

**Application
Narrative
Cash Transmittal
Pre-Application
Pre-App Narrative
Pre-App Cash Transmittal
Development Standards**

Scottsdale Center for Performance of the Arts
7308 East 2nd Street, Scottsdale, AZ 85251

Conditional Use Permit for Live Entertainment

Application Narrative

Scottsdale Center for Performing Arts (SCPA) building wall originally constructed in the mid-1970's to a venue for performing arts, which includes Live Entertainment uses. A part of the Scottsdale Civic Center Mall improvements, the SCPA has been having live entertainment uses since it opened. At the time it opened, a Conditional Use Permit for Live Entertainment did not exist in the City's Zoning Ordinance. The requirement for a Conditional Use Permit for Live Entertainment was added in 1988 to the City's Zoning Ordinance. Since the facility was existing at the time that the requirement was added to the Zoning Ordinance, the use at SCPA is considered a legal non-conforming use.

As part of the associate Zoning District Map Amendment to the property, and related Municipal Use Master Site Plan, the request for approval of the Conditional Use Permit for Live Entertainment to being the SCPA in conformance with the Zoning Ordinance of the Scottsdale Revised City Code.

Conditional Use Permit Criteria for Live Entertainment

1.401 Conditional Use Permit Criteria

- 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.
 - **All live entertainment activities will occur in the inside of the Scottsdale Center for Performing Arts building. Even though there are no anticipated impacts arising from noise, smoke, odor, dust, vibration or illumination, all doors and windows are remain closed during live entertainment activities, other than for passage;**
 2. Impact on surrounding areas resulting from an unusual volume or character of traffic.
 - **The proposed live entertainment use is not anticipated to generate an unusual volume or character of traffic in the area. The Scottsdale Center for Performing Arts has been a functioning live entertainment venue since the mid-70's when it was constructed. North Drinkwater Boulevard, a couplet street (minor Arterial), and East 2nd Street, local commercial street, have historically accommodate the traffic generated by the Scottsdale Center for Performing Arts. The approval of the proposed live entertainment is not anticipated to**

modify the existing operations or traffic generated by functions at the Scottsdale Center for Performing Arts.

- B. The characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas.
- **The Scottsdale Center for Performing Arts has variety of uses adjacent and nearby, which include various governmental facilities, offices, mixed use development (residential and commercial) personal care services, and stadium uses. Furthermore, the Mall was originally constructed to be the City's home of the municipal, civic, and cultural activities for the City, and was anticipated in have the proposed cultural entertainment for city residents and visitor's. The proposed live entertainment use is an accessory use to the event venue and is reasonably compatible with the existing uses in the surrounding area.**
- C. The additional conditions in Section 1.403, as applicable, have been satisfied.
1. The use applicant has provided and obtained approval of a written Security and Maintenance Plan.
 - **The Scottsdale Arts, the current operator of the Scottsdale Center for Performing Arts, has submitted and obtained approval of Public Safety Plan from the Scottsdale Police Department that addresses Security and Maintenance, and is on file.**
 2. The applicant has provided written evidence that sound resulting from indoor live entertainment will be contained within the building, except where external speakers are permitted by Conditional Use Permit to allow indoor live entertainment to be heard outdoors.
 - **The location of the proposed live entertainment is within a building that was originally constructed of an event venue, with separate offices spaces. In the mid-2000s the City of Scottsdale incorporated modification to the main theater that included sound mitigation in accordance with current building methodologies. The building improvements minimize and contain sound from live entertainment within the building.**
 3. The applicant has provided a lighting plan that addressed exterior lighting on the property, in accordance with Article VII of the Zoning Ordinance and Security and Maintenance Plan requirements.
 - **The Mall lighting improvements around Scottsdale Center for Performing Arts obtained approval from the Development Review Board for an exterior lighting plan, case no. 215-DR-1997. Additional lighting improvements were incorporate in the mid-2000s to replace aging light fixtures, and additional building lighting was added as part of Scottsdale Center for Performing Arts renovation completed in the late 2000s.**
 4. The applicant has provided a floor plan that identifies the areas for the primary use and the accessory functions, including but not limited to areas for performances.

