CITY COUNCIL REPORT



MEETING DATE: August 27, 2007

8 GOAL: Coordinate Planning to Balance Infrastructure

SUBJECT

Sereno Canyon Community Center- 21-UP-2005

REQUEST

Request:

- 1. To approve a conditional use permit for a community center on an 11.2 +/acre parcel located east of N. 122nd Street between Pinnacle Peak Road and Happy Valley Road.
- 2. To adopt Resolution No. 7339 affirming the above conditional use permit and finding that the conditional use permit stipulations have been met.

Key Items for Consideration:

- This will be a private facility located at the center of a large private, gated community.
- This site protects the most significant environmental and other resource features within the Sereno Canyon development.
- Planning Commission recommended approval, with a unanimous vote of 5-0.

Related Policies, References:

- 1-ZN-2005
- 22-PP-2005
- Dynamite Foothills Character Area Plan

OWNER

LVA Urban Design Studio LLC

480-609-6766

APPLICANT CONTACT

Tom Rief

Land Development Services LLC

480-946-5020

LOCATION

24095 N. 124th Street

BACKGROUND

Zoning.

The site is zoned R1-130 (Single Family Residential) ESL (Environmentally Sensitive Lands overlay). The R1-130 zoning district allows for residential neighborhood uses and the ESL overlay provides processes and regulations that retain the general character of the desert setting and protect key environmental features.

General Plan.

The General Plan Land Use Element designates the property as Rural Neighborhoods. This category includes uses typical to residential areas. The subject property is also located within the area of the Dynamite Foothills Character Area Plan.



Action Taken: Approved on Consent

Context.

The Sereno Canyon subdivision is located between the Happy Valley Road alignment on the north and the Pinnacle Peak Road alignment on the south, between N. 122nd Street and N. 128th Street. This site is within the Upper Desert Landform and has rolling, rocky terrain interspersed with several rock knobs. This site was burned extensively in the Rio fire over a decade ago and still shows signs of damage from that event.

Adjacent Uses or Zoning: This site is wholly contained within the Sereno Canyon development. The following notes describe the setting outside of the 330+ acre Sereno Canyon subdivision.

North Vacant State Lands zoned R1-130 ESL

• South Vacant lands zoned R1-130 ESL, most of which are within the

Desert Preserve

East Vacant lands zoned R1-130

West Existing subdivision zoned R1-70 ESL and R1-130 ESL as

well as some vacant land zoned R1-130 ESL

APPLICANT'S PROPOSAL

Goal/Purpose of Request.

The purpose of this request is to permit a relatively small community center that will serve the future residents within the Sereno Canyon subdivision. The site is a commonly held tract at the center of the new development. It will be connected by an internal trail system to the residential areas within this large subdivision and will be a short distance from the main entry gate.

The proposed community center will include workout and changing rooms, a lap pool and whirlpools and associated patio areas. The conceptual building design and materials reflect the forms and colors of the adjacent rock knob. The parking area will not be paved with asphalt and at this time they are considering the use of pavers in an earth-tone color.

Development Information.

• Existing Use: Vacant land

Proposed Use: One recreation/community building

• Parcel Size: 11.7 acres

Building Height Allowed: 24 feet

Building Height Proposed: 15 feet

• Floor Area: Approximately 1,700 square feet

Open Space: 8.1 acres

IMPACT ANALYSIS

Traffic.

This use will serve residents internal to the residential subdivision and will generate no off-site traffic.

Parking.

Nine spaces are required, 20 spaces are provided.

Water/Sewer.

Water and sewer services are being provided as part of the overall Sereno Canyon development.

Police/Fire.

The nearest fire station is located about two miles to the northwest near the intersection of Alma School Road and Dynamite Boulevard.

Open space, scenic corridors.

Most of this site is an open space tract that protects key environmental features. The Sereno Canyon project was approved with a density incentive that required the dedication of an additional 60 acres of NAOS across the development. The creation of this community center was anticipated in the original site plan applications for the subdivision, therefore, no change in the required NAOS will result from this proposal.

Policy Implications.

This use is allowed in this zoning district subject to the granting of a conditional use permit. The use will serve a private community and, therefore, will have no implications outside of this development.

Use Permit Criteria.

Conditional use permits, which may be revocable, conditional, or valid for a specified time period, may be granted only when expressly permitted after the Planning Commission has made a recommendation and the City Council has found as follows:

- A. That the granting of such conditional use permit will not be materially detrimental to the public health, safety or welfare. In reaching this conclusion, the Planning Commission and the City Council's consideration shall include, but not be limited to, the following factors:
 - 1. Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination.
 - The pool areas will be a significant distance from the nearest homes, which in many cases will be on the other side of ridges from this site. Any lighting for this use will be low level landscape lighting and security lighting on the building, all of which will meet the city's standards for this low ambient lighting area.
 - 2. Impact on surrounding areas resulting from an unusual volume or character of traffic.
 - This use will not draw additional traffic from outside of the subdivision.
 - 3. There are no other factors associated with this project that will be materially detrimental to the public.
 - This is a use common to residential areas.
- B. The characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas.
 - This use is in support of the residential neighborhood surrounding it and will be integrated into its desert setting.
- C. The additional conditions specified in Section 1.403, as applicable, have been satisfied.

