

**SCOTTSDALE CITY COUNCIL
REGULAR MEETING MINUTES
WEDNESDAY, JULY 5, 2017**



**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 5:15 P.M. on Wednesday, July 5, 2017, in the City Hall Kiva.

ROLL CALL

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

Also Present: City Manager Jim Thompson, City Attorney Bruce Washburn, City Treasurer Jeff Nichols, City Auditor Sharron Walker, and City Clerk Carolyn Jagger

PLEDGE OF ALLEGIANCE – Daughters of the American Revolution, Grand Canyon Chapter

INVOCATION – Rabbi Kravitz, Scottsdale Police Department Chaplain

MAYOR'S REPORT – None

PRESENTATIONS – None

PUBLIC COMMENT – None

MINUTES

Request: Approve the Regular Meeting Minutes of June 13, 2017 and Special Meeting Minutes of June 13, 2017.

MOTION AND VOTE – MINUTES

Councilman Phillips made a motion to approve the Regular Meeting Minutes of June 13, 2017, and Special Meeting Minutes of June 13, 2017. Councilwoman Littlefield seconded the motion, which carried 7/0.

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.

CONSENT AGENDA

1. **Aire on McDowell Replat (8-PP-2015#2)**
Request: Approve a revision to the final plat by modifying the configuration of 10 of the 80 single-family residential lots and Tract B on a 5.08±-acre residential subdivision with Multiple-Family Residential (R-5) zoning.
Location: 6850 E. McDowell Road
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
2. **Phase 1 Granite Reef Watershed Storm Drain Improvements Construction Bid Award**
Request: Adopt **Resolution No. 10807** authorizing Construction Bid Award No. 17PB028 with Kinkaid Civil Construction, LLC, the lowest responsive bidder, in the amount of \$3,191,599.25 for construction of Phase 1 of the Granite Reef Watershed Storm Drain Improvements.
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
3. **Citywide Sewer Line Rehabilitation Construction Services Job Order Contract Extensions**
Request: Adopt **Resolution No. 10828** authorizing the following one-year contract extensions for Citywide sewer line rehabilitation construction services:
 1. Contract No. 2014-070-COS-A2 with Achen Gardner Construction, LLC
 2. Contract No. 2014-071-COS-A2 with Insituform Technologies, LLC**Staff Contact(s):** Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
4. **Quicken Loans WestWorld Agreement**
Request: Adopt **Resolution No. 10840** authorizing Agreement No. 2017-084-COS with Quicken Loans, Inc., for the temporary use of a portion of the WestWorld facility for Quicken Loans' employee parking.
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
5. **Scottsdale Airport Terminal Area Redevelopment Project Construction Phase Services Contract**
Request: Adopt **Resolution No. 10777** authorizing CM@Risk Contract No. 2017-060-COS with JE Dunn Construction Company for a guaranteed maximum price of \$14,193,166, along with a City Project Contingency of \$440,927, for a total contract price of \$14,634,093, to conduct construction phase services for the first phase of the Terminal Area Redevelopment Project at Scottsdale Airport.
Staff Contact(s): Gary Mascaro, Aviation Director, 480-312-7735, gmascaro@scottsdaleaz.gov
6. **Parada del Sol Parade Event**
Request: Adopt **Resolution No. 10837** to authorize:
 1. Funding not to exceed \$79,400 per year from the portion of the Tourism Development Fund that is allocated toward event retention and development for the Parada del Sol Parade event.
 2. New Event Funding Agreement No. 2017-082-COS with Parada del Sol Historic Parade for a five-year term.**Staff Contact(s):** Karen Churchard, Tourism and Events Director, 480-312-2890, kchurchard@scottsdaleaz.gov

7. Scottsdale International Film Festival Event

Request: Adopt **Resolution No. 10838** to authorize:

1. Funding not to exceed \$37,500 per year from the portion of the Tourism Development Fund that is allocated toward event retention and development for the Scottsdale International Film Festival event.
2. New Event Funding Agreement No. 2017-083-COS with Scottsdale International Film Festival Inc., for a three-year term.