- **The Scottsdale Center for Performing Arts is a City facility, and floor plans are maintained on file.**
5. If the establishment is not in the Downtown area, and access to the establishment is from a street other than one classified by the Transportation Master Plan as minor collector or greater, the applicant shall provide a traffic analysis which complies with the City's transportation guidelines. The traffic analysis shall demonstrate that the level of services on all streets accessed by this use meets the City's standards.
 - **This establishment is in the Downtown area. All abutting streets are couplet street (minor Arterial) and local commercial streets. No significant changes to the existing traffic patterns are anticipated.**
 6. If the Zoning Administrator determines that a parking study is necessary the applicant shall provide a study that complies with the City requirements.
 - **The Zoning Administrator has determined that a parking study is not required. Function at the Scottsdale Center for Performing Arts are primarily in the evening and weekends when existing city parking facilities typically are not utilized for regular municipal activities. The Scottsdale Center for Performing Arts is adjacent to the Civic Center Parking Garage and surface lot, the library garage, and City Hall Parking lot. These facilities provide a total of 1244 parking spaces, which is 1.25 parking spaces per seat in the Scottsdale Center for Performing Art.**
 7. The owner shall provide any additional information required by the Zoning Administrator to evaluate the impacts of the proposed use on the area.
 - **No additional information was requested by the Zoning Administrator.**
 8. All building openings, such as doors, windows and movable wall panels shall be closed but not locked, except as permitted by Conditional Use Permit. Doors and service windows may be opened temporarily to allow passage.
 - **All doors and windows shall be kept closed, except for passage, during live entertainment.**
 9. No external speakers used for live entertainment or outdoor live entertainment activities will be permitted on the premises of a use which is located within five-hundred (500) feet of a residential district, as shown in Table 4.100.A.
 - **The establishment is located within 500 feet of a residential district, which is southeast of the site, and contains the Library Parking Garage, Scottsdale Police Station and Courthouse, and Scottsdale Stadium. The Scottsdale Center for Performing Arts is an indoor live entertainment facility only; therefore, no outdoor live entertainment is proposed with this request. The facility currently does not have outdoor speakers to broadcast indoor live entertainment, and none are proposed. Stipulations have been incorporate prohibiting outdoor speakers to broadcast indoor live entertainment.**
 10. The owner and operator shall comply with all plans approved as part of the Conditional Use Permit.

- **The City Staff and the City's operator of the Scottsdale Center for Performing Arts understand that they are to comply with all plans approved as part of this Conditional Use Permit.**
11. All patron entrances shall be illuminated in accordance with the Building Code and exterior lighting plans approved by the Development Review Board.
- **The lighting at the patron entrances was update with the modifications to Scottsdale Center for Performing Arts that were approved in the Development Review Board case nos. 5-DR-2006 and 242-SA-2009, and was constructed in accordance with the City's Building Code.**
12. Noise generated from the live entertainment shall conform to the City's Noise Ordinance.
- **City Staff and the City's operator of the Scottsdale Center for Performing Arts understands they are to comply the City's Noise Ordinance.**

21. Application Narrative – Explanation of Request

Sec. 1.501. - Municipal use master site plans approval process.

Prior to City Council approval, the Development Review Board and Planning Commission shall review and make a recommendation to the City Council regarding a proposed municipal use master site plan for any site larger than one (1) acre of gross lot area.

Sec. 1.502. - Public hearing.

The City Council may hold a public hearing concerning the master site plan for any proposed municipal use upon finding that the proposed master site plan is potentially detrimental to adjacent property, or upon finding that the proposed municipal use is of general community interest, pursuant to Section 1.702.

On August 2, 2015, the City of Scottsdale initiated a work order with Holly Street Studio to amend the existing Civic Center Mall master plan.

HISTORY

The history of this MUMSP amendment for the Scottsdale Civic Center project begins with a work order issued to Holly Street Studio on August 2, 2015. The general purpose was to review with various stakeholders some of the items needed to upgrade an already well-loved Scottsdale icon to meet the needs of a growing population, while preserving the high quality environment that exists since 1960's. Scottsdale Civic Center Mall was initially developed as the result of the City's first Scottsdale Town Enrichment Program (STEP) which created the initial frame work for a civic center that contains government building and park facilities. The initial master plan was developed in 1966 by Bennie M. Gonzales Associates. Many of the buildings and park facilities were constructed in the mid 1960's and early 1970's. Various modifications to Civic Center have been constructed thereafter.

On August 7, 1990, the City Council approved the first major update (Case No. 22-UP-1990) to the initial plan. This plan contemplated the modifications to the Civic Center Library, Scottsdale Stadium, Police station (Scottsdale Courthouse), additional government office space, and the park facilities. In addition, as the east couplet through Downtown, it was contemplated at the time that the modification to North Drinkwater Boulevard (formerly Civic Center Plaza) would give the Civic Center Mall increased visibility. The modifications envisioned in the 1990 update to the master plan were implemented throughout the 1990's.

