

**SCOTTSDALE CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, APRIL 5, 2022**



**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, April 5, 2022 in the City Hall Kiva Forum.

ROLL CALL

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

Also Present: City Manager Jim Thompson, City Attorney Sherry Scott, City Treasurer Sonia Andrews, City Auditor Sharron Walker, and City Clerk Ben Lane

PLEDGE OF ALLEGIANCE – Vice Mayor Caputi

MAYOR'S REPORT

Mayor Ortega asked for a moment of silence to pray for the people of Ukraine and for the survival of their democracy.

Mayor Ortega congratulated Scottsdale Arts for their ARTrageous event held April 2nd at the new Fieldhouse venue located at Scottsdale Stadium.

Mayor Ortega announced today was the last Spring Training home game in Scottsdale, noting that Spring Training has been a tradition in Scottsdale since 1955.

PRESENTATIONS/INFORMATION UPDATES

- **Proclamation: Fair Housing Month**
 - **Proclamation: Volunteer Appreciation Week**
- Presenter(s):** Mayor David D. Ortega

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.

Mayor Ortega read a proclamation in honor of Fair Housing Month and presented the proclamation to Affordable Rental Movement of Save the Family Chief Executive Officer Jacki Taylor, Leasing Manager Krista Shockey, and Director of Property Development Allisia Fiorini.

Mayor Ortega read a proclamation declaring April 17th through April 23rd as Scottsdale Volunteer Appreciation Week and presented the proclamation to 2021 William P. Schrader Volunteer Impact Award Honoree Hank Carmean.

PUBLIC COMMENT

- Freya Brier presented a citizen petition (attached) asking for a crosswalk and other safety measures at the entrance to the canal path at the curve between Miller and Jackrabbit Roads.
- French Thompson suggested the City include construction mitigation measures in future construction plans, especially in the downtown area.

CONSENT AGENDA

- 1. Scottsdale Resort at McCormick Ranch Liquor License (9-LL-2022)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 6 (bar) State liquor license for an existing location with a new owner.
Location: 7700 E. McCormick Parkway
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- 2. Wilderness Spirits Distributors Liquor License (10-LL-2022)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 4 (wholesaler) State liquor license for a new location and owner.
Location: 7466 E. Monte Cristo Avenue, Suite 101
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- 3. Fata Morgana Mediterranean Cuisine Liquor License (11-LL-2022)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for a new location and owner.
Location: 7116 E. Mercer Lane, Suites 102 and 103
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- 4. Chevron Gas Liquor License (12-LL-2022)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 10 (beer and wine store) State liquor license for an existing location with a new owner.
Location: 6930 E. Thomas Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

5. Gastrome Market Liquor Licenses (13-LL-2022 and 14-LL-2022)

Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 10 (beer and wine store) State liquor license and a Series 12 (restaurant) State liquor license for a new location and owner.

Location: 7704 E. Doubletree Ranch Road, Suite 140

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

6. Mason's Famous Lobster Rolls Liquor License (15-LL-2022)

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: 15257 N. Scottsdale Road, Suite F1-155

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

7. Engineering Services Contracts for Surveying Services

Request: Adopt **Resolution No. 12427** authorizing the following one-year contract extensions for on-call engineering services, in an amount not to exceed \$500,000 per contract, for surveying services throughout the City:

1. Contract No. 2020-065-COS-A1 with AZTEC Engineering Group, Inc.
2. Contract No. 2020-066-COS-A1 with T2 UES, Inc.

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

8. Water Resources Underground Infrastructure Construction Services Job Order Contracts

Request: Adopt **Resolution No. 12428** authorizing the following contract modifications for the first option year, in an amount not to exceed \$5,000,000 per contract, for citywide water resources underground infrastructure construction services:

1. Contract No. 2020-059-COS-A1 with Achen Gardner Construction, LLC
2. Contract No. 2020-060-COS-A1 with B&F Contracting, Inc.
3. Contract No. 2020-061-COS-A1 with Garney Companies, Inc.
4. Contract No. 2020-062-COS-A1 with Markham Contracting Co., Inc.

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

9. Water Resources Treatment Job Order Contracts

Request: Adopt **Resolution No. 12429** authorizing the following job order contract modifications for the first option year, in an amount not to exceed \$7,500,000 per contract, for citywide water resources treatment construction services:

1. Contract No. 2020-055-COS-A1 with Currier Construction, Inc.
2. Contract No. 2020-056-COS-A1 with Garney Companies, Inc.
3. Contract No. 2020-057-COS-A1 with MGC Contractors, Inc.
4. Contract No. 2020-058-COS-A1 with Schofield Civil Construction, LLC

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

10. Pima Road: Dynamite Boulevard to Las Piedras Capital Project

Request: Adopt **Resolution No. 12412** to authorize:

1. Agreement No. 2022-031-COS with the Maricopa Association of Governments for project administration and reimbursement of Proposition 400 Regional Transportation Sales Tax funds for eligible costs incurred by the City for the Pima Road: Dynamite Boulevard to Las Piedras capital project.
2. The City Manager, or his designee, to execute any other documents on behalf of the City and take such other actions as necessary to carry out the intent of this Resolution and Agreement.

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

11. Underground Electric Utility Easement

Request: Adopt **Resolution No. 12403** authorizing Contract No. 2022-051-COS with Arizona Public Service, granting an underground electric utility easement on the Scottsdale Fire Station 615 property.

Location: 31802 N. Pima Road

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

12. Pedestrian Behavior Pilot Program Study License Agreement

Request: Adopt **Resolution No. 12446** authorizing Agreement No. 2022-047-COS with Sensagrate, Inc., for a pilot program to study and assess pedestrian behavior at two locations in the City.

Location: Intersection of Scottsdale Road and Camelback Road and Camelback Road between Buckboard Trail and Saddlebag Trail.

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

13. Airport Perimeter Road Reconstruction Project Grant

Request: Adopt **Resolution No. 12425** to authorize:

1. Acceptance of an airport improvement grant from the Arizona Department of Transportation in the amount of \$728,090.
2. A Fiscal Year 2021/22 Aviation Future Grant Contingency budget appropriation transfer in the amount of \$728,090 to a newly created Capital Improvement Project (CIP) to be titled "Airport Perimeter Road Reconstruction" to be funded by CIP State Grants for the design and construction of airport perimeter road improvements.
3. The Aviation Director to execute and submit any related documents and agreements in connection with the acceptance of this grant.

Staff Contact(s): Gary Mascaro, Aviation Director, 480-312-7735,
gmascaro@scottsdaleaz.gov

14. Human Resources Management Code Amendment

Request: Adopt **Ordinance No. 4539** amending Scottsdale Revised Code, Chapter 14, Human Resources Management, Section 14-81 to establish Juneteenth as a City holiday.

Staff Contact(s): Lauran Beebe, Human Resources Manager, 480-312-2746,
lbeebe@scottsdaleaz.gov

MOTION AND VOTE – CONSENT AGENDA

Councilwoman Whitehead made a motion to approve Consent Agenda Items 1 through 14. Councilwoman Janik seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Caputi; and Councilmembers Durham, Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative.

REGULAR AGENDA

15. **Tournament Players Club (TPC) Conditional Use Permit (58-UP-1985#2)**

Request: Find that the conditional use permit criteria have been met and adopt **Resolution No. 12410** approving a Conditional Use Permit for an amendment extending the TPC golf course and accessory uses for a new restaurant/clubhouse on a ±2.5-acre site with Open Space (OS) zoning.

Location: Southeast corner of N. Greenway-Hayden Loop and E. Bell Road

Presenter(s): Meredith Tessier, Senior Planner

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

Senior Planner Meredith Tessier gave a PowerPoint presentation (attached) on the Conditional Use Permit application for the Tournament Players Club.

Applicant Representative Jordan Rose, with Rose Law Group, gave a PowerPoint presentation (attached) on the Conditional Use Permit application for the Tournament Players Club.

Mayor Ortega opened public comment.

- Tim Higginbotham, Scottsdale resident, spoke in support of the application.
- Ed Grant, Scottsdale resident, spoke in support of the application.

Mayor Ortega closed public comment.

MOTION AND VOTE – ITEM 15

Councilmember Milhaven made a motion finding that the conditional use permit criteria have been met and to adopt Resolution No. 12410 approving a Conditional Use Permit for an amendment to the existing Tournament Players Club adding the stipulation that the operator is subject to, and shall remain in, full compliance with all state of Arizona and local jurisdiction requirements and amending the site plan to include the graphic showing that the Sports Lounge will only be 18 percent of the entire building. Vice Mayor Caputi seconded the motion, which carried 6/1, with Mayor Ortega; Vice Mayor Caputi; and Councilmembers Durham, Janik, Milhaven, and Whitehead voting in the affirmative and Councilwoman Littlefield dissenting.

16. **Palo on 75th Rezoning (9-ZN-2021)**

Request: Adopt **Ordinance No. 4536** approving a zoning district map amendment from Service Residential Downtown Overlay (S-R DO) to Downtown/Downtown Multiple Use, Type 2, Downtown Overlay (D/DMU-2 DO), including an amendment to the building setback on both street frontages to allow for a new multi-family development consisting of 5 units on a ±0.20-acre site.

Location: 3961 N. 75th Street

Presenter(s): Greg Bloemberg, Project Coordination Liaison

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

Project Coordination Liaison Greg Bloemberg gave a PowerPoint presentation (attached) on the Palo on 75th rezoning application.

Applicant Representative Lauren Proper Potter, with Huellmantel & Affiliates, gave a PowerPoint presentation (attached) on the Palo on 75th rezoning application.

Mayor Ortega opened public comment.

- Timothy La Sota, representative for the Main Street Place Homeowners Association, asked for a stipulation for an agreement between the two parties related to short-term rental units.
- Tom Frenkel, Scottsdale resident, spoke in support of the rezoning application.

Mayor Ortega closed public comment.

MOTION AND VOTE – ITEM 16

Councilwoman Whitehead made a motion to adopt Ordinance No. 4536 approving a zoning district map amendment from Service Residential Downtown Overlay (S-R DO) to Downtown/Downtown Multiple Use, Type 2, Downtown Overlay (D/DMU-2 DO), including an amendment to the building setback on both street frontages to allow for a new multi-family development consisting of 5 units on a ±0.20-acre site located at 3961 N. 75th Street; noting that during the Development Review Board submittal, the applicant shall coordinate with staff in an effort to include street trees along the N. 75th Street frontage, if deemed feasible and safe; and acknowledging there is a private party agreement between the two adjacent property owners related to short-term rental units. Councilmember Durham seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Caputi; and Councilmembers Durham, Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative.

17. Transportation Action Plan

Request: Adopt **Resolution No. 12434** approving the 2022 Transportation Action Plan.

Presenter(s): David Meinhart, Transportation Planning Manager

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

The City Manager requested this item be tabled until the April 26, 2022 City Council Meeting.

PUBLIC COMMENT – None

CITIZEN PETITIONS

18. 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

MOTION AND VOTE – CITIZEN PETITION

Councilwoman Whitehead 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, related to the citizen petition asking for a crosswalk and other safety measures at the entrance to the canal path at the curve between Miller and Jackrabbit Roads. Mayor Ortega seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Caputi; and Councilmembers Durham, Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative.

MAYOR AND COUNCIL ITEMS – None

ADJOURNMENT

MOTION AND VOTE – ADJOURNMENT

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

The Regular Meeting adjourned at 6:46 P.M.

SUBMITTED BY:



Ben Lane, City Clerk

Officially approved by the City Council on April 26, 2022

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 5th day of April 2022.

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

DATED this 26th day of April 2022.



Ben Lane, City Clerk

PETITION

PETITION FOR CROSSWALK AND OTHER SAFETY MEASURES AT THE ENTRANCE
TO THE CANAL PATH AT THE CURVE BETWEEN MILLER AND JACKRABBIT ROADS

Please direct questions to:

Freya Brier
7619 E. Bonnie Rose Avenue
Scottsdale, AZ 85250
Cell 425- 894-2889
Freya.brier@gmail.com

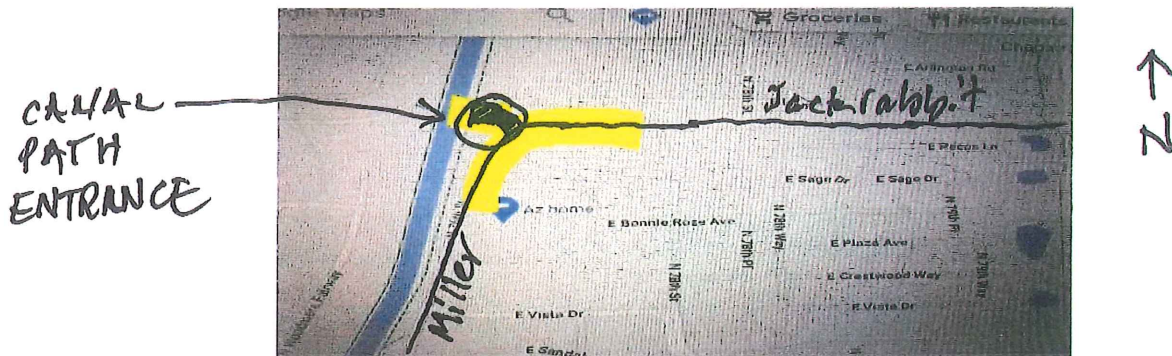
Thank you for your attention.

2022 APR -5 PM 4: 15
OFFICE OF THE
CITY CLERK

APRIL 5, 2022

To the City Council of Scottsdale:

The City of Scottsdale prides itself on its amenities for bikers, walkers and runners, including the bike paths running along both sides of the Arizona Canal through the City. One entrance to the Arizona Canal bike paths (see map below) is located on the west side of Miller Road (North 76th Street) where Miller curves east and becomes Jackrabbit Road. There is no sidewalk on the west side of Miller Road leading up to the entrance to the bike paths, and those wishing to enter the bike paths must use the sidewalk on the east side of Miller Road or south side of Jackrabbit Road, and then cross Miller Road **at the curve to Jackrabbit Road** to access the bike path. **There is no crosswalk across the road.**



The curve in Miller Road opposite the entrance to the bike path is a **blind curve** - a pedestrian or bicyclist is unable to see traffic heading northbound on Miller Road or for more than 30 feet heading westbound on Jackrabbit, and traffic is unable to see people crossing the road. While the speed limit at the curve is 30 MPH, cars regularly do far in excess of that limit around the curve. **The crossing point across Miller Road to the bike path entrance is a threat to life and safety of Scottsdale residents.** There is no striped crosswalk, no speed bumps, no caution lights (such as those on Chapparal west of Hayden) – not even signage, other than immediately before the entrance to the canal path, instructing motorists to watch for pedestrians.