There are no specific criteria for this type of use.

Community Involvement.

There was substantial public involvement during the approval process for the subdivision and the community center was identified on the plans at that time.

Community Impact.

This project will provide limited recreation facilities for the future residents of the Sereno Canyon subdivision.

OTHER BOARDS AND

COMMISSIONS

Planning Commission.

The Planning Commission heard this case on June 13, 2007, and recommended approval, with a unanimous vote of 5-0 on the consent agenda.

STAFF

RECOMMENDATION

Recommended Approach:

Staff recommends approval, based upon the findings that this use meets the applicable criteria contained in the Zoning Ordinance for use permits, subject to the attached stipulations.

RESPONSIBLE

Planning and Development Services Department

Current Planning Services

STAFF CONTACT(S)

Don Hadder Principal Planner 480-312-2352

E-mail: dhadder@ScottsdaleAZ.gov

Lusia Galav, AICP

Director, Current Planning

480-312-2506

Email: lgalav@ScottsdaleAZ.gov

APPROVED BY

Lusia Galav, AICP

Director, Current Planning

rank Gray

General Manager, Planning and Development Services

ATTACHMENTS

Resolution No. 7339 1. Exhibit 1. Aerial Map Exhibit 2. Stipulations 2.

Additional Information 3. Applicant's Narrative

Context Aerial 4.

Aerial Close-Up 4A.

Land Use Map 5.

Zoning Map 6.

7. Citizen Involvement

8. City Notification Map

9. Site Plan

10. Sereno Canyon Plat

June 13, 2007 Planning Commission Minutes 11.

RESOLUTION NO. 7339

A RESOLUTION OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, TO ADOPT A CONDITIONAL USE PERMIT FOR A COMMUNITY CENTER LOCATED AT 24095 N. 124TH STREET.

WHEREAS, the Planning Commission has held a public hearing on June 13, 2006; and

WHEREAS, the City Council, has held a public hearing on August 27, 2007;

NOW, THEREFORE, LET IT BE RESOLVED, by the City Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. That the City Council finds:

- a) that the granting of this conditional use permit per stipulations set forth on Exhibit 2 will not be materially detrimental to the public health, safety or welfare based on the following factors: damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination and impact on surrounding areas resulting from an unusual volume or character of traffic;
- b) that the characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas; and

Section 2. That the above conditional use permit is described in Case No. 21-UP-2005, and the property is shown on Exhibit 1 and the conditional use permit approval is conditioned upon compliance with all stipulations attached hereto as Exhibit 2 and incorporated herein by reference.

City Attorney

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this 27th day of August 2007.

ATTEST:

CITY OF SCOTTSDALE, an Arizona municipal corporation

By:

Carolyn Jagger
City Clerk

APPROVED AS TO FORM:

By:

Mary Manross
Mayor

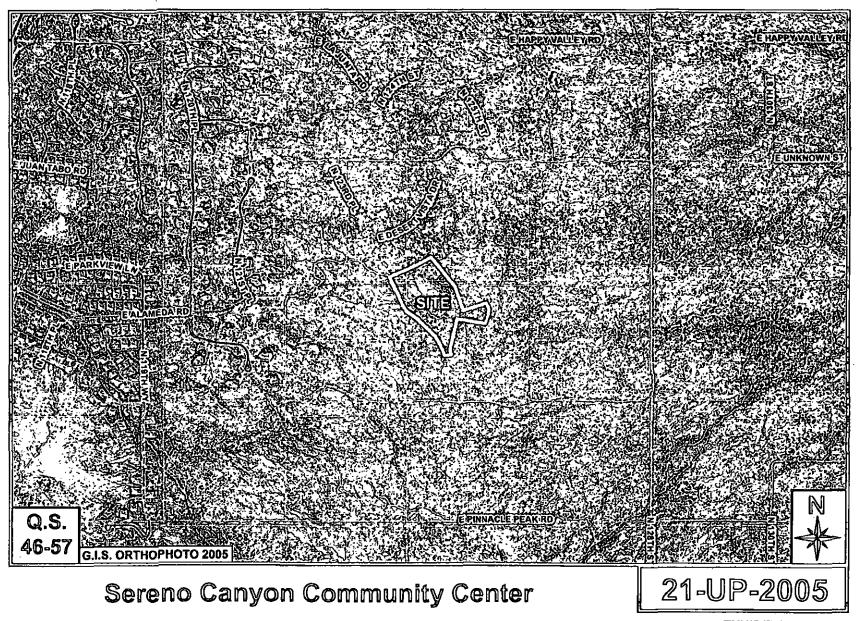


EXHIBIT #1

STIPULATIONS FOR CASE 21-UP-2005

These stipulations are in order to protect the public health, safety, welfare, and the City of Scottsdale.