Most of Scottsdale Civic Center Mall was zoned Central Business (C-2) and Highway Commercial (C-3) in 1958, and 1962. In 2003, the property was zoned to include the Downtown Overlay (DO). The associated zoning district to implement the Downtown Plan pertaining to the Civic Center Mall was initially adopted in 1984, and modified in November, 2012. To date, none of the City's Civic Center Mall has been rezoned to this district.

WHAT THE PROJECT ENTAILS

Upgrades to the physical facilities to accommodate public activities such as performances and festivals, as well as infrastructure problems, such as fountain leakage, lack of storage and adequate power for normal use of this public open space.

RESULT OF WORK – NOT DETRIMENTAL


Moving forward, this effort will not be detrimental to neighboring residents and businesses, as these changes strive to improve upon the asset that already exists. The new endeavors will reduce water consumption in the fountains outside of City Hall, upgrade structural deficiencies on the bridge that straddles Drinkwater Boulevard, and provide greater accessibility for staff and patrons of all abilities. The upgrades suggested will in no way obstruct the impact of open green/natural spaces, views, passageways and photo opportunities. It is intended that existing artwork will also remain or be relocated as suggested by Scottsdale Arts, and access to streets and business will remain the same or even stronger in their connection to the walkways, and open spaces.

6-UP-2017
03/20/17

22-UP-1990#2
03/20/17



Civic Center : Aerial
city of scottsdale

01.13.17 | scale: 1" = 60'-0" 
HOLLY STREET STUDIO ARCHITECTS

6-UP-2017
03/20/17

22-UP-1990#2
03/20/17



Civic Center: MUMSP Project Area
 city of scottsdale

02.17.17 | scale: 1" = 120'-0"

HOLLY STREET STUDIO ARCHITECTS | FLOOR ASSOCIATES

6-UP-2017
03/20/17

22-UP-1990#2
03/20/17



City of Scottsdale Cash Transmittal

110055

PLN-1814
3/20/2017

Received From :

City of Scottsdale
7447 E INDIAN SCHOOL RD STE 205
SCOTTSDALE, AZ 85251
480-312-2367

Bill To :

City of Scottsdale
7447 E INDIAN SCHOOL RD STE 205
SCOTTSDALE, AZ 85251
480-312-2367

Reference # 453-PA-2016
Address 7333 E SCOTTSDALE MALL
Subdivision SCOTTSDALE MALL
Marketing Name
MCR 170-02
APN 130-23-217A

Issued Date 3/20/2017
Paid Date 3/20/2017
Payment Type NA
Cost Center DC01B
Jurisdiction SCOTTSDALE
Water Zone
Water Type
Sewer Type
Meter Size
QS 16-45

Owner Information

CITY OF SCOTTSDALE
3939 N DRINKWATER BLVD
SCOTTSDALE, AZ 852514433

Lot Number L
Metes/Bounds No
Gross Lot Area 0
NAOS Lot Area 0
Net Lot Area 0
Number of Units 1
Density

Code	Description	Additional	Qty	Amount	Account Number
3175	USE PERMIT APPLICATION		1	\$3,055.00	100-21300-44221
3170	REZONING APPLICATION		1	\$7,335.00	100-21300-44221
9610	CIP COS PERMITS AND FEES		1	(\$10,390.00)	409-DC01B-56043

City of Scottsdale

7447 E. Indian School Rd.
Scottsdale, AZ 85251
(480) 312-2500
One Stop Shop

Date: 3/20/2017 Cashier: DHOL
Office: PLN-1STOP Mech ID: HPTC6005125
Tran #: 1 Batch #: 59476
Receipt: 00999746 Date: 3/20/2017 1:32 PM
110055
3175 USE PERMITS \$3,055.00
3170 REZONING APP \$7,335.00
9610 CIP COS PERMITS & FEES (\$10,390.00)

TENDERED AMOUNTS:

Cash Tendered: \$0.00
Transaction Total: \$0.00

Thank you for your payment.
Have a nice day!

6-UP-2017
03/20/17

SIGNED BY GARY MEYER ON 3/20/2017

Total Amount **\$0.00**

(When a credit card is used as payment I agree to pay the above total amount according to the Card Issuer Agreement.)

TO HAVE WATER METER SET - CALL 480-312-5650 AND REFER TO TRANSMITTAL # 110055