Staff Contact(s): Karen Churchard, Tourism and Events Director, 480-312-2890, kchurchard@scottsdaleaz.gov

MOTION AND VOTE – CONSENT AGENDA

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

REGULAR AGENDA

8. Associate City Judge Reappointment

Request: Discuss, consider, and act on the possible reappointment, including terms of employment, of James Blake, Associate City Judge, to a term of four years, as set forth in City Code, to begin on September 8, 2017.

Presenter(s): Donna Brown, Human Resources Director

Staff Contact(s): Donna Brown, Human Resources Director, 480-312-2615, dbrown@scottsdaleaz.gov

Human Resources Director Donna Brown introduced the item and provided information about the City's Judicial Appointments Advisory Board (JAAB). JAAB Chair Judge Bruce Cohen presented the reasons for the Board's recommendation to reappoint Associate City Judge James Blake to a four-year term.

MOTION AND VOTE – ITEM 8

Councilwoman Milhaven made a motion to reappoint Associate City Judge James Blake to a term of four years, as set forth in City Code, to begin on September 8, 2017. Vice Mayor Klapp seconded the motion, which carried 7/0.

9. Clayton Encore Conditional Use Permit (5-UP-2017)

Request: Find that the conditional use permit criteria have been met and adopt **Resolution No. 10833** approving a Conditional Use Permit for Live Entertainment for a 1.26±-acre site with Highway Commercial, Downtown Overlay (C-3 DO) zoning.

Location: 3719 N. 75th Street

Presenter(s): Dan Symer, Sr. Planner

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

Senior Planner Dan Symer gave a PowerPoint presentation on the Clayton Encore conditional use permit request. Applicant Tom Frenkel provided an overview of the proposed project.

MOTION AND VOTE – ITEM 9

Councilman Smith made a motion to find that the conditional use permit criteria have been met and adopt Resolution No. 10833 approving a conditional use permit for live entertainment for a 1.26±-acre site with Highway Commercial, Downtown Overlay (C-3 DO) zoning. Councilmember Korte seconded the motion, which carried 7/0.

10. Sign Ordinance Update – Permanent Signs Text Amendment (1-TA-2017)

Requests:

1. Adopt **Ordinance No. 4315** approving a text amendment to the City of Scottsdale Zoning Ordinance No. 455 to amend Article VIII. (Sign Requirements) for the purpose of amending and updating the sign regulations for permanent signs, related provisions, requirements, and definitions.
2. Adopt **Resolution No. 10834** declaring the document entitled “1-TA-2017 – Sign Ordinance Update – Permanent Signs” to be a public record.

Presenter(s): Andrew Chi, Planner

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

Planner Andrew Chi gave a PowerPoint presentation (attached) on the proposed permanent signs text amendment.

Mayor Lane opened public testimony.

The following spoke in support of the sign ordinance update:

- Bill Lally, Tiffany & Bosco
- Cindy Lee, Scottsdale resident
- Kimberly Ewers, YESCO

Mayor Lane closed public testimony.

MOTION AND VOTE – ITEM 10

Councilwoman Milhaven made a motion to adopt Ordinance No. 4315 approving a text amendment to the City of Scottsdale Zoning Ordinance No. 455 to amend Article VIII and Resolution No. 10834 declaring the document entitled “1-TA-2017 – Sign Ordinance Update – Permanent Signs” to be a public record. Councilmember Korte seconded the motion, which carried 7/0.

PUBLIC COMMENT – None

CITIZEN PETITIONS

11. 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

The Regular City Council Meeting adjourned at 6:05 P.M.

SUBMITTED BY:



**Carolyn Jagger
City Clerk**

Officially approved by the City Council on August 28, 2017

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 July 2017.

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

DATED this 28th day of August 2017.



