### SCOTTSDALE CITY COUNCIL REGULAR MEETING MINUTES TUESDAY, SEPTEMBER 9, 2014



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

## CALL TO ORDER

Mayor W.J. "Jim" Lane called to order a Regular Meeting of the Scottsdale City Council at 5:07 P.M. on Tuesday, September 9, 2014 in the City Hall Kiva.

## **ROLL CALL**

Present:	Mayor W.J. "Jim" Lane Vice Mayor Guy Phillips
	Councilmembers Suzanne Klapp, Virginia L. Korte, Robert W. Littlefield, Linda Milhaven, and Dennis E. Robbins

Also Present: Acting City Manager Brian Biesemeyer City Attorney Bruce Washburn City Treasurer Jeff Nichols City Auditor Sharron Walker City Clerk Carolyn Jagger

PLEDGE OF ALLEGIANCE – Brownie Troop 1662; Troop Leader Jenny Leung

**INVOCATION** – Rabbi Jeremy Schneider, Temple Kol Ami

MAYOR'S REPORT - None

### PRESENTATION/INFORMATION UPDATES

**2014 Scottsdale Environmental Design Awards Presentation Presenter(s):** Tim Conner, Environmental Initiatives Manager; Steve Venker, Planning and Development Services Manager

Environmental Initiatives Manager Tim Conner gave a PowerPoint presentation (attached) on the SEDA Program.

<u>NOTE:</u> 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.



Planning and Development Services Manager Steve Venker presented the 2014 Scottsdale Environmental Design Awards to project team members for the following projects: Bicycle Haus, North Scottsdale Park & Ride, and Simply Dentistry. A new Legacy Awards category established by the Awards Committee recognizes projects that are over 25 years in age. Legacy Awards were presented to project team members for the following projects: The Cattletrack Compound; The Old Adobe Mission of Our Lady of Perpetual Help Roman Catholic Parish; The Scottsdale Medical Pavilion; and The First Church of Christ, Scientist.

## Announcement of Reappointment to Judicial Appointments Advisory Board

Mayor Lane announced the Arizona Supreme Court's reappointment of Judge Thomas L. LeClaire to the Scottsdale Judicial Appointments Advisory Board for a three-year term beginning October 1, 2014 and ending October 1, 2017.

## PUBLIC COMMENT – None

### MINUTES

Request: Approve the Regular Meeting Minutes of August 18, 2014.

## MOTION AND VOTE – MINUTES

Councilmember Korte made a motion to approve the Regular Meeting Minutes of August 18, 2014. Councilwoman Klapp seconded the motion, which carried 7/0.

### **CONSENT AGENDA**

- Hyatt House Liquor License (78-LL-2014) Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 11 (hotel/motel) State liquor license for an existing location. Location: 4245 N. Drinkwater Boulevard Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- Hopdoddy Burger Bar Liquor License (79-LL-2014) Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for an Acquisition of Control Change for an existing Series 12 (restaurant) State liquor license. Location: 11055 N. Scottsdale Road Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- 3. Andaluza Final Plat (17-PP-2013)

Request: Approve a final plat for a 33-lot, single-family residential subdivision on an approximate 38-acre site located at the southeast corner of N. 84<sup>th</sup> Street and E. Hawknest Road. Location: 8595 E. Hawknest Road and 35025 N. 84<sup>th</sup> Street Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, <u>rgrant@scottsdaleaz.gov</u>



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## Princess Views Final Plat (3-PP-2014) Request: Approve a final plat for a partial re-plat of Lot 1 of the Princess Views Subdivision and a partial re-plat of Lot 2 of the Fairmont Scottsdale Princess Golf Cottages to create Lot 1A of the Princess Views Subdivision. Location: 7605 E. Hartford Drive Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

