

SCOTTSDALE CITY COUNCIL  
SPECIAL MEETING MINUTES  
TUESDAY, MARCH 29, 2016



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

**CALL TO ORDER**

Mayor W.J. "Jim" Lane called to order a Special Meeting of the Scottsdale City Council at 5:03 P.M. on Tuesday, March 22, 2016, in the City Hall Kiva.

**ROLL CALL**

Present: Mayor W.J. "Jim" Lane; Vice Mayor David N. Smith; and Councilmembers Suzanne Klapp, Virginia Korte, Kathleen S. Littlefield, Linda Milhaven, and Guy Phillips

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

**CONSENT AGENDA**

- 1. Pho King Kitchen Liquor License (15-LL-2016)**  
**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:** 8018 E. Thomas Road, Suite 1  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
- 2. Hi Fi Kitchen & Cocktails Liquor License (16-LL-2016)**  
**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 6 (bar) State liquor license.  
**Location:** 4420 N. Saddlebag Trail, Suite 110  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)

**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.

- 3. Bottled Blond Liquor License (17-LL-2016)**  
**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 6 (bar) State liquor license.  
**Location:** 7340 E. Indian Plaza  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
- 4. Stetson's Steak & Seafood Liquor License (18-LL-2016)**  
**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:** 7318 E. Stetson Drive  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
- 5. Toasted Cork Liquor License (19-LL-2016)**  
**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for an agent and acquisition of control change for an existing Series 6 (bar) State liquor license.  
**Location:** 4301 N. Civic Center Plaza  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
- 6. Manji Abandonment (10-AB-2015)**  
**Request:** Adopt **Resolution No. 10363** authoring the abandonment of a 15-foot portion of a 40-foot half-street of right-of-way along N. 68<sup>th</sup> Street for a distance of 135 feet along the western property line of a property with Single-Family Residential (R1-18) zoning.  
**Location:** 6801 E. Bonita Drive  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

### **MOTION AND VOTE – CONSENT AGENDA**

Councilwoman Klapp made a motion to approve Consent Agenda Items 1 through 6. Councilmember Korte seconded the motion, which carried 7/0.

### **REGULAR AGENDA**

- 7. Planned Block Development Overlay District Text Amendment (5-TA-2015)**  
**Request:** Adopt **Ordinance No. 4241** approving a text amendment to the City of Scottsdale Zoning Ordinance No. 455 to amend the following tables related to the Planned Block Development Overlay District (PBD):

  1. Table 6.1308.B., to allow 6 feet to be added to the maximum building height for rooftop appurtenances if they do not cover more than 20% of the roof area of the building and are set back at least 15 feet from the building elevations.

2. Table 6.1310.C., to allow 6 feet to be added to the maximum building height for rooftop appurtenances if they do not cover more than 20% of the roof area of the building and are set back at least 15 feet from the building elevations.
3. Table 6.1310.F., to add a note that the building height bonus includes any rooftop appurtenances.

**Location:** Downtown area, generally located between N. 68<sup>th</sup> Street and N. Miller Road and E. Chaparral Road and E. Earll Road

**Presenter(s):** Dan Symer, Sr. Planner

**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

Note: Item 7 was presented and discussed together with Item 8.

Senior Planner Dan Symer gave a PowerPoint presentation (attached) on the proposed Planned Blocked Development Overlay District text amendment and Shoeman Office Building rezoning.

Applicant Representative Adam Baugh gave a PowerPoint presentation (attached) on the applicant's rezoning request for the proposed Shoeman Office Building.

Mayor Lane opened public testimony.

Sonnie Kirtley, Coalition of Greater Scottsdale, spoke in opposition to the proposed text amendment and rezoning.

Mayor Lane closed public testimony.

### **MOTION AND VOTE – ITEM 7**

Councilwoman Milhaven made a motion to adopt Ordinance No. 4241 approving a text amendment. Councilmember Korte seconded the motion, which carried 4/3, with Vice Mayor Smith and Councilmembers Littlefield and Phillips dissenting.

### **ALTERNATE MOTION AND VOTE – ITEM 7**

Vice Mayor Smith made an alternate motion to deny the request to adopt Ordinance No. 4241 approving a text amendment to the City of Scottsdale Zoning Ordinance No. 455 to amend the following tables related to the Planned Block Development Overlay District (PBD):

1. Table 6.1308.B., to allow 6 feet to be added to the maximum building height for rooftop appurtenances if they do not cover more than 20% of the roof area of the building and are set back at least 15 feet from the building elevations.
2. Table 6.1310.C., to allow 6 feet to be added to the maximum building height for rooftop appurtenances if they do not cover more than 20% of the roof area of the building and are set back at least 15 feet from the building elevations.
3. Table 6.1310.F., to add a note that the building height bonus includes any rooftop appurtenances. Councilwoman Littlefield seconded the motion, which failed 3/4, with Mayor Lane and Councilmembers Klapp, Korte, and Milhaven dissenting.

**8. Shoeman Office Building Rezoning (7-ZN-2015)**

**Requests:**

1. Adopt **Ordinance No. 4240** approving a zoning district map amendment from Central Business Downtown Overlay (C-2 DO) and Highway Commercial Downtown Overlay (C-3 DO) zoning to Downtown/Downtown Multiple Use Type-2, Planned Block Development, Downtown Overlay (D/DMU-2, PBD, DO) zoning, including approval of Property Development Standards and a Development Plan on a 1.96±-acre site located at 4419 N. Scottsdale Road, 7223 E. Shoeman Lane, and 7233 E. Shoeman Lane.
2. Adopt **Resolution No. 10357** authorizing Development Agreement No. 2016-021-COS with Stockdale Galleria Land Owner, LLC, for property generally located at 4419 N. Scottsdale Road.
3. Adopt **Resolution No. 10366** declaring the document entitled "Shoeman Office Building Development Plan, 7-ZN-2015" to be a public record.

**Presenter(s):** Dan Symer, Sr. Planner

**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

**MOTION AND VOTE – ITEM 8**

Councilman Phillips made a motion to continue Item 8, the Shoeman Office Building rezoning request (7-ZN-2015), to April 12, 2016. Councilwoman Milhaven seconded the motion, which carried 7/0.

**ALTERNATE MOTION AND VOTE – ITEM 8**

Vice Mayor Smith made an alternate motion to deny the request to adopt Ordinance No. 4240, Resolution No. 10357, and Resolution No. 10366. Councilwoman Littlefield seconded the motion, which failed 3/4, with Mayor Lane and Councilmembers Klapp, Korte, and Milhaven dissenting.

Council asked staff to work with the applicant to address the concerns expressed regarding 10-foot step backs (an additional bonus) and provisions that would insure there is sufficient tenant parking and public parking for the retail element of the development.

**9. Medical Marijuana Text Amendment Initiation (65-PA-2016)**

**Request:** Discussion and possible initiation of a text amendment to the City of Scottsdale Zoning Ordinance No. 455 regarding the Conditional Use Permit criteria for medical marijuana uses, including but not limited to separation requirements and location criteria.

**Presenter(s):** Bryan Cluff, Sr. Planner

**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

Senior Planner Bryan Cluff gave a PowerPoint presentation (attached) on the initiation of a medical marijuana text amendment.

Mayor Lane opened public testimony.

Ryan Hurley, Rose Law Group, asked the Council to include a grandfather clause for businesses with existing medical marijuana conditional use permits.

Mayor Lane closed public testimony.

**MOTION AND VOTE – ITEM 9**

Councilmember Korte made a motion to direct staff to provide further analysis of regulatory options and come back to Council on May 17, 2016. Councilwoman Milhaven seconded the motion, which carried 7/0.

Staff was asked to provide additional information on: medical marijuana use regulations in neighboring communities, grandfathering provisions for existing dispensaries, options for increasing the distance between facilities, eliminating medical marijuana uses in industrial park and commercial office zoning districts, and the pros and cons of using special campus zoning.