PLANNING/ DEVELOPMENT

- CONFORMANCE TO DEVELOPMENT SUBMITTAL. Development shall conform with the
 conceptual site plan submitted by Land Development Services, LLC and dated 3/21/2007. These
 stipulations take precedence over the above-referenced site plan. Any proposed significant
 change, as determined by the Zoning Administrator, shall be subject to subsequent public
 hearings before the Planning Commission and City Council.
- PEDESTRIAN ACCESS. With the Development Review Board submittal, the developer shall submit a plan providing pedestrian access to the commercial and recreational areas on and adjacent to the site.

ENVIRONMENTAL DESIGN

- NATURAL AREA OPEN SPACE (NAOS)-IDENTIFICATION. With the Development Review Board submittal, the developer shall submit a plan for the site identifying the required NAOS and a table identifying, as to each lot and tract, the required amount of NAOS, the percentage of slope, and the type of land form.
- NATURAL AREA OPEN SPACE-DEDICATION, CONVEYANCE AND MAINTENANCE. With the
 Development Review Board submittal, the developer shall submit documents, to the satisfaction
 of city staff, showing that all required NAOS shall be dedicated or conveyed in conformance with
 the Scottsdale Revised Code and permanently maintained as NAOS.
- 3. BOULDERS AND BEDROCK OUTCROPS. With the Development Review Board submittal, the developer shall submit a plan identifying all boulders larger than four (4) feet in diameter and all bedrock outcrops.
- 4. HEIGHT OF NON-INDIGENOUS PLANT MATERIAL. Non-indigenous plant material which has the potential to reach a mature height greater than 12 feet shall not be planted on the site. A plant list that complies with this stipulation is subject to Development Review Board approval. The developer shall state this stipulation on the final plans.
- OUTDOOR LIGHTING. The maximum height of any outdoor lighting source shall be 16 feet above natural grade at the base of the light standard except for recreation uses, which shall comply with the outdoor lighting standards of the <u>Scottsdale Zoning Ordinance</u>.

CIRCULATION

- 1. PEDESTRIAN CIRCULATION PLAN. With the Development Review Board submittal, the developer shall submit a Pedestrian Circulation Plan for the site, which shall be subject to city staff approval. This plan shall indicate the location and width of all sidewalks and pedestrian pathways.
- 2. MULTI-USE TRAIL. Before any certificate of occupancy is issued for the site, the developer shall construct multi-use trails as shown on the submitted preliminary plat. The trails shall be contained within a minimum 15-foot wide public access easement. The alignment of the trail shall

Case 21-UP-2005 Stipulations - Page 2

be subject to approval by the city's Equestrian Coordinator prior to dedication. The trail shall be designed in conformance with the <u>Design Standards and Policies Manual</u> - Landscaping and Parks.

DRAINAGE AND FLOOD CONTROL

- 1. CONCEPTUAL DRAINAGE REPORT. With the Development Review Board submittal, the developer shall submit a conceptual drainage report and plan subject to city staff approval. The conceptual report and plan shall conform to the <u>Design Standards and Policies Manual</u> Drainage Report Preparation. In addition, the conceptual drainage report and plan shall:
 - a. Identify all major wash corridors entering and exiting the site, and calculate the peak discharge (100-year, 6-hour storm event) for a pre-verses post-development discharge comparison of ALL washes which exit the property.
 - b. Determine easement dimensions necessary to accommodate design discharges.
 - c. Demonstrate how the storm water storage requirement is satisfied, indicating the location, volume and drainage area of all storage.
 - d. Include flood zone information to establish the basis for determining finish floor elevations in conformance with the <u>Scottsdale Revised Code</u>.
 - e. Include a complete description of requirements relating to project phasing.

ADDITIONAL INFORMATION FOR CASE 21-UP-2005

PLANNING/DEVELOPMENT

- 1. DEVELOPMENT REVIEW BOARD. The City Council directs the Development Review Board's attention to:
 - a. a plan indicating the treatment of washes and wash crossings,
 - b. wall design.
 - c the type, height, design, and intensity of proposed lighting on the site, to ensure that it is compatible with the adjacent use,
 - d. improvement plans for common open space, common buildings and/or walls, and amenities such as ramadas, landscape buffers on public and/or private property (back-of-curb to right-of-way or access easement line included).
 - e. Master Environmental Design Concept Plans.
- 2. BOULDER AND ROCK OUTCROPS PROTECTION. The protection and maintenance of boulder and rock outcrops shall be subject to Development Review Board approval.

ENGINEERING

1. FEES. The construction of water and sewer facilities necessary to serve the site shall not be inlieu of those fees that are applicable at the time building permits are granted. Fees shall include, but not be limited to the water development fee, water resources development fee, water recharge fee, sewer development fee or development tax, water replenishment district charge, pump tax, or any other water, sewer, or effluent fee.