## 5. Scottsdale Mountain Villas Final Plat (5-PP-2014)

**Request:** Approve a final plat for a 10-lot, single-family residential subdivision on an approximate 5-acre site.

**Location:** South side of E. Coyote Road, west of N. 135<sup>th</sup> Place **Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, <u>rgrant@scottsdaleaz.gov</u>

## 6. Morning Vista Partial Abandonment (1-AB-2013)

**Request:** Adopt **Resolution No. 9882** extending the time to fulfill the conditions of previously approved Resolution No. 9488 abandoning the northern twenty feet of the 40-foot E. Morning Vista Road right-of-way located along the southern boundary of parcel 216-70-003L, with Single-Family Residential District, Environmentally Sensitive Lands, Foothills Overlay (R1-190/ESL/FO) zoning.

Location: 8449 E. Dixileta Drive

**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, <u>rgrant@scottsdaleaz.gov</u>

## 7. DC Ranch Parcel 1.1 Zoning Classifications (54-ZN-1989#2L)

**Request:** Adopt **Ordinance No. 4167** affirming zoning classifications, as approved in 54-ZN-1989#9 and 54-ZN-1989#10, for DC Ranch Parcel 1.1, as Planned Neighborhood Center, Planned Community District (PNC PCD) and Resort/Townhouse Residential, Planned Community District (R-4R PCD) zoning.

**Location:** Southeast corner of N. Pima Road and E. Legacy Boulevard **Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, <u>rgrant@scottsdaleaz.gov</u>

## 8. Eilers Office Rezoning (8-ZN-2014)

**Request:** Adopt **Ordinance No. 4169** approving a zoning district map amendment from Multiple-Family Residential (R-5) to Service Residential (S-R) zoning, and finding that the proposed zoning district map amendment conforms with the adopted General Plan, on a 12,000± square-foot parcel.

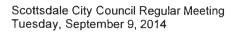
Location: 2343 N. Hayden Road

**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, <u>rgrant@scottsdaleaz.gov</u>

## 9. Miziolek Wall Hardship Exemption (1-HE-2014)

**Request:** Adopt **Resolution No. 9838** approving a hardship exemption from the Environmentally Sensitive Lands Ordinance requirement of a 15-foot setback for walls from the side property line located along the eastern boundary of the property, with Single-Family Residential, Environmentally Sensitive Lands (R1-43/ESL) zoning. **Location:** 8347 E. High Point Drive

**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, <u>rgrant@scottsdaleaz.gov</u>





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Mayor Lane opened public testimony.

• Arthur Landauer, Scottsdale citizen, spoke in support of the Miziolek Wall Hardship Exemption.

Mayor Lane closed public testimony.

## 10. Scottsdale Quarter Perimeter Exception (1-PE-2009#2)

**Request:** Adopt **Resolution No. 9879** authorizing Amended and Restated Development Agreement No. 2011-155-COS-A1, with SDQ Fee, LLC, Kierland Crossing, LLC, Crescent-SDQ III Venture, LLC, and SDQ III Fee, LLC, to approve a re-plat and an amendment to the existing perimeter exception plat and development agreement to adjust the lot line between blocks L and M, and to update the project development standards to be consistent with zoning application 18-ZN-2013.

Location: 15015, 15169, 15279, 15301, 15037, 15147, 15191, 15257, 15323, 15059, 15081, 15125, 15103, 15235, 15345, 15367, 15389, and 15411 N. Scottsdale Road Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

# 11. Arizona Criminal Justice Commission Full-Service Forensic Crime Laboratory Grant Request: Adopt Resolution No. 9862 to authorize:

- 1. Agreement No. 2014-133-COS with the Arizona Criminal Justice Commission to accept an Arizona Criminal Justice Full-Service Forensic Crime Laboratory grant in the amount of \$106,000 to continue funding a forensic scientist supervisor position.
- 2. A budget transfer in the amount of \$106,000 from the adopted FY 2014/15 Future Grants Budget and/or the Grant Contingency Budget and the creation of a new cost center to record the related grant activities.