**MAYOR AND COUNCIL ITEMS – None**

**ADJOURNMENT**

The Special City Council Meeting adjourned at 7:16 P.M.

**SUBMITTED BY:**



Carolyn Jagger  
City Clerk

Officially approved by the City Council on

April 19, 2016

### 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 29<sup>th</sup> day of March 2016.

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

**DATED** this 19<sup>th</sup> day of April 2016.



---

Carolyn Jagger, City Clerk

Item 7

**Text Amendment to Planned Block  
Development Overlay District**

**Item 7, 5-TA-2015**

City Council

Coordinator: Dan Symer, AICP

Date: March 29, 2016

**PBD Text Amendment**

**Request:**

Approval of a text amendment to the Planned Block Development Overlay District (PBD):

- 1) Amend Base and Bonus Building Heights to:
  - Allow maximum six (6) foot tall to rooftop appurtenances exclusive of the allowed building heights, provided:
    - Do not cover more than 20 percent of the roof area; and
    - set back at least 15 feet
- 2) Public benefits for bonus provision calculations includes any rooftop appurtenances.

5-TA-2015

Request

## PBD Text Amendment

### Background Pertaining to PBD Building Height:

- Background

Typical Building Heights Considerations	Maximum Height(s)	Additional Height for Appurtenance (Mechanical, Elevator Overruns, etc.)
Old Town (Type 1)	40 – Feet (1, 4)	None
Remainder of the Downtown Core (Type 1)	48 – Feet (1, 4)	None
Multiple Use (Type 2)	66(2) – 90 Feet(3, 4)	None
Regional (Type 3)(5)	90(2) – 150 Feet(3, 4)	None
Medical (Type 3)(5)	90(2) – 150 Feet(3, 4)	None

NOTE:  
 1. Regardless of having a Planned Block Development overlay designation.  
 2. Non-Planned Block Development overlay development height maximum.  
 3. Planned Block Development overlay development height maximum.  
 4. All heights are inclusive of roof top appurtenances.  
 5. The Task Force recommends changing the Downtown Plan, Regional and Medical Type 2 Areas to Regional and Medical Type 3 Areas.

- Adopted in November, 2012
  - Implements the Downtown Plan
  - Implemented Recommendations of the:
    - 2009 Downtown Taskforce
    - Development Review Board
    - Planning Commission
    - Public Comments

5-TA-2015

## PBD Text Amendment

Existing Table 6.1308.B		Effects of Proposed Modification to Table 6.1308.B	
Sub-district and Development Type	Current PBD Allowed Building Height Maximum Inclusive of Rooftop Appurtenance	Proposed Rooftop Appurtenances Height Exception	Proposed Total Building Height Maximum Plus Rooftop Appurtenance Height Exception
Downtown Core - Type 1 within Old Town Design District Area	40 feet	6 feet	46 feet
Downtown Core - Type 1 outside of the Old Town Design District Area	48 feet	6 feet	54 feet
Downtown Civic Center - Type 2 Downtown Multiple Use - Type 2	66 feet	6 feet	72 feet
Downtown Medical - Type 2 Downtown Regional Use - Type 2	84 feet	6 feet	90 feet

5-TA-2015

Summary



## PBD Text Amendment

Building Height Maximums Without Bonuses – Comparison Table			
Existing Table 6.1308.B		Effects of Proposed Modification to Table 6.1308.B	
Sub-district and Development Type	Current PBD Allowed Building Height Maximum <u>Inclusive</u> of Rooftop Appurtenance	Proposed Rooftop Appurtenances Height Exception	Proposed Total Building Height Maximum <u>Plus</u> Rooftop Appurtenance Height Exception
Downtown Core - Type 1 within Old Town Design District Area	40 feet	6 feet	46 feet
Downtown Core - Type 1 outside of the Old Town Design District Area	48 feet	6 feet	54 feet
Downtown Civic Center - Type 2 Downtown Multiple Use - Type 2	66 feet	6 feet	72 feet
Downtown Medical - Type 2 Downtown Regional Use - Type 2	84 feet	6 feet	90 feet

5-TA-2015

Summary

## PBD Text Amendment

Building Height Maximums Without Bonuses – Comparison Table			
Existing Table 6.1308.B		Effects of Proposed Modification to Table 6.1308.B	
Sub-district and Development Type	Current PBD Allowed Building Height Maximum <u>Inclusive</u> of Rooftop Appurtenance	Proposed Rooftop Appurtenances Height Exception	Proposed Total Building Height Maximum <u>Plus</u> Rooftop Appurtenance Height Exception
Downtown Core - Type 1 within Old Town Design District Area	40 feet	6 feet	46 feet
Downtown Core - Type 1 outside of the Old Town Design District Area	48 feet	6 feet	54 feet
Downtown Civic Center - Type 2 Downtown Multiple Use - Type 2	66 feet	6 feet	72 feet
Downtown Medical - Type 2 Downtown Regional Use - Type 2	84 feet	6 feet	90 feet

5-TA-2015

Summary

## PBD Text Amendment

Building Height Maximums Without Bonuses – Comparison Table			
Existing Table 6.1308.B		Effects of Proposed Modification to Table 6.1308.B	
Sub-district and Development Type	Current PBD Allowed Building Height Maximum <u>Inclusive</u> of Rooftop Appurtenance	Proposed Rooftop Appurtenances Height Exception	Proposed Total Building Height Maximum <u>Plus</u> Rooftop Appurtenance Height Exception
Downtown Core - Type 1 within Old Town Design District Area	40 feet	6 feet	46 feet
Downtown Core - Type 1 outside of the Old Town Design District Area	48 feet	6 feet	54 feet
Downtown Civic Center - Type 2 Downtown Multiple Use - Type 2	66 feet	6 feet	72 feet
Downtown Medical - Type 2 Downtown Regional Use - Type 2	84 feet	6 feet	90 feet

5-TA-2015

Summary

## PBD Text Amendment

Building Height Maximums Without Bonuses – Comparison Table			
Existing Table 6.1308.B		Effects of Proposed Modification to Table 6.1308.B	
Sub-district and Development Type	Current PBD Allowed Building Height Maximum <u>Inclusive</u> of Rooftop Appurtenance	Proposed Rooftop Appurtenances Height Exception	Proposed Total Building Height Maximum <u>Plus</u> Rooftop Appurtenance Height Exception
Downtown Core - Type 1 within Old Town Design District Area	40 feet	6 feet	46 feet
Downtown Core - Type 1 outside of the Old Town Design District Area	48 feet	6 feet	54 feet
Downtown Civic Center - Type 2 Downtown Multiple Use - Type 2	66 feet	6 feet	72 feet
Downtown Medical - Type 2 Downtown Regional Use - Type 2	84 feet	6 feet	90 feet

5-TA-2015

Summary

## PBD Text Amendment

Building Height Maximums With Bonuses – Comparison Table							
Sub-district and Development Type	Existing Table 6.1310.C.			Effects of Proposed Modification to Table 6.1310.C.			
	PBD gross lot area equal to or greater than (Existing Inclusive of Rooftop Appurtenance)			PBD gross lot area equal to or greater than			
	20,000 and less than 100,000 square feet	100,000 and less than 200,000 square feet	200,000 square feet or more	Rooftop Appurtenances Height Exception	20,000 and less than 100,000 square feet	100,000 and less than 200,000 square feet	200,000 square feet or more
Downtown Core - Type 1	Per Table 6.1308.B	Per Table 6.1308.B	Per Table 6.1308.B	Per Purposed Table 6.1308.B	Per Purposed Table 6.1308.B	Per Purposed Table 6.1308.B	Per Purposed Table 6.1308.B
Downtown Civic Center - Type 2 Downtown Multiple Use - Type 2	78 feet	90 feet	90 feet	6 feet	84 feet	96 feet	96 feet
Downtown Medical - Type 2 Downtown Regional Use - Type 2	90 feet	120 feet	150 feet	6 feet	96 feet	126 feet	156 feet