SERENO CANYON

USE PERMIT APPLICATION PROJECT NARRATIVE

Project Overview

This application is a request for conditional use permit approval for the Sereno Canyon Community Center. The 11.2 acre Community Center site is designed as the centerpiece of the Sereno Canyon planned community, a 330-acre custom home community located east of 122nd Street between the Pinnacle Peak Road and Happy Valley Road alignments and is zoned as R1-130 ESL. The community is planned for 122 homes at a density of approximately one unit per three acres. The proposed community center will provide recreational and social amenities exclusively for residents of the community.

Location/Access

The Sereno Canyon Community Center will be located near the geographic center of the planned community with direct access through the western boundary gate at the Alameda Road terminus. Alternative access points along the periphery of the community are located off of Happy Valley Road and 128th Street. The community center is positioned at the intersection of two internal local roadways, providing efficient access from all portions of the community. Use of the community facility will be limited exclusively to residents of the Sereno Canyon community and their guests. Therefore, traffic generation associated with the community center will not exceed the volumes described in the Circulation Master Plan related to projected trips per day (see attached report). Internally, the Sereno Canyon community is projected to generate approximately 1,168 trips per day including guest trips.

Property Characteristics

The community center parcel is currently undeveloped natural desert. The property is scarred by a series of historic jeep trails that will either be revegetated or improved as recreational trails or parking lot area. The site generally slopes away in all directions from the central boulder feature and hillside located at the center of site. The community center improvements will be west of this area and will minimally disturb only the lower slopes of the boulder feature area. The site is also crossed by a series of small, ephemeral washes that have been identified as conveying less than 50 cfs and are not determined to be jurisdictional by the Army Corps of Engineers. The entire Sereno Canyon planned community was encompassed by a wildfire approximately 10-15 years ago and on-site vegetation types, sizes and densities do not reflect those typical of a mature Sonoran Desert environment. Vegetation recovery has been slow and small shrubs and grasses currently dominate the existing landscape.

Description of Use

The community center is proposed as a single level structure with approximately 5,900 square feet of gross floor area. Nearly 3,800 square feet of this area is conditioned space, with the remaining area comprised of unconditioned space under roof, shade trellis patio areas and a ramada amenity. The maximum structure height is identified as 23'-0" and architectural features will not exceed the Environmentally Sensitive Land Ordinance maximum building height requirement of 24'-0". The center will provide areas for residents to exercise, convene with other residents and host functions or meetings. Indoor facilities include offices, locker rooms/restroom, meeting/dining areas, fitness center and catering facilities. Outdoor amenities include a lap pool, spa facilities, children's recreation area, an exercise patio, ramada, event lawn and patio area.

On-site access includes two driveway locations. The primary entry directs traffic to the front of the community center structure, providing a drop-off area and accessible parking spaces surrounding a round-a-bout element. Traffic can also bypass the drop-off area and enter the parking area to the south. The parking area was designed to ingrain within the existing natural setting of the site, exhibiting an organic design coupled with a large

landscape median and well-spaced parking areas. Additional parking has been provided to accommodate trailhead parking at the southern end of the lot. 47 spaces have been provided in the primary lot, exceeding the requirement by 17 spaces in accordance with City of Scottsdale requirements. Accessible ramps and detached sidewalk facilities located between the Community center and the parking lot will guide residents and guest safely and efficiently. The secondary ingress/egress location is located at the southwestern corner of the parking lot to provide an alternative access point.

The community center will serve as a trailhead location for a network of internal private trails that are distributed throughout the community. These trails will seek to minimize disturbance to natural desert areas by aligning with existing jeep trails to the greatest extent possible. Trailhead locations will provide users with bench seating elements and improved staging areas for small group that may gather at these facilities. Trails will vary in width depending on conditions.

The community center and its associated improvements have been orientated to promoted viewsheds to the surrounding natural features and blend with the topography of the site. The community center seeks to capture the dramatic setting of the large boulder feature immediately east of the center by orienting the building and the amenities in this direction.

Because the community center facility is located in an area regulated by the Dark Skies Ordinance, on-site lighting will be restricted in overall intensity. The applicant will seek to incorporate down-lighting and low-elevation (bollard style) lighting throughout the facility and parking areas. The community center's exterior walls, landscape and pathway areas will be lit with indirect accent lighting throughout. Operations at the community center will be limited primarily to daytime and evening hours to reduce noise and light impacts to adjacent residential areas. Outdoor activities and events will be subject to regulations outlined by the community's CC&R's. The developer of the community center will agree to turn off all exterior parking lot, site and exterior mounted