Staff Contact(s): Alan Rodbell, Chief of Police, 480-312-1900, arodbell@scottsdaleaz.gov

# 12. Transit Vehicle Management System Support Services Intergovernmental Agreement

**Request:** Adopt **Resolution No. 9825** authorizing Intergovernmental Agreement No. 2014-089-COS with the City of Phoenix for the installation of equipment used for the purpose of monitoring vehicle location and activities for the City's 13 buses in the amount of \$45,562 for the period of September 1, 2014 through June 30, 2016. **Staff Contact(s):** Paul Basha, Transportation Director, 480-312-7651, pbasha@scottsdaleaz.gov

## 13. Transit Service Intergovernmental Agreement

Request: Adopt Resolution No. 9816 to authorize:

- 1. Intergovernmental Agreement No. 2013-047-COS-A2 with the Regional Public Transportation Authority in the total amount of \$1,111,161 for fixed route and express bus service and East Valley Dial-a-Ride service, and to accept a Federal Transit Administration "New Freedom" grant in the amount of \$100,000 (with a local match in the amount of \$100,000).
- 2. A budget transfer in the amount of \$100,000 from the adopted FY 2014/15 Future Grants Budget and/or Grant Contingency Budget, and the creation of a new cost center to record the related grant activity. (The \$100,000 local match amount is included in the FY 2014/15 adopted Transportation Fund operating budget.)

**Staff Contact(s):** Paul Basha, Transportation Director, 480-312-7651, pbasha@scottsdaleaz.gov



14. Occupational Medical Treatment and Employment-Related Medical Testing Contract Modification

**Request:** Adopt **Resolution No. 9871** authorizing Contract Modification No. 2009-143-COS-A1 with Scottsdale Healthcare Corporate Health to extend the contract period from September 21, 2014 to January 31, 2015 for the provision of non-emergency medical treatment for work-related injuries (workers' compensation) and limited employmentrelated medical testing.

**Staff Contact(s):** Katherine Callaway, Risk Management Director, 480-312-7841, <u>kcallaway@scottsdaleaz.gov</u>

 15. Eldorado Park Lease Agreement Request: Adopt Resolution No. 9855 authorizing the Amended and Restated Existing Lease of Premises Agreement No. 1997-068-COS-A2 with the Boys & Girls Clubs of Greater Scottsdale Youth, LLC, at Eldorado Park. Location: 2311 N. Miller Road Staff Contact(s): William Murphy, Community Services Director, 480-312-7954,

<u>bmurphy@scottsdaleaz.gov</u>

- 16. Towing Vehicles at Scottsdale Airport Code Amendment Request: Adopt Ordinance No. 4166 amending Scottsdale Revised Code, Chapter 17, Motor Vehicles and Traffic, Sections 17-108 and 17-129, related to towing vehicles at the Scottsdale Airport. Staff Contact(s): Gary Mascaro, Aviation Director, 480-312-7735, gmascaro@scottsdaleaz.gov
- 16A. August 26, 2014 Primary Election Canvass Request: Adopt Resolution No. 9877 as the official canvass of the City of Scottsdale August 26, 2014 Primary Election. Staff Contact(s): Carolyn Jagger, City Clerk, 480-312-2411, cjagger@scottsdaleaz.gov

## MOTION AND VOTE – CONSENT AGENDA

Councilmember Korte made a motion to approve Consent Items 1 through 16A. Councilman Robbins seconded the motion, which carried 7/0.

## REGULAR AGENDA

 17. Cake Nightclub In-Lieu Parking Credits (2-IP-2014) Request: Adopt Resolution No. 9834 approving a request to participate in the In-Lieu Parking Program for ten in-lieu parking credits. Location: 4426 N. Saddlebag Trail Presenter(s): Brad Carr, Senior Planner Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

Senior Planner Dan Symer gave a PowerPoint presentation (attached) on the Cake Nightclub request for in-lieu parking credits.