The Sunrise Villas development is directly across Miller/Jackrabbit from the canal, and its residents regularly walk, bike and run along the canal paths. Numerous residents have had near misses from traffic speeding around the curve while crossing the road to access the canal path.

The residents of Sunrise Villas Homeowners Association are submitting the attached petition to the City Council to urge you to take action to make this access point to the Arizona Canal path safer for City residents by making improvements to the roadway to allow bikers and walkers to safely cross Miller Road, including but not limited to:

- Painting a crosswalk across the road at the curve
- Installing speed bumps on either side of the curve to slow traffic
- Installing lighted strips in the roadway on either side of the crosswalk that can be activated by the pedestrian
- Installing cautionary signage, WELL BEFORE entering either side of the curve, dropping the speed limit and advising motorists to watch for pedestrians

Thank you for your attention.

**FIRST WARNING SIGN FOR WESTBOUND TRAFFIC
ON JACKRABBIT ROAD – AT THE ENTRANCE TO THE CANAL PATH**

**A car moving at 30 MPH requires 44 feet of 'reaction time'
and 89 feet to come to a full stop**



**FIRST WARNING SIGN FOR NORTHBOUND TRAFFIC
ON MILLER ROAD – 20 FEET BEFORE ENTRANCE TO PATH
(WHILE TRAFFIC IS MOVING AT 25-30 MPH)**

**A car moving at 30 MPH requires 44 feet of ‘reaction time’
and 89 feet to come to a full stop**



**TOTAL VISIBILITY OF NORTHBOUND MILLER ROAD TRAFFIC
FOR
PEDESTRIAN ACROSS FROM
ENTRANCE TO CANAL PATH**



**TOTAL VISIBILITY OF WESTBOUND JACKRABBIT ROAD TRAFFIC
FOR
PEDESTRIAN ACROSS FROM
ENTRANCE TO CANAL PATH**



PETITION TO THE SCOTTSDALE CITY COUNCIL

The undersigned, being residents of Sunrise Villas Home Owners Association, respectfully request that the City of Scottsdale make some or all of the following modifications on the roadway on either side of the curve at which Miller Road, also known as North 76th Street, becomes Jackrabbit Road, to protect the health and safety of Scottsdale city residents attempting to access the bike path:

- Paint a crosswalk across the road at the curve
- Install speed bumps on either side of the curve
- Install lighted strips in the roadway on either side of the crosswalk that can be activated by the pedestrian
- Install cautionary signage dropping the speed limit and advising motorists to ^{watch} walk for pedestrians on either side of the curve

SIGNATURE Cory Duda PRINT NAME CORY DUDA ADDRESS 5460 N 78th ST SCOTTSDALE

SIGNATURE [Signature] PRINT NAME KAROL WILKS ADDRESS 11654 E. PULASKI AVE - S DIXIE 85250


SIGNATURE [Signature] PRINT NAME PAUL SWINN ADDRESS 7634 E. VISTA DR 85258

SIGNATURE [Signature] PRINT NAME TAMI SWINNEY ADDRESS 7634 E. VISTA DR 85258

SIGNATURE [Signature] PRINT NAME Nancy Alvidrez ADDRESS 5333 N 77th St 85250

SIGNATURE [Signature] PRINT NAME Garland Green ADDRESS 7714 E Vista Dr 85250

SIGNATURE	<i>Karen M. Brewer</i>	PRINT NAME	<i>Karen M. Brewer</i>	ADDRESS	<i>7034 E. Bonnie Rose</i>
SIGNATURE	<i>Carey Lee Hatt</i>	PRINT NAME	<i>CAREY LEE HATT</i>	ADDRESS	<i>7626 E. Bonnie Rose Ave.</i>
SIGNATURE	<i>Deborah Dunsen</i>	PRINT NAME	<i>DEBORAH DUNSEN</i>	ADDRESS	<i>5460 N. 78th St. SCOTTSDALE</i>
SIGNATURE	<i>Eileen Foley</i>	PRINT NAME	<i>Eileen Foley</i>	ADDRESS	<i>7630 E. Vista Dr. Scottsdale</i>
SIGNATURE	<i>JAN ESPICOVSKY</i>	PRINT NAME	<i>JAN ESPICOVSKY</i>	ADDRESS	<i>7616 E PLAZA AVE SCOTTSDALE</i>
SIGNATURE	<i>Cameron Wald</i>	PRINT NAME	<i>Cameron Wald</i>	ADDRESS	<i>7720 E VISTA & ALY</i>
SIGNATURE	<i>Di R</i>	PRINT NAME	<i>DIANA ROSE</i>	ADDRESS	<i>5254 N. 78th St. SCOTTSDALE</i>
SIGNATURE	<i>Murray F...</i>	PRINT NAME	<i>Murray F...</i>	ADDRESS	<i>5446 N 78th Pl Scottsdale 85250</i>
SIGNATURE	<i>Dawn Rose</i>	PRINT NAME	<i>Dawn Rose</i>	ADDRESS	<i>5254 N 78th St Scottsdale</i>
SIGNATURE	<i>Kathryn A. Wieser</i>	PRINT NAME	<i>Kathryn A. Wieser</i>	ADDRESS	<i>5449 N 78th St Scottsdale</i>
SIGNATURE		PRINT NAME		ADDRESS	

SIGNATURE 

PRINT NAME Mark Spokes

ADDRESS 7626 E Bonnie Rose Southpark

SIGNATURE 

PRINT NAME MYRA D LINSER

ADDRESS 5404 N 77th St

SIGNATURE 

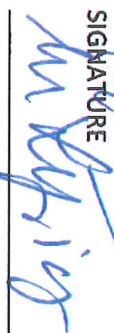
PRINT NAME Charles Wolf

ADDRESS 5400 N 77th St.

SIGNATURE 

PRINT NAME Stephanie SASSI

ADDRESS 7702 E Vista Dr.

SIGNATURE 

PRINT NAME MICHELLE LEPOROCKY

ADDRESS 7616 E PRAZA CORNULLE

SIGNATURE 

PRINT NAME LARRY EGER

ADDRESS 7650 E. PRAZA

SIGNATURE 

PRINT NAME BRENT ROBBINS

ADDRESS 7102 E VISTA DR.

SIGNATURE 

PRINT NAME Mary Brockhaus

ADDRESS 5325 N. 77th St

SIGNATURE Nancy Dity Brady

PRINT NAME 5461 N. 78th St

ADDRESS Nancy Dity Brady

SIGNATURE Walter J. Kelly

PRINT NAME Walter J. Kelly

ADDRESS 5461 N. 78th St.

SIGNATURE [Signature]

PRINT NAME Gray Brockhaus

ADDRESS 5325 N. 77th St.

SIGNATURE Frederick Steinhilber

PRINT NAME Frederick Steinhilber

ADDRESS 5326 N 78th St (85250)

SIGNATURE Richard Goff

PRINT NAME Richard Goff

ADDRESS 5408 N. 77th St 85252

SIGNATURE Peggy Young

PRINT NAME Peggy Young

ADDRESS 5338 N 78th 85250

SIGNATURE [Signature]

PRINT NAME Harriet Polk

ADDRESS 5441 N 77th St 85240

SIGNATURE Anthony Desaci

PRINT NAME Anthony Desaci

ADDRESS 5449 N. 78th. 85250

SIGNATURE Anne Hoffmeister

PRINT NAME Anne Hoffmeister

ADDRESS 530571.77 85250

SIGNATURE

Michelle

PRINT NAME

Michelle

ADDRESS

5313 N 77th St Scottsdale

SIGNATURE

Juice Melton

PRINT NAME

Juice Melton

ADDRESS

5456 N. 78th St. 85250

SIGNATURE

Tom Melton

PRINT NAME

Tom Melton

ADDRESS

5456 N. 78th St 85250

SIGNATURE

Sue Hartman

PRINT NAME

Sue Hartman

ADDRESS

5326 N 77th St Scottsdale 85250

SIGNATURE

Nancy Groff

PRINT NAME

Nancy Groff

ADDRESS

5408 97th St. Scottsdale

SIGNATURE

John Johnson

PRINT NAME

John Johnson

ADDRESS

5381 S 92nd St Scottsdale

SIGNATURE

Dorothy L. Nichols

PRINT NAME

Dorothy L. Nichols

ADDRESS

5405 N. 77th St Scottsdale AZ 85250

SIGNATURE

[Signature]

PRINT NAME

[Print Name]

ADDRESS

[Address]

SIGNATURE

[Signature]

PRINT NAME

[Print Name]

ADDRESS

[Address]

SIGNATURE

[Signature]

PRINT NAME

[Print Name]

ADDRESS

[Address]

SIGNATURE Janice Marohn

PRINT NAME Janice Marohn

ADDRESS 3453 N. 77th Street

SIGNATURE Shirley Duke

PRINT NAME LYNNE DUKE

ADDRESS 5466 No 77th Street

SIGNATURE Carol Heipel

PRINT NAME Susan Heipel

ADDRESS 7615 E Bonner Rose

SIGNATURE Michelle Rose

PRINT NAME Amela Herpel

ADDRESS 7615 E Bonner Rose

SIGNATURE Rae Shnier

PRINT NAME Elaine Shnier

ADDRESS 6054 E Calle Redondo

SIGNATURE Mr. G. J. ...

PRINT NAME Rae Shnier

ADDRESS 7618 E Bonnier Rose

SIGNATURE Michelle Rose

PRINT NAME TIBOR ENKOL

ADDRESS 742 E. Plaza Ave

SIGNATURE Michelle Bonaro

PRINT NAME Stef Massey

ADDRESS 7614 E. Bonnie Rose

SIGNATURE John Bonaro

PRINT NAME Michelle Bonaro

ADDRESS 5434 N 77th St.

SIGNATURE PAT PRETT

PRINT NAME John Bonaro

ADDRESS 5434 N 77th St

SIGNATURE PAT PRETT

PRINT NAME PAT PRETT

ADDRESS 5418 D. 78th St

Helen Schradel Helen Schradel 7654 E. Vista Dr.
SIGNATURE PRINT NAME ADDRESS

John Hoffmann John Hoffmann 5305 N 77th St
SIGNATURE PRINT NAME ADDRESS

Fredrick Kalb Fred Kalbus 5421 N. 77th St -
SIGNATURE PRINT NAME ADDRESS

Fredrick Stenker Fredrick Stenker 5326 N 78th St 85280
SIGNATURE PRINT NAME ADDRESS

Mary Jo Schroeder Mary Jo Schroeder 7642 E. Vista Drive
SIGNATURE PRINT NAME ADDRESS

David Schroeder David Schroeder 7642 E Vista Drive
SIGNATURE PRINT NAME ADDRESS

Will Martin WILL MARTIN 9622 E VISTA DRIVE
SIGNATURE PRINT NAME ADDRESS

Zach Hubbard Zach Hubbard 7622 E Vista Drive
SIGNATURE PRINT NAME ADDRESS

Elizabeth Walt Elizabeth Walt 7622 E Vista Dr.
SIGNATURE PRINT NAME ADDRESS

Cheryl Chamgram Cheryl Chamgram 7618 E Vista Dr.
SIGNATURE PRINT NAME ADDRESS

Zasha A. Larson Zasha A. Larson 7638 E Vista Dr.
SIGNATURE PRINT NAME ADDRESS

SIGNATURE PRINT NAME ADDRESS

SIGNATURE PRINT NAME ADDRESS

SIGNATURE PRINT NAME ADDRESS

SIGNATURE PRINT NAME ADDRESS

F. Smarsh

SIGNATURE

TMAROLDIN

PRINT NAME

5453 N. 77TH ST.

ADDRESS

Donna L. Wierhoff

SIGNATURE

DONNA L. WIERHOFF

PRINT NAME

5409. N. 97TH ST.

ADDRESS

Doris E. Wierhoff

SIGNATURE

Doris E. Wierhoff

PRINT NAME

5209 No. 77th St.

ADDRESS

Walter D. Underhill

SIGNATURE

Walter D. Underhill

PRINT NAME

7613 E. Vista Dr

ADDRESS

Thomas M. Hilt

SIGNATURE

Thomas M. Hilt

PRINT NAME

7608 E Plaza Ave

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<i>[Signature]</i>	Wojdy DeLange	5433 North St Scottsdale 45252
SIGNATURE	PRINT NAME	ADDRESS
<i>[Signature]</i>	Beth DeLange	5433 N. 77th St Scottsdale

