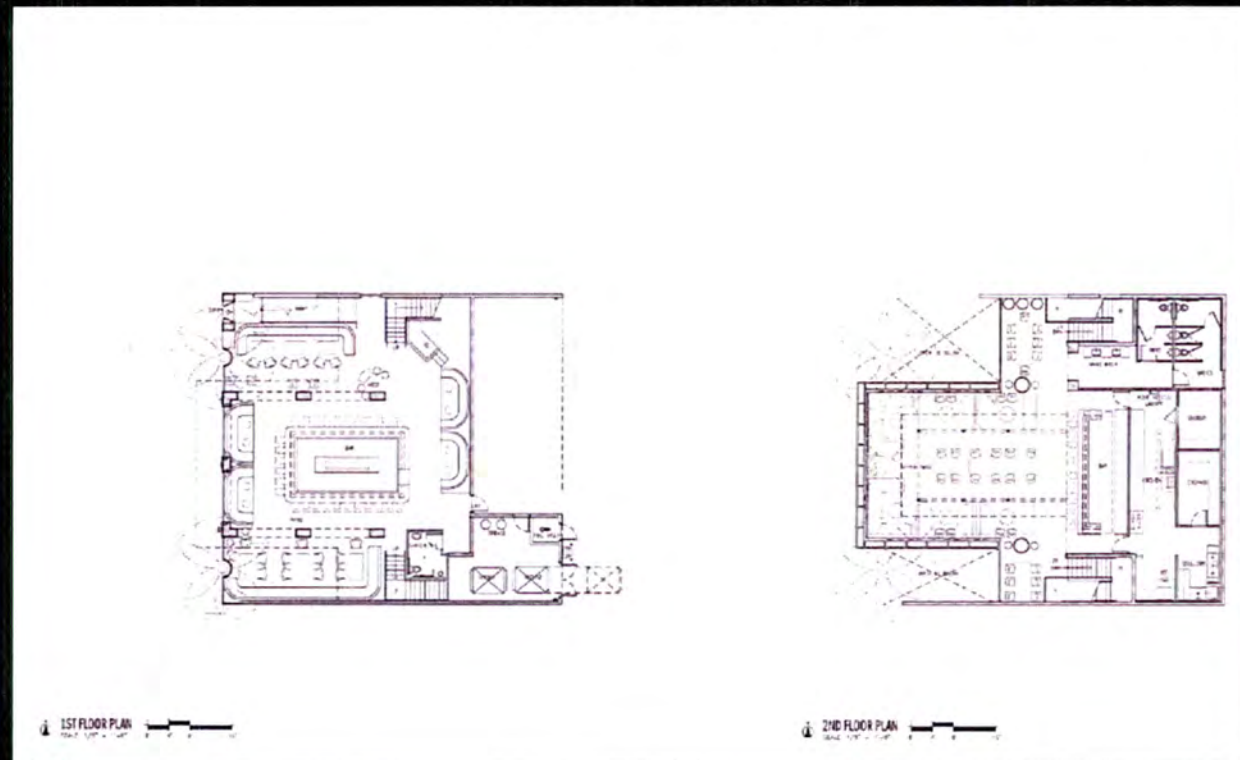
City Council
November 12, 2024

PARKING

- Parking provided by a combination of historical D-O credits, P-3 credits, remote parking, and in-lieu credits
- 34 parking spaces required
- 35 parking spaces provided
 - 4 on-site
 - 9 P-3 credits
 - 17 remote
 - 5 in-lieu credits
- Assurance of Remote Parking Agreements executed and confirmed by City Staff
- Valet Service
- Future City Parking Garage



FLOOR PLAN



PERSPECTIVE RENDERING



Looking east from Saddlebag Trail

PERSPECTIVE RENDERING



Looking south along Saddlebag Trail

SOUND MITIGATION





The Scott Resort Parking Reduction

4-DR-2024

**City Council
November 12, 2024**

Coordinator: Greg Bloemberg

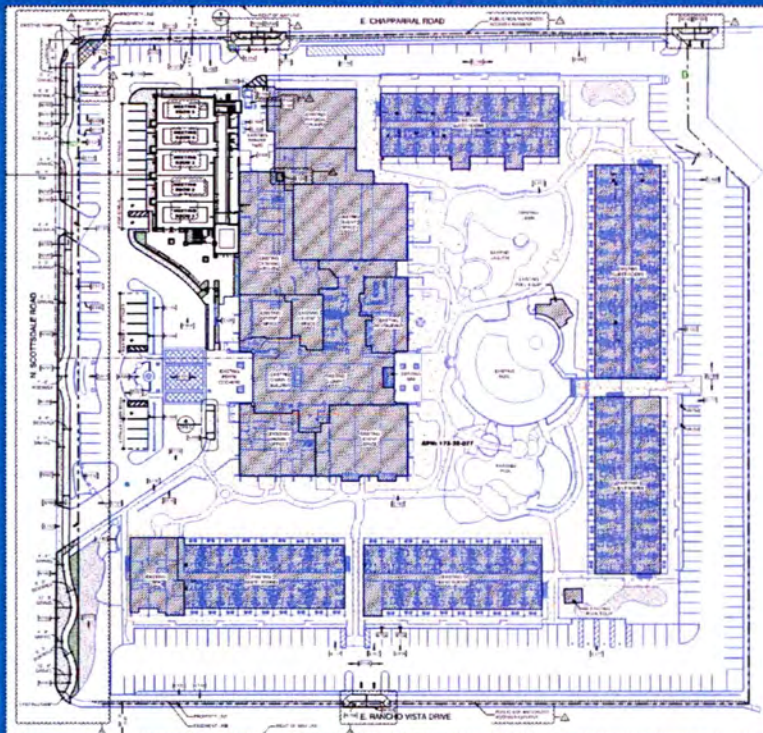


Context Aerial

4-DR-2024



Expansion Site Plan



Background/Request Summary

- Site has been a resort for over 60 years
- Accompanying DRB request to add 6,377 square feet of conference space + 4,118 square foot roof deck (pending)
- Conference expansion further strengthens Resort Corridor
- Requested parking reduction greater than 10% of current ordinance requirements (58% proposed)
- Parking Master Plan provided for justification



Background/Request Summary

- No documented history of parking issues caused by the resort
- Potential for overflow impacts on surrounding residential and hotel to the north
- Lack of reliable or convenient source of overflow parking that meets ordinance location requirements.
- No on-street parking available at this location.



Background/Request Summary

- Three reductions for hotels/resorts approved to date:
 - DC Hotel (aka Senna House): 37%
 - Canopy by Hilton: 27%
 - Gainey Ranch Hilton: 17%**(Proposed: 58%)**



Background/Request Summary

Land Use	Parking Requirement	Proposed Parking Ratio
Hotel Rooms	1 space per room (204 spaces)	.28 spaces per room (58 spaces)
Conference Space (20,677 square feet total w/ expansion)	1 space for every 50 square feet (373 spaces)	No parking