Court Rich, applicant representative, reviewed the criteria in the City Code for approving an in-lieu parking application.



## MOTION NO. 1 AND VOTE - ITEM 17

Vice Mayor Phillips made a motion to adopt Resolution No. 9834 approving a request to participate in the In-Lieu Parking Program for ten in-lieu parking credits. Councilman Littlefield seconded the motion, which failed 3/4, with Mayor Lane and Councilmembers Klapp, Milhaven, and Robbins dissenting.

### MOTION NO. 2 AND VOTE - ITEM 17

Councilwoman Milhaven made a motion to agendize the item for a future date and to ask staff to bring the item back after they have finished their investigation of the open items. Councilwoman Klapp seconded the motion, which carried 7/0.

### 18. Sierra Highlands Rezoning (6-ZN-2014)

**Request:** Adopt **Ordinance No. 4168** approving a zoning map amendment from Single-Family Residential, Environmentally Sensitive Lands (R1-70/ESL) to Single-Family Residential, Environmentally Sensitive Lands (R1-43/ESL) zoning, on a 40± acre site, and finding that the proposed zoning map amendment is consistent and conforms with the adopted General Plan, located at the northeast corner of N. 84<sup>th</sup> Street and E. Black Mountain Road.

Location: 8500 E. Black Mountain Road

**Presenter(s):** Jesus Murillo, Senior Planner

**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, <u>rgrant@scottsdaleaz.gov</u>

Senior Planner Jesus Murillo gave a PowerPoint presentation (attached) on the Sierra Highlands rezoning request.

John Berry, applicant representative, gave a brief presentation on the Sierra Highlands rezoning request.

Mayor Lane opened public testimony.

The following individuals spoke in support of the Sierra Highlands rezoning:

- David Schlenker, President of Sand Flower Home Owners' Association
- Lynne Sullivan, Scottsdale citizen
- Tim Smith, Scottsdale citizen

The following individuals spoke in opposition of the Sierra Highlands rezoning:

- Anne Hilton, Scottsdale citizen
- Steve Hooper, Scottsdale citizen

Mayor Lane closed public testimony

In response to the traffic concerns raised by the neighbors who oppose the rezoning, Mr. Berry said the applicant has agreed to participate in the cost of traffic calming.

Transportation Director Paul Basha explained the process for considering traffic calming devices. To maintain consistency with the City's Transportation Master Plan and City policies and procedures, the review process includes a needs analysis and review by the Transportation Commission.



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### MOTION AND VOTE - ITEM 18

Councilman Robbins made a motion to adopt Ordinance No. 4168 approving a zoning map amendment from Single-Family Residential, Environmentally Sensitive Lands (R1-70/ESL) to Single-Family Residential, Environmentally Sensitive Lands (R1-43/ESL) zoning; finding that the proposed zoning map amendment is consistent and conforms with the adopted General Plan; and adding Stipulation 10, to read as follows:

TRAFFIC CALMING IMPROVEMENTS. Prior to issuance of a final Certificate of Occupancy for the first residence in the development, City staff and the area residents will cooperate to develop a traffic calming plan for North 84th Street adjacent to the site. The process to develop and approve the traffic calming device(s) shall be consistent with the City's Neighborhood Traffic Management Policy and Program. The developer shall be responsible for fifty percent (50%) of the construction costs for any approved traffic calming improvement, but the developer's share shall not exceed thirty-five thousand dollars (\$35,000). The traffic calming improvement will be considered independent of the subdivision approval process and will not delay improvement plan approvals or plat approvals.

Councilwoman Milhaven seconded the motion, which carried 7/0.

### **PUBLIC COMMENT** – None

### **CITIZEN PETITIONS**

### **19.** 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 agendize the petition for further discussion; (2) direct the City Manager to investigate the matter and prepare a written response to the Council, with a copy to the petitioner; or (3) take no action.

