



October 19, 2016

**RE: 6922 Mixed Use Rezoning/Amendments**

#23-ZN-2016

6922 East 5<sup>th</sup> Avenue

Scottsdale, AZ 85251

**ZONING DISTRICT MAP AMENDMENT NARRATIVE:**

**Overview:**

The 6922 Mixed Use project is located on a site that is currently zoned as C2 DO with a maximum building height of 36'. The current Downtown District that applies to this area is Downtown Multiple Use-Type 2 (D/DMU-2) which stipulates the building's setback and stepback requirements.

**Purpose:**

This application is to rezone the property to D/DMU-2 in order to achieve an allowable building height of 44'. There will also be requested amendments to the zoning ordinance to allow the building to enter into the stepback area as defined in Section 5.3006.

**COMPLIANCE WITH GENERAL PLAN:**

The intent of this design is to respond to the architectural character of the surrounding buildings as outlined in the General Plan, providing a mix of commercial and residential use, while responding sensitively to surrounding single family properties

The small proposed residence, within walking distance of the neighboring arts district and shopping areas, will contribute to the larger plan in promoting diversity and neighborhood vitality. Furthermore, it will add to the urban character, consisting of mixed use and higher density residential properties, and will address issues of pedestrian orientation, shade, and interaction with the street. It will also take into account relationships to new and existing building structures and layout of adjacent lots.

**LAND USE GOAL 4: *Maintain a balance of land uses that support a high quality of life, a diverse mixture of housing and leisure opportunities and the economic base needed to secure resources to support the community.***

**Response:** This mixed-use project will contribute to the diversity of residential use in that it will introduce lower density single family residential into an area that currently is primarily commercial. Other proposed developments in the area are trending in the way of higher density multi-family, further adding to the residential diversity. In addition, the proposed commercial space on the lower level will supplement the opportunity for business to be conveniently located within easy walking distance of other nearby residential development.

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**LAND USE GOAL 9: *Provide a broad variety of land uses that create a high level of synergy within mixed-use neighborhoods.***

**Response:** Currently, this area of 5<sup>th</sup> Avenue is alive and active during business hours and practically abandoned after 5:00 pm. The introduction of residential development will help to invigorate the area and stimulate business/retail beyond the 8-hour working day, which in turn will create a greater diversity of amenities within walking distance.

**LAND USE GOAL 7: *Sensitively integrate land uses into the surrounding physical and natural environments, the neighborhood setting, and the neighborhood itself.***

- ***Incorporate appropriate land use transitions to help integrate into surrounding neighborhoods.***

**Response:** The low density of the proposed development will provide a smooth transition between the single-family residential neighborhoods northwest across the canal and existing/proposed commercial and multi-family developments along and southeast of 5<sup>th</sup> Avenue.

**NEIGHBORHOODS GOAL 4: *Preserve and enhance the unique sense of neighborhood found in diverse areas of Scottsdale through neighborhood conservation.***

- ***Guide revitalization, redevelopment, and infill (new development in established areas) development to ensure that such development efforts are context-appropriate to the surrounding neighborhoods.***

**Response:** Although we are proposing an increase in building height relative to the single family neighborhood to the north, the Arizona Canal provides a wide buffer between the two. The first floor of our building sits several feet below the Canal embankment, further reducing the visual impact. Due to the larger lot sizes across 5<sup>th</sup> Avenue, future developments may be built as high as 66'. Our proposed building at 44' therefore will act as a transition between the residential development outside of the Downtown Area and future development within the Downtown Area.

**COMPLIANCE WITH CHARACTER AREA PLAN:**

Per the Character Area Plan, the proposed building will be part of the development within the Multiple Use area adjacent to the Arizona Canal, incorporating vertically mixed land uses that activate the Canal with both visitors and residents year-round.

The building is consistent with other development in the Downtown Core, which is comprised of the lowest intensity of Downtown development in the Fifth Avenue, Marshall Way, Craftman's Court, Main Street, and Old Town areas. Retaining the small lot development pattern and active ground level land uses of the Downtown Core are some of the primary elements that give Downtown Scottsdale its most identifiable character.

We believe that this project will help to encourage the new development, redevelopment and infill that strengthens Downtown Scottsdale's mix of uses and activities through the development of mutually supportive land uses within the Downtown Multiple Use urban neighborhoods.