The Scott Resort Parking Reduction

4-DR-2024

**City Council
November 12, 2024**

Coordinator: Greg Bloemberg

THE SCOTT RESORT

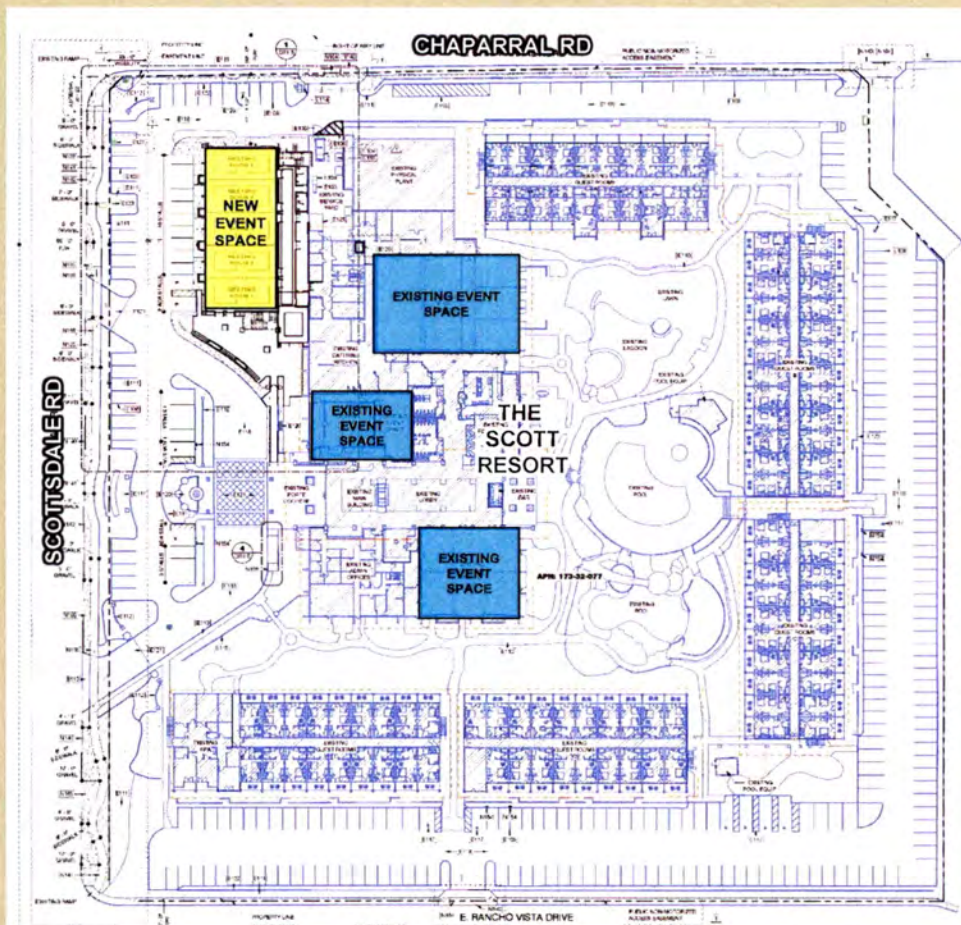
PARKING REDUCTION REQUEST

Item 14 Applicant
CITY COUNCIL HEARING – ITEM 14
NOVEMBER 12, 2024



PROPOSED CONFERENCE ROOM EXPANSION

CASE #4-DR-2024



STREET LEVEL VIEW OF PROPOSED CONFERENCE ROOM EXPANSION



THE SCOTT RESORT
CASE #4-DR-2024

STREET VIEW OF NEW DETACHED SIDEWALK ALONG SCOTTSDALE RD



THE SCOTT RESORT
CASE #4-DR-2024

NEW WALKWAY TO PROPOSED CONFERENCE ROOM EXPANSION



THE SCOTT RESORT
CASE #4-DR-2024

Under Current Ordinance:

The Scott Resort is underparked by nearly **40%**

But, there are always **106-246** open spaces

Council passed parking ordinance that allows
Council to decide on case-by-case basis

ARTICLE IX. – PARKING AND LOADING REQUIREMENTS SECTION

9.104.E.4.c

**“Reductions of more than ten (10) percent
of required parking shall be subject to
approval by the City Council.”**

Council passed parking ordinance that allows
Council to decide on case-by-case basis

**The Scott Resort has been in
Scottsdale for 60 years and knows
its business well...**

***Just wants to stay competitive in the
marketplace!***

**CITY OF SCOTTSDALE 2021
HOTEL PARKING REQUIREMENTS**

EACH SEPARATE PROPERTY USE MUST PROVIDE SEPARATE PARKING

1 SPACE FOR EVERY HOTEL GUEST

1 SPACE FOR EVERY RESTAURANT DINER

1 SPACE FOR EVERY CONFERENCE ROOM USER

ASSUMES NO HOTEL GUESTS USE RESTAURANT OR CONFERENCE ROOM

REQUIRES 3 PARKING SPACES FOR 1 GUEST

**CURRENT SCOTTSDALE PARKING CODE
WOULD REQUIRE CURRENT SCOTT RESORT TO HAVE
482 PARKING SPACES**

WITH CURRENT 296 PARKING SPACES

**CONFERENCE AREA: 5,000 SQUARE FEET
(NOW 14,300 SQUARE FEET)**

OR

**HOTEL GUEST ROOMS: 18 ROOMS
(NOW 204 ROOMS)**

SCOTTSDALE CODE REQUIREMENT: 632 SPACES

PROVIDING: 264 SPACES

SCOTT HOTEL ACTUAL NEEDS: 140 SPACES

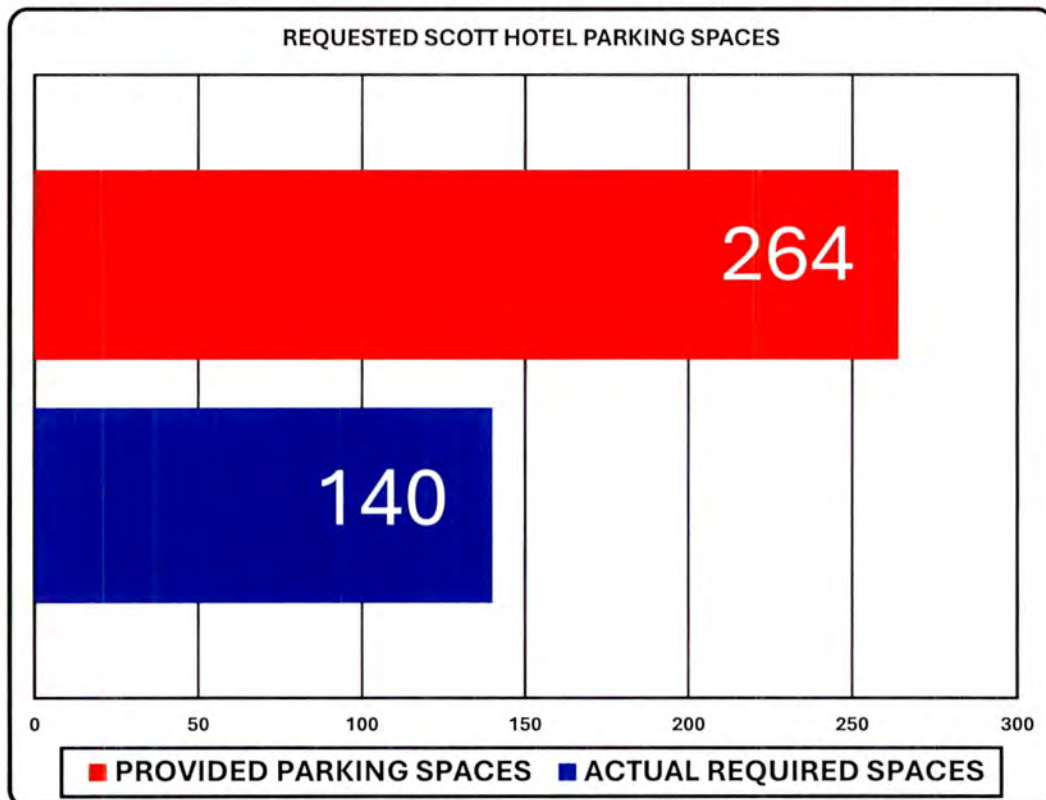
REQUEST:

58% FEWER SPACES THAN CURRENT CODE

WHICH IS ACTUALLY

89% MORE SPACES THAN NEEDED

(BASED ON 60 YEARS OF OPERATION)



HISTORIC PHOTOS SHOW OVERFLOW PARKING



**EVERY DAY
15 TO 50 NON-HOTEL
VEHICLES PARK IN HOTEL
SPACES**

**LIKELY FROM ADJACENT
CONDOMINIUMS**

**HOTEL MGR CONFIRMED
NOT HOTEL GUESTS!**

**VEHICLES PARKED
AWAY FROM HOTEL**

**THESE NON-HOTEL
VEHICLES WERE
INCLUDED IN HOTEL
PARKING COUNTS**







TUESDAY – OCT 29

HOTEL OCCUPANCY: 68.6%

PARKING:

7 AM – 230 OPEN SPACES (only 23% full)
12 PM – 195 OPEN SPACES (only 34% full)
5 PM – 221 OPEN SPACES (only 25% full)



WEDNESDAY – OCT 30

HOTEL OCCUPANCY: 57.8%

PARKING:

8 AM – 235 OPEN SPACES (only 21% full)
1 PM – 204 OPEN SPACES (only 30% full)
5 PM – 222 OPEN SPACES (only 25% full)



THURSDAY – OCT 31

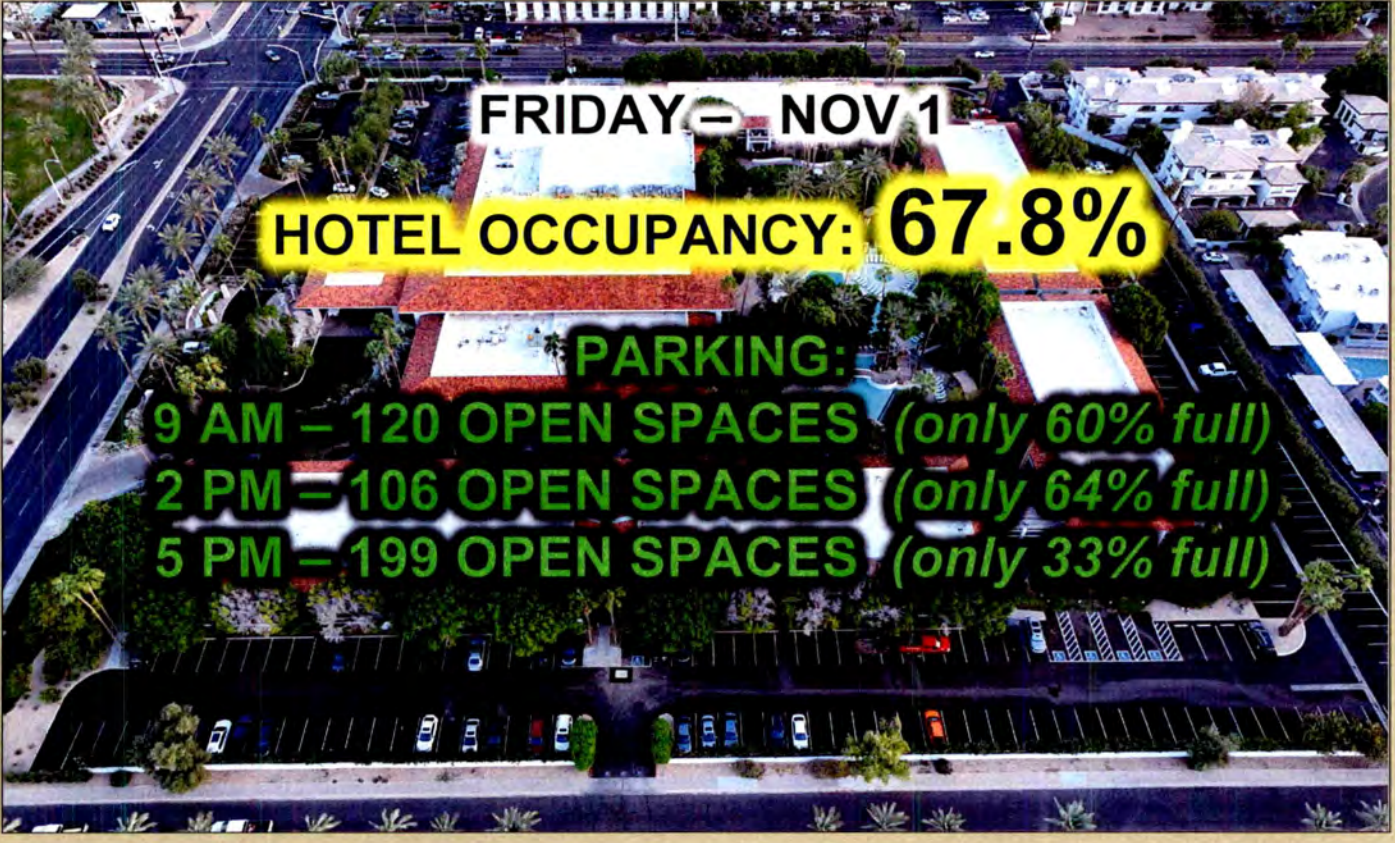
HOTEL OCCUPANCY: 59%

PARKING:

7 AM – 226 OPEN SPACES *(only 24% full)*

3 PM – 225 OPEN SPACES *(only 24% full)*

5 PM – 242 OPEN SPACES *(only 18% full)*



FRIDAY – NOV 1

HOTEL OCCUPANCY: 67.8%

PARKING:

9 AM – 120 OPEN SPACES *(only 60% full)*

2 PM – 106 OPEN SPACES *(only 64% full)*

5 PM – 199 OPEN SPACES *(only 33% full)*



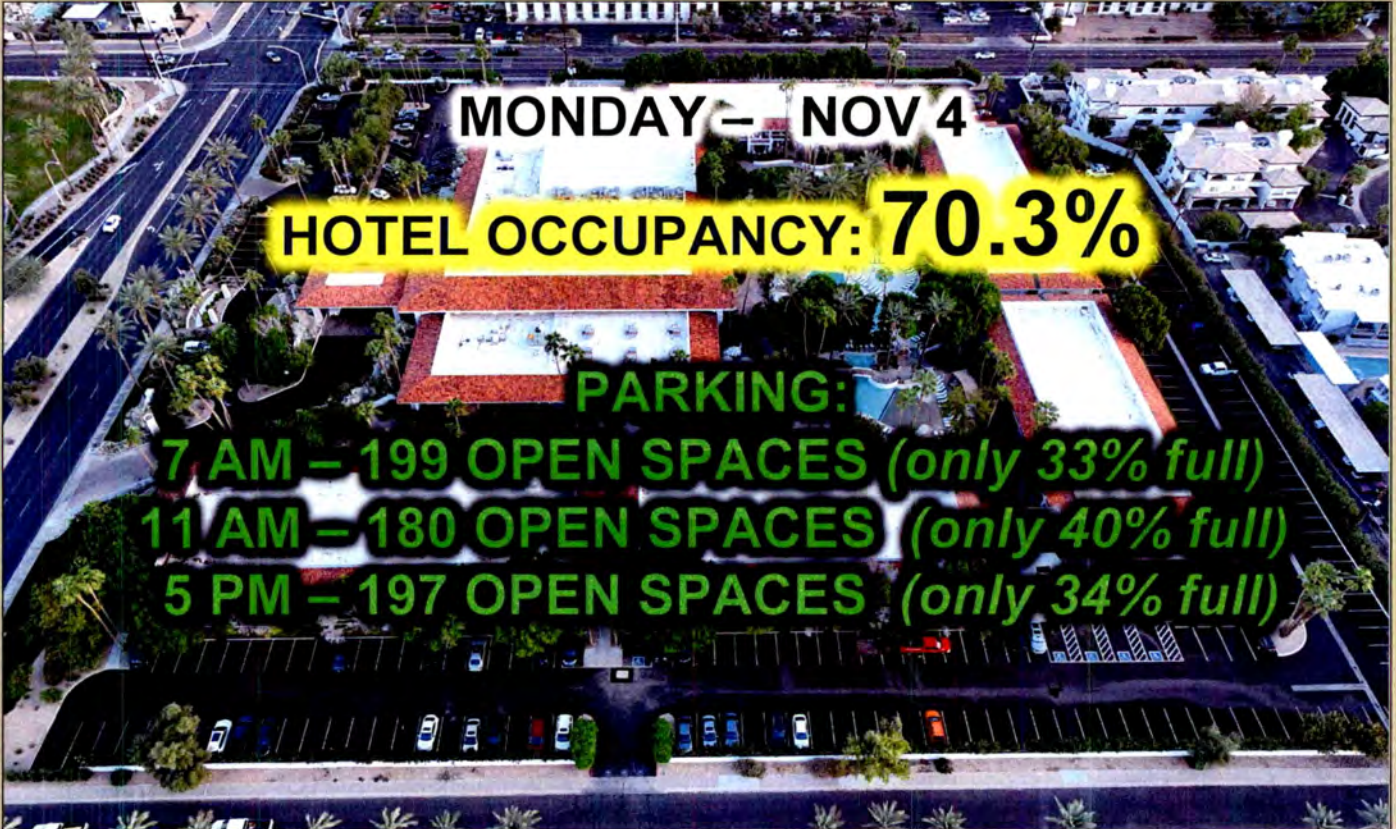
SATURDAY – NOV 2

HOTEL OCCUPANCY: 68.6%

PARKING:

12 PM – 175 OPEN SPACES *(only 41% full)*

1 PM – 185 OPEN SPACES *(only 38% full)*



MONDAY – NOV 4

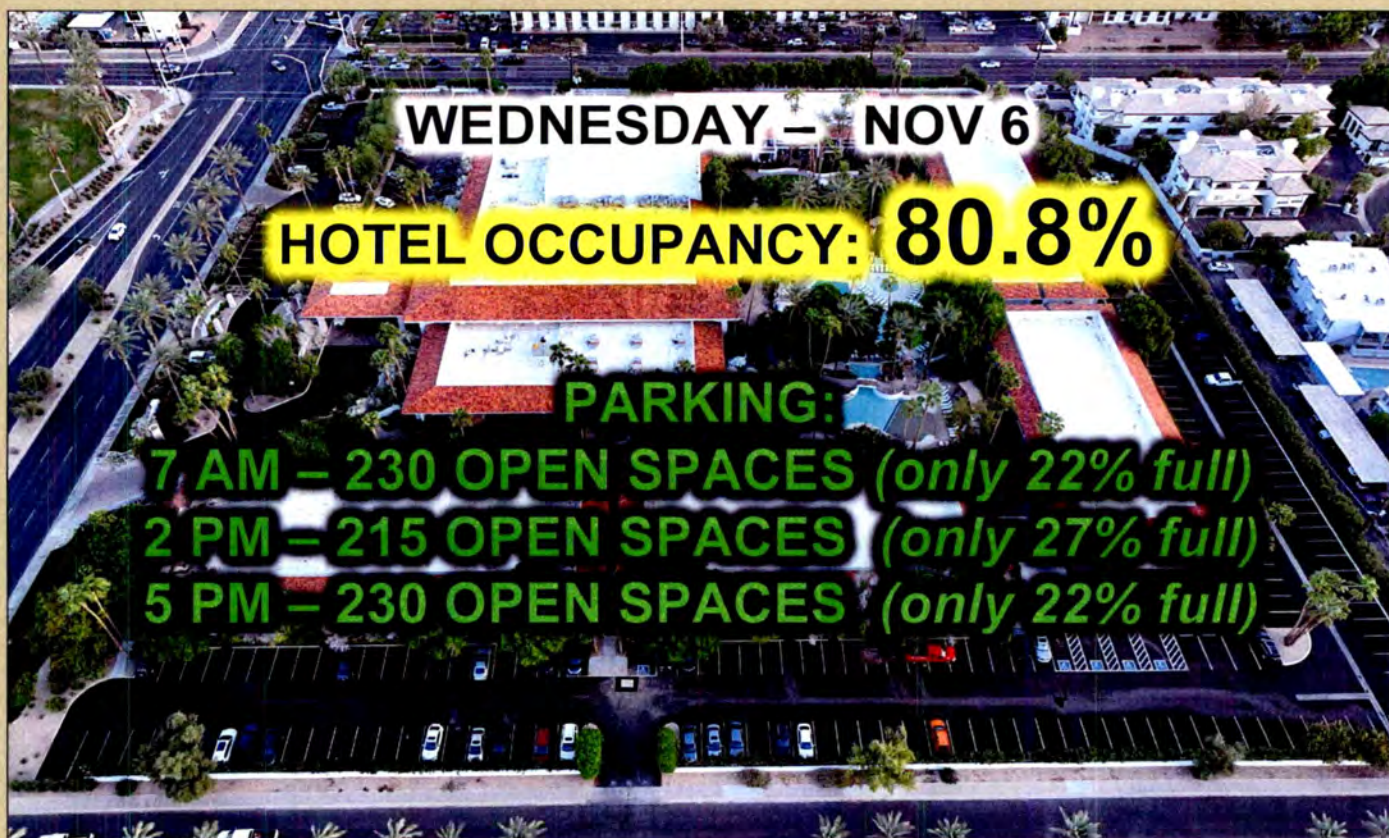
HOTEL OCCUPANCY: 70.3%

PARKING:

7 AM – 199 OPEN SPACES *(only 33% full)*

11 AM – 180 OPEN SPACES *(only 40% full)*

5 PM – 197 OPEN SPACES *(only 34% full)*





THURSDAY – NOV 7

HOTEL OCCUPANCY: **99%**

PARKING:

9 AM – 226 OPEN SPACES (*only 24% full*)

1 PM – 195 OPEN SPACES (*only 34% full*)

5 PM – 234 OPEN SPACES (*only 21% full*)



FRIDAY – NOV 8

HOTEL OCCUPANCY: **100%**

PARKING:

10 AM – 172 OPEN SPACES (*only 42% full*)

3 PM – 208 OPEN SPACES (*only 30% full*)

5 PM – 212 OPEN SPACES (*only 28% full*)





MONDAY – NOV 11

PARKING:

7 AM – 246 OPEN SPACES (only 17% full)
10 AM – 218 OPEN SPACES (only 26% full)
4 PM – 221 OPEN SPACES (only 25% full)



TUESDAY – NOV 12

PARKING:

8 AM – 245 OPEN SPACES (only 17% full)
10 AM – 216 OPEN SPACES (only 27% full)

Council passed parking ordinance that allows Council to decide on case-by-case basis

- ✓ **No neighbor opposition to this request (3 letters in support!)**
- ✓ **Scott Hotel already underparked based on current ordinance but yet always has 106-249 open parking spaces every day, even when hotel is 98% occupied!**

Scottsdale City Council has discretion to choose parking standards...And this case with

- ✓ **Proven operator who knows their business**
- ✓ **Parking lot currently 2/3 EMPTY**
- ✓ **Located downtown - Clientele attracted to walkability**
- ✓ **60 year old site does not need more UNUSED asphalt**
- ✓ **Thank you for supporting a long time Scottsdale business!**

Thank You

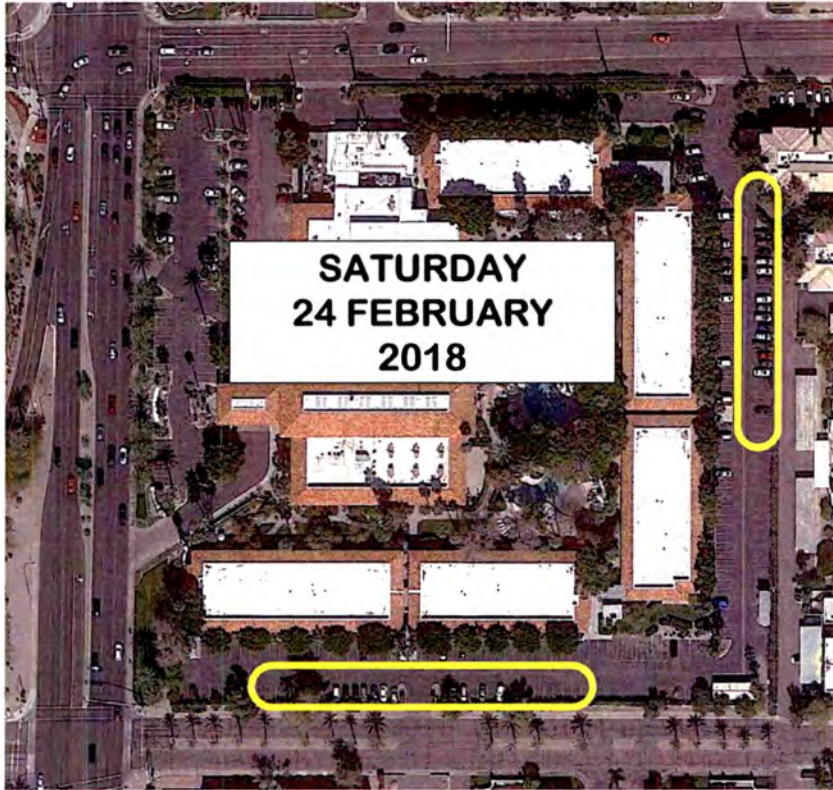




**MORE
HISTORIC
PHOTOS
SHOWING
OVERFLOW
PARKING
FROM
NEARBY
CONDOS**



**MORE
HISTORIC
PHOTOS
SHOWING
OVERFLOW
PARKING
FROM
NEARBY
CONDOS**



**MORE
HISTORIC
PHOTOS
SHOWING
OVERFLOW
PARKING
FROM
NEARBY
CONDOS**

**SCOTT RESORT
CONFERENCE ROOM USE**

CURRENT CAPACITY: 1,620 SEATS

PROPOSED CAPACITY: 2,348 SEATS

293 CONFERENCES OR EVENTS PER YEAR

48 WEEKS PER YEAR

10/24/2024 THURSDAY THROUGH 11/4/2024 MONDAY DRONE PHOTOGRAPHS THREE TIMES DAILY

CURRENT 296 PARKING SPACES

MINIMUM **USED** SPACES: **47 (16%)** AT 5:03 PM MONDAY

MOST **USED** SPACES: **190 (64%)** AT 2:27 PM FRIDAY

AVERAGE OF 26 PHOTOGRAPHS: **95 (33%) USED SPACES**

SCOTT HOTEL PARKING SPACE OCCUPANCY COUNTS

HOTEL GUEST ROOMS AT 95% OCCUPANCY
CONFERENCE ROOMS AT FULL CAPACITY ALL DAY

SCOTT RESORT HOTEL USE LATE MARCH AND EARLY APRIL 2023

	PARKING OCCUPANCY COUNTS								
	FRIDAY 24 March 2023	SATURDAY 25 March 2023	SUNDAY 26 March 2023	TUESDAY 28 March 2023	WEDNESDAY 29 March 2023	THURSDAY 30 March 2023	FRIDAY 31 March 2023	SATURDAY 01 April 2023	SUNDAY 02 April 2023
Hotel Rooms									
Occupancy	83%	82%	76%	95%	95%	95%	78%	76%	51%
Restaurant									
Breakfast	65%				50%	40%	40%		
Brunch		85%	90%					80%	70%
Lunch	60%				40%	50%	60%		50%
Dinner	70%	95%	60%		85%	90%	65%	60%	
Conference Room	NONE	NONE	NONE		8 AM to 10 AM	6 AM to 4 PM	8 AM to 4 PM	8 AM to 1 PM	NONE
					8 AM to 3 PM	8 AM to 3 PM	8 PM to 10 PM		
					8 AM to 6 PM	8 AM to 4 PM			
					12 PM to 1 PM	8 AM to 5 PM			
					1 PM to 5 PM	1 PM to 5 PM			
					6:30 PM to 8 PM	3 PM to 4:30 PM			
					6:30 PM to 10 PM	4 PM to 7 PM			
						5 PM to 9 PM			
						5:30 PM to 8 PM			