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

No citizen petitions were received.

#### MAYOR AND COUNCIL ITEMS - None

#### **ADJOURNMENT**

With no further business to discuss, the Regular Meeting adjourned at 6:32 P.M.

SUBMITTED BY:

Carolyn Jagger City Clerk

Officially approved by the City Council on \_\_\_\_\_



Scottsdale City Council Regular Meeting Tuesday, September 9, 2014

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# CERTIFICATE

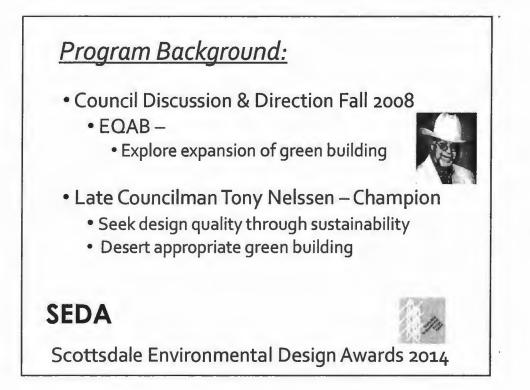
I hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Regular Meeting of the City Council of Scottsdale, Arizona held on the 9<sup>th</sup> day of September 2014.

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

DATED this 7<sup>th</sup> day of October 2014.

Carolyn Jagger, City Clerk





# Environmental Quality Advisory Board (EQAB)- SEDA Objectives

•Expand public awareness of green bldg.

- Recognition of local successes
- Education using quality examples
- Promotion of current efforts

# SEDA

Scottsdale Environmental Design Awards 2014















# **Green Building Strategies**

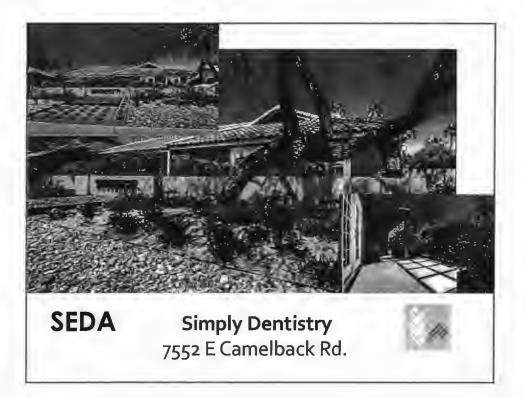
- •Shade
- •Natural day-lighting
- •Reduced energy consumption
- •Reduced water consumption
- •Conservation of resources
- •Mitigation of heat island effect

# SEDA

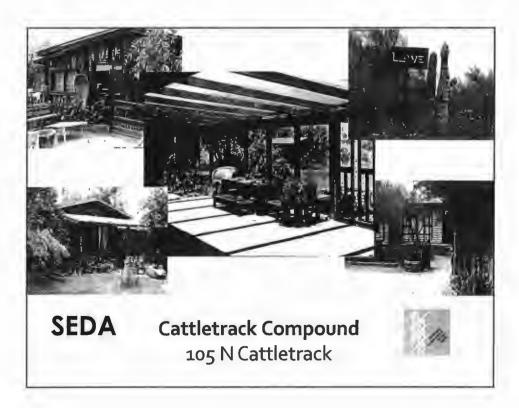
Scottsdale Environmental Design Awards 2014