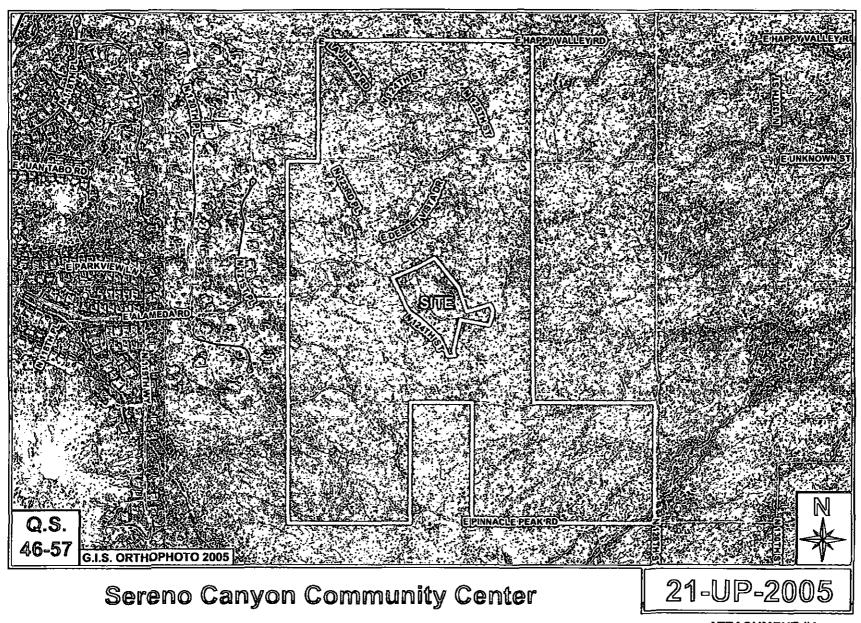
lighting (excluding security lighting) no later than 10 p.m or one hour after the conclusion of business hours, whichever occurs latter.

Compatibility with Adjacent Uses

The proposed community center is surrounded by open space and low-density residential uses. On-site improvements will be limited to the western edge of the parcel, thereby establishing large portions of the site as undisturbed open space. The most proximate residential uses are situated north and west of the facility (approx. 300 feet). Zoning throughout the entire Sereno Canyon Planned Community is R1-130 ESL. To further protect adjacent residential uses, the community center design will establish substantial setbacks that exceed City of Scottsdale Requirements. In addition, improvement edges will be enhanced with landscape screening that will seek to reduce the visual impacts of building improvements, parking, outdoor activity and amenity areas.

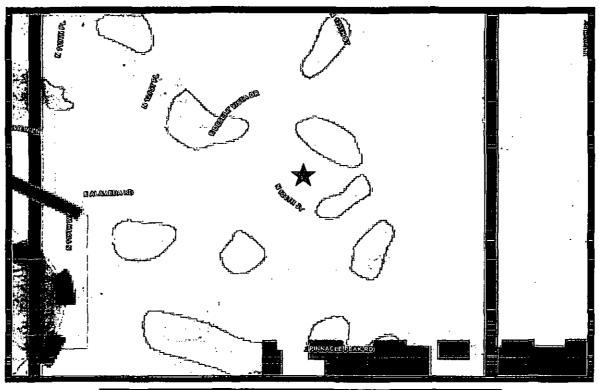
Conclusion

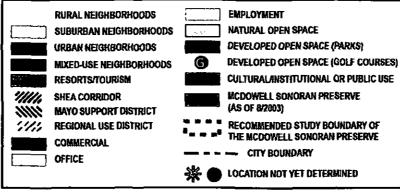
The proposed Sereno Canyon Community Center will serve as the focal point for the overall planned community. The facility has been designed to compliment the character of the planned community by offering passive and active recreational opportunities for community residents, as well as to offer a high-quality architectural element that establishes a foundation for development within the Sereno Canyon community. The applicant believes that the development of the community center is compatible with the surrounding residential community and will not be detrimental to the public health, safety or welfare of the residents. In addition, the central location of the community center and the provision for exclusive use by community residents significantly reduces the impacts of the proposed facility on properties outside of Sereno Canyon.



ATTACHMENT #4

General Plan







21-UP-2005 ATTACHMENT #5 E DESERT VISTA DR SITE

> 21-UP-2005 ATTACHMENT #6



"Crown Communities" 10/3/2005 Case # 214-PA-2004

This neighborhood involvement plan is being performed in association with an application for Density Incentive for Open Space for Crown Communities' project located at 118th Street and Alameda Road Pass, a collection of 122 custom home sites. Crown Communities and its design team have created a master planned community with large open desert areas characteristic of the north Scottsdale area. As part of the request, a Community Outreach plan was drafted and will be ongoing throughout the approval process.

The entire project team is sensitive to the importance of neighborhood involvement and creating a relationship with property owners, residents, business owners, homeowners associations and other interested parties. Communication with these parties will be ongoing throughout the process. Work on compiling stakeholders and preparing for the neighborhood outreach began prior to the application filing and will continue through process. Communication with impacted and interested parties will take place with verbal, written, electronic, and door-to-door contact.

The Crown development project team has been busy conducting significant outreach in the community to date. We have been meeting with residential neighbors to inform them about the proposed project and to gather their input.