Carolyn Jagger, City Clerk

Item 9

Clayton Encore
5-UP-2017

City Council
July 5, 2017

Coordinator: Dan Symer, AICP

Clayton Encore

Request to consider the following:

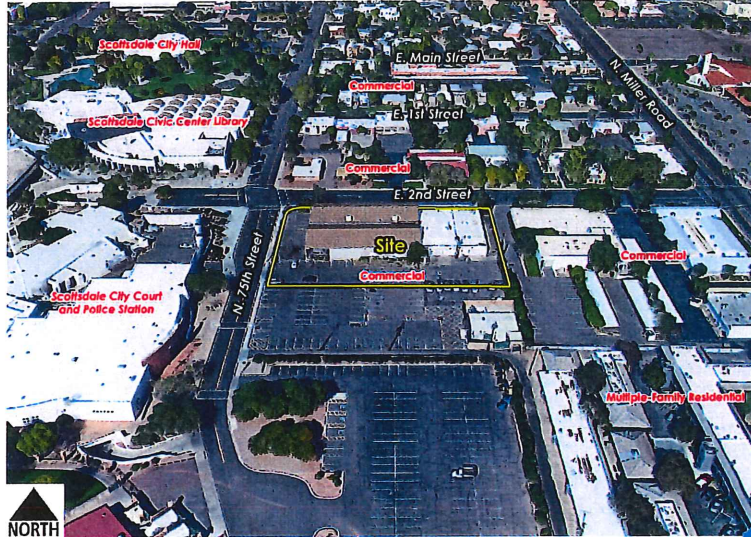
- **Request by owner for a Conditional Use Permit for Live Entertainment on site with Highway Commercial, Downtown Overlay (C-3 DO) zoning located at 3719 N. 75th St.**

5-UP-2017

Request



Clayton Encore



5-UP-2017

Detail Aerial



Clayton Encore



5-UP-2017

Context Aerial

Clayton Encore

Incorporated Stipulations to Address Neighborhood Concerns:

- No external live entertainment is permitted.
- No bar use is not approved as part of this request.
- No external speakers to broadcast live entertainment are permitted.
- All external doors shall be closed, except for passage, during live entertainment.
- All external windows shall be closed during live entertainment.

5-UP-2017

Stipulations

Clayton Encore

Incorporated Stipulations to Address Neighborhood Concerns:

- Live Entertainment Hour Restrictions.

	Allowed Start of the Live Entertainment	To	Required End of the Live Entertainment
Sunday	10:00 a.m.	To	11:00 p.m. for any Live Entertainment starting after 10:00 a.m.
Monday	10:00 a.m.	To	11:00 p.m.
Tuesday	10:00 a.m.	To	11:00 p.m.
Wednesday	10:00 a.m.	To	11:00 p.m.
Thursday	10:00 a.m.	To	11:00 p.m.
Friday	10:00 a.m.	To	2:00 a.m. on Saturday
Saturday	10:00 a.m.	To	2:00 a.m. on Sunday

5-UP-2017

Stipulations

Clayton Encore

Incorporated Stipulations to Address Neighborhood Concerns:

- Noise from live entertainment shall not exceed 68 decibels at a distance of one hundred fifty (150) feet from the property



Clayton Encore

5-UP-2017

City Council

July 5, 2017

Coordinator: Dan Symer, AICP

Clayton Encore



5-UP-2017

Zoning Aerial



Clayton Encore



5-UP-2017

Detail Aerial - North



Item 10

Sign Ordinance Update – Permanent Signs

**Case 1-TA-2017
City Council
July 5, 2017**

**Coordinator:
Andrew Chi, Planner**

**Sign Ordinance Update
Permanent Signs**

Background

- **February 22, 2017: Planning Commission Text Amendment Initiation**
- **April 4 and 5, 2017: Open House Meetings**
- **April 26, 2017: Planning Commission Non-Action Meeting**
- **May 24, 2017: Planning Commission recommended approval with a 6-0 vote.**

BACKGROUND

1-TA-2017

**Sign Ordinance Update
Permanent Signs**

Proposed Modifications

To establish a more user-friendly and contemporary Sign Ordinance, and to maintain the integrity of the application of the current ordinance. The proposed modifications include:

- **Remove sign requirements that are based on specified uses.**
- **Regulate signs based on zoning district, street classification, street frontage, and development size.**
- **Re-format the existing ordinance.**
- **Eliminate conflicting requirements and ambiguity.**
- **Maintain sign aesthetics.**