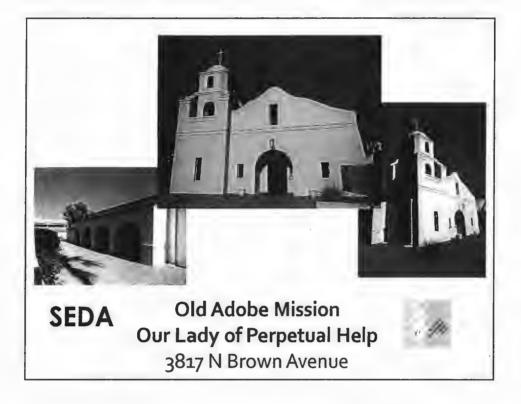


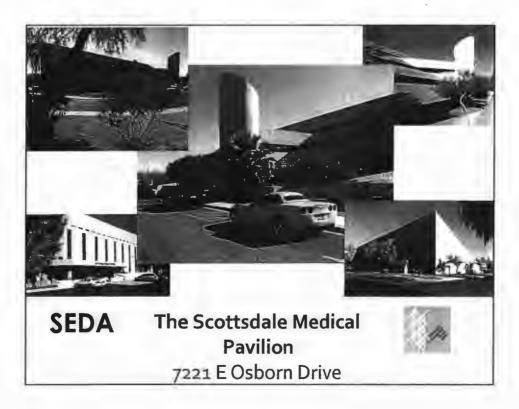


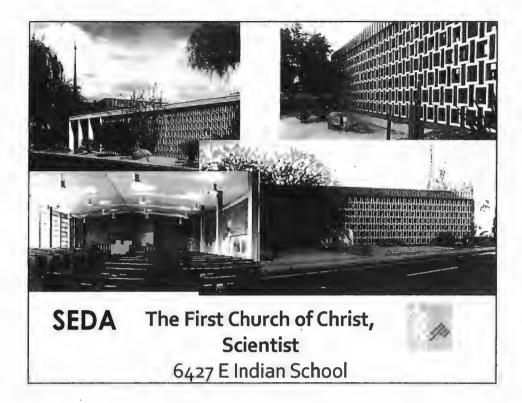






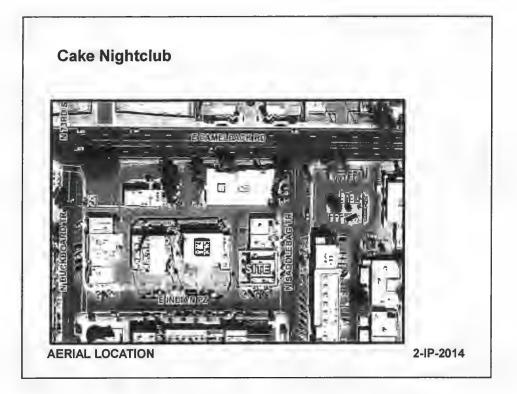


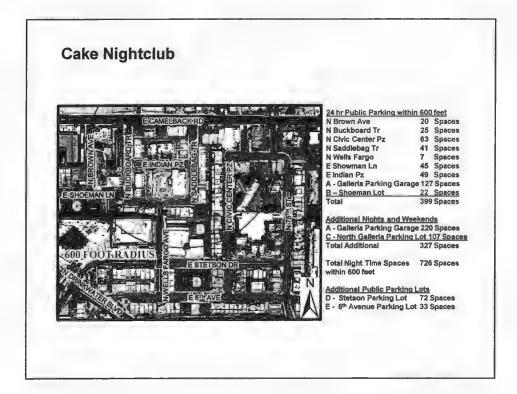




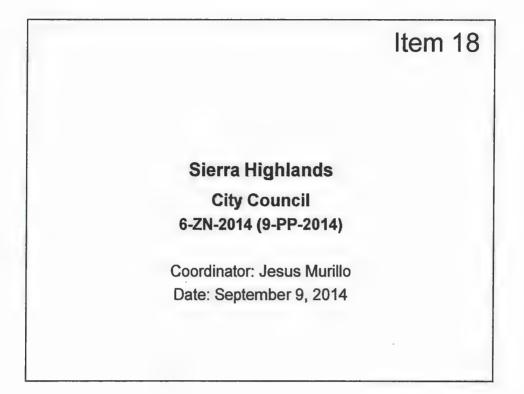


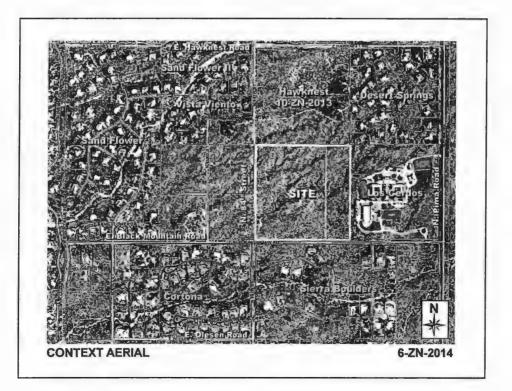
	Item 17
Cake Nightclub	
In-Lieu Parking	
2-IP-2014	
Dan Symer, AICP	
September 9, 2014	

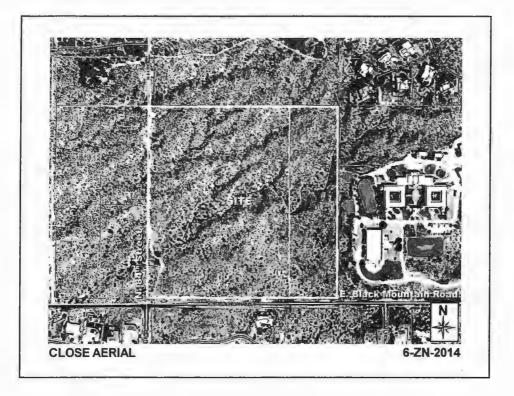


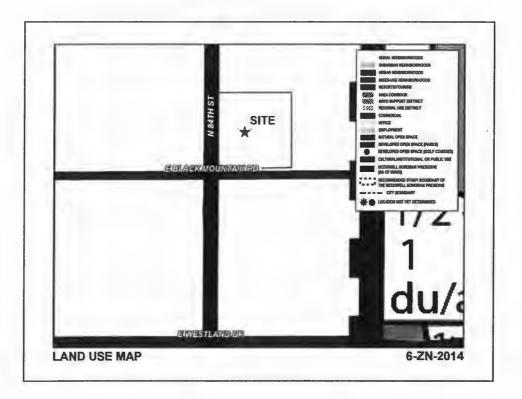