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Item 15

TPC Use Permit Expansion

58-UP-1985#2

City Council
04/05/2022

Coordinator: Meredith Tessier

1



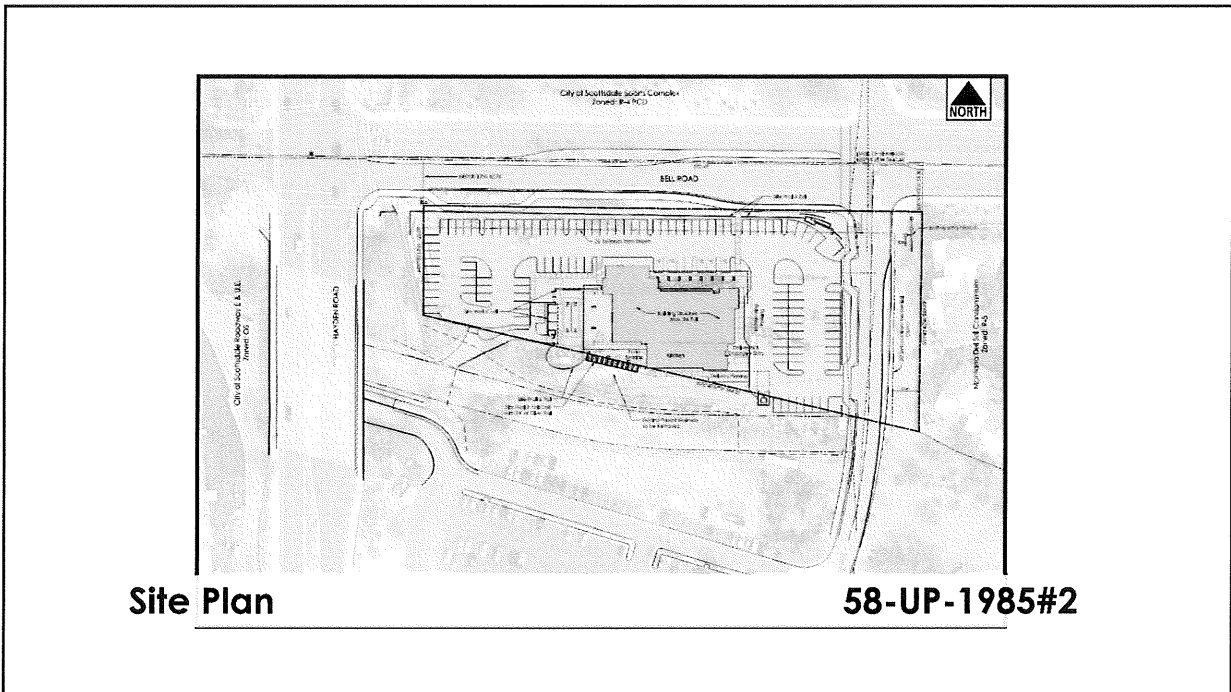
2



3



4



5

Key Items of Consideration

- Conditional Use Criteria
- Amendment allows expansion to existing golf course for ancillary golf facility
- Existing golf course use permit remains the same with only minor refinement to boundary
- Public comments received

6

Timeline

- June 8, 2021: City Council approved the 7th amendment to the TPC Lease and Management Agreement which allows the Tenant and PGA to construct and operate a retail sportsbook for event wagering on the clubhouse parcel.
- December 7, 2021: City Council approved the 8th amendment to the TPC Lease and Management Agreement which allows the Tenant and PGA to lease the adjoining 'Expo Pad Parcel' property from the City of Scottsdale to build and operate a restaurant and sportsbook.
- December 14, 2021: Virtual Open House meeting
- December 15, 2021: Parks and Recreation Discussion Item
- March 9, 2022: Planning Commission recommended approval with a 5-1 vote.

7

Action Requested

Adopt Resolution No. 12410 approving a Conditional Use Permit for an amendment to the existing Tournament Players Club (TPC) Conditional use Permit to extend the Golf Course and Accessory Uses

8

Item 15

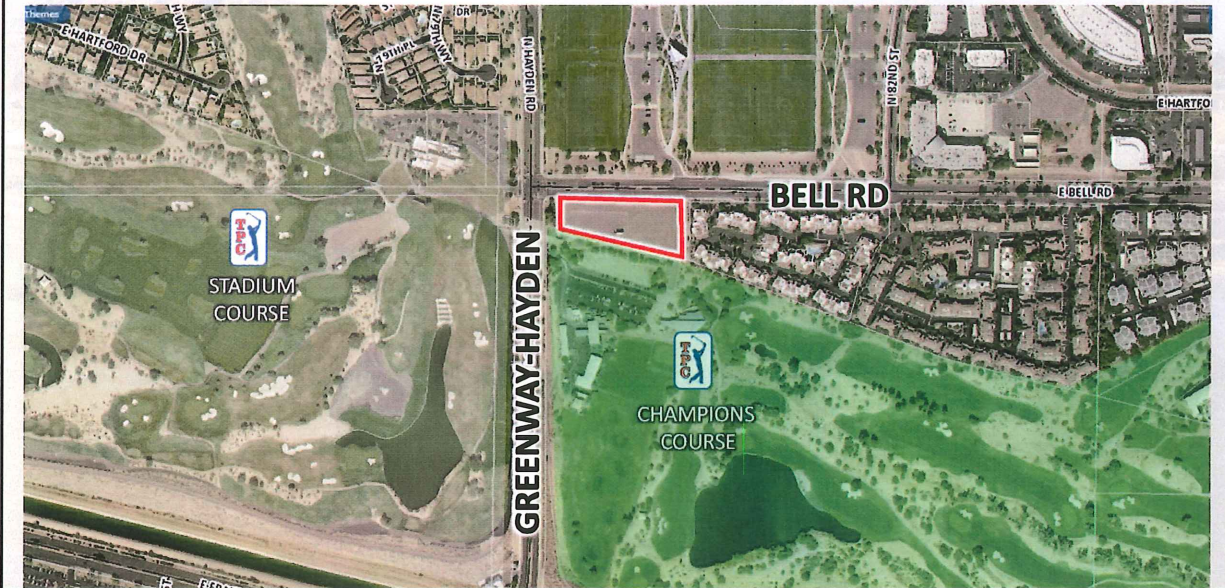


1



2

Request to extend the existing CUP on 3 acres for the TPC

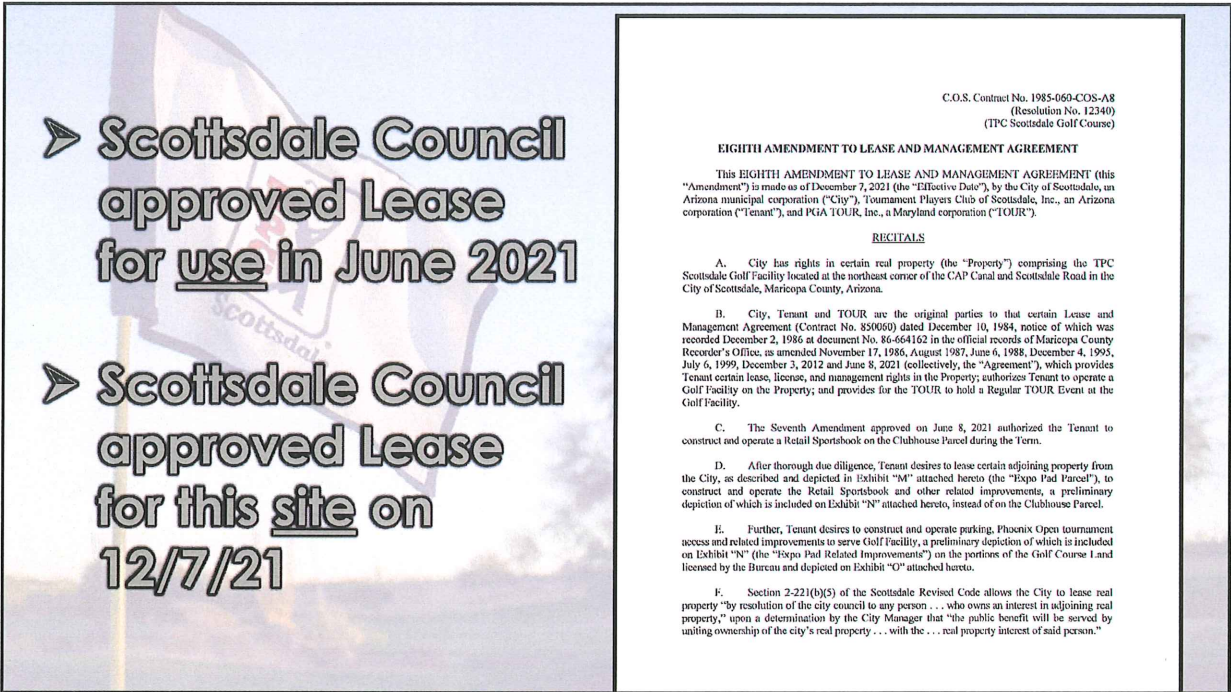


3

**PGA TOUR
TO BUILD LUXURY
RESTAURANT AND
SPORTS VIEWING
DESTINATION**

Worthy of Scottsdale's World Class Reputation!

4



➤ **Scottsdale Council approved Lease for use in June 2021**

➤ **Scottsdale Council approved Lease for this site on 12/7/21**

C.O.S. Contract No. 1985-060-COS-A8
(Resolution No. 12340)
(TPC Scottsdale Golf Course)

EIGHTH AMENDMENT TO LEASE AND MANAGEMENT AGREEMENT

This EIGHTH AMENDMENT TO LEASE AND MANAGEMENT AGREEMENT (this "Amendment") is made as of December 7, 2021 (the "Effective Date"), by the City of Scottsdale, an Arizona municipal corporation ("City"), Tournament Players Club of Scottsdale, Inc., an Arizona corporation ("Tenant"), and PGA TOUR, Inc., a Maryland corporation ("TOUR").

RECITALS

A. City has rights in certain real property (the "Property") comprising the TPC Scottsdale Golf Facility located at the northeast corner of the CAP Canal and Scottsdale Road in the City of Scottsdale, Maricopa County, Arizona.

B. City, Tenant and TOUR are the original parties to that certain Lease and Management Agreement (Contract No. 850060) dated December 10, 1984, notice of which was recorded December 2, 1986 at document No. 86-664162 in the official records of Maricopa County Recorder's Office, as amended November 17, 1986, August 1987, June 6, 1988, December 4, 1995, July 6, 1999, December 3, 2012 and June 8, 2021 (collectively, the "Agreement"), which provides Tenant certain lease, license, and management rights in the Property; authorizes Tenant to operate a Golf Facility on the Property; and provides for the TOUR to hold a Regular TOUR Event at the Golf Facility.

C. The Seventh Amendment approved on June 8, 2021 authorized the Tenant to construct and operate a Retail Sportsbook on the Clubhouse Parcel during the Term.

D. After thorough due diligence, Tenant desires to lease certain adjoining property from the City, as described and depicted in Exhibit "M" attached hereto (the "Expo Pad Parcel"), to construct and operate the Retail Sportsbook and other related improvements, a preliminary depiction of which is included on Exhibit "N" attached hereto, instead of on the Clubhouse Parcel.

E. Further, Tenant desires to construct and operate parking, Phoenix Open tournament access and related improvements to serve Golf Facility, a preliminary depiction of which is included on Exhibit "N" (the "Expo Pad Related Improvements") on the portions of the Golf Course Land licensed by the Bureau and depicted on Exhibit "O" attached hereto.

F. Section 2-221(b)(5) of the Scottsdale Revised Code allows the City to lease real property "by resolution of the city council to any person . . . who owns an interest in adjoining real property," upon a determination by the City Manager that "the public benefit will be served by uniting ownership of the city's real property . . . with the . . . real property interest of said person."

5



MEETS ALL CUP TESTS:

TEST 1: Restaurant will not be materially detrimental

6

TEST 1: Restaurant will not be materially detrimental

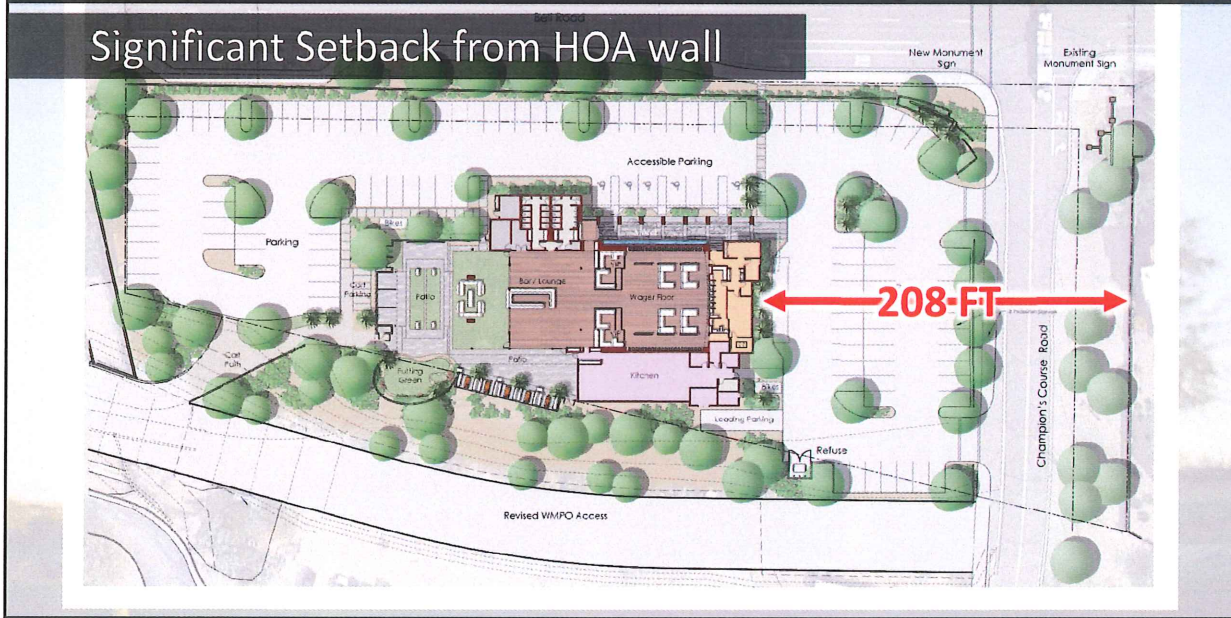
Sports Lounge is only 18% of entire building