PROPOSAL

1-TA-2017

**Sign Ordinance Update
Permanent Signs**

Proposed Modifications

- **Total sign area allowance for I-1 zoned developments.**
- **Only building signs counted toward total sign area.**
- **Up to two (2) on-site business or development ID on Monument Signs.**
- **Up to four (4) on-site business or development ID on Mid-Size and Tower Signs.**
- **Equitable requirements for freestanding signs in commercial developments.**

PROPOSAL

1-TA-2017

Sign Ordinance Update
Permanent Signs

Tower Signs



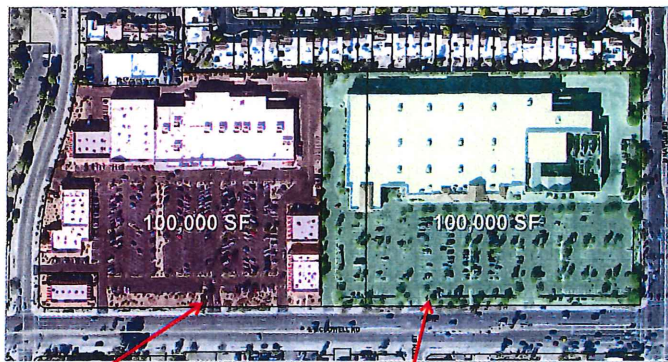
Mid-Size Monument Signs



EXAMPLES

1-TA-2017

Sign Ordinance Update
Permanent Signs



Tower Sign

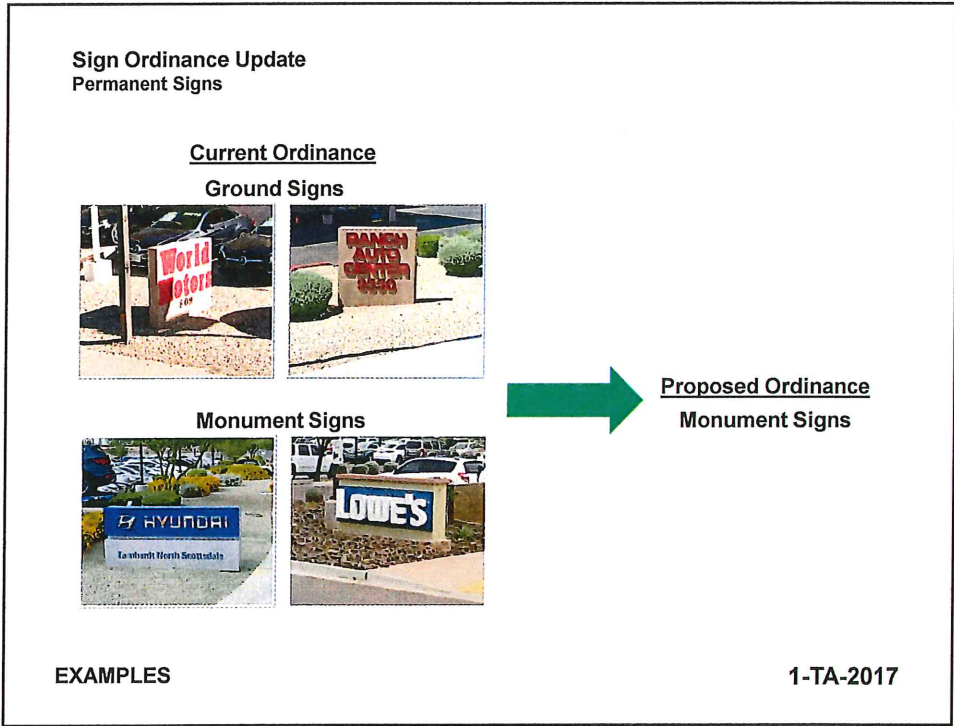
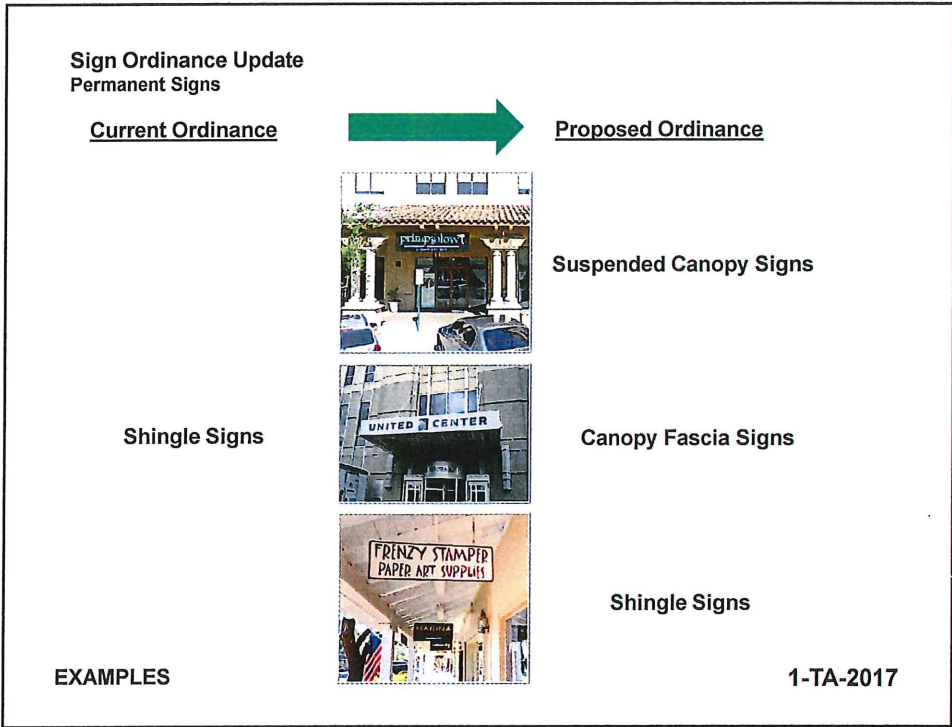