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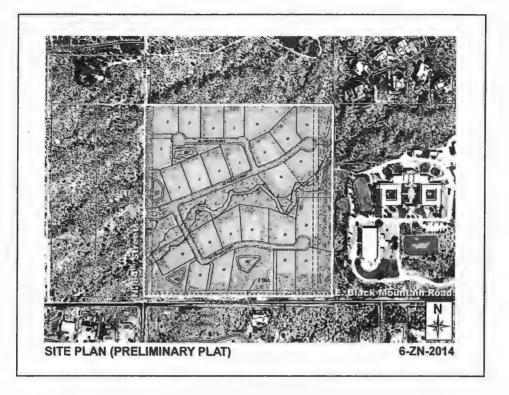














# **DRAF**7

### **Development Information**

Existing Use: Proposed Use: 20-lot Subdivision (3-ZN-2010) 25-lot Subdivision (9-PP-2014)

Parcel Size:

40+/- acres

24 feet

24 feet

Building Height Allowed: Building Height Proposed:

NAOS Required: NAOS Provided:

Density Allowed: Density Allowed: Density Proposed: 14.74 acres 18.9 acres

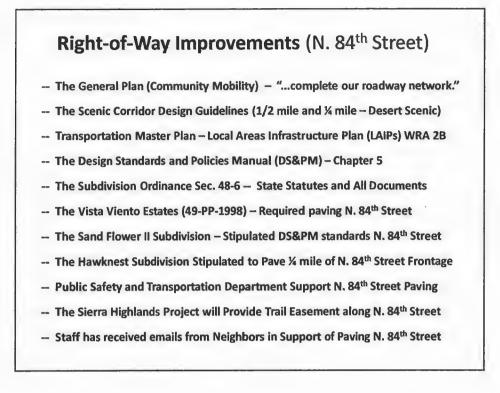
0.55 du/ac (3-ZN-201) 0.83 du/ac (R1-43/ESL - Zoning Ord.) 0.63 du/ac (R1-43/ESL)