Summary

5-TA-2015

## PBD Text Amendment

Building Height Maximums With Bonuses – Comparison Table							
Sub-district and Development Type	Existing Table 6.1310.C.			Effects of Proposed Modification to Table 6.1310.C.			
	PBD gross lot area equal to or greater than (Existing Inclusive of Rooftop Appurtenance)			PBD gross lot area equal to or greater than			
	20,000 and less than 100,000 square feet	100,000 and less than 200,000 square feet	200,000 square feet or more	Rooftop Appurtenances Height Exception	20,000 and less than 100,000 square feet	100,000 and less than 200,000 square feet	200,000 square feet or more
Downtown Core - Type 1	Per Table 6.1308.B	Per Table 6.1308.B	Per Table 6.1308.B	Per Purposed Table 6.1308.B	Per Purposed Table 6.1308.B	Per Purposed Table 6.1308.B	Per Purposed Table 6.1308.B
Downtown Civic Center - Type 2 Downtown Multiple Use - Type 2	78 feet	90 feet	90 feet	6 feet	84 feet	96 feet	96 feet
Downtown Medical - Type 2 Downtown Regional Use - Type 2	90 feet	120 feet	150 feet	6 feet	96 feet	126 feet	156 feet

Summary

5-TA-2015



## **PBD Text Amendment**

### **Planning Commission's Recommended Approach:**

- Planning Commission heard this case on February 24, 2016 and recommended approval with a vote of 6-1.

5-TA-2015

Item 8

**Shoeman Office Building**

**Item 8, 7-ZN-2015**

City Council

Coordinator: Dan Symer, AICP

Date: March 29, 2016

**Shoeman Office Building**

Request: Approval of a Zoning District Map Amendment,

**From:** Central Business Downtown Overlay (C-2 DO) and Highway Commercial Downtown Overlay (C-3 DO)

**To:** Downtown / Downtown Multiple Use, Type 2, Planned Block Development, Downtown Overlay (D/DMU-2 PBDDO) zoning and with a Development Plan

7-ZN-2015

## Shoeman Office Building

### Development Information:

- Proposed Use: Office and retail
- Parcel Size (gross): 112,765 square feet
- Total Building Size: 204,660 square feet
- Gross Floor Area Ratio Proposed: 1.82 with bonuses
- Building Height Proposed: 96 feet (Inclusive of roof top appurtenance)  
(Subject to the approval 5-TA-2015)
- Parking Required: 683 spaces (3.33 spaces per 1000 square feet)
- Parking Provided: 970 spaces (4.73 spaces per 1000 square feet)



7-ZN-2015

## Shoeman Office Building



DETAIL AERIAL

7-ZN-2015





## **Eldorado on 1<sup>st</sup>**

### **City Council criteria:**

Sec. 1.607. (Zoning District Map Amendment Criteria)

- The application appears consistent with the adopted General Plan

Sec. 6.1304.B. (Planned Block Development Overlay Criteria)

1. Standard criteria:

- a. Consistency with Land use elements of General Plan and the Downtown Plan.

2. Pertains to adding land use – no additions requested

3. Criteria to achieve bonus(es):

- a. Development Plan incorporates public benefits, and improve to achieve bonuses for Floor Area and Building.

**Standard and PBD Criteria**

**7-ZN-2015**

## **Shoeman Office Building**

To Achieve Bonus Criteria – Building Height (30 Feet) and Floor Area (46,789 sqft):

- Compliance with City of Scottsdale's Green Building Program (IGCC)
- Enhanced Reconstruction of East Shoeman Lane (± \$416,270)
  - Pedestrian Lighting
  - Hardscape
  - Landscaping
  - Pedestrian Amenities (benches, trash cans, bike racks, etc.)
- Contribution to the Downtown Special Improvement Trust Fund (± \$268,795)

**7-ZN-2015**

## Shoeman Office Building



Existing East Shoeman Lane

## Shoeman Office Building



Existing East Shoeman Lane with Building Placement

## Shoeman Office Building



Existing East Shoeman Lane with Building Placement

## Shoeman Office Building

Standard improvements (No Bonus Provide):

Full Street Improvement (Asphalt, Curb, Gutter, Sidewalk, etc.)

Bonus improvements:

Pedestrian Lights

Pedestrian Benches and Refuse Receptacles

Metal Tree Grates



East Shoeman Lane with South Side Street Improvements

## Shoeman Office Building

### Bonus Improvements:

Full Street Improvement (Asphalt, Curb, Gutter, Sidewalk, etc.)

Pedestrian Lights

Pedestrian Benches and Refuse Receptacles

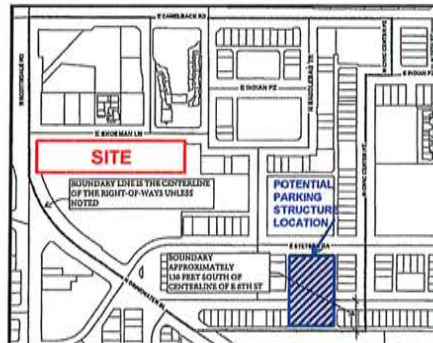
Landscape and Metal Tree Grates



East Shoeman Lane with North and South Side Street Improvements

## Shoeman Office Building

- Eighteen street public parking spaces to be removed
- The current estimated total is \$233,246.34 to be used for the development of a parking structure in part of the northeast quadrant of the Downtown.



7-ZN-2015

## Shoeman Office Building



7-ZN-2015

## Shoeman Office Building

### Policies and Guidelines, Key Items for Consideration:

- Encourage urban and architectural design that addresses human scale,
- Architectural form to reduce the apparent size and bulk of larger buildings.
- Building height and bulk of building is to be reduced by dividing the building mass into smaller-scale components.
- Upper levels should reduce floor area and building mass, appearing less bulky
- Top story of building should be reduced in size, to provide the feel and appearance of reduced/recessed building mass.
- Buildings over 3 stories tall, especially those built at or near the 72 foot maximum should reduce the visual impact of taller elements as viewed from the street



7-ZN-2015

## Shoeman Office Building

- Development Review Board (DRB) recommend approval without modifications
- Suggested consideration:
  - Setback portions of the upper sections of the building to provide a building setback to on the north elevation in conformance with the Downtown Plan and the Downtown Urban Design and Architectural Guidelines.



7-ZN-2015

## Shoeman Office Building

### Modification to Stipulation 11:

To:

11. BUILDING DESIGN - GLASS. The maximum area of glass, including any glass behind a shade device, shall not exceed **seventy-five (75)** percent of the area of any one building elevation (north, south, east or west), excluding the building elevations of the parking garage.

From:

11. BUILDING DESIGN - GLASS. The maximum area of glass, including any glass behind a shade device, shall not exceed ~~seventy-five (75)~~ **eighty (80)** percent of the area of any one building elevation (north, south, east or west), excluding the building elevations of the parking garage.