On November 23, 2004 a notification letter about the project was sent to property owners within 750 feet of the project (see attached letter). This letter announced a neighborhood open house, which was held on December 2, 2004. We had several calls from neighbors with questions about the project and had six neighbors attend the open house (see attached sign-in sheet).

The team has done extensive work door to door in the broader neighborhood, distributing flyers with contact information concerning the project to those who were not available to meet with us or who may have missed the open house. As a result, approximately 160 signatures of support have been gathered.

On June 1, 2005 another notification letter about the project was sent to property owners within 750 feet of the project (see attached letter). This

ATTACHMENT #7

letter announced a neighborhood open house, which was held on June 13, 2005. We had several calls from neighbors with questions about the project and had seventy-three neighbors attend the open house (see attached sign-in sheets). Nearly all of the neighbor concerns relate to traffic issues larger than the project itself. Neighbors have wide ranging concerns about build out of the area, the preserve and the planned road network to handle the traffic.

In addition, we have had numerous smaller meetings with neighbors close to the project including a discussion on the project with the Coalition of Pinnacle Peak (COPP), held on April 12. Several neighbors have expressed concern about the extension of Alameda Road and have suggested Alameda Road be terminated within the project. As a result we have held numerous meetings with City Transportation staff, State Land representatives, and concerned neighbors to try to resolve the larger area circulation.

A vital part of the outreach process is to allow people to express their concerns and understand issues and attempt to address them in a professional and timely matter. As previously stated, the entire team realizes the importance of the neighborhood involvement process and is committed to communication and outreach for the project.

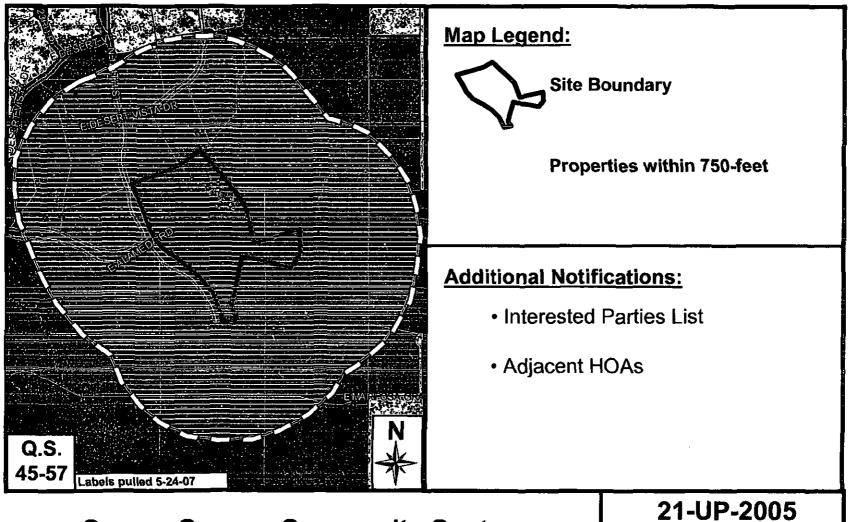
Attachments:

Open House Letter November 23, 2004

Meeting Sign-in Sheet December 2, 2004

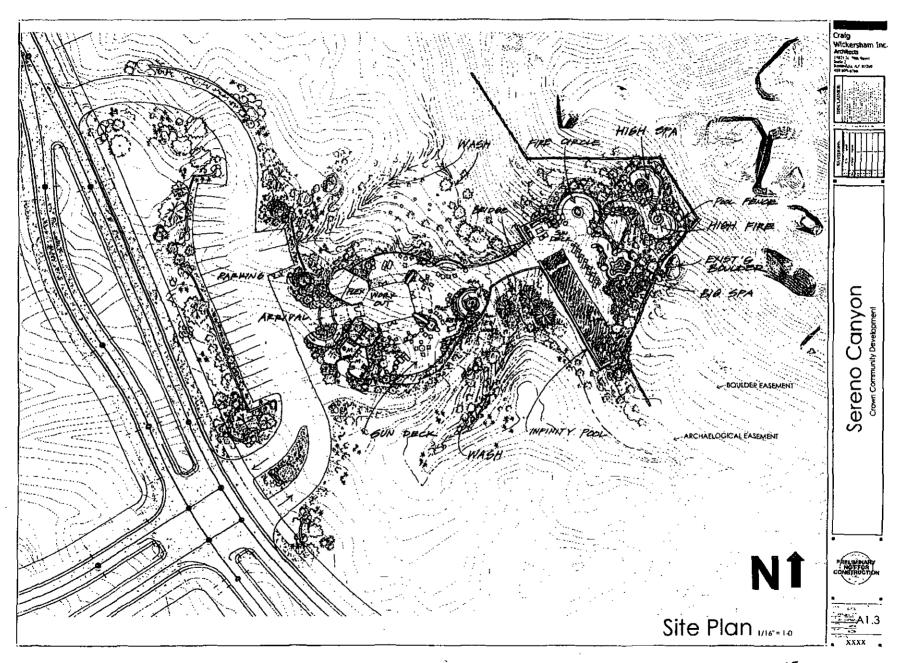
Open House Letter June 1, 2005 Meeting Sign-in Sheet June 13, 2005