7

TEST 1: Restaurant will not be materially detrimental

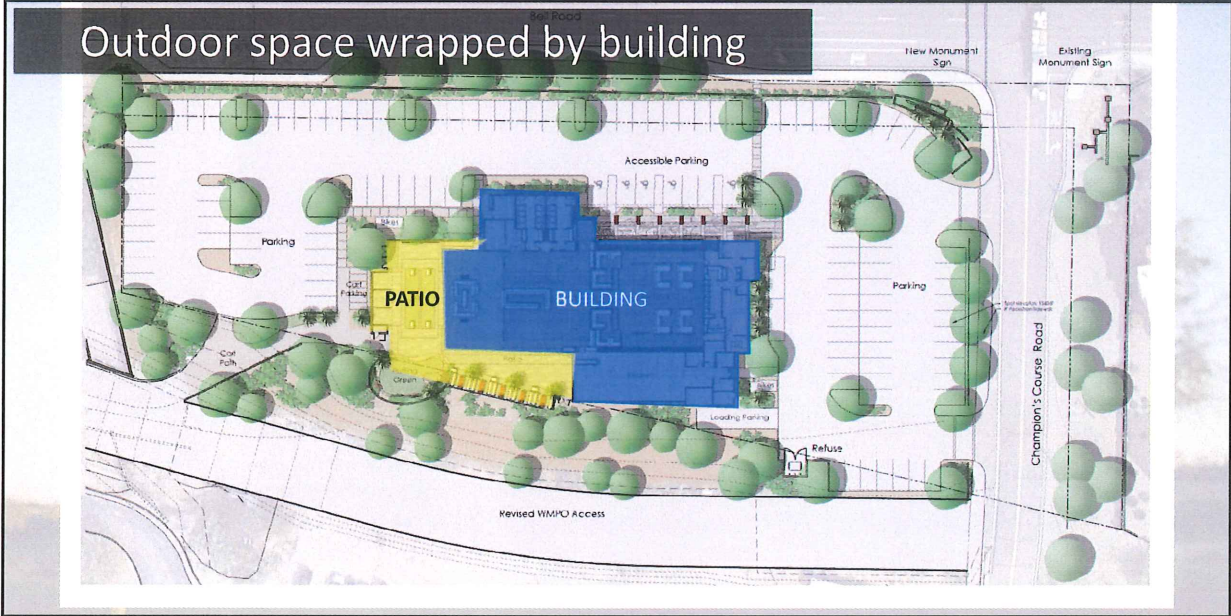
Significant Setback from HOA wall



8

TEST 1: Restaurant will not be materially detrimental

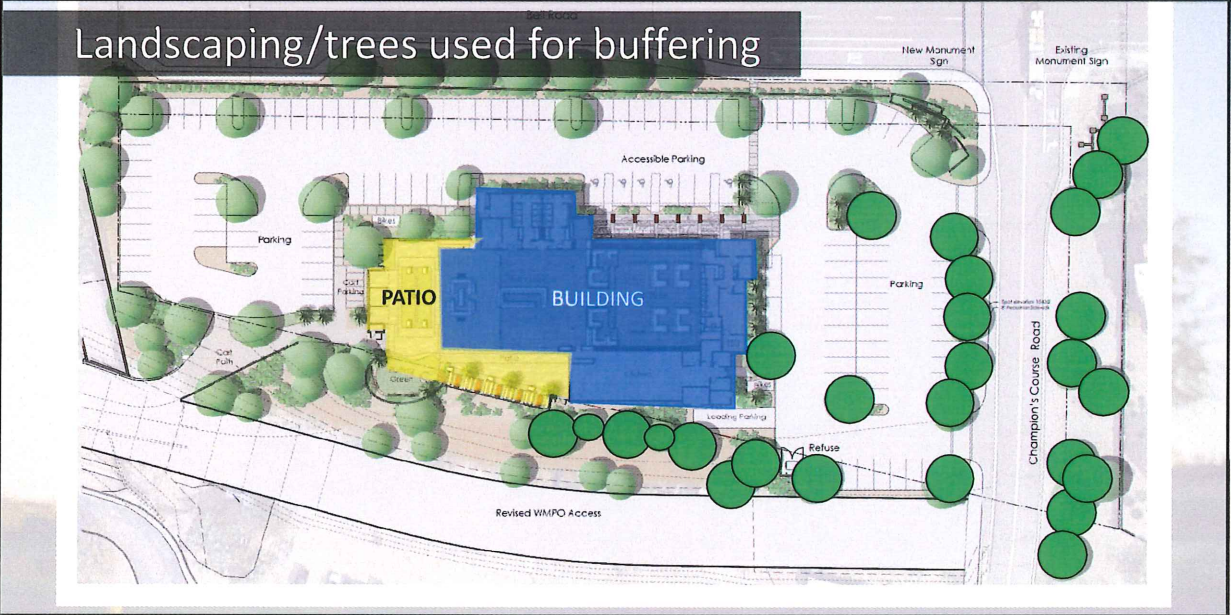
Outdoor space wrapped by building



9

TEST 1: Restaurant will not be materially detrimental

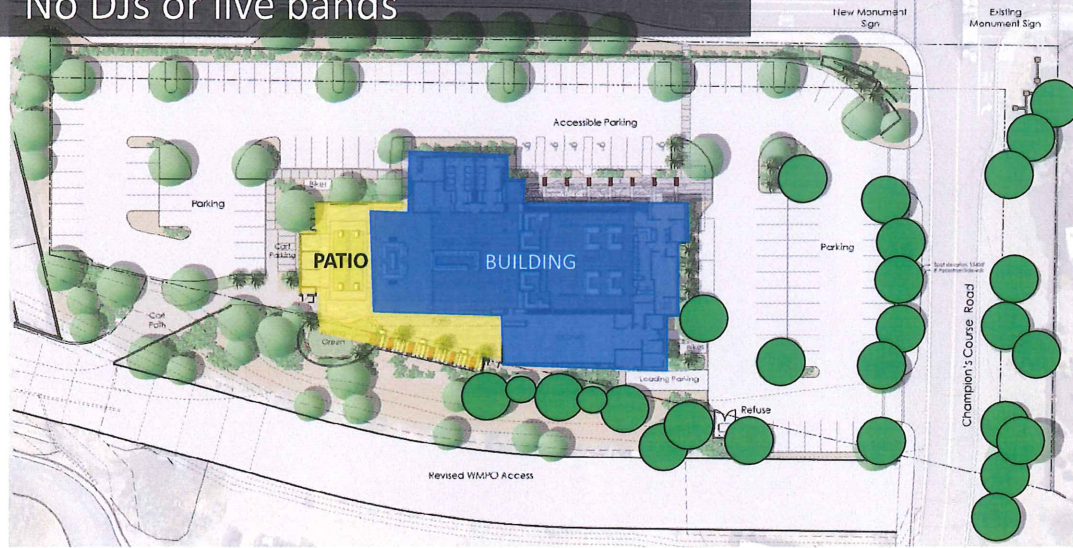
Landscaping/trees used for buffering



10

TEST 1: Restaurant will not be materially detrimental

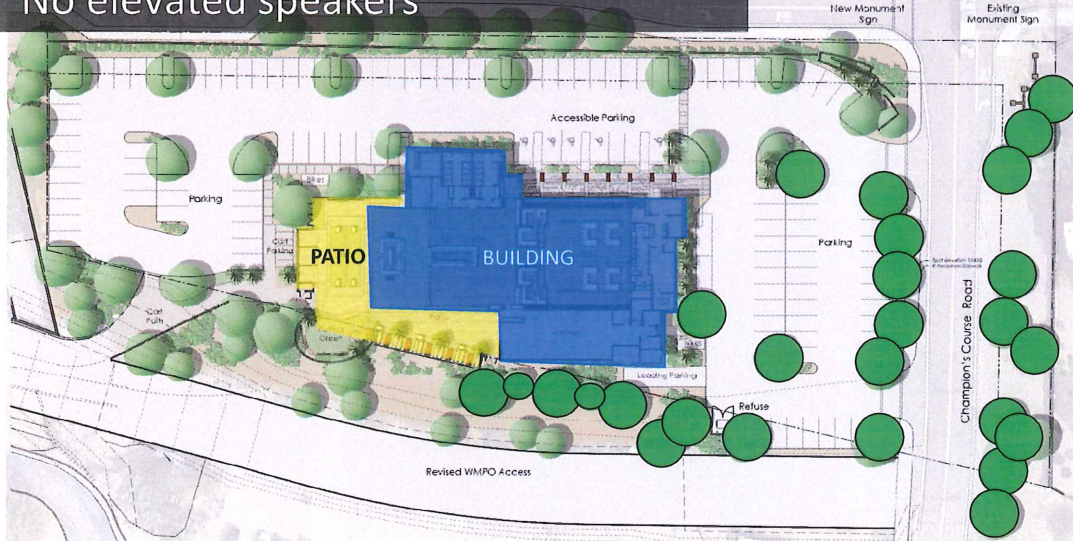
No DJs or live bands



11

TEST 1: Restaurant will not be materially detrimental

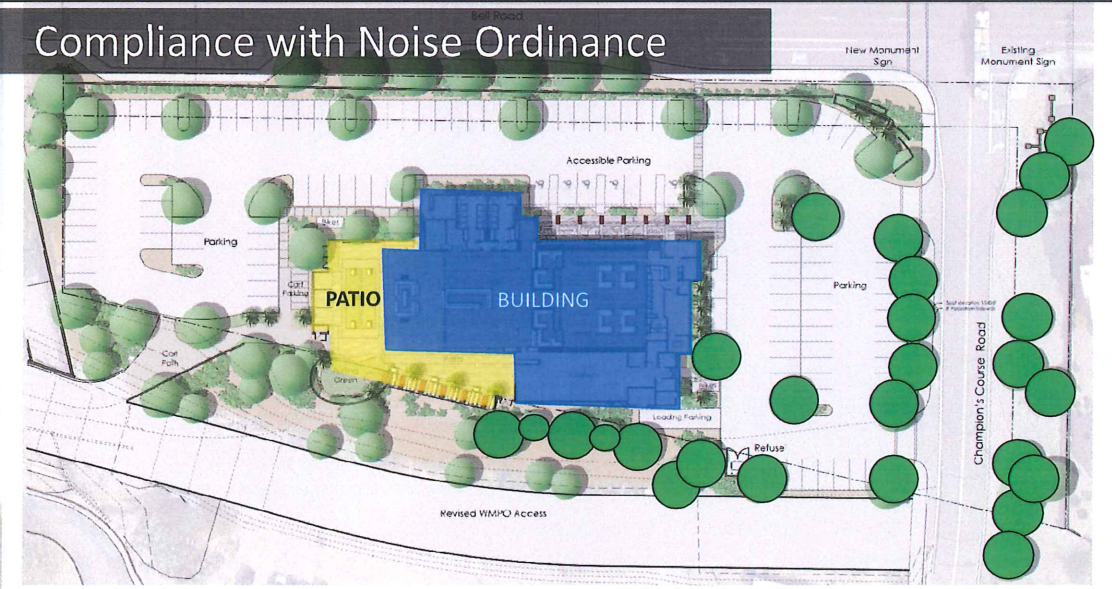
No elevated speakers



12

TEST 1: Restaurant will not be materially detrimental

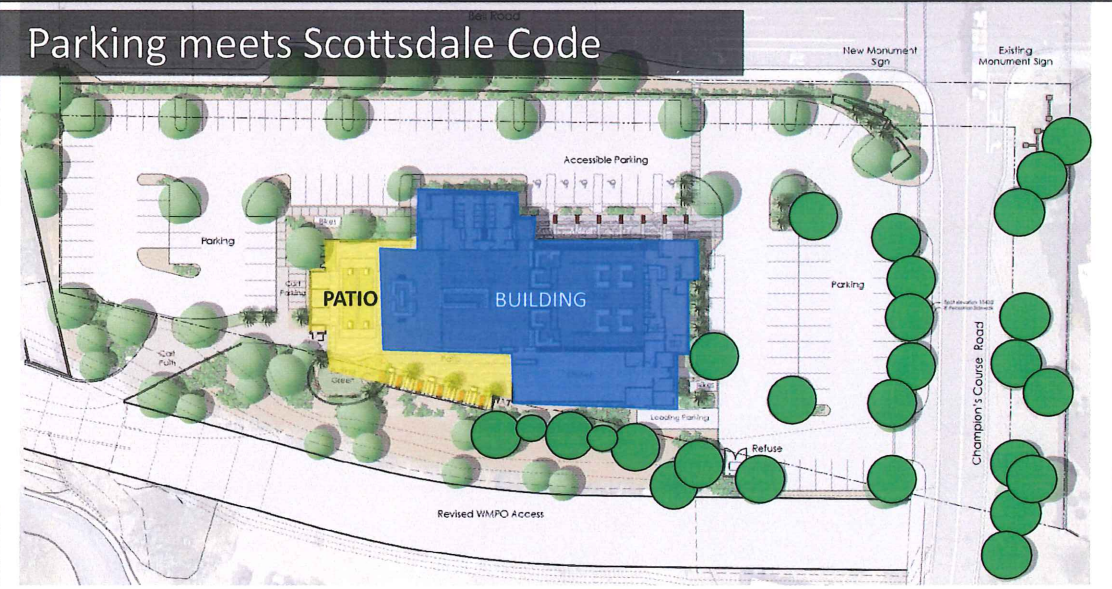
Compliance with Noise Ordinance



13

TEST 1: Restaurant will not be materially detrimental

Parking meets Scottsdale Code



14

TEST 1: Restaurant will not be materially detrimental

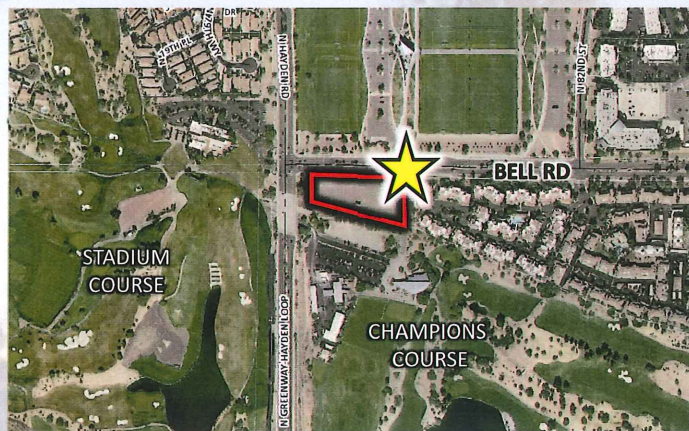
- ✓ Will not cause traffic issues (adding pedestrian HAWK signal)
- ✓ Not adding access points!
- ✓ This pedestrian crossing will slow Bell Rd traffic
- ✓ Increase SAFETY in area