7-ZN-2015

## Shoeman Office Building



7-ZN-2015

## Shoeman Office Building

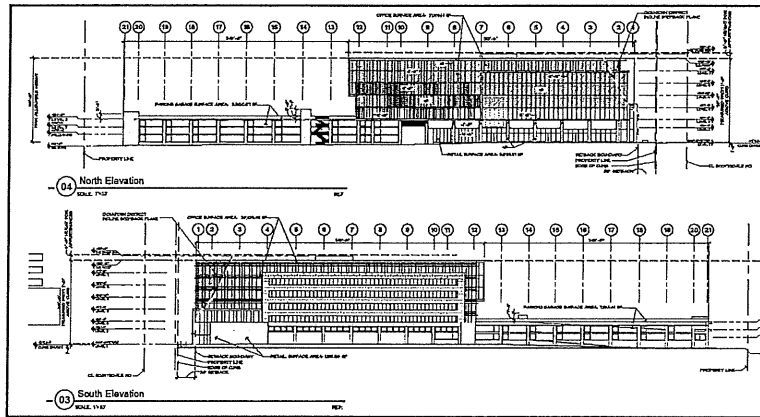
**Item 8, 7-ZN-2015**

City Council

Coordinator: Dan Symer, AICP

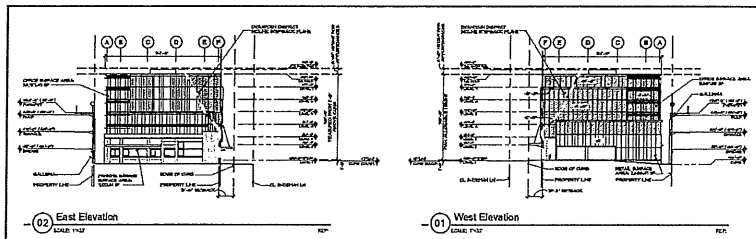
Date: March 29, 2016

# Shoeman Office Building



7-ZN-2015

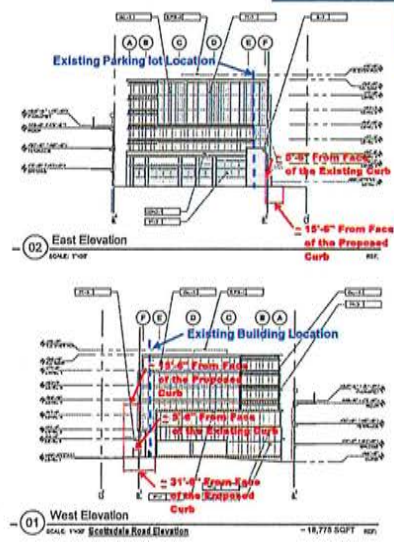
# Shoeman Office Building



7-ZN-2015



# Shoeman Office Building



7-ZN-2015

# Shoeman Office Building

## Recommended Stipulation:

- The development plan for the building shall be modified so that 5th, 6th, and 7th levels of the building, as indicated with the red hatch marks in Figure A below, are setback 10 feet to the south, measured from of the north face of the 4th Floor.

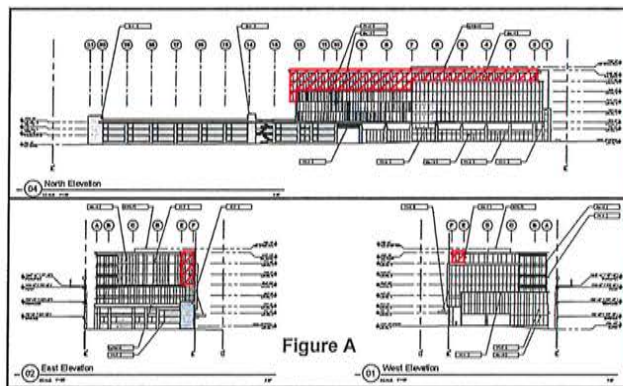


Figure A

7-ZN-2015

## Shoeman Office Building



7-ZN-2015

Scottsdale City Council – March 29, 2016

Case No. 5-TA-2015

Text Amendment Regarding  
Height of Appurtenances for PBD Zoning Districts

Adam Baugh  
Withey Morris, P.L.C.

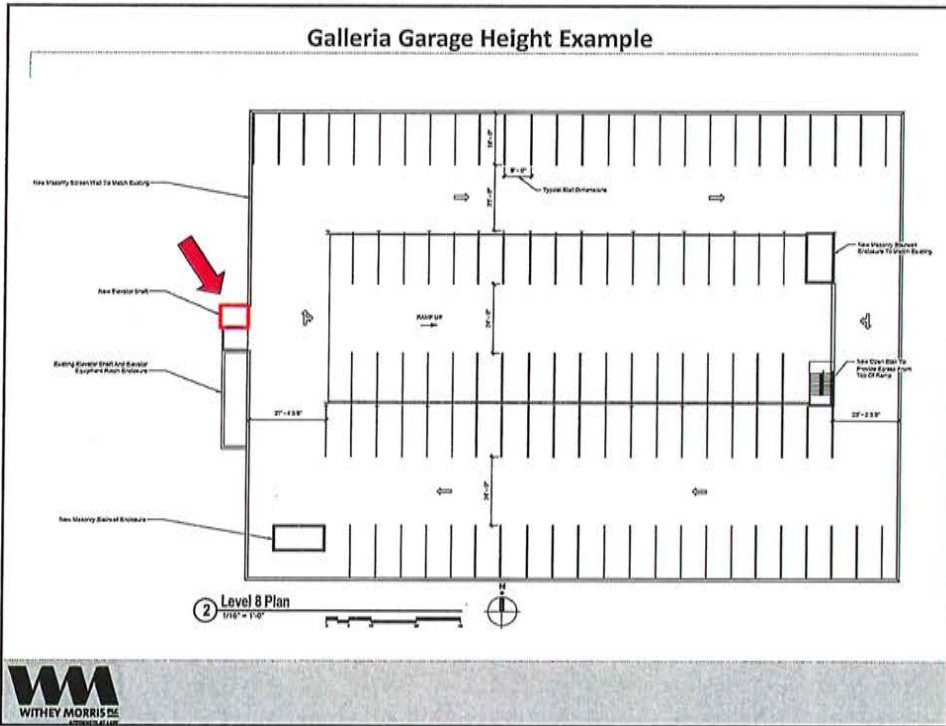


### Summary

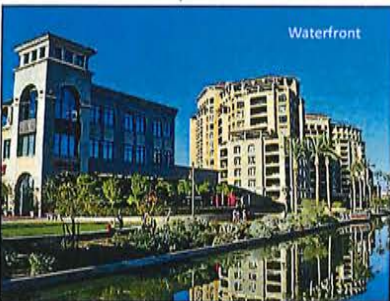
- Request would enable appurtenances to exceed stated ordinance height on a very limited basis
- As currently worded, items as small as an antenna or elevator overrun are treated identical to a full, occupiable floor in terms of height
- This “hard cap” creates unintended consequences
  - Loss of valuable employment space
  - Sub-standard floor-to-ceiling heights
  - It’s an impractical development restraint; (for items which are typically never seen by the public)







### Rooftop Appurtenances are Not Visible to General Public



## Summary

**- Would still be more restrictive than other parts of the City**

- Typical Ordinance Language:

*Building Height (excluding appurtenances) = XX feet*

- Planned Airpark Core (PCP) Language:

*Appurtenances of no more than 35% of roof area*

- General Provisions Language:

*Appurtenances of no more than 50% of roof area may be erected to a height not exceeding 100 feet*

