

SCOTTSDALE

PLANNING COMMISSION MEETING

MEETING NOTICE AND **MARKED AGENDA**



PLANNING COMMISSION

Renee Higgs, Chair
Joe Young, Vice Chair
George Ertel
William Scarbrough

Barney Gonzales
Christian Serena
Diana Kaminski

Wednesday, July 12, 2023

5:00 P.M.

PLANNING COMMISSION MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

Call to Order – 5:01 PM

Roll Call – Six commissioners present with Commissioner Scarbrough participating telephonically and Vice Chair Young absent.

Public Comment

Public Comment time is reserved for citizens to comment on non-agendized items that are within the Planning Commission's jurisdiction and is limited to a total of 15 minutes. No official Planning Commission action can be taken on these items. **Speakers may submit a comment card to address the Planning Commission and are limited to three minutes.**

Administrative Report – Tim Curtis

Minutes

1. Approval of the June 28, 2023 [Regular Meeting Minutes](#).

Commissioner Kaminski moved to approve the June 28, 2023 regular meeting minutes. Seconded by Commissioner Ertel, the motion carried unanimously by a vote of six (6) to zero (0).

ACTION ITEMS

How the Action Agenda Works: The Planning Commission may take one vote to act on all items on the Continuance Agenda and one vote on all items on the Consent Agenda, or may remove items for further discussion as appropriate. The Planning Commission takes separate action on each item on the Regular Agenda. Persons interested in commenting on any item may complete a Comment Card for each item and submit it to Staff. Those wishing to speak are customarily given three minutes to speak on each item. Additional time may be granted to a designated speaker representing two or more persons (please submit cards together). **Comment cards must be submitted before public testimony has begun on any item.**

CONSENT AGENDA

2. [16-UP-2007#2 \(The George Hotel\)](#)
Request by owner for an amendment to an existing Conditional Use Permit (16-UP-2007) for site

plan amendments for a travel accommodation to allow for a new three-story hotel building, one-story gym/café, site improvements, and renovations and expansions to existing hotel buildings on a +/- 4.74-acre site with Multiple-family Residential Planned Community District (R-5 PCD) zoning, located at 7330 N. Pima Road. Staff contact person is Katie Posler, 480-312-2703. **Applicant contact person is Miguel Fuentesvilla, 520-795-9888.**

Public comment on Item No. 2 by Gordon Medill, Chris Medill, Andre Golnazarian and Virginia McDearmon.

Item No. 2 moved to the regular agenda; Commissioner Ertel moved to make a recommendation to City Council for approval of case 16-UP-2007#2 per the staff recommended stipulations, including the three new stipulations presented by staff, based upon the finding that the Conditional Use Permit criteria have been met. Seconded by Commissioner Kaminski, the motion carried by a vote of four (4) to two (2) with Commissioners Gonzales and Serena dissenting.

3. [21-ZN-1997#2 \(Tuscany at McCormick Ranch\)](#)

Request by owner for approval of a zoning district map amendment to modify the stipulations of previously adopted Ordinance No. 3053 via case 21-ZN-1997, increasing the maximum number of units from 71 to 73, for an existing Residential Healthcare Facility on a +/- 3.5-acre site with Multiple-family Residential Planned Community Development district (R-5 PCD) zoning located at 9000 East San Victor Drive. Staff contact person is Jeff Barnes, 480-312-2376. **Applicant contact person is Brian Vaccaro, 602-265-0094.**

4. [35-UP-1997#2 \(Tuscany at McCormick Ranch\)](#)

Request by owner for approval of an amendment to an existing Conditional Use Permit for a Residential Healthcare Facility, to modify the stipulations of case 35-UP-1997 to increase the maximum number of units from 71 to 73, for a +/- 3.5-acre site with Multiple-family Residential Planned Community Development district (R-5 PCD) zoning located at 9000 East San Victor Drive. Staff contact person is Jeff Barnes, 480-312-2376. **Applicant contact person is Brian Vaccaro, 602-265-0094.**

Items No. 3 and 4; Commissioner Serena moved to make a recommendation to City Council for approval of cases 21-ZN-1997#2 and 35-UP-1997#2 per the staff recommended stipulations after determining that the proposed Zoning District Map Amendment is consistent and conforms with the adopted General Plan and based upon the finding that the PCD findings and Conditional Use Permit criteria have been met. Seconded by Commissioner Ertel, the motion carried unanimously by a vote of six (6) to zero (0).