15

TEST 1: Restaurant will not be materially detrimental

Restaurant with
Pedestrian
crossing will
make area
SAFER



16

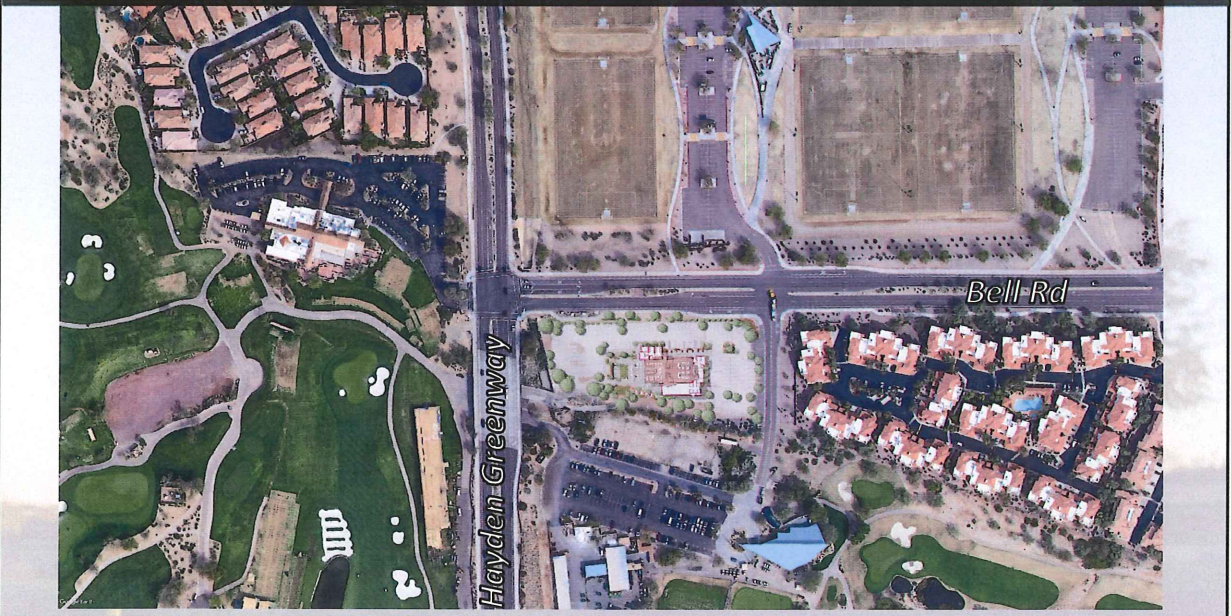
MEETS ALL CUP TESTS:

TEST 2: Restaurant is reasonably compatible with surrounding area



17

TEST 2: Restaurant is reasonably compatible with surrounding area



18

TEST 2: Restaurant is reasonably compatible with surrounding area

**High-end Restaurant with a sports theme
is compatible with the area**

- Will provide additional amenity to the area
- Site currently serves as storage for WM
Open and visually *not* appealing

19

Existing Storage/Staging on Expo Pad



20

TEST 2: Restaurant is reasonably compatible with surrounding area

**High-end Restaurant with a sports theme
is compatible with the area**

- Will provide additional amenity to the area
- Site currently serves as storage for WM
Open and visually *not* appealing
- Will allow for enhanced entry to WM Open
- Single-story beautifully designed building

21

Commitments to Montana del Sol HOA Board:

- Adding pedestrian HAWK to Bell Rd – OK with HOA request to move it closer to Montana del Sol entrance
- Supportive of HOA's formal request to COS for Speed Limit Study on Bell Rd
- Maintaining trees along east side of Champions Access Rd / western perimeter of Montana del Sol community (COS property) for screening
- HOA will have dedicated contact person for venue and Golf Course

22

Economic benefit to Scottsdale is extraordinary:

- 380 jobs
- \$47.1M annually
- \$724,000 in taxes for city directly

TPC Scottsdale
Luxury Sports Gaming & Entertainment Experience
Economic & Fiscal Impact Report
Scottsdale, Arizona



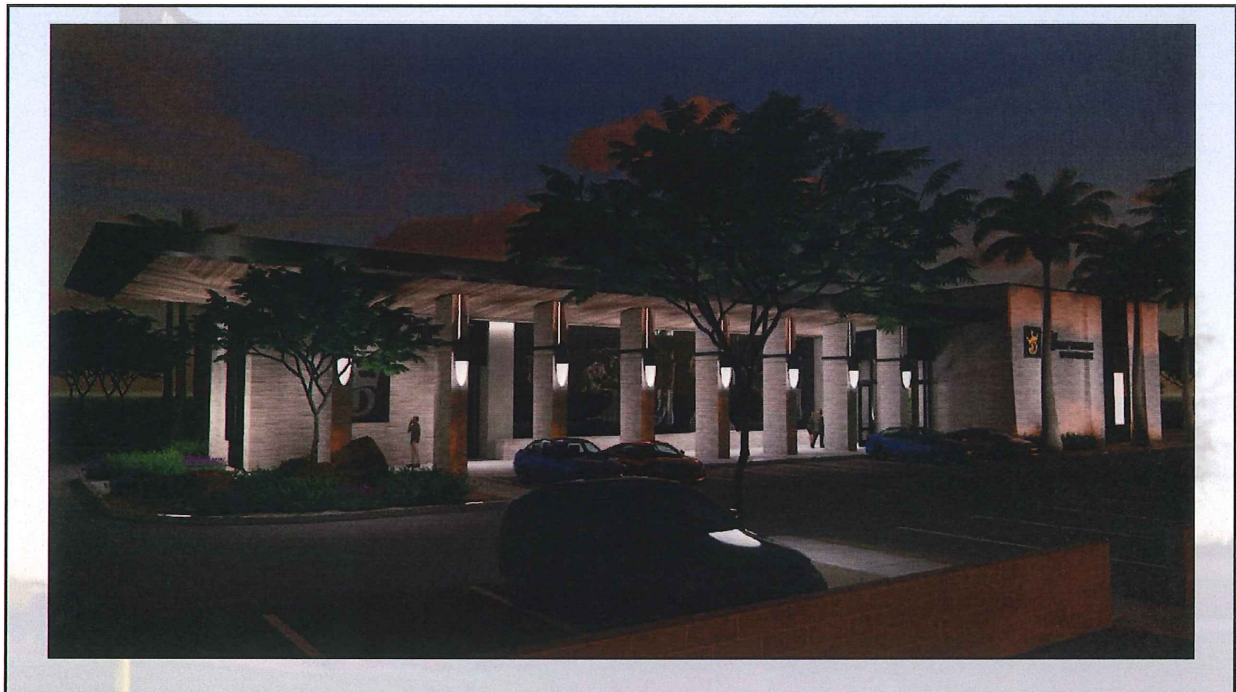
February 10, 2021

Prepared by:



Elliott D. Pollack & Company
5111 N. Scottsdale Road, Suite 202
Scottsdale, Arizona 85250

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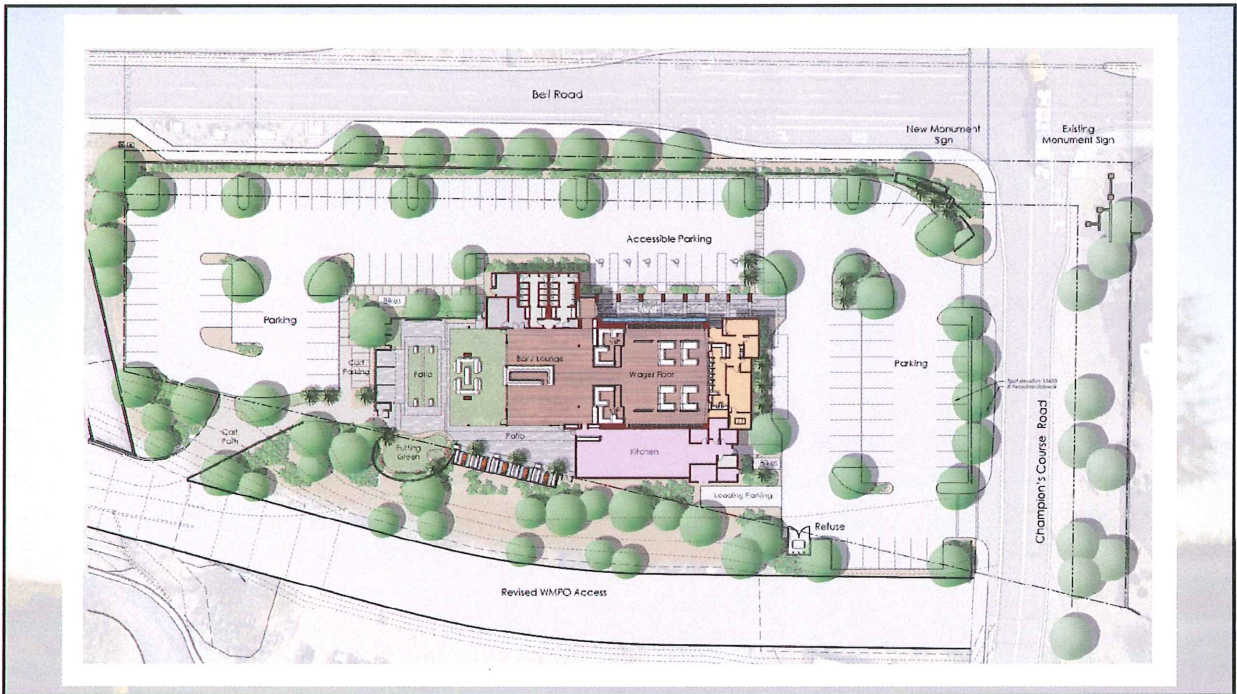
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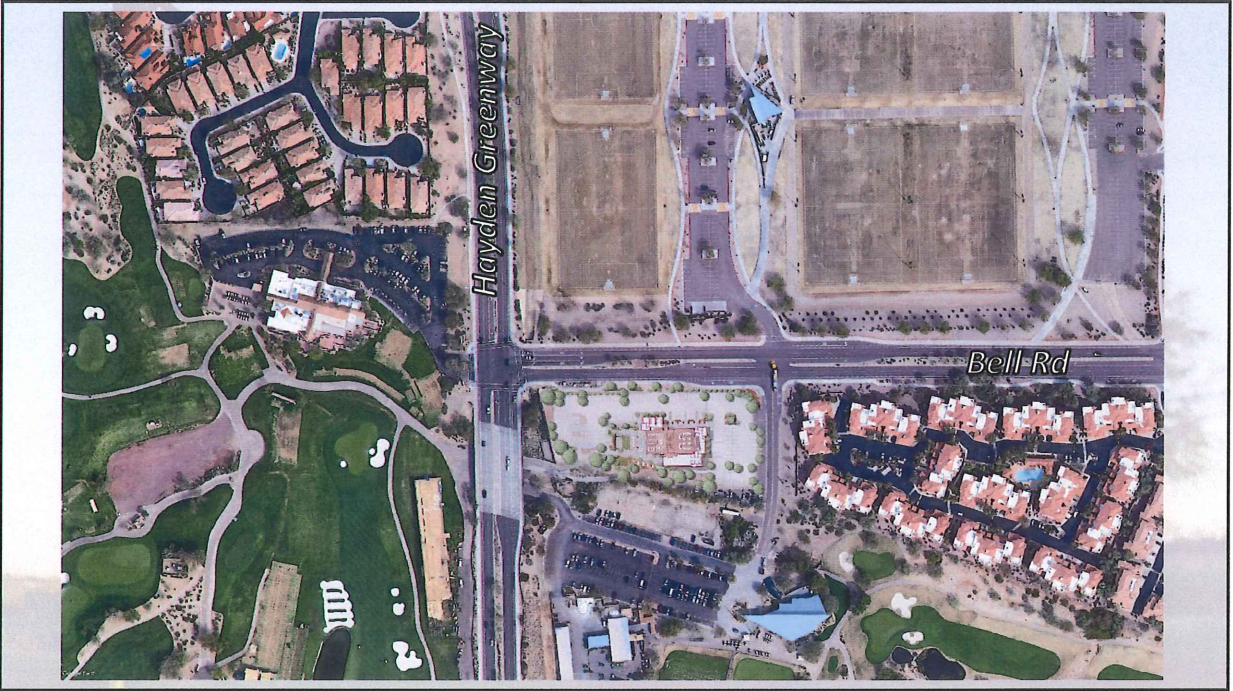
32