**(Request is only for a max of 20% of the roof area)**



*(End of 5-TA-2015 Presentation)*



Scottsdale City Council – March 29, 2016

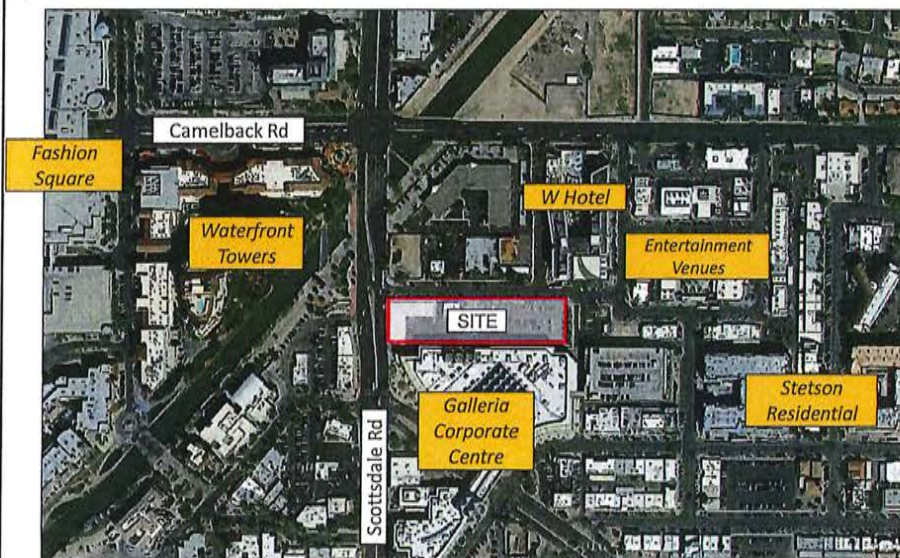
Case No. 7-ZN-2015  
Southeast Corner of Scottsdale Road & Shoeman Lane  
*Rezoning from C-2, DO / C-3, DO to DMU-2,PBD, DO*

# THE MARQUEE

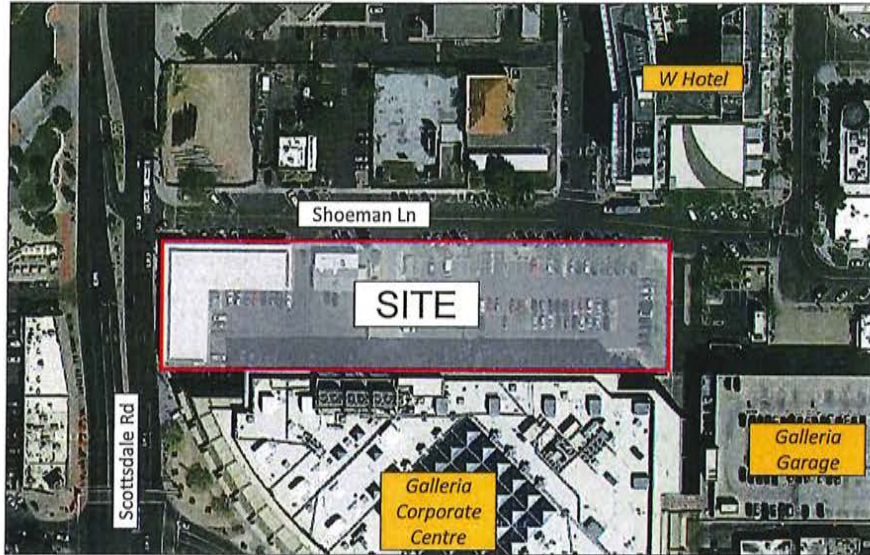
Adam Baugh  
Withy Morris, P.L.C.



## Project Location



## Project Location



## Development Summary

- 2.6 acre infill site
- 191,000 sqft of Class-A Office Space
- 14,000 sqft of Ground Level Retail/Restaurant Use
- 970 space parking garage (only 683 required per code)
- 8 Amended Development Standards (approved by DRB)
- FAR: 1.4 by right 3.0 allowed with bonus **1.82 requested**
- Height: 66' by right 90' allowed with bonus **90' requested**
- Participating in Scottsdale Green Building Program
- Fully Improving Shoeman Lane – both north and south sides





Marquee



Marquee

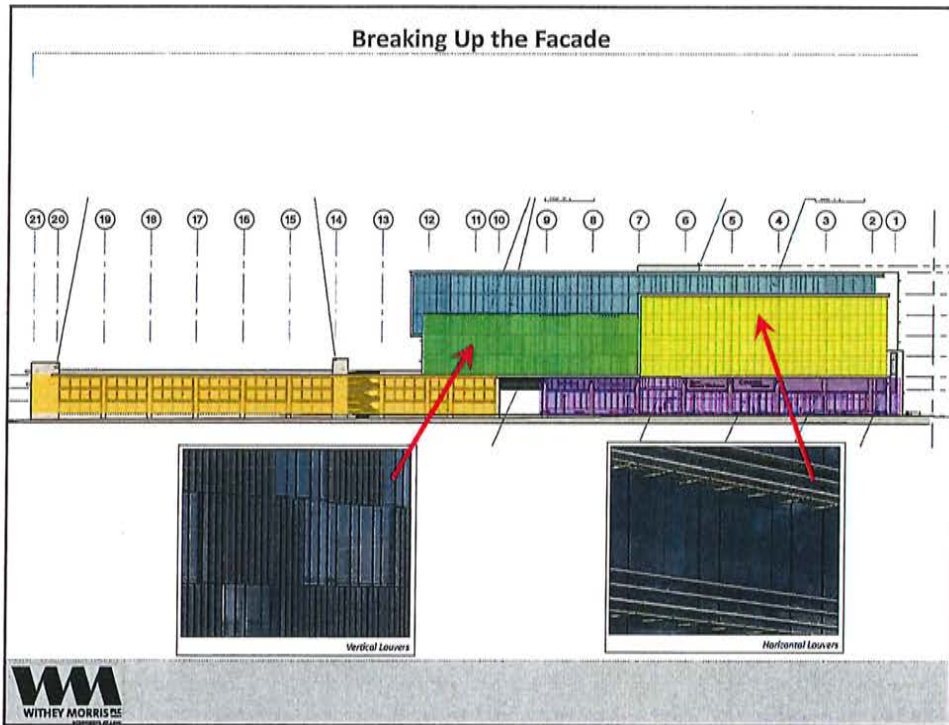
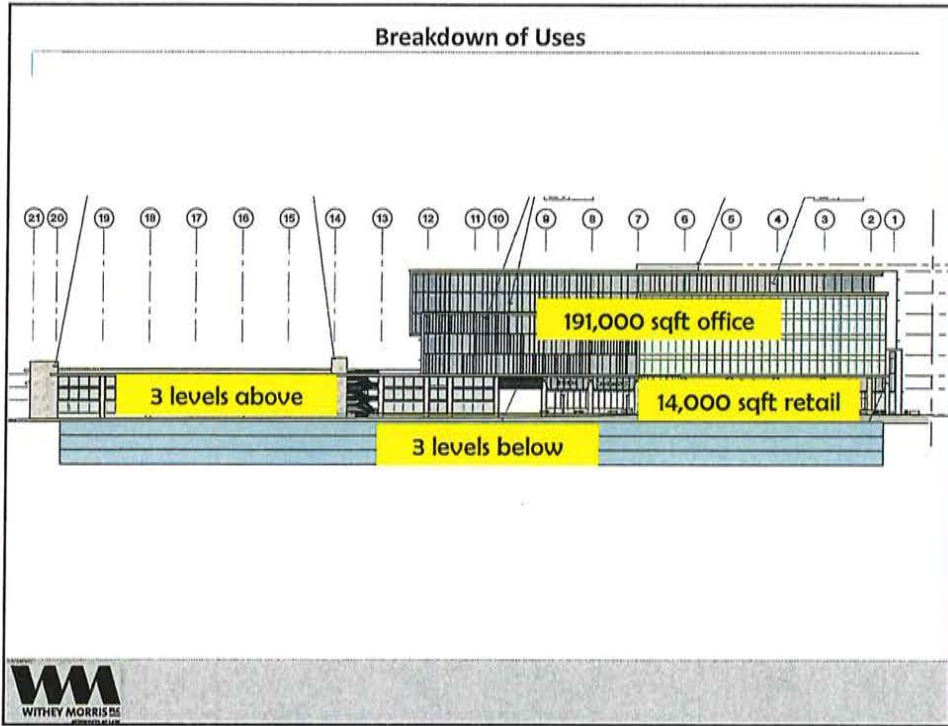