**GOAL LU 1: MAINTAIN DOWNTOWN SCOTTSDALE AS THE COMMERCIAL, CULTURAL, CIVIC, AND SYMBOLIC CENTER OF THE COMMUNITY TO ENSURE A VIBRANT MIX OF MUTUALLY SUPPORTIVE LAND USES.**

**Response:** Currently, this area of 5<sup>th</sup> Avenue is alive and active during business hours and practically abandoned after 5:00 pm. The introduction of residential development will help to invigorate the area and stimulate business/retail beyond the 8-hour working day, which in turn will create a greater diversity of amenities within walking distance.

**GOAL LU 2: PROMOTE THE DEVELOPMENT OF DOWNTOWN AS A COLLECTION OF MIXED-USE URBAN NEIGHBORHOODS.**

**Policy LU 2.1. As a General Plan designated Mixed-Use Neighborhood, Downtown Scottsdale should offer efficiencies of strong access to multiple modes of transportation and major regional access and services, focus on human scale development, accommodate higher density housing combined with complementary office or retail uses, and accommodate vertical mixed-use structures.**

**Response:** The lower density of the proposed development will provide a smooth transition between the single-family residential neighborhoods northwest across the canal and existing/proposed commercial and multi-family developments along and southeast of 5<sup>th</sup> Avenue. The project's adjacency to the Arizona Canal multiuse path helps to further integrate it with pedestrian use. The proposed entry courtyard creates a shaded area while engaging the street/sidewalk and establishing a sense of human scale. The ground level office/retail will invigorate this area of 5<sup>th</sup> Avenue, bringing ground-level commercial use similar to that east of Goldwater and integrating it with 3 stories of higher density residential above. With multiple Valley Metro bus stops within walking distance and access to Scottsdale Trolley routes servicing the Downtown Area, the location of the proposed project makes it convenient for access to other office/retail amenities within the Downtown area.

**GOAL LU 6: PROMOTE DIVERSITY IN DOWNTOWN HOUSING OPTIONS.**

**Policy LU 6.1. Develop a variety of housing types such as apartments, condominiums, lofts, town homes, patio homes, and live/work units.**

**Policy LU 6.2. Recognize the need for housing developments that are large scale projects with numerous units and amenities, as well as small infill projects with a limited number of units.**

**Response:** This mixed-use project will contribute to the diversity of residential use in that it will introduce lower density single family residential into an area that currently is primarily commercial. Other proposed developments in the area are trending in the way of higher density multi-family, further adding to the residential diversity. In addition, the proposed commercial space on the lower level will supplement the opportunity for business to be conveniently located within easy walking distance of other nearby residential development.

**GOAL LU 7: SUPPORT A MIX OF LAND USES THAT PROMOTE A SUSTAINABLE DOWNTOWN.**

**Policy LU 7.1. Support Downtown sustainability by encouraging vertical mixed-use development that offers land uses in close proximity to one another.**

***Policy LU 7.2. Encourage development to make cost effective use of existing urban resources such as infrastructure systems, underutilized sites, buildings, and transportation networks.***

**Response:** The redevelopment of this site from an aging commercial building to a vibrant, urban residential development will bring housing and synergy to the western segment of Downtown Scottsdale utilizing existing infrastructure systems and transportation networks that run near and adjacent to the Property.

**GOAL CD 1: THE DESIGN CHARACTER OF ANY AREA SHOULD BE ENHANCED AND STRENGTHENED BY NEW DEVELOPMENT THAT PROMOTES CONTEXTUAL COMPATIBILITY.**

**GOAL CD 8: IMPLEMENT HIGH QUALITY DESIGN IN DOWNTOWN ARCHITECTURE.**

**Response:** The lower density of the proposed development will provide a smooth transition between the single-family residential neighborhoods northwest across the canal and existing/proposed commercial and multi-family developments along and southeast of 5<sup>th</sup> Avenue.

The activity of the commercial first floor unit is evident from the street through the extensive use of glass along the 5<sup>th</sup> Avenue façade. Variation at the ground floor level is created by the setback of the entry area, creating a shaded entry court which integrates with the streetscape and is softened by the use of low water use native landscaping. Bike parking further integrates the streetscape, encouraging multiple modes of transportation.

The upper floors have a direct connection to the street and surrounding panoramas through the use of extensive glass on the north and south elevations. Balconies act as outdoor living areas for each floor, further strengthening the connection between private and public. The mass of the building is broken down by deep balconies, variations in façade setback, and further stepping back of the fourth story on all sides.