SCOTT HOTEL PARKING SPACE OCCUPANCY COUNTS

	WEDNESDAY 29 March 2023	THURSDAY 30 March 2023
Hotel Rooms		
Occupancy	95%	95%
Restaurant		
Breakfast	50%	40%
Lunch	40%	50%
Dinner	85%	90%
Conference Room	8 AM to 10 AM	6 AM to 4 PM
	8 AM to 3 PM	8 AM to 3 PM
	8 AM to 6 PM	8 AM to 4 PM
	12 PM to 1 PM	8 AM to 5 PM
	1 PM to 5 PM	1 PM to 5 PM
	6:30 PM to 8 PM	3 PM to 4:30 PM
	6:30 PM to 10 PM	4 PM to 7 PM
		5 PM to 9 PM
		5:30 PM to 8 PM

CANOPY HOTEL APPROVED 2 JULY 2018 BY 7 to 0 CONSENT

SUBMITTED PARKING STUDY STATES:

“The Canopy Hotel intends to utilize the conference / meeting space only to serve the existing guests. Therefore, it is reasonable to assume that the additional parking space requirement for conference / meeting space is not necessary. Removing this additional parking results in a total parking requirement of 222 spaces.”

83 parking spaces required for conference / meeting eliminated.

Provided 163 spaces: 27% reduction from only hotel guest parking.

Actual parking reduction: 47% from hotel and conference room requirement.

HAMPTON INN APPROVED 23 FEBRUARY 2016 BY 7 to 0 CONSENT

SUBMITTED PARKING STUDY STATES:

“Although Scottsdale Code requires additional parking spaces to accommodate the conference / meeting space, the primary purpose of this space is to serve the needs of hotel guests. Therefore, only 188 parking stalls are needed ...”

150 hotel guest rooms at 1.25 parking spaces per guest room is 188 parking spaces.

980 square feet of conference room at 1 space per 50 square feet is 20 parking spaces.

Provided 162 spaces: 14% reduction from only hotel guest parking.

Actual parking reduction: 22% from hotel and conference room requirement.

**MCDOWELL MOUNTAIN MARRIOTT APPROVED 19 SEPTEMBER 2000
BY 6 to 1 EXPEDITED AGENDA**

CITY COUNCIL REPORT STATES:

“The Applicant’s consultant has prepared Parking Master and concludes that the requested 35% reduction is suitable and reasonable for this site. Staff has reviewed this report and supports the recommendation.”

GAINEY HYATT REGENCY APPROVED 18 APRIL 2023 BY 6 to 1 REGULAR

PARKING MASTER PLAN:

Parking occupancy in 2019 and 2023 was 42%.

CITY COUNCIL REPORT STATES:

“... Parking for a proposed ballroom expansion requires an additional 227 spaces based on current code requirements for a grand total of 1,281 parking spaces. ... it is expected that the current parking supply of 1,054 parking spaces will accommodate the additional parking generated by the ballroom expansion. The existing supply of 1,054 parking spaces is 17.7% lower than the calculated requirement of 1,281 spaces for the future ballroom expansion based on current code requirements and prior approvals for the existing resort.”

11,840 SQUARE FOOT BALLROOM WITH NO PARKING SPACE INCREASE

Item 15

Appeal of Scottsdale Arts Public Art Decision

City Council Meeting
November 12, 2024



Appeals of Public Art Decisions

Sec. 7.1011 of the Zoning Ordinance:

“The City Council at its meeting, shall **affirm, modify, or reverse** the decision of the Cultural Council.”



Zoning Ordinance Criteria for Decisions

Zoning Ordinance Sec. 7.1010

- a. The Cultural Council shall approve, approve with stipulations, or deny the Conceptual Art Plan based on:
 - i. The consistency of the artwork with any applicable adopted public art master plan,*
 - ii. The relationship of the artwork to existing artworks within the site or the surrounding areas, and
 - iii. The consistency of the artwork with this article and Chapter 20, Article VII of the Scottsdale Revised Code.
- b. The Cultural Council shall not impose its artistic judgment on the artwork.

**Scottsdale Arts acknowledges that it does not have an applicable adopted public art master plan*



Artwork Definition

Scottsdale Revised Code Sec. 20-121

Artwork means all forms of limited edition or one-of-a-kind original creations of visual art created by an artist, including, without limitation, painting, sculpture, photography, video, integrated artwork and event-based artwork.

Artwork shall not mean the following, unless specifically authorized by the city council:

1. Directional elements, such as super-graphics, signage or color coding, except where these elements are integral to the original artwork;
2. Mass-produced design objects, such as decorative pavers or fountains;
3. Reproductions of artwork by mechanical means;
4. Decorative, ornamental or functional elements created by professionals other than an artist commissioned for this purpose; or
5. Landscape architecture or gardening, except for elements designed by artists as an integral part of the artwork.



City Council Options

Option 1: The City Council moves to affirm the decision of Scottsdale Arts and does not approve the proposed changes.

Option 2: The City Council moves to modify the decision of Scottsdale Arts, with the following stipulations [insert here ...]

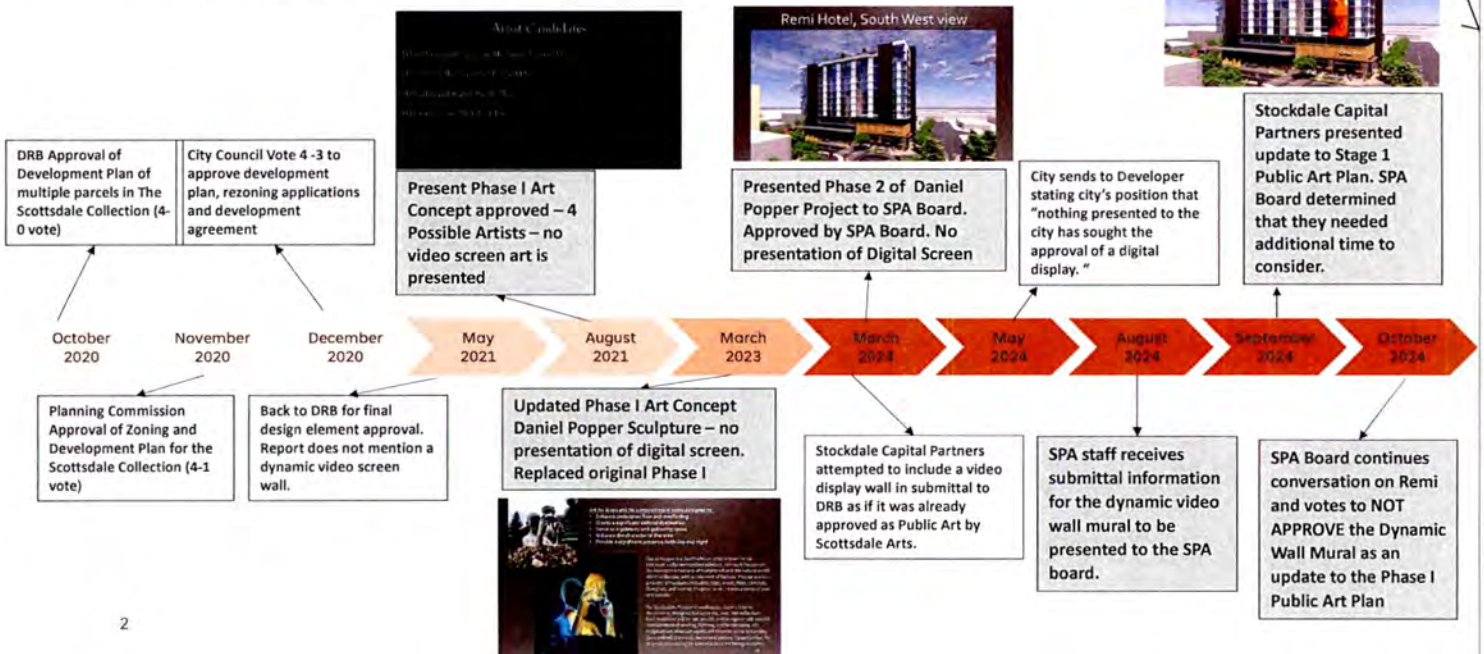
Option 3: The City Council moves to reverse the decision of Scottsdale Public Art and approves the proposed changes.



scottsdale

REMI HOTEL PROPOSAL DECISION

REMI (FORMERLY MAYA) TIMELINE OF REVIEW AND APPROVALS



- The Public Art Advisory Board deliberated on this project over the course of two months and during two separate meetings.
- The developer made a presentation during the first meeting.
- The meetings were open to the public. A few community members attended – both in person and online.
- Board voted to enter executive session for discussion.