City Notifications – Mailing List Selection Map



Sereno Canyon Community Center

ATTACHMENT #8



21-UP-2005 2nd: 3/21/2007

FINAL REAT FOR SERENO CANYON PHASE 1

A REPLAT OF A PORTION OF PARCEL NO.'S 6, 7, 10, 14 AND 15 AND ALL OF PARCEL 11 OF THE GOLDIE BROWN PINNACLE PEAK RANCH: UNIT ONE, RECORDED IN BOOK 191, PAGE 26, MARICOPA COUNTY RECORDS, ALL LYING WITHIN SECTION 11, T.4N., R.5E., OF THE G.&S.R.M., MARICOPA COUNTY, ARIZONA

ACKNOWLEDGMENT

בים שומנים מחום מון שמשוני OWNER VICINITY MAP

BASIS OF BEARING

CERTIFICATION

*See Albababi of American

TOTAL NUMBER OF LOTS = .46 ZONING = R1-130 ESL ACREAGE = 134-2587 ACRES

Ö

WOOD/PATRI:

Planning Commission - Regular Session June 13, 2007 Page 2 of 4

CONTINUANCES

2. 17-ZN-2006

56th St & Carefree Highway

Request by owner to rezone from Single Family Residential District, Environmentally Sensitive Lands (R1-43 ESL) to Central Business District, Environmentally Sensitive Lands (C-2 ESL) on a 11.96 +/- acre parcel located at 5657 E. Carefree Highway.

COMMISSIONER SCHWARTZ MOVED TO CONTINUE CASE 17-ZN-2006 TO THE JULY 11, 2007 HEARING. SECONDED BY COMMISSIONER BARNETT, THE MOTION CARRIED UNANIMOUSLY BY A VOTE OF SIX (6) TO ZERO (0).

EXPEDITED AGENDA

3. 21-UP-2005 Sereno Canyon Community Center
Request by owner for a conditional use permit for a community center on an
11.2 +/- acre parcel located east of 122nd Street between Pinnacle Peak Road
and Happy Valley Road with Single Family Residential, Environmentally
Sensitive Lands (R1-130 ESL) zoning.

Commissioner Schwartz noted a conflict and recused himself from the discussion.

COMMISSIONER BARNETT MOVED TO APPROVE 21-UP-2005, SERENO CANYON COMMUNITY CENTER, ASSUMING IT MEETS THE CONDITIONAL USE PERMIT CRITERIA.

Chairman Steinberg noted a public speaking request and suggested that staff provide a short presentation. Mr. Hadder reviewed the community amenities that would be provided by the enclosed common area facility owned by the Sereno Canyon HOA.

Mr. Joel Bramoweth addressed the Commission in support of the project, noting the benefits of small community centers.

VICE CHAIRMAN HEITEL SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY BY A VOTE OF FIVE (5) TO ZERO (0). COMMISSIONER SCHWARTZ WAS RECUSED.

4. 25-AB-2006 The Bank at Boulders
Request by owner to abandon a portion of the Scottsdale Road right-of-way located at 34275 N. Scottsdale Road.

COMMISSIONER BARNETT MOVED TO APPROVE 25-AB-2006, THE BANK AT BOULDERS. SECONDED BY COMMISSIONER SCHWARTZ, THE MOTION CARRIED UNANIMOUSLY BY A VOTE OF SIX (6) TO ZERO (0).

6. The Side Door (Beer and Wine Bar) Liquor License

Request: Consider forwarding a recommendation to the Arizona Department of Liquor Licenses and Control for a person and location transfer of a series 7 (beer and wine bar) liquor license.

Location: 3370 N. Hayden Road, Suite 126

Reference: 65-LL-2007

Staff Contact(s): Frank Gray, Planning and Development Services General Manager.

480-312-2890, fgray@scottsdaleaz.gov; Connie Padian, Chief Planning and

Administration Officer, 480-312-2664, cpadian@scottsdaleaz.gov

7. Stax Burger Bistro (Beer and Wine Bar) Liquor License

Request: Consider forwarding a recommendation to the Arizona Department of Liquor Licenses and Control for a new series 7 (beer and wine bar) liquor license for an existing business with a series 12 (restaurant) liquor license at an existing location.

Location: 4400 N. Scottsdale Road, Suite 12

Reference: 66-LL-2007

Staff Contact(s): Frank Gray, Planning and Development Services General Manager,

480-312-2890, fgray@scottsdaleaz.gov; Connie Padian, Chief Planning and

Administration Officer, 480-312-2664, cpadian@scottsdaleaz.gov

8. Sereno Canyon Community Center Conditional Use Permit Requests:

- Approve a Conditional Use Permit for a community center on a 11.2± acre parcel located east of North 122nd Street between Pinnacle Peak and Happy Valley roads.
- 0. Adopt Resolution No. 7339 affirming the Conditional Use Permit and finding that the Conditional Use Permit stipulations have been met.

