

# SCOTTSDALE CITY COUNCIL MEETING

## \*\*\*AMENDED\*\*\* SPECIAL MEETING NOTICE AND AGENDA



### COUNCIL

W.J. "Jim" Lane, Mayor  
Suzanne Klapp  
Virginia L. Korte  
Kathleen S. Littlefield

Linda Milhaven  
Guy Phillips  
David N. Smith

Tuesday, March 29, 2016

**5:00 P.M.**

**MARKED AGENDA**

### CITY COUNCIL SPECIAL MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

**Call to Order – 5:03 P.M.**

**Roll Call – All present**

*One or more members of the Council may be unable to attend the Special Council Meeting and/or the Work Study Session in person, and may participate telephonically, pursuant to A.R.S. § 38-431(4).*

### CONSENT AGENDA ITEMS 1-6

**How the Consent Agenda Works:** The Council may take one vote to act on all of the items on the Consent Agenda, or may remove items for further discussion. If you wish to speak on an item on the Consent Agenda, please complete a Request to Speak card for each topic you wish to address. **You will be given one opportunity to speak on any or all Consent items listed on the agenda.** After all of the speakers have finished, the Council will decide which items to remove for additional discussion and/or presentation from staff. Items not removed from the Consent Agenda will be considered in one motion. Items removed for clarification or discussion by the Council will be acted on as appropriate.

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

- [Pho King Kitchen Liquor License \(15-LL-2016\)](#) – Approved on Consent.**  
**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)
- [Hi Fi Kitchen & Cocktails Liquor License \(16-LL-2016\)](#) – Approved on Consent.**  
**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)



PERSONS WITH A DISABILITY MAY REQUEST A REASONABLE ACCOMMODATION BY CONTACTING THE CITY CLERK'S OFFICE AT (480-312-2412). 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 THE CITY CLERK'S OFFICE (480-312-2412).

3. **Bottled Blond Liquor License (17-LL-2016) – Approved on Consent.**  
**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) – Approved on Consent.**  
**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) – Approved on Consent.**  
**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) – Approved on Consent.**  
**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)

## **REGULAR AGENDA      ITEMS 7-9**

**How the Regular Agenda Works:** The Council takes a separate action on each item on the Regular Agenda. If you wish to address the Council regarding any or all of the items on the Regular Agenda, please complete a Request to Speak card for each topic you wish to address and submit it to the City Clerk. Speakers will be given at least three minutes to speak per item. Additional time *may* be granted to speakers representing two or more persons. Cards for designated speakers and the persons they represent must be submitted together. **Comment cards must be submitted before public testimony has begun on that item.**

**\*\*\*Public Comment Note: Item Nos. 7 and 8 will be presented together. Speakers will be given one opportunity to address the Council on one or both items.**

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: Items 7 and 8 were presented together.**

**– Senior Planner Dan Symer and Applicant Representative Adam Baugh presentations on Items 7 and 8.**

**– 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.**

**– 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)

**– 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.**

**– 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 presentation.**

**– 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**

**Adjourn Special Meeting – 7:16 P.M.**