REGULAR AGENDA

5. [2-TA-2022 \(Harvest of Scottsdale\)](#)

Request by owner to amend the Zoning Ordinance (Ord. No. 455) Article I, Section 1.403.M. (Marijuana use) to allow drive-through operations for marijuana dispensaries. Staff contact person is Bryan Cluff, 480-312-2258. **Applicant contact person is Lauren Niehaus, 303-827-9039.**

Item No. 5; Commissioner Ertel moved to make a recommendation to City Council for approval of case 2-TA-2022 after determining that the proposed Text Amendment is



PERSONS WITH A DISABILITY MAY REQUEST A REASONABLE ACCOMMODATION BY CONTACTING STAFF AT (480-312-7767).

REQUESTS SHOULD BE MADE 24 HOURS IN ADVANCE, OR AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE ACCOMMODATION. FOR TTY USERS, THE ARIZONA RELAY SERVICE (1-800-367-8939) MAY CONTACT STAFF AT (480-312-7767).

consistent and conforms with the adopted General Plan. Not hearing a second, the motion failed. Commissioner Gonzales moved to make a recommendation to City Council for denial of case 2-TA-2022 after determining that the proposed Text Amendment is not consistent and does not conform with the adopted General Plan. Seconded by Commissioner Serena, the motion carried by a vote of four (4) to two (2) with Chair Higgs and Commissioner Ertel dissenting.

6. [10-UP-2015#4 \(Harvest of Scottsdale\)](#)

Request by owner for an amendment to an existing conditional use permit (10-UP-2015#3) for a marijuana dispensary, including elimination of the 5-year timing stipulation and the addition of drive-through operations for a site located at 15190 N Hayden Road with Industrial Park (I-1) zoning. See also related text amendment 2-TA-2022. Staff contact person is Bryan Cluff, 480-312-2258. **Applicant contact person is Lauren Niehaus, 303-827-9039.**

Item No. 6; Commissioner Kaminski moved to make a recommendation to City Council for approval of the elimination of the 5-year timing stipulation based upon the finding that the Conditional Use Permit criteria have been met. Seconded by Commissioner Ertel, the motion carried by a vote of four (4) to two (2) with Commissioners Gonzales and Serena dissenting. Commissioner Kaminski moved to make a recommendation to City Council for approval of the addition of drive-through operations at a marijuana dispensary based upon the finding that the Conditional Use Permit criteria have been met. Seconded by Commissioner Ertel, the motion failed by a vote of two (2) to four (4) with Commissioners Gonzales, Kaminski, Scarbrough, and Serena dissenting. Commissioner Kaminski moved to make a recommendation to City Council for denial of the addition of drive-through operations at a marijuana dispensary based upon the finding that the Conditional Use Permit criteria have not been met. Seconded by Commissioner Serena, the motion carried by a vote of four (4) to two (2) with Chair Higgs and Commissioner Ertel dissenting.

Adjournment – 6:55 PM



PERSONS WITH A DISABILITY MAY REQUEST A REASONABLE ACCOMMODATION BY CONTACTING STAFF AT (480-312-7767). REQUESTS SHOULD BE MADE 24 HOURS IN ADVANCE, OR AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE ACCOMMODATION. FOR TTY USERS, THE ARIZONA RELAY SERVICE (1-800-367-8939) MAY CONTACT STAFF AT (480-312-7767).