Location: 24095 N. 124th Street

Reference: 21-UP-2005, 1-ZN-2005, 22-PP-2005, Dynamite Foothills Character Area

Plan

Staff Contact(s): Frank Gray, General Manager Planning and Development Services, 480-312-2890, fgray@scottsdaleaz.gov; Lusia Galav, Current Planning Director, 480-312-2506, lgalav@scottsdaleaz.gov

9. Construction Services Contract for Indian Bend Road Requests:

- O. Adopt Resolution No. 7323 authorizing Construction Manager at Risk (CM@Risk) Construction Phase Services Contract No. 2007-136-COS with Hunter Contracting Co., for the guaranteed maximum price of \$19,326,924.91 for construction of Indian Bend Road between Scottsdale and Hayden roads; directing that fee title in certain real property be acquired by dedication, donation, purchase, or the use of power of eminent domain; and establishing utility easements over a portion of certain Cityowned land located southeast of Scottsdale and Indian Bend roads.
- Authorize payment to Arizona Public Service for an approximate amount of \$800,000 from CIP project S0402, Indian Bend Road, for the conversion of overhead 12 kV lines and installation of streetlights.
- 0. Authorize a capital budget transfer in the amount of \$9,580,000 from CIP project S0204 Pinnacle Peak Road to CIP project S0402 Indian Bend Road.

Related Policies, References:

- On November 3, 2003, Council awarded Engineering Services Contract No. 2003-157-COS to URS Corporation for evaluating design options for Indian Bend Road between Scottsdale and Hayden roads
- On October 4, 2004, Council authorized modifications to Engineering Services
 Contract No. 2003-157-COS with URS Corporation in the amount of \$1,274,935 to
 prepare contract documents for the construction of Indian Bend Road between
 Scottsdale and Hayden roads
- On September 19, 2006, Council awarded Contract No. 2006-131-COS to Hunter Contracting Co., for CM@Risk Design-Phase Services for Indian Bend Road between Scottsdale and Hayden roads
- On March 6, 2007, Council adopted Resolution No. 7134 authorizing the acquisition of right-of-way for the widening of Indian Bend Road from Scottsdale to Hayden roads
- On January 11, 2005, Council approved Franchise Agreement No. 2004-118-COS with Arizona Public Service

Staff Contact(s): Dan Worth, Municipal Services General Manager, 480-312-2776, dworth@scottsdaleaz.gov

10. Job Order Contracting Construction Services Contract for Citywide Paving, Concrete and Storm Drain Work

Request: Adopt Resolution No. 7337 authorizing Job Order Contracting Construction Services Contract No. 2007-143-COS with Banicki Construction for Citywide paving, concrete and storm drain work.

Staff Contact(s): Dan Worth, Municipal Services General Manager, 480-312-2776, <u>dworth@scottsdaleaz.gov</u>

11. Intergovernmental Agreement with Maricopa County to Accept Free Public Safety Software

Request: Adopt Resolution No. 7349 authorizing the Mayor to execute Intergovernmental Agreement No. 2007-144-COS with Maricopa County which will authorize the Police Department to accept a copy of the County developed and owned "Justice Web Interface" software application. Under the Agreement, ownership of the copy received by the Police Department will be transferred to the City.

Staff Contact(s): Alan G. Rodbell, Chief of Police, 480-312-1900,

arodbell@scottsdaleaz.gov; Brad Hartig, Chief Information Officer, 480-312-7615, bhartig@scottsdaleaz.gov

12. Intergovernmental Agreement with the City of Mesa for Cooperative Law Enforcement Training Operations

Request: Adopt Resolution No. 7350 authorizing Intergovernmental Agreement No. 2007-151-COS with the City of Mesa for cooperative law enforcement training operations between the Scottsdale and Mesa Police departments.

Related Policies, References: The City is authorized to enter into this agreement pursuant to A.R.S. § 11-952 and the City Charter, Article 1, 3-1.

Staff Contact(s): Alan G. Rodbell, Chief of Police, 480-312-1900, arodbell@scottsdaleaz.gov

MOTION AND VOTE - CONSENT AGENDA

COUNCILMAN LITTLEFIELD <u>MOVED</u> TO APPROVE CONSENT AGENDA ITEMS 1 THROUGH 12, FINDING ITEM 8 MEETS THE CONDITIONAL USE PERMIT CRITERIA. COUNCILMAN MCCULLAGH <u>SECONDED</u> THE MOTION, WHICH <u>CARRIED 6/0</u>.

Public Comment - None

City Manager's Report - None

Adjournment

With no further business to discuss, the meeting adjourned at 5:09 P.M.

SUBMITTED BY:

REVIEWED BY:

AV Tronics, Inc.

Carolyn Jägger City Clerk

Officially approved by the City Council on-