The Public Art Board did not approve proposed change to include a digital video display in Stage 1 of art concept for the 8 following reasons:

3

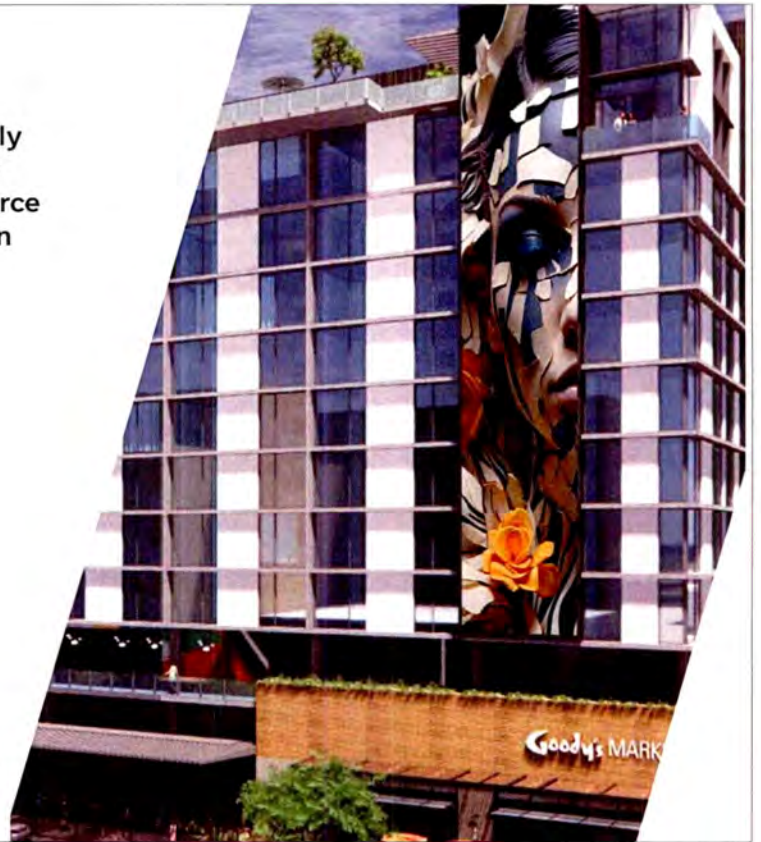


- 1.** This screen does not fall under the jurisdiction of Scottsdale Public Art Advisory Board to approve. The developer has already met their percent for art requirements up through Stage 2 with the Daniel Popper sculpture.

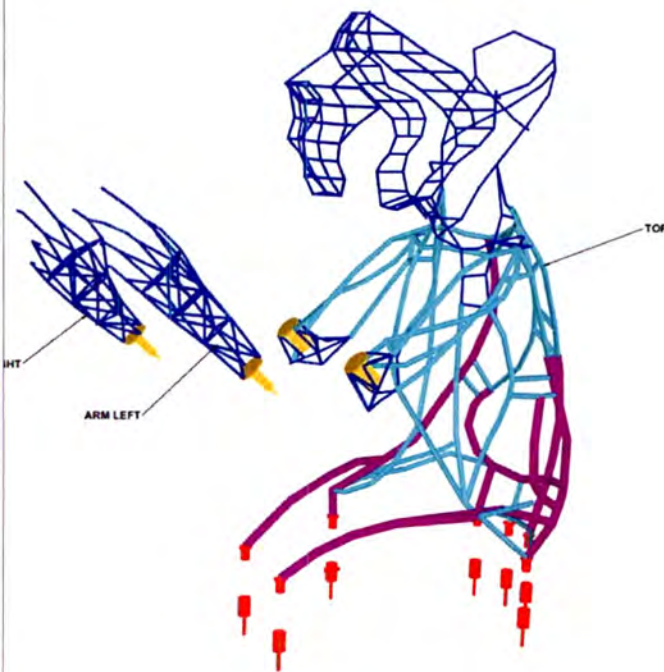
Pictured: Phase II Proposal Image of Daniel Popper's Sculpture from March 13, 2024 Presentation

2. Content of the proposed piece is infinitely changeable and is beyond the ability of Scottsdale Public Art to manage or enforce the implementation of this content on an ongoing and undefined basis.

Pictured: Image of "dynamic wall mural" from
September 11, 2024 Presentation



3. This is a drastic change from the Phase I Art concept approved in prior presentations to this board (Daniel Popper Sculpture).



TITLE COMPONENTS	PART NAME	MATERIAL
PROJECT: STOCKDALE "FIRE"	PART No	FIRST ANGLE ORTHO

Pictured: Engineering drawing from Phase II Proposal Image of Daniel Popper's Sculpture from March 13, 2024 Presentation

4.

This is not an adequate presentation of an art concept but a presentation of a method for presenting video content that is currently undefined.

Pictured: Image of “dynamic wall mural” from
September 11, 2024 Presentation

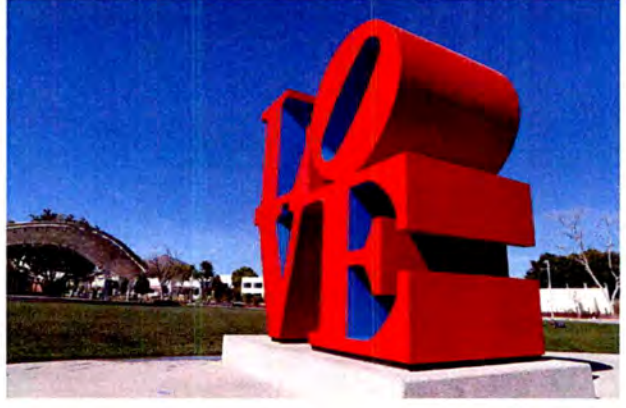
7



5.

The proposed “dynamic wall mural” on a 90' x 18' digital screen is not fitting in relationship to artworks in the surrounding areas or in relationship with the surrounding neighborhood and character areas.





5.

The proposed “dynamic wall mural” on a 90’ x 18’ digital screen is not fitting in relationship to artworks in the surrounding areas or in relationship with the surrounding neighborhood and character areas.



6. Previous Council Action did not approve a digital video screen as public art.

Public Art Advisory Board carefully reviewed prior council decisions to reach the conclusion that a digital video screen was not approved prior to presentation to our board.

INTENT of ART

The dynamic wall mural has been designed in response to the project's approved Art Masterplan's goals to:

- create art destination attractions
- enhance pedestrian flow and wayfinding
- help define and enhance the character of the area
- provide an art presence day and night
- create art that is dynamic and engages pedestrians and visitors
- for art to be accessible to pedestrians/viewers 24/7



7. As presented, this concept acts to enhance pedestrian flow and wayfinding which does not fit the definition of art as outlined in the Scottsdale Code of Ordinances and would require special approval by City Council.

8. The implementation of a screen of this magnitude should include the development and presentation of a public hearing on the topic, which is beyond the scope of this board and would be under the jurisdiction of the City.

Pictured: Image of "dynamic wall mural" from September 11, 2024 Presentation



SUMMARY

The Public Art Board does not approve proposed change to include a digital video display in Stage 1 of art concept.

The developer can move forward with their process on the Daniel Popper Sculpture to fulfill the Cultural Improvement Program requirements.

Should City Council choose to overturn the Scottsdale Arts Public Art Advisory Board's decision, Scottsdale Arts asks to be recused from the responsibility of overseeing ongoing review and approval of content on this video wall. Content would remain infinitely changeable at a moments' notice and management of this process is beyond our ability.

THANK YOU

**Remi Hotel - Dynamic Wall Mural - "Art in Motion"
Appeal to City Council**

November 12, 2024

1

**Remi Hotel
Appeal to City Council**

Request:

- Request that City Council modify the decision by the Scottsdale Public Arts Board and send the proposed dynamic wall mural application back for reconsideration with guidance informed by this appeal.