33



34



35

Item 16

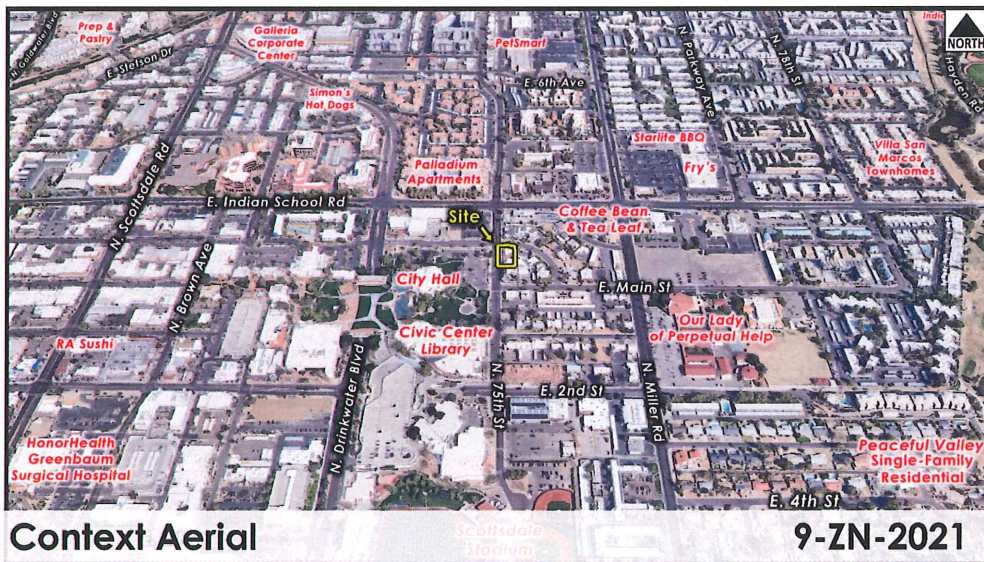
Palo on 75th

9-ZN-2021

City Council
April 5, 2022

Coordinator: Greg Bloemberg

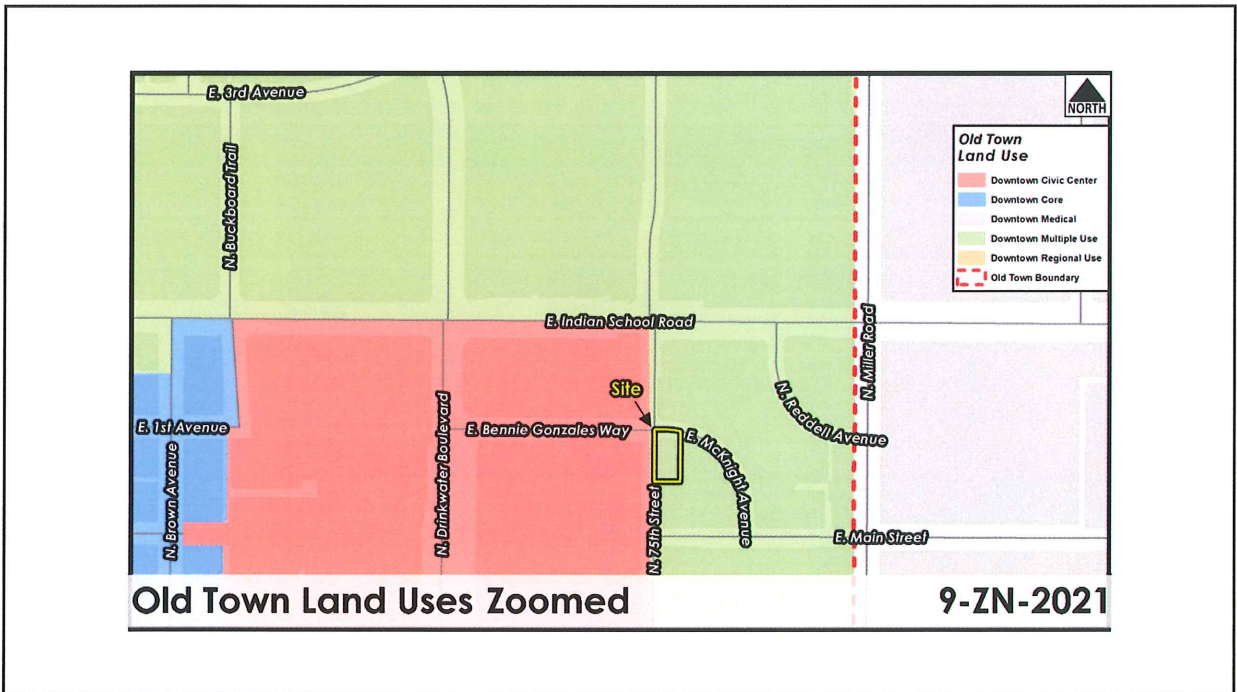
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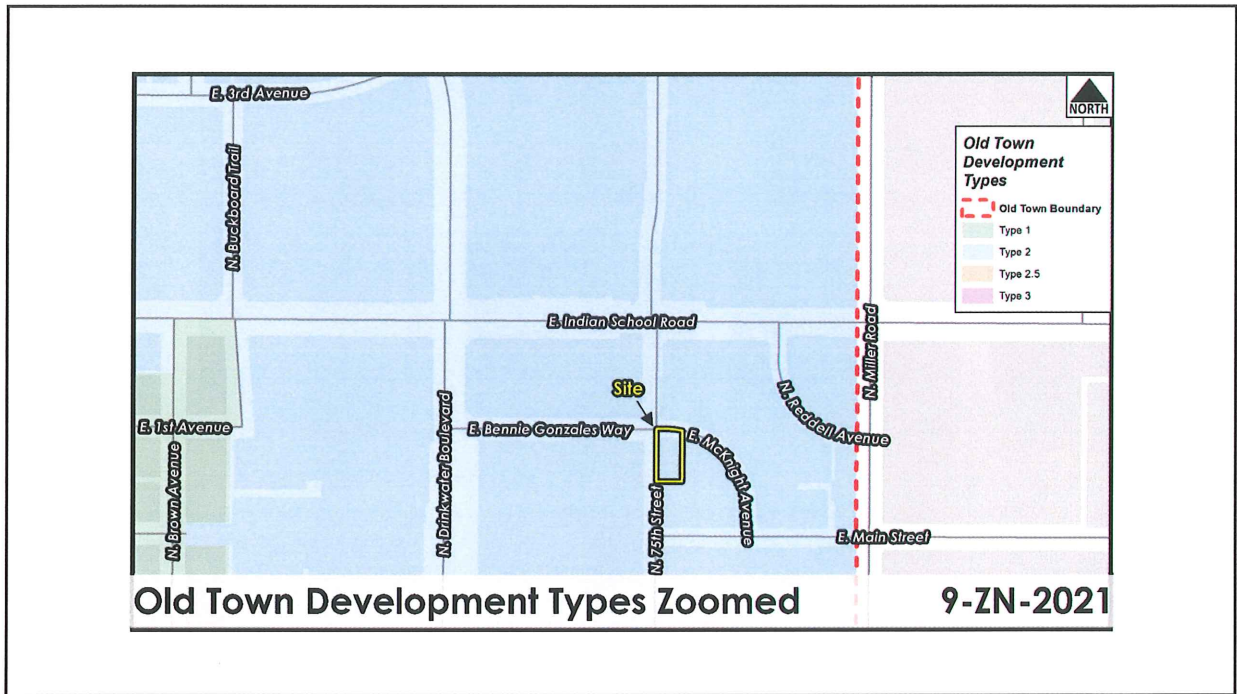
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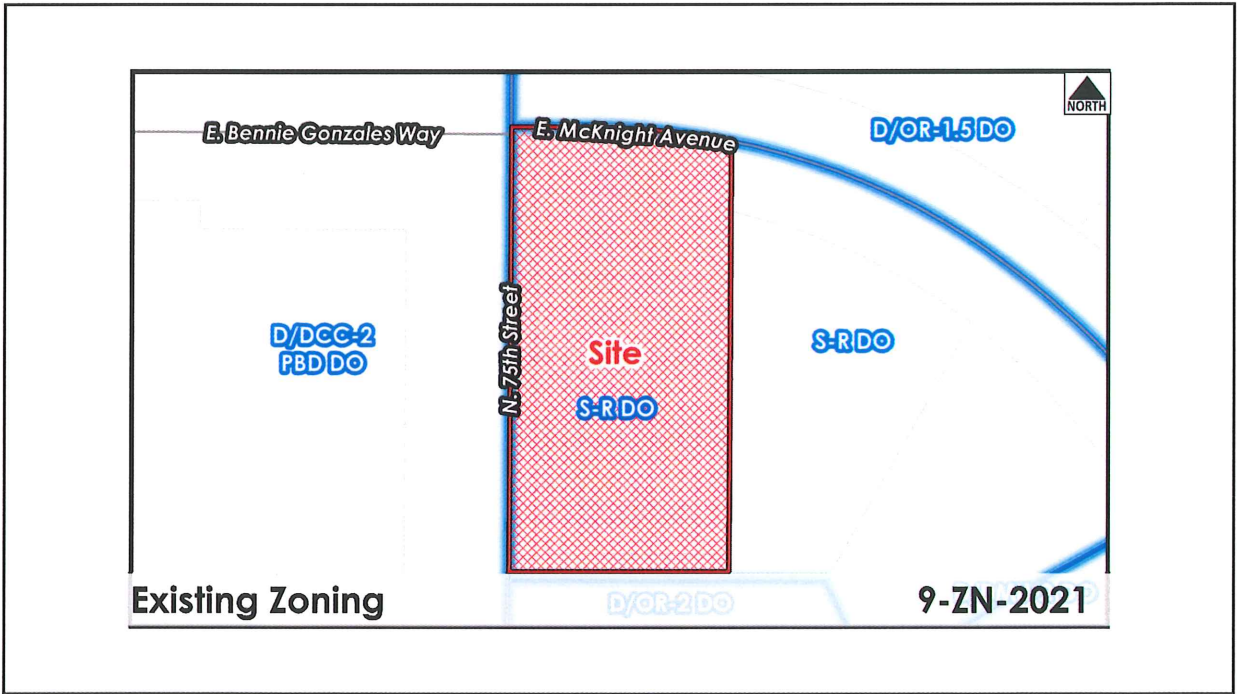
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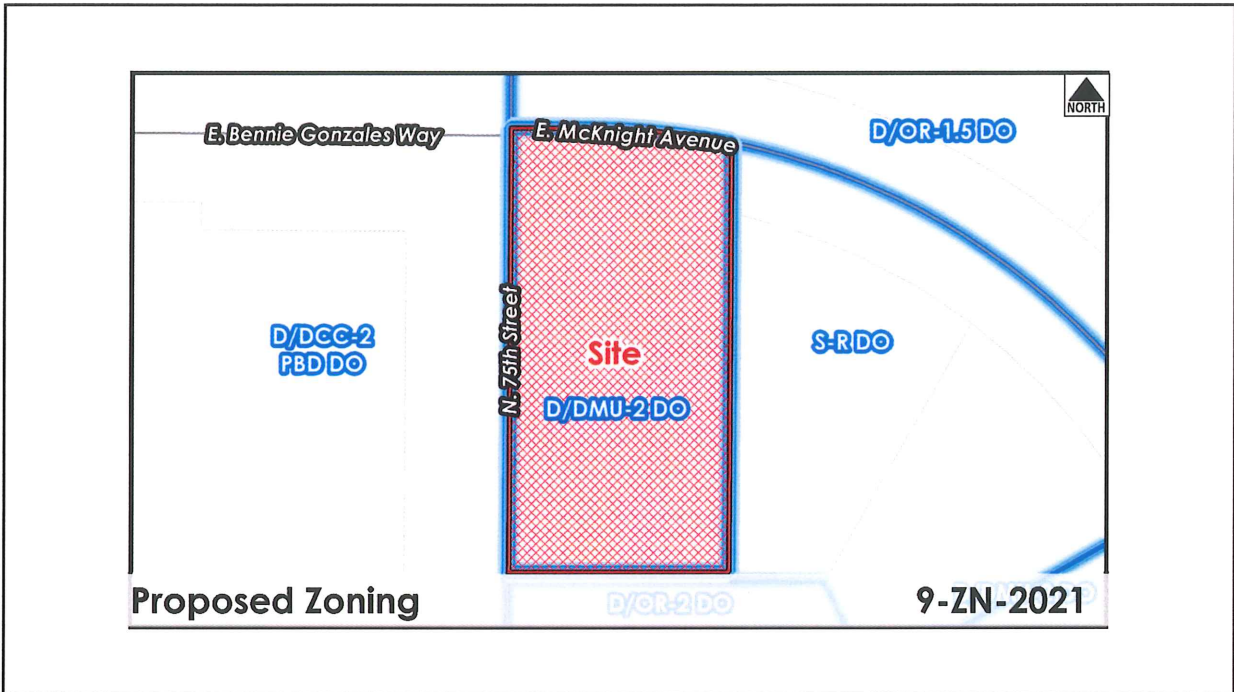
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6



7

Request Summary/Background

- Rezone from S-R DO to D/DMU-2 DO
- Reinvestment/Revitalization in Old Town
- No bonus development standards; amendment to building setback only (from 20 feet to 16 feet BOC)
- Public Comment received

8

Parking

Table 9.103.B

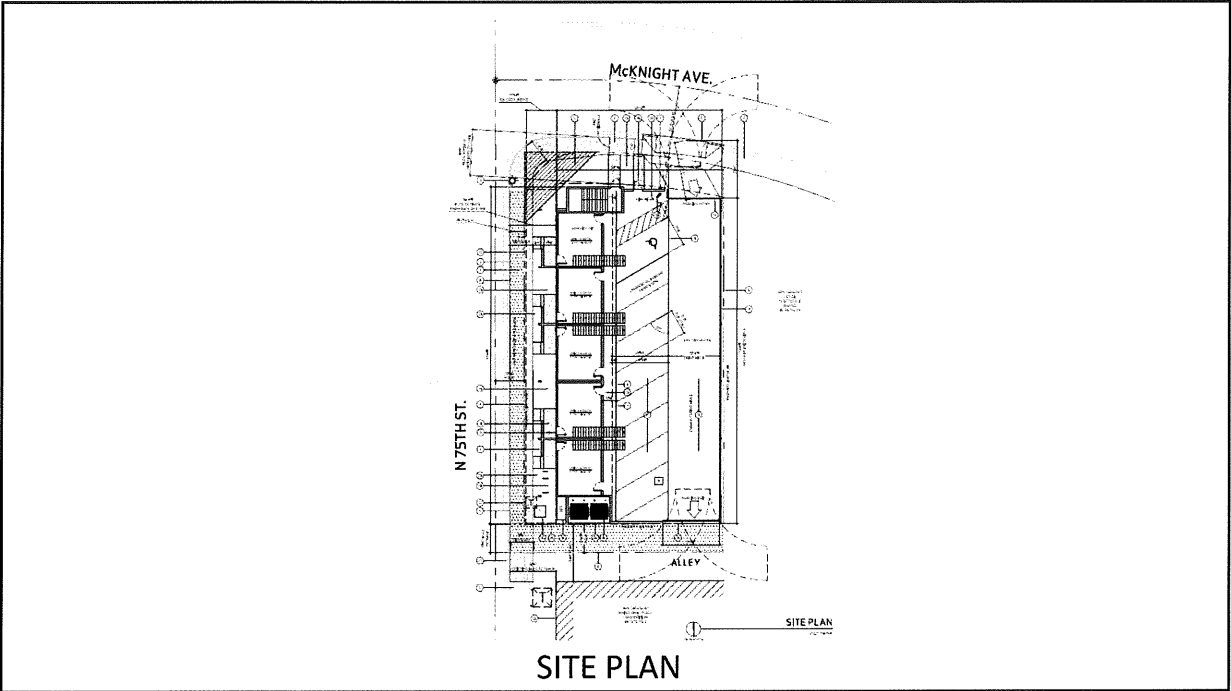
Work/Live	B. In addition to the parking requirement for the commercial floor area, parking shall be provided per the multi-family requirements for developments containing more than one (1) dwelling unit, <i>excluding the first unit</i>
-----------	---