Marquee

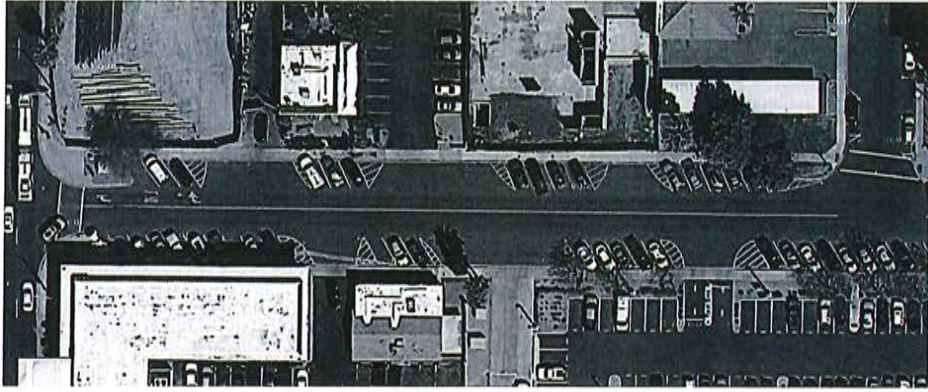


Marquee





Existing Shoeman Lane Conditions



Existing Shoeman Lane Conditions



### Improved Conditions in the Area



### Fully Improved Shoeman Lane



### Fully Improved Shoeman Lane



BEFORE



### Existing Shoeman Lane Conditions



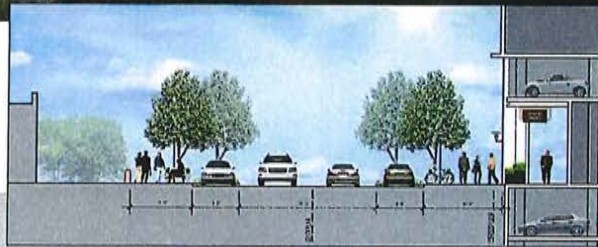
Existing Shoeman Lane Conditions



BEFORE



Fully Improved Shoeman Lane



### Fully Improved Scottsdale Frontage



### Sample Ratios from other Municipalities

#### Tempe

- Office = 3.3 / 1,000 sqft
- New Downtown Code = 2.0 / 1,000 sqft (first 5,000 sqft is waived)

#### Phoenix

- Office = 3.5 / 1,000 sqft
- Downtown = No parking requirement
- Warehouse = No parking requirement

#### Chandler

- Office = 4.0 / 1,000 sqft

\*\*\*\*\*

**This Project Provides 142% of Required Spaces!!!  
970 spaces provided. 683 spaces required.**





### Summary of Project

- Project represents a significant private investment in Downtown
- Directly addresses pent up need for Class-A office space in Downtown
  - Helps maintain Downtown's live/work/play environment
  - Complete improvement of a highly visible street in Downtown
    - Far exceeds the City parking ordinance requirements
    - **Recommended for Approval by Staff**
  - **Recommended for Approval by Development Review Board**
  - **Unanimously Approved by the Planning Commission**
  - **Applicant is Agreeable to Stipulations and Terms of DA**



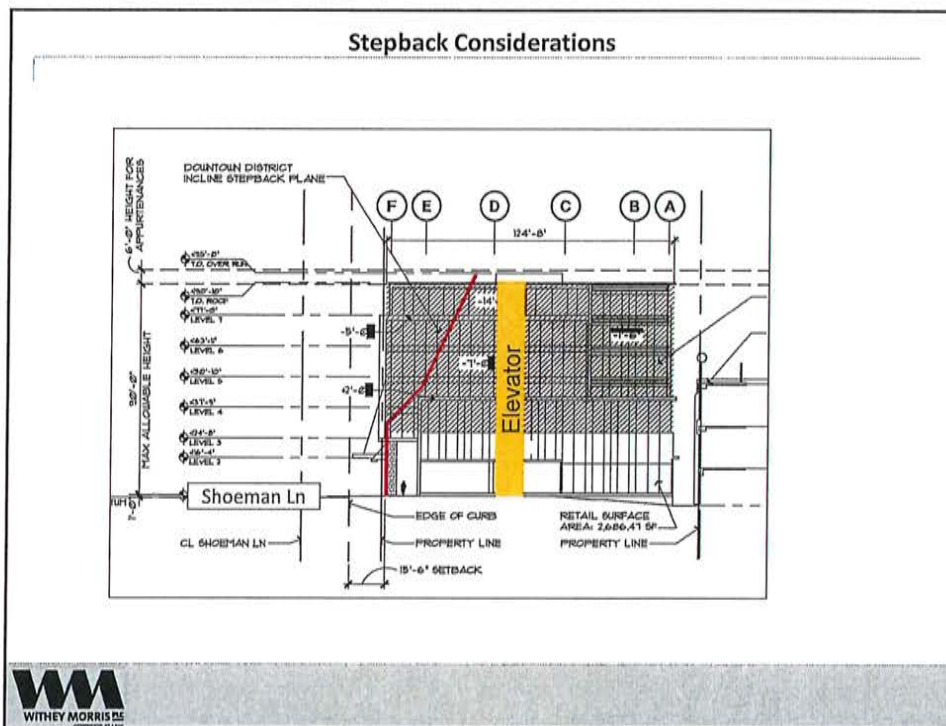
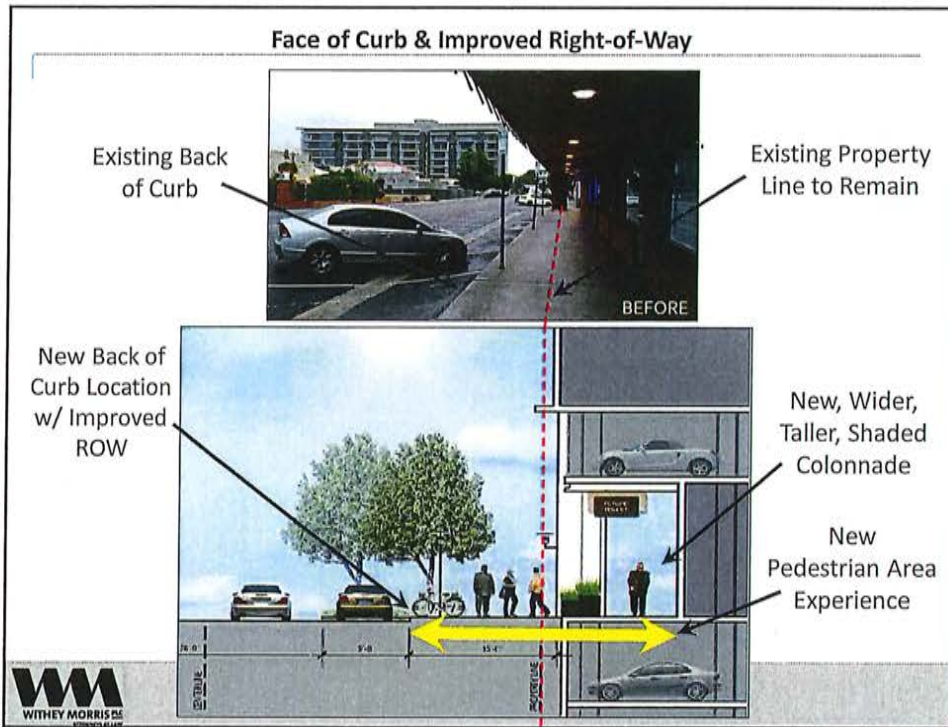
Scottsdale City Council – March 29, 2016

*QUESTIONS ?*

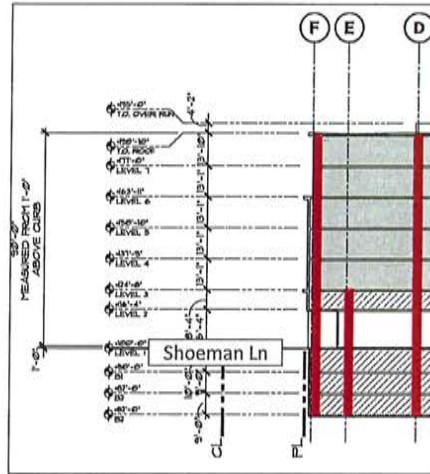
*THE MARQUEE*

Adam Baugh  
Withey Morris, P.L.C.