Monument Sign



EXAMPLES

1-TA-2017



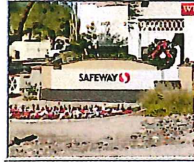
**Sign Ordinance Update
Permanent Signs**

Current Ordinance



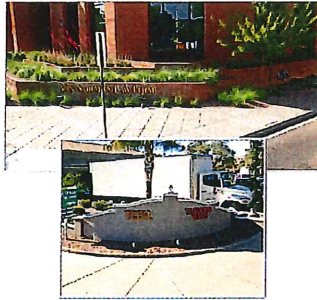
Proposed Ordinance

Landscape Wall Signs



Landscape Wall Signs

Landscape Wall Signs for Tenants without Street Frontage



Perimeter Site Wall Signs

EXAMPLES

1-TA-2017

**Sign Ordinance Update
Permanent Signs**

Current Ordinance



Proposed Ordinance

Residential Entry & Entryway Signs



Landscape Wall Signs



Entryway Wall Signs



Entryway Monument Signs

EXAMPLES

1-TA-2017

Sign Ordinance Update
Temporary Signs

Community Involvement

- 2 Open House Meetings: April 4 and April 5, 2017.
- Stakeholder & Resident Meetings:
 - Arizona Sign Association & International Sign Association
 - Scottsdale Area Chamber of Commerce
 - Downtown Committee
 - Economic Development Advisory Council
 - Public Policy Advisory Council
 - Scottsdale Residents

COMMUNITY INVOLVEMENT

1-TA-2017

Sign Ordinance Update
Permanent Signs

Open House Meetings Comments & Suggestions

- Increase number of business identification on a monument sign from one (1) to two (2).
- Allow raceways to be screened or concealed by a cabinet or panel.

COMMUNITY INVOLVEMENT

1-TA-2017

Sign Ordinance Update
Permanent Signs

Additional Open House Meetings
Comments & Suggestions

- Update Community Sign District requirements.
- Ability for the City Council to approve a Community Sign District to allow increase beyond the 20% sign bonuses allowed.
- Provide incentives for an owner to produce a Master Sign Program.
- Update Scenic Corridor Sign requirements.

COMMUNITY INVOLVEMENT

1-TA-2017

Sign Ordinance Update
Permanent Signs

Next Steps

- **July 5, 2017: City Council Meeting (tonight)**
- **Fall 2017: Begin possible next phase of the Sign Ordinance Update**

NEXT STEPS

1-TA-2017