9

Parking

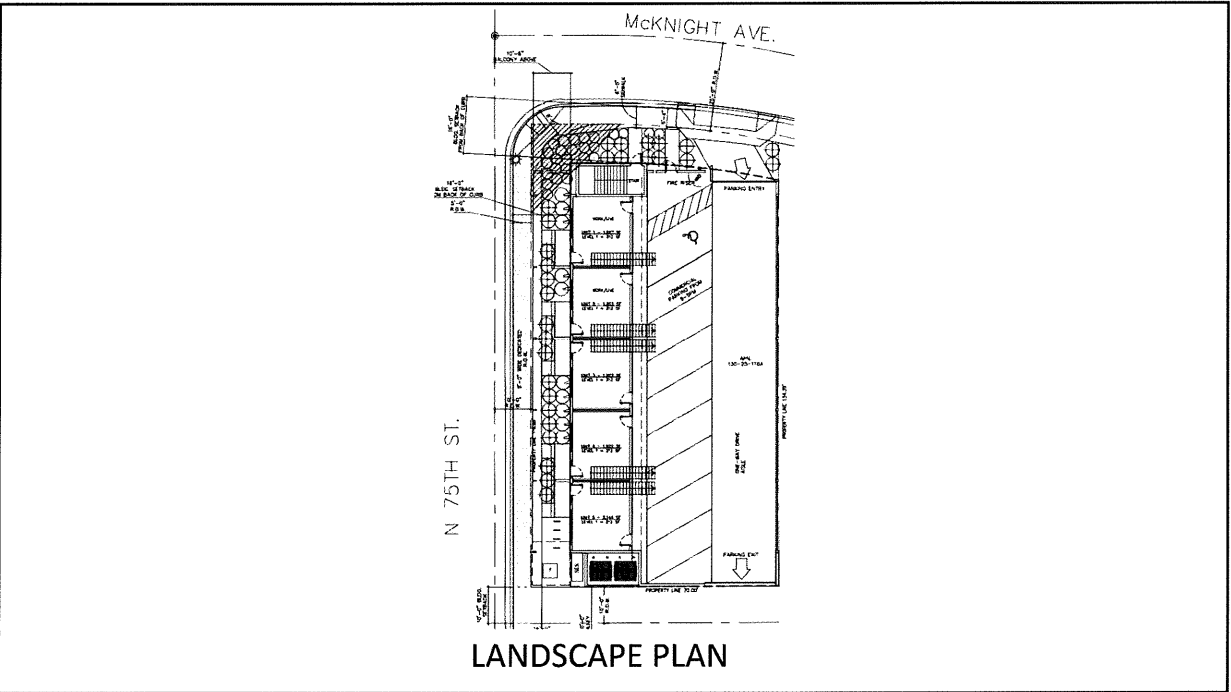
- Parking requirement for five 2-bedroom units: 10 spaces
- No guest parking required (less than 20 units)
- Table 9.103.B: Parking credit for a “work/live” unit when more than one dwelling unit is proposed (5 units)
- Revised parking requirement: 9 spaces
Parking provided: 9 spaces (1 commercial space)

10



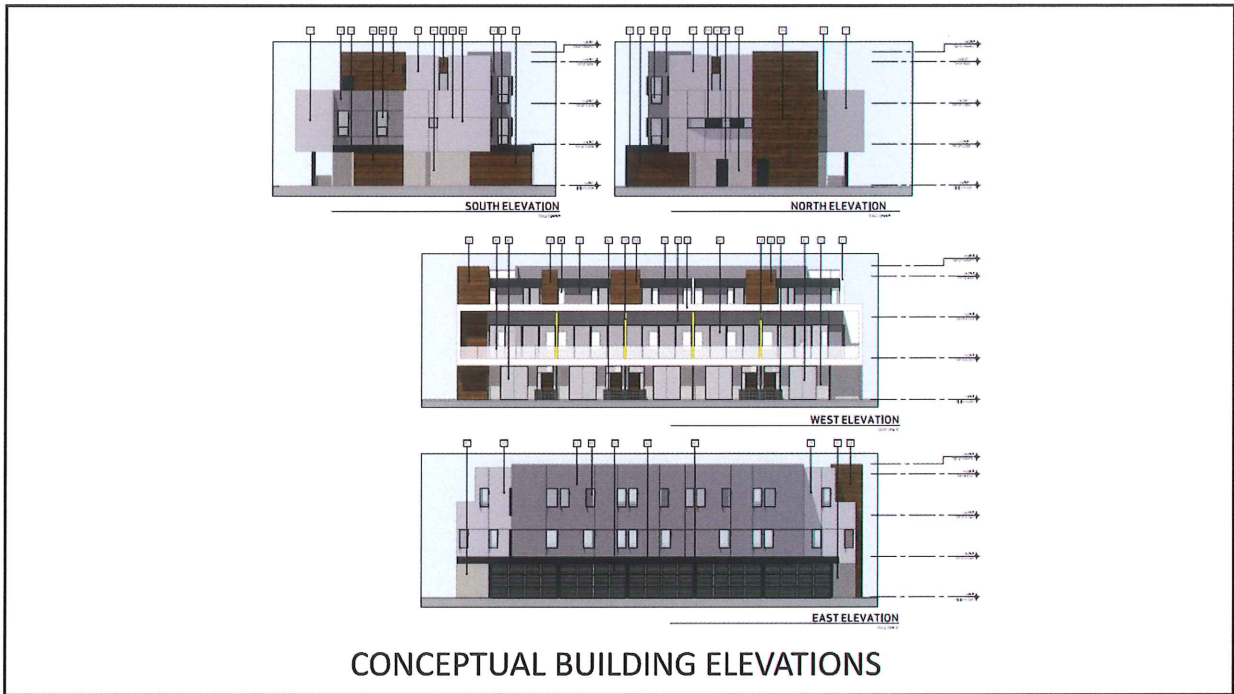
SITE PLAN

11



LANDSCAPE PLAN

12



13



14

Planning Commission Discussion

- Accessible parking – required??
- “Work/live” unit – assurance??
- On-site commercial parking space - enforcement??
- Short-term rentals – prohibited??
- Recommendation of approval (5-1)

15

Legal Protest

- Received by the Clerk on 4/1/2022
- Does not meet the criteria established by State Law
- Protest area is less than 20% of the overall property area affected by the zoning request (11%)
- Not valid

16

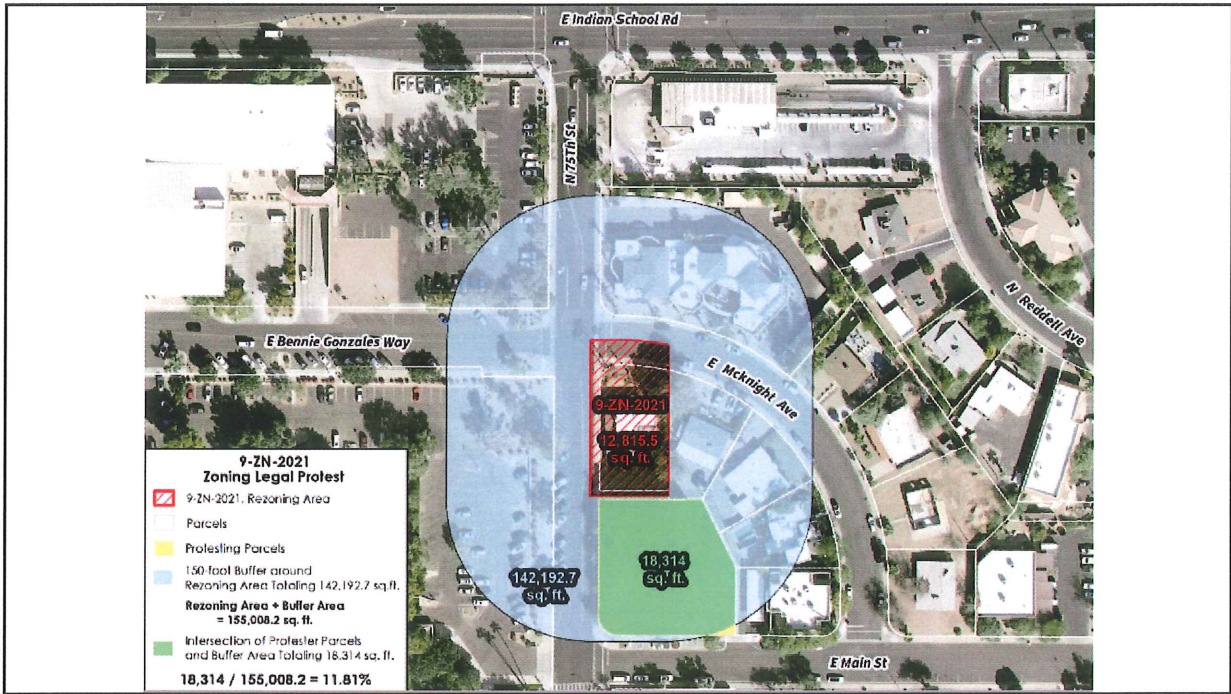


17

State law regarding Legal Protests

- *If the owners of 20% or more of the property by area, and number of lots and condo units, within the zoning area of the affected property file a protest, the change shall not become effective except by the favorable vote of $\frac{3}{4}$ of all members of the governing body (5 votes).*
- “Zoning area” means:
 - The area within 150 feet, including all rights-of-way, of the affected property subject to the proposed amendment or change.
 - The area of the proposed amendment or change.

18



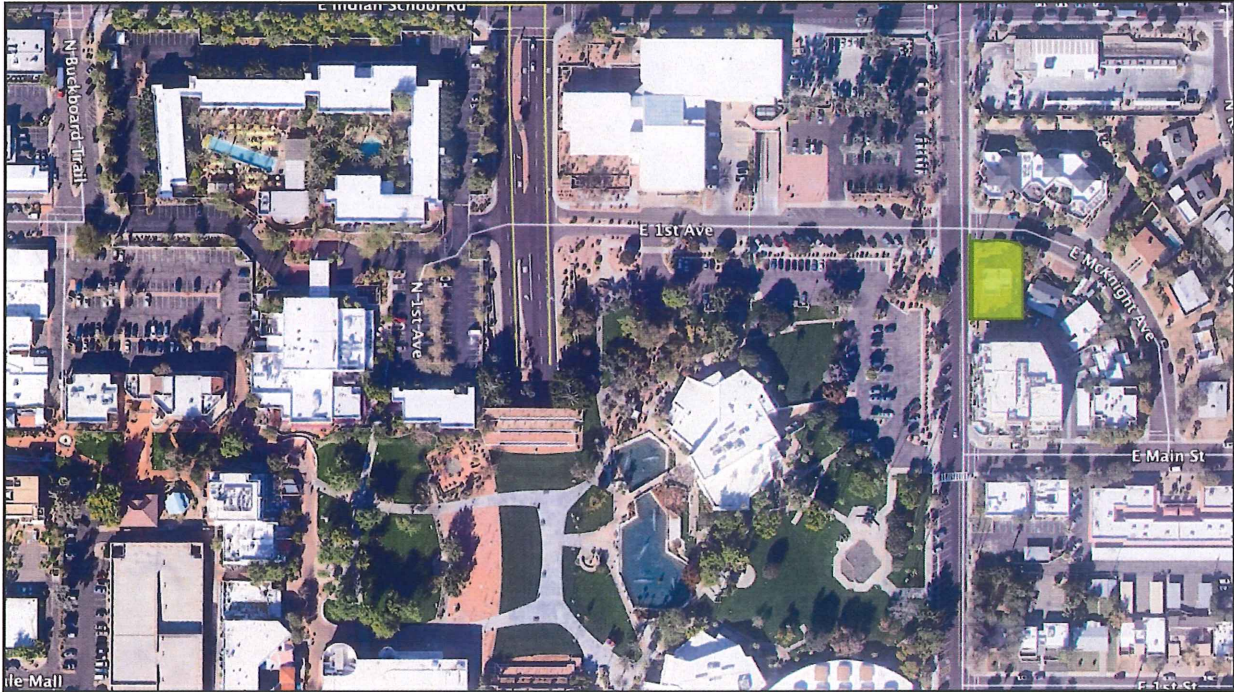
19

Item 16

PALO ON 75TH

9-ZN-2021
City Council
April 5, 2022

1



2



3



4



5

REQUESTS

1

Rezone from Service – Residential (SR) with a Downtown Overlay (DO)
to
Downtown Multiple Use – Type 2 (D/DMU 2) with a Downtown Overlay (DO)

2

Amended Development Standards to reduce street side setbacks
from 20' to 16'

6

SUPPORT

- Staff recommendation of approval
- Planning Commission recommendation of approval (5-1)

7

REQUESTS

What Palo on 75th IS:

- High quality 3-story, 5-unit infill development consistent with City's planning documents
- Parked as required by Ordinance
- Less dense and shorter than adjacent Main Street Place

What Palo on 75th IS NOT:

- Short term rental development
- Asking for bonuses

8

ALLOWED IN S-R DO

26'



9

ALLOWED WITH PROPOSED D/DMU-2 DO

39'



10

REQUESTS

Condominium Plat filed 4/4/2022 with CC&Rs restricting short term rentals

- **CC&Rs Section 4.11 Leasing Restrictions.** All units shall have minimum thirty (30) day rental terms.