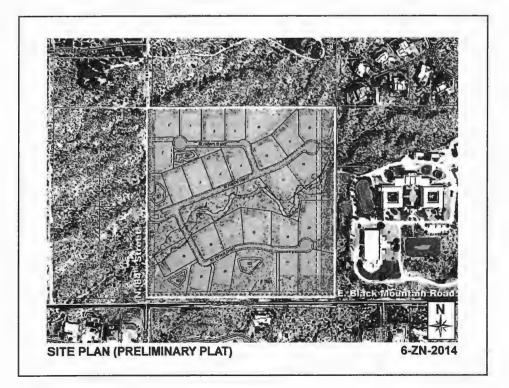
# **Planning Commission**

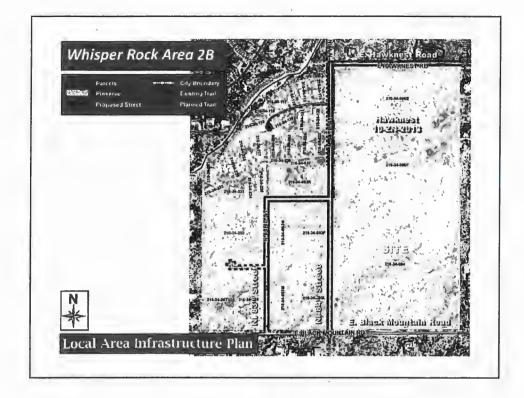
The Planning Commission heard the subject case at the August 13, 2014 hearing, and recommended Approval with a vote of 5-0.

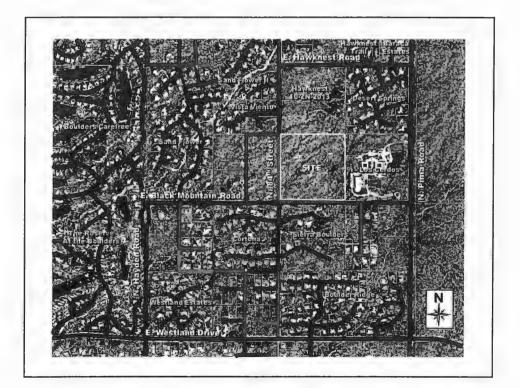
- -- Neighbors expressed concerns over the improvement of N. 84<sup>th</sup> Street
- -- Neighbors spoke against the paving of N. 84<sup>th</sup> Street

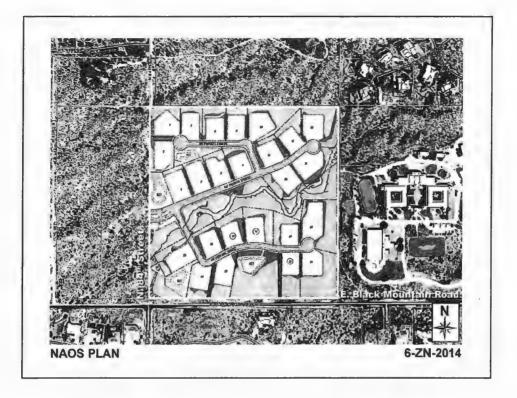
# DRAF7













# DRAF1

				en Space) Bu		
	Zoning	DU/AC	LOTS	NAOS .	OPEN SPACE	Total NAOS/OS
Approved 3-ZN-2010	R1-70/ESL	0.50	20	20 acres	0 acres	20 acres
Proposed 6-ZN-2014	R1-43/ESL	0.63	25	18.9 acres	2.1 acres	21 acres
	15 Hi 16 H 17 H 2 D	R I	20,			P