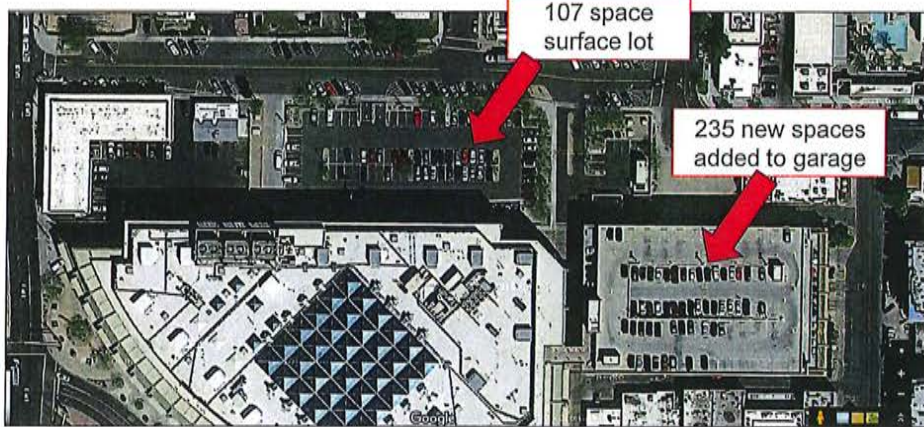




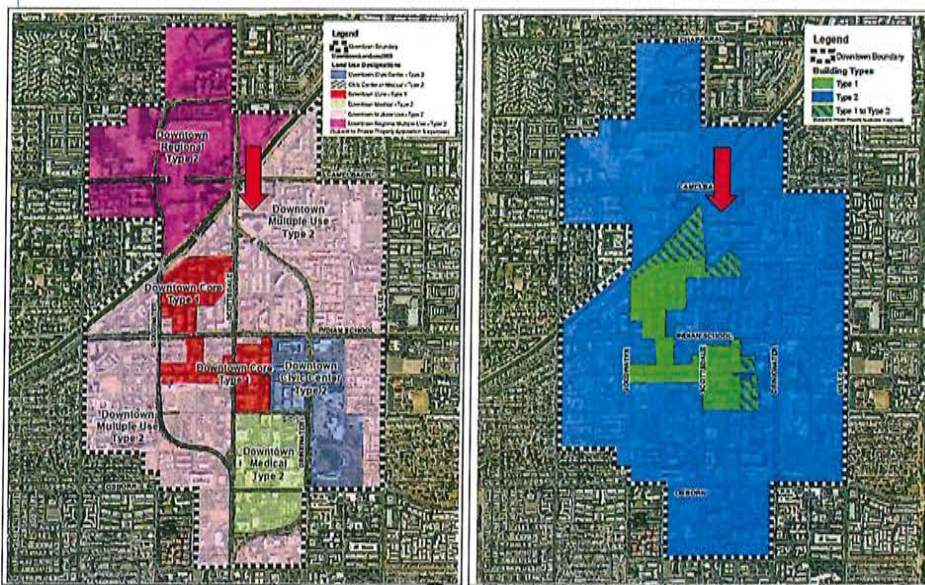
### Stepback Considerations



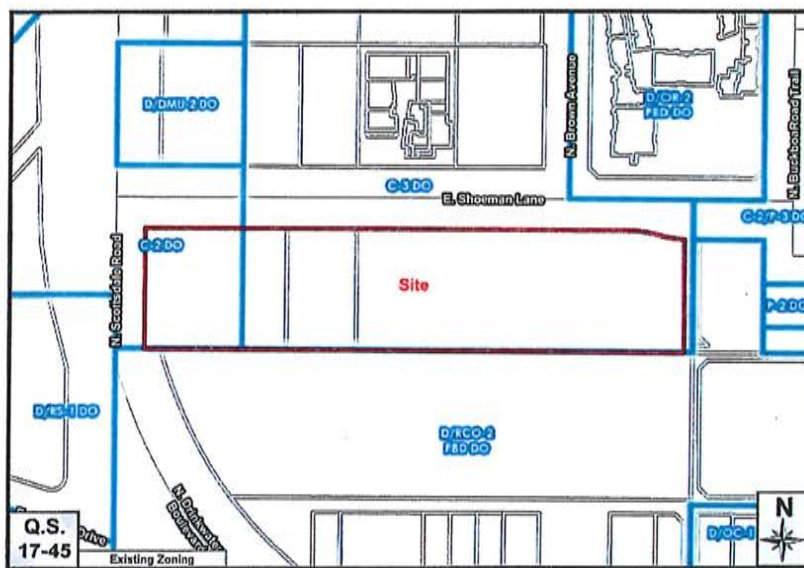
### Galleria Garage Expansion



### Downtown Overlay - Downtown Multiple Use – Type 2



### Zoning Designation



### Amended Development Standards

APPLICABLE DEVELOPMENT PLAN STANDARDS	PROPOSED DEVELOPMENT PLAN STANDARDS
A. <i>Maximum GFAR (Table A.1)</i> 1.4	<i>Maximum GFAR (Table A.1)</i> 1.82
B. <i>Maximum Building Height (Table A.1)</i> 66'-0"	<i>Maximum Building Height (Table A.1)</i> 90'-0" + 6'-0" mechanical appurtenances measured from datum line at 1'-0" above the average top of curb elevation.
C. <i>Setbacks from public streets, except alleys (Table E.1)</i> Minimum setback from all public streets in Type 2 Area is 20 feet	Minimum setback from Scottsdale Rd. is 20 feet Minimum setback from all other public streets is 15 feet 6 inches.
D. <i>Building Location (C.1.a.ii)</i> In a Type 2 Area, at least 25 percent of the length of a building façade at grade and up to a height of 30 feet shall be set back at least 10 additional feet	In a Type 2 Area, at least 25 percent of the length of a building façade at grade and up to a height of 14 feet shall be set back at least 10 additional feet; Buildings with facades that are recessed at ground level only shall qualify. Façade recess shall have a minimum depth of 10 feet and height of 14 feet to qualify as building façade.
E. <i>Building Location (C.2, Table C.2)</i> In a Type 2 Area, a building with a building façade length of 200 feet or more shall be located to achieve a prevailing setback between 25 and 35 feet. The building façades on a corner lot are calculated separately and not added together.	In a Type 2 Area, a building with a building façade length of 200 feet or more shall be located to achieve a prevailing setback between 20 and 25 feet. The building façades on a corner lot are calculated separately, and not added together.
F. <i>Building Location (C.3)</i> The prevailing setback is equal to the area between the back of curb and the building façade, divided by the length of the building, as shown in Example B.3.	The prevailing setback is equal to the area between the back of curb and the building façade, divided by the length of the building, as shown in Example B.3. Building arcades with minimum depth of 10 feet and height of 14 feet to qualify as building façade.



### Amended Development Standards

APPLICABLE DEVELOPMENT PLAN STANDARDS	PROPOSED DEVELOPMENT PLAN STANDARDS
G. <i>Setbacks (D.1)</i> Downtown Multiple Use – Type 2 Areas: The stepback plane shall incline at a ratio of 1:1, beginning 30 feet above (i) the minimum setback from the public street (except alleys), and (ii) all other property lines, to 45 feet; and beginning at 45 feet, incline at a ratio of 2:1	Downtown Multiple Use – Type 2 Areas: Adjacent to a major arterial, buildings that are greater than 60 feet in height must provide a minimum 8 feet stepback of 25 percent of the portion of the façade that is over 60 feet and a minimum 6 feet stepback of 25 percent of the portion of the façade that is under 60 feet. Adjacent to all other public streets, buildings that are greater than 60 feet in height must provide a minimum 2 feet stepback of the top story for the length of the façade.
H. <i>Exceptions to setbacks, prevailing setback and stepback standards (E.2.b)</i> A maximum of seven feet for canopies and other covers over sidewalks, balconies and terraces.	A maximum of ten feet for canopies and other covers over sidewalks, balconies and terraces.