2

Remi Hotel Proposed Dynamic Wall Mural – Art in Motion by Artist Ernest Roberts

Ernest Roberts / Art Heavy Bio

Ernest Roberts is the Founder and Creative Director of Art Heavy, an innovative artwork and custom design company. With a keen eye for detail & a keen understanding of hospitality design, the Art Heavy team is accomplished in designing compelling works of art, furniture, fixtures, and video art that elevate interior spaces to new heights. With 20+ years of experience, Roberts/Art Heavy is a leading name in the industry for both residential and commercial spaces. The Art Heavy team is dedicated to pushing boundaries & creating unforgettable experiences with their designs. Robert's visionary leadership inspires his team to redefine the possibilities of art and design in hospitality spaces.

Clients include:

- Evening Entertainment Group
- Spellbound,
- Flagship Restaurant Group
- Groot Hospitality Group,
- Fox Concepts
- W Hotel, Scottsdale
- Electric Daisy Festival
- Hukasan Group
- Cafe Walk
- and more.

Current projects include Palma Dallas, Cash Cow Dallas, Bottle Blonde 4 story Nashville and Las Vegas, Groot concept, Miami and Canyon Cocktail, Phoenix.

The Remi Hotel Art Wall will feature a one-of-kind/original art video with anamorphic elements inspired by Scottsdale and its environs.



3

The Scottsdale Collection - “Vision” as Approved by City Council

- Transform Entertainment District into a world-class hospitality and tourism destination infused with public art and placemaking
- Transform the Entertainment District’s “bar scene” and create a synergistic Old Town Scottsdale destination

4

Actual Images from the City Council Hearing:

Transform from this...



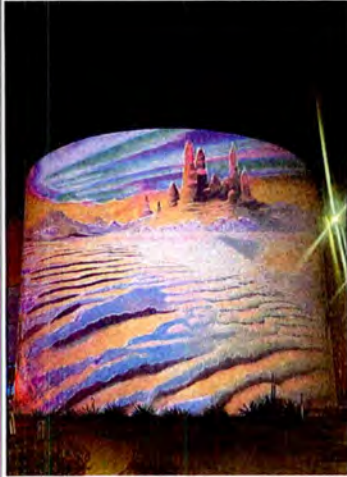
5

...to this.



6

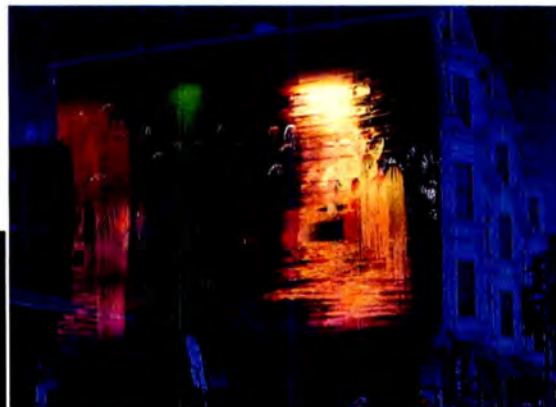
Dynamic Wall Mural Inspiration – Art in Motion:
Exterior of Scottsdale Center for the Performing Arts
Canal Convergence 2021



Artist: Kenaim Al-Shatti

7

Dynamic Wall Mural Inspiration – Art in Motion:
Exterior of Various Scottsdale Buildings
Canal Convergence 2021



Artist: Masary Studios

8

Dynamic Wall Mural Inspiration – Art in Motion: Canal Convergence 2021



Artist: Masary Studios

9



City Council directed in the **Staff
Report and Development Plan . . .**

10

The Scottsdale Collection 9-ZN-2020 City Council Staff Report 12-7-2020

“The Old Town Scottsdale Character Area Plan.....focuses on the importance of public art as a cultural and place-making amenity.....“Art will be a unifying theme for the Scottsdale Collection incorporating, but not limited to, ground level experiences, shade elements, hardscape/seating, and architectural design creating unique art encounters and visual experiences for residents and visitors.”

City Council Staff Report - Page 7

11

City Council Approved Zoning - Development Plan

Old Town Scottsdale Character Area Plan

GOAL AC 3: Promote and support initiatives that foster old town as an interactive arts district.

- **POLICY AC 3.6:** Increase and promote community arts partnerships and projects that animate public spaces and provides residents, workers, and tourists with diverse arts experiences.



RESPONSE: Within and around the new development, elements of art will be encountered on various levels through sculpture, furniture, shade, lighting and building facades to create new exciting visual and sensory experiences for residences, guest and visitors further supporting Scottsdale as an arts community.

Approved Zoning Case Resolution 11978 (page 52 of 235)

12

City Council Approved Zoning - Development Plan



Millennium Park, Chicago Artist: Jaume Plensa

PUBLIC ART DIRECTIONS & OPPORTUNITIES:

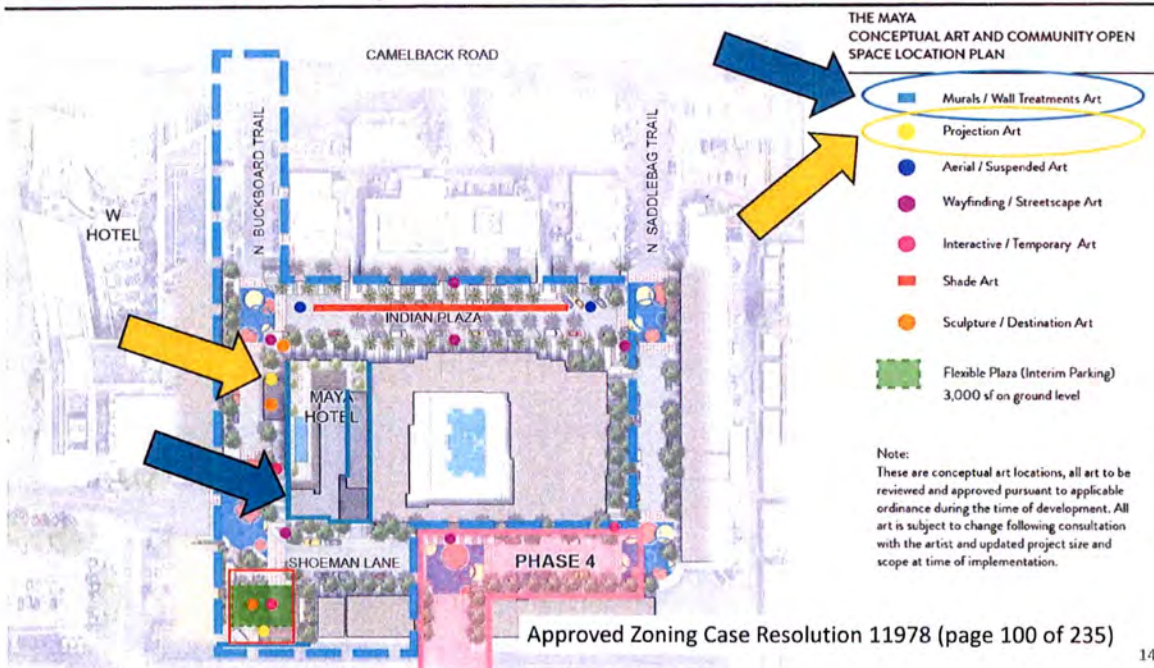
- CONNECTIVITY
- WAY FINDING
- SHADE
- STREETScape
- MURALS
- DYNAMIC
- ENGAGEMENT
- INTERACTION
- LIGHT INSTALLATIONS
- AERIAL EXPERIENCE
- PLACE MAKING
- CULTURAL DESTINATION



Approved Zoning Case Resolution 11978 (page 113 of 235)

13

City Council Approved Zoning - Development Plan The Maya Hotel Conceptual Art Plan



14

The Scottsdale Collection - Development Plan Area



15

City Council Approved Zoning - Development Plan The Maya Hotel - with "Projection Art" (2 locations)



Approved Zoning Case Resolution 11978 (page 109 of 235)

16



City Council directed in the **Development Agreement** . . .

17

City Council Approved & Recorded Development Agreement

Recitals

D. To support the creation of the art-oriented environment, Developer also seeks to imbue the Property and right-of-way within the Hospitality District with a variety of artistically-inspired lighting features (the “Lighting Enhancements”) and way-finding and location signage features (the “Signage Enhancements”) on the Property and woven within the right-of-way adjacent to the Parcels. The Lighting Enhancements will serve the practical purpose of supplying lighting to achieve public safety goals while being rendered in unique, artistic, and creative ways, including in projected and digital applications, to expand the incorporation of art features through light-infused installations.

18

City Council Approved & Recorded Development Agreement

Recitals

G. Accordingly, these art-infused Art Enhancements are intended to include projection art, aerial and suspended art, streetscape and way-finding art, murals and wall treatments, shade-creating art, interactive installations, sculpture, and destination art. The Developer seeks to incorporate the Art Enhancements throughout the Property and within the right-of-way adjacent to the Parcels and otherwise within the Hospitality District.