11

REQUESTS

1

Rezone from Service – Residential (SR) with a Downtown Overlay (DO)
to
Downtown Multiple Use – Type 2 (D/DMU 2) with a Downtown Overlay (DO)

- Consistent with General Plan
- Consistent with Main Street Place zoning
 - D/OR-2 is the predecessor zoning district to D/DMU-2
- Consistent with Old Town Scottsdale Character Area Plan

12

REQUESTS

2

Amended Development Standards to reduce street side setbacks
from 20' to 16'

- Same setbacks as Main Street Place (16')
- Better than current setback on 75th Street, which is approximately 10'

13

COMPARISON

Palo on 75th

- 39' max. height
- 16.6 dwelling units/acre
- 16' street setbacks
- 10' alley setback

Main Street Place

- 53' max. height
- 21 dwelling units/acre
- 16' street setbacks
- 10' alley setback

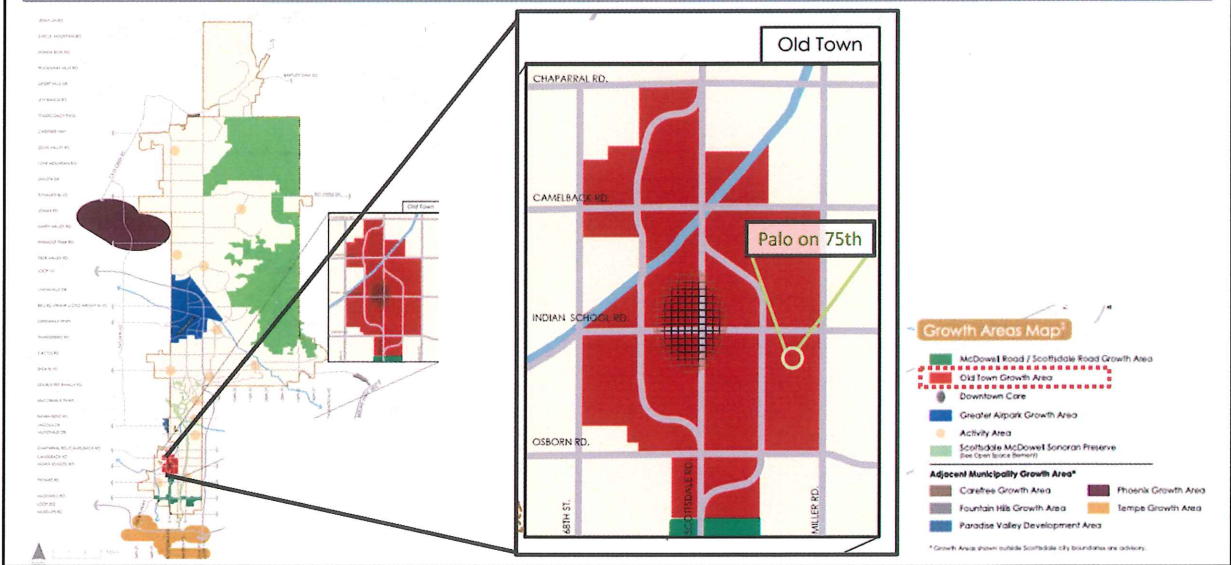
14

GENERAL PLAN 2035



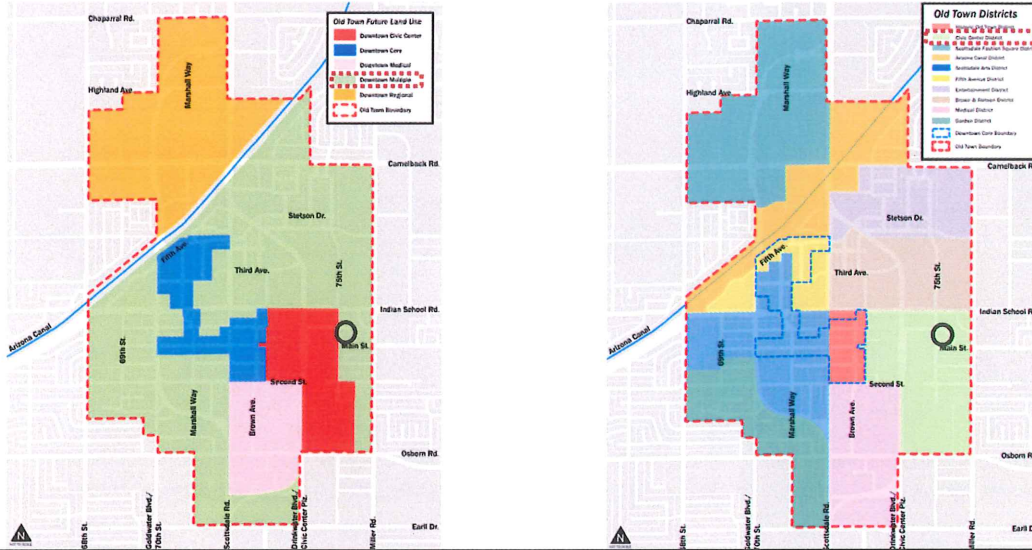
15

GENERAL PLAN 2035



16

OLD TOWN CHARACTER AREA PLAN



17

OLD TOWN CHARACTER AREA PLAN

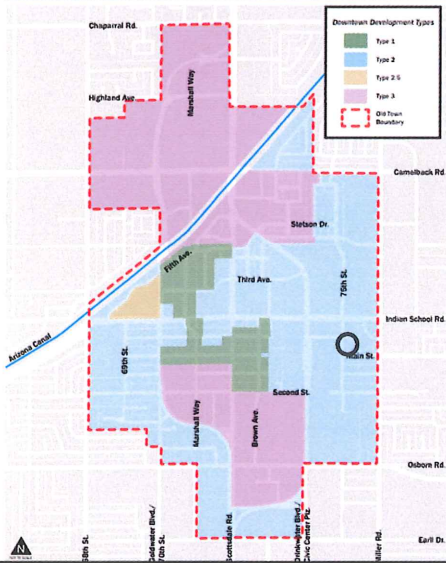


Table 5.3006.B.
Density, Gross Floor Area Ratio (GFAR), and Building Height Maximums

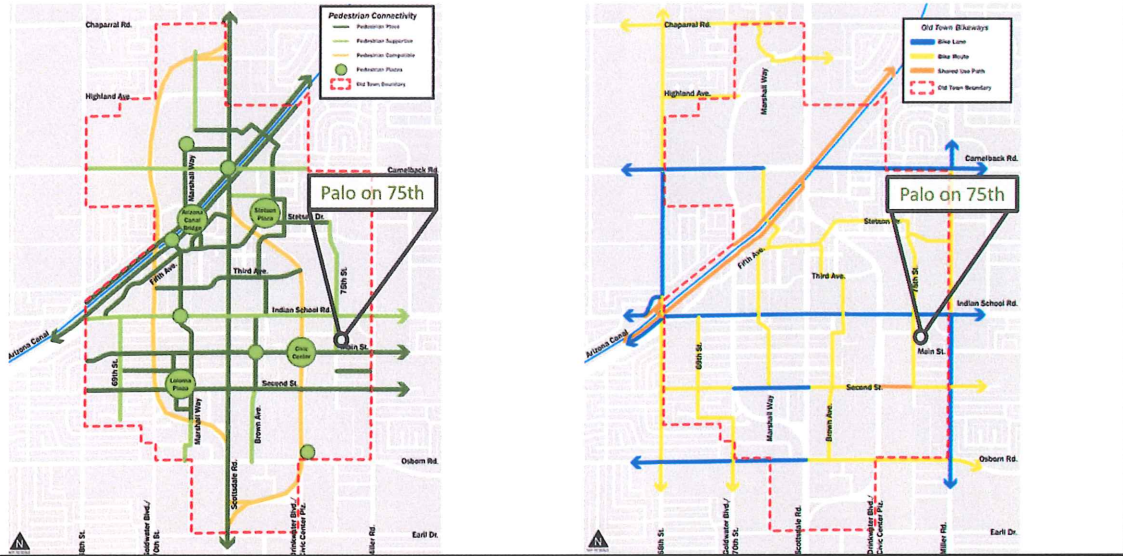
Development Type	Building Height Maximum ⁽¹⁾	GFAR Maximum without Bonus(es)	GFAR Maximum with Bonus(es) ⁽²⁾	Density Maximum (per acre of gross lot area)
Type 2 and Type 2.5	66 feet	1.3	2.0	50 dwelling units

Table 5.3006.C.
Minimum Setback for Buildings Adjacent to Public Streets, except alleys

Street	Minimum Building Setback
All other public streets and public street segments in the Type 2 or Type 2.5 Areas	20 feet

18

OLD TOWN CHARACTER AREA PLAN

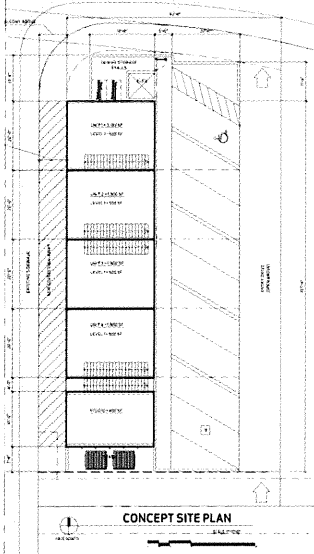


19

PLAN EVOLUTION

20

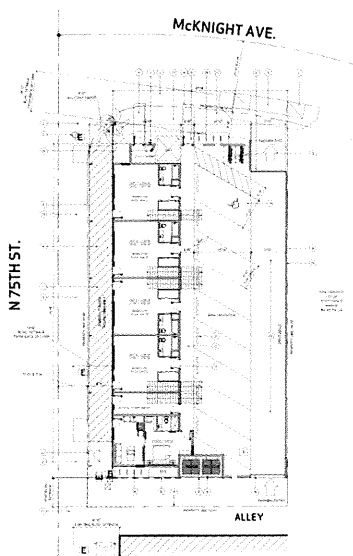
MARCH 4, 2021 PRE-APPLICATION SUBMITTAL



- 6 units
- Ingress from alley
- Units adjacent to sidewalk on 75th St.
- Sidewalk on McKnight to remain current width
- 9 parking spaces for 5 two-bed units and 1 studio

21

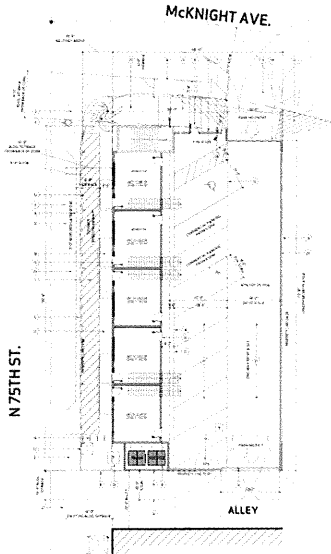
JUNE 10, 2021 FORMAL APPLICATION SUBMITTAL



- 6 units with ground floor flex space
- 13'-6" setback along 75th & 8'-0" on McKnight
- 4 secured and 8 unsecured bicycle parking spaces to reduce vehicular parking requirements (Sec. 9-104.C.2.a & b)
- Cascalote trees separating 75th Street from 8' sidewalk

22

SEPTEMBER 29, 2021, 2ND SUBMITTAL



- 5 units (Δ -1)
- 18' drive aisle (Δ +6')
- 8 unsecured bicycle parking spaces
- 6' sidewalk provided on McKnight
- Ground floor private patio space added
- Street trees removed and sidewalk attached

23

MODIFICATIONS DUE TO NEIGHBOR INPUT

Ingress from McKnight

Increased setbacks on 75th Street and McKnight to 16'

Removed amenity space adjacent to alley and added rooftop trees for buffer

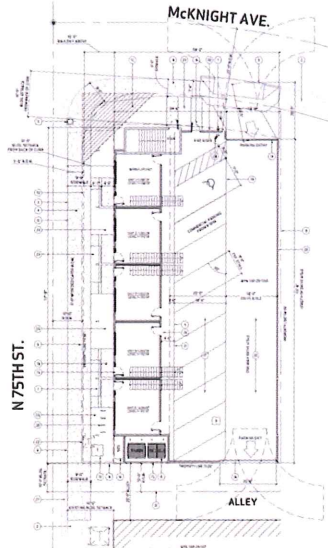
Modified alley-adjacent windows at 2nd floor in southernmost unit

Removed alley-adjacent patio at 2nd floor in southernmost unit

Decreased pool size

24

JANUARY 12, 2022, 3RD SUBMITTAL

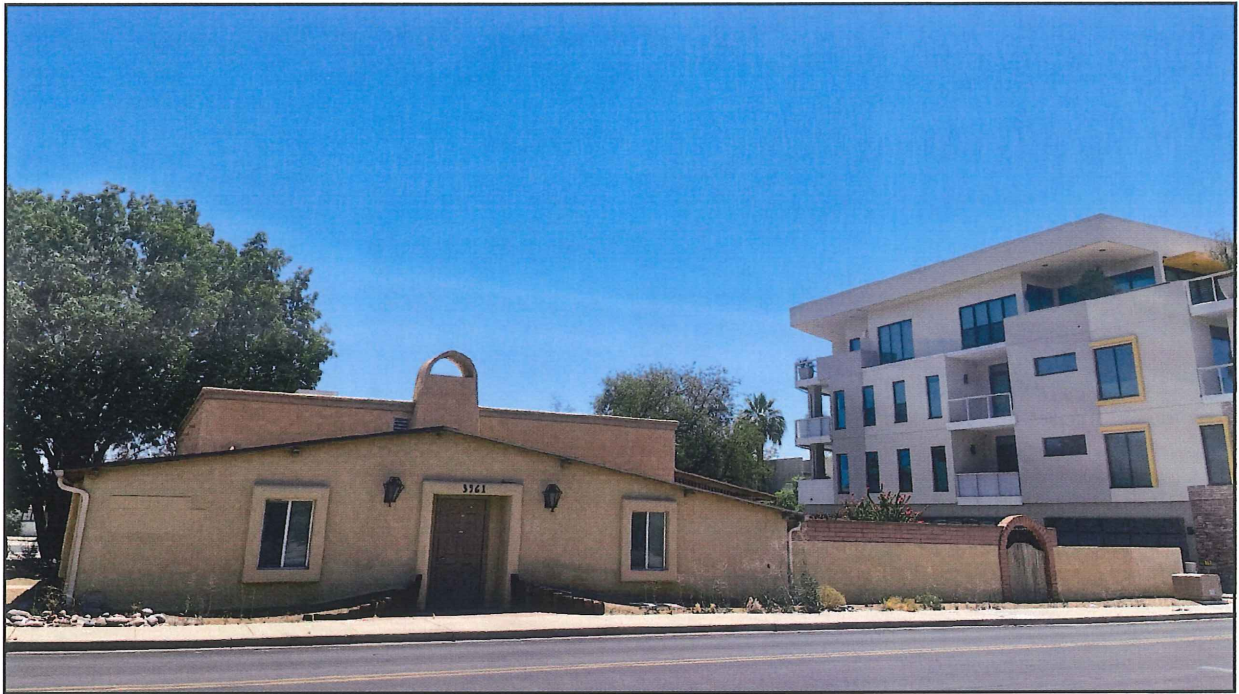


- 5 units (17 dwelling units per acre)
 - 1 dedicated work/live and 4 two-bedroom
- Updated sidewalk widths on 75th (8') & McKnight (6')
- 16' setbacks on 75th & McKnight
- 9 vehicular parking spaces
- 8 bicycle parking spaces
- 39' maximum height

25



26



27



28