**Item 9**

**Medical Marijuana Text Amendment  
Initiation**

**65-PA-2016**

City Council

March 29, 2016

Coordinator: Bryan Cluff

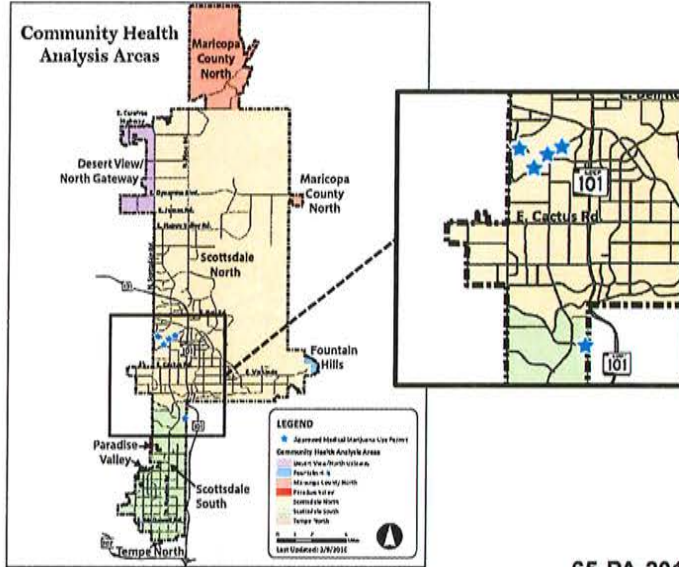
**Medical Marijuana Text Amendment**

- In 2012 ADHS based locations on CHAA's (1 per CHAA).
- There are 7 CHAA's in Scottsdale, although 2 cover most of the city.
- After 3 years ADHS allows a facility to relocate.

**BACKGROUND**

**65-PA-2016**

## Medical Marijuana Text Amendment



CHAA MAP

65-PA-2016

## Medical Marijuana Text Amendment

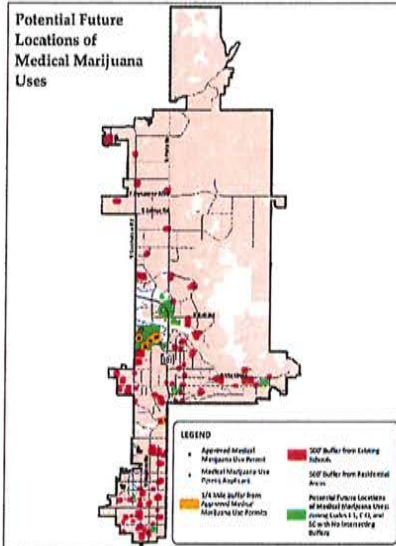
### Existing Conditional Use Permit Criteria

- Operations within enclosed building
- At least 500 feet from:
  - Residential District
  - Elementary or Secondary School
- At least 1,320 feet from:
  - MMJ Caregiver Cultivation
  - Another MMJ Use
- Approval of Public Safety Plan
- Limited Hours of Operation - 6:00 am to 7:00pm
- No Drive-through, Take-out Window, or Drive-in Service

BACKGROUND

65-PA-2016

## Medical Marijuana Text Amendment

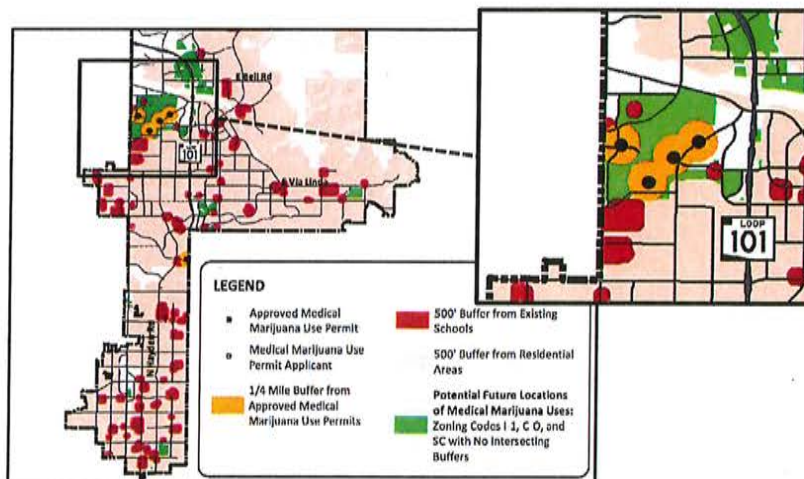


POTENTIAL LOCATIONS MAP

65-PA-2016

## Medical Marijuana Text Amendment

- Increase distance between MMJ uses.



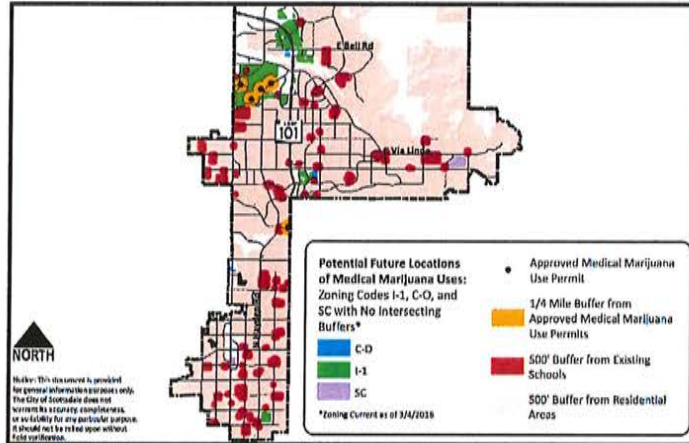
POSSIBLE OPTIONS

65-PA-2016



## Medical Marijuana Text Amendment

- Further limit the zoning districts that allow MMJ uses.



POSSIBLE OPTIONS

65-PA-2016

## Medical Marijuana Text Amendment

- Further analysis of regulatory options.
- No action.

POSSIBLE OPTIONS

65-PA-2016

## **Medical Marijuana Text Amendment**

1. Initiate a text amendment to amend the Conditional Use Permit Criteria and/or other Zoning Ordinance provisions pertaining to Medical Marijuana Uses, based on the given direction.
2. Take no action at this time.

DISCUSSION / ACTION

65-PA-2016

## **Medical Marijuana Text Amendment Initiation**

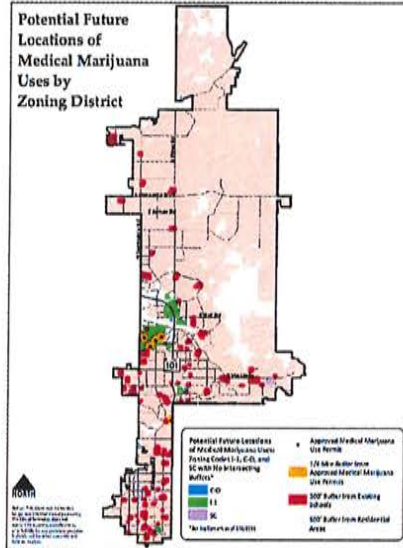
**65-PA-2016**

City Council

March 29, 2016

Coordinator: Bryan Cluff

# Medical Marijuana Text Amendment



POTENTIAL LOCATIONS BY ZONING DISTRICT

65-PA-2016