19

Main Point - City Council Directed in the Approved and Recorded Development Agreement

6.3 Cultural Improvement Program & Cultural Projects. The Required Art Investment Amount shall be expended by the Developer or commission and install original artwork pursuant to a Final Art Plan established in cooperation with Scottsdale Art, which may include aspects of the Hospitality District Enhancements that incorporate art through shade, lighting, signage, landscape and hardscape, all of which, by its approval of this Agreement, the City's City Council specifically designates...as "Artwork" within the meaning of Chapter 20, Article VII, Section 20-121 of the Revised Code (the "Art Code"), subject to the process to be implemented with Scottsdale Art.

20



**First Step in Process Directed by Staff –
Approve Location at DRB
City Code §7.1010(C)(2)**

Excerpts from The Maya Hotel

DRB Case

Unanimously Approved

May 6, 2021

✓ DONE

21

The Maya Hotel - Approved DRB Case

DRB Criteria:

6. The location of artwork provided in accordance with the Cultural Improvement Program or Public Art Program shall address the following criteria:

- a. Accessibility to the public;

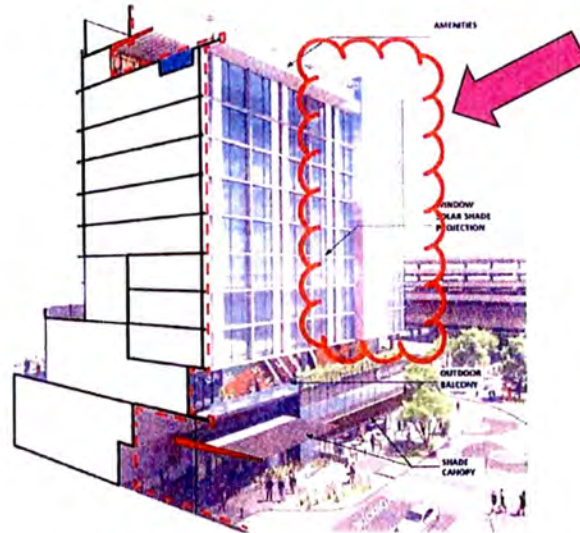
Response: The Maya Hotel will feature large scale wall mural art that will be visible from the pedestrian level and throughout the Scottsdale Collection.

25-DR-2020
4/2/2021

22

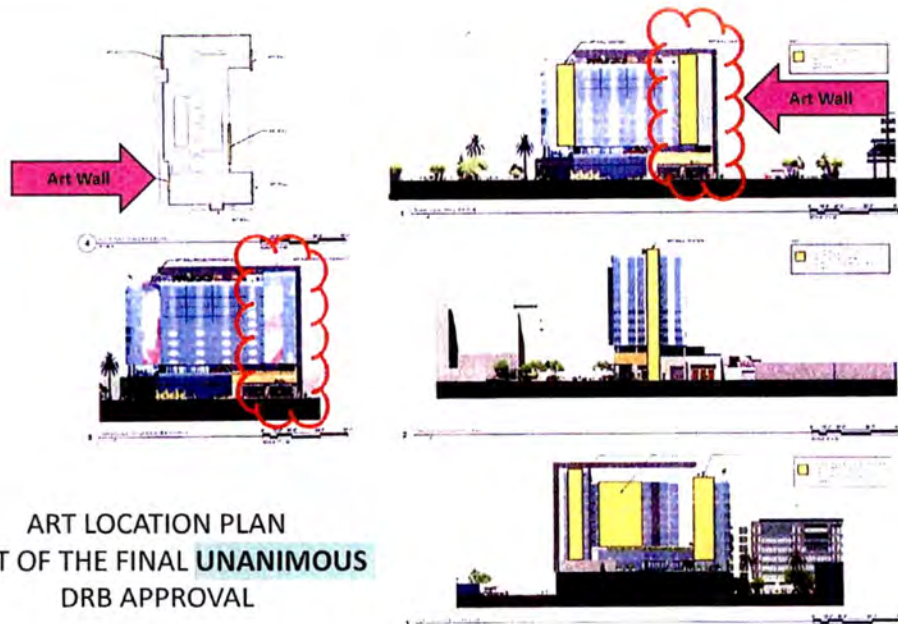
City Council Approved Development Plan The Maya Hotel with Conceptual Art Location

MAYA HOTEL - PART OF THE FINAL
SCOTTSDALE COLLECTION PBD DRB
APPROVAL 9-ZN-2020



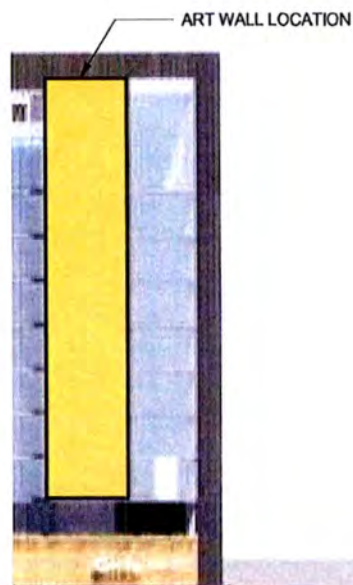
23

The Maya Hotel - Approved DRB Case



24

The Maya Hotel - Approved DRB Case



KEY



POTENTIAL LOCATION FOR WALL MURAL ART. MEDIUM MAY INCLUDE, BUT NOT LIMITED TO, WALL ART THAT IS PROJECTED, ILLUMINATED, PAINTED, BANNER ETC.

ART LOCATION PLAN
PART OF THE FINAL UNANIMOUS DRB
APPROVAL

25



Second Step in Process Directed by Staff –
**Apply to Scottsdale Public Art for
IMPLEMENTATION**

Public Hearings Held
August 14, 2024
September 11, 2024

26



BUT: Confusion at Scottsdale Public Art Board

- No Jurisdiction . . .
- Need Direction from City Council . . .

27

Correspondence from Director of Public Art



10-11-2024

Dear Valerie and Royce,

Thank you for your update to the Scottsdale Public Art Advisory Board for the Remi (formerly Maya) Hotel Development.

The public art board does not approve your proposed change to include a digital video display in Stage 1 of your art concept for the following reasons:

- This screen does not fall under the jurisdiction of Scottsdale Public Art Advisory Board to approve. The developer has already met their percent for art requirements up through Stage 2 with the Daniel Popper sculpture.
- Content of the proposed piece is infinitely changeable and is beyond the ability of Scottsdale Public Art to manage or enforce the implementation of this content on an ongoing and undefined basis.
- This is a drastic change from the Phase I Art concept approved in prior presentations to this board (Daniel Popper Sculpture).
- This is not an adequate presentation of an art concept but a presentation of a method for presenting video content that is currently undefined.
- The proposed "dynamic wall mural" on a 90' x 18' digital screen is not fitting in relationship to artworks in the surrounding areas or in relationship with the surrounding neighborhood and character area.
- Previous Council Action did not approve a digital video screen as public art.
- As presented, this concept acts to enhance pedestrian flow and wayfinding which does not fit the definition of art as outlined in the Scottsdale Code of Ordinances and would require special approval by City Council.
- The implementation of a screen of this magnitude should include the development and presentation of a public hearing on the topic, which is beyond the scope of this board and would be under the jurisdiction of the City.

If you wish to appeal this decision, please refer to the steps outlined in the Scottsdale Code of Ordinances, Sec. 7.1011. – Appeals of Cultural Council Decisions.

Stage 2 for the Daniel Popper concept remains approved for the satisfaction of the percent for art requirement for the Remi Hotel (formerly Maya). Please reach out to Tanya to confirm all the details of what is required in your Stage 3 proposal for review and approval. We are looking forward to seeing the final installation of the Daniel Popper work.

Thank you,

Kati Ballares (she/her/ers)
Scottsdale Arts | Scottsdale Public Art
Director of Public Art
Office: 480-874-4670
Mobile: 803-984-1065



28

As Presented - Remi Hotel
Example: Dynamic Wall Mural Concept – Art in Motion



NO Advertising

79

As Presented - Remi Hotel
Example: Dynamic Wall Mural Concept – Art in Motion



NO Advertising

30

As Presented - Remi Hotel
Example: Dynamic Wall Mural Concept – Art in Motion



NO Advertising

31

Remi Hotel
Appeal to City Council

Summary of Request:

- Based on the findings presented, we request that City Council send the proposed dynamic wall mural application back to the Scottsdale Public Arts Board for reconsideration with guidance informed by this appeal.

32

Thank You

Questions