The simplified use of materials, exposed steel, glass and smooth stucco, creates a modern aesthetic while a muted palette compliments other more southwest-themed traditional structures in the area.

Four-sided architecture:

While the most prominent elevations are the south, addressing 5<sup>th</sup> Avenue, and the north, addressing the canal, all four sides respond to their surroundings in unique ways. The third floor of the west elevation matches the height of the modern structure to the west, creating an impression of continuity, while the more exposed east elevation will complement the lighter color palette of the lower buildings to the east. Also expressed on the east elevation is the vertical circulation component, containing the elevator and stairs and further breaking up the mass of this elevation.

The northwest-facing elevation takes advantage of views across the Canal of Camelback Mountain, while the southeast-facing elevation addresses the streetscape, providing protection through deep shaded balconies. Large amounts of glass on both elevations bring daylight into the space while creating a sense of transparency that further breaks up the mass of the building.

**GOAL CD 2: DEVELOPMENT SHOULD SENSITIVELY TRANSITION IN SCALE, HEIGHT, AND INTENSITY AT THE DOWNTOWN PLAN BOUNDARY AND BETWEEN ADJOINING URBAN NEIGHBORHOODS OF DIFFERING DEVELOPMENT TYPES.**

**Policy CD 2.1.** *The scale of existing development surrounding the Downtown Plan boundary should be acknowledged and respected through a sensitive edge transition buffer, established on a location specific basis, that may include transitional development types, landscape buffers, and sensitive architectural design solutions to address building mass and height.*

**Response:** The lower density of the proposed development will provide a smooth transition between the single-family residential neighborhoods northwest across the canal and existing/proposed commercial and multi-family developments along and southeast of 5<sup>th</sup> Avenue. Although we are proposing an increase in building height relative to the single family neighborhood to the north, the Arizona Canal provides a wide buffer between the two. The first floor of our building sits several feet below the Canal embankment, further reducing the visual impact. Due to the larger lot sizes across 5<sup>th</sup> Avenue, future developments may be built as high as 66'. Our proposed building at 44' therefore will act as a transition between the residential development outside of the Downtown Area and future development within the Downtown Area.

**GOAL CD 3: DOWNTOWN DEVELOPMENT SHOULD RESPECT AND RESPOND TO THE UNIQUE CLIMATE AND CONTEXT OF THE SOUTHWESTERN SONORAN DESERT.**

**Response:** Variation at the ground floor level along 5<sup>th</sup> Avenue is created by the setback of the entry area, creating a recessed entry court which provides shade for pedestrians and further integrates the building with the streetscape. This is softened and complimented by planters containing low water use native landscaping.

**GOAL CD 5: CREATE COHERENT AND CONSISTENT STREET SPACES.**

**Response:** While the proposed building allows a portion of the existing structure at the ground floor level along 5<sup>th</sup> Avenue to remain within the setback, this is offset by the deeper setback of the entry area, creating a recessed entry court which provides shade for pedestrians and further integrates the building with the streetscape. This is softened and complimented by planters containing low water-use native landscaping. Upper floors with deep balconies provide additional layers of shade to the street below and create a variation of depth which breaks down the building mass to address human scale. This is consistent with adjacent structures along the streetscape, which contain shaded court and seating areas that interact with the pedestrian environment.

**GOAL CD 9: DEVELOPMENT SHOULD INCORPORATE SUSTAINABLE BUILDING PRACTICES AND PRODUCTS.**

**Response:** Portions of the existing structure will be preserved and maintained to reduce the impact of the building and limit construction waste. The large amount of glass will enhance natural daylighting while limiting the requirements for artificial lighting use. The exposure of this glass along the southeast-facing elevation will be protected and shaded by deep overhanging balconies. Cross-ventilation will be provided through the open floor plan and operable windows/doors at opposite ends of the space. Planters containing low water-use native landscaping will soften the shaded entry courtyard.

**GOAL EV 2: PROMOTE PRIVATE INVESTMENT AND ATTRACT NEW DEVELOPMENT TO DOWNTOWN.**

***Policy EV 2.1. Encourage new development and reinvestment that maintains Downtown's economic edge in the region.***

***Policy EV 2.2. Promote a mix of daytime/nighttime activities year-round through new development that includes vertically mixed land uses and a diverse range of housing development.***

***Policy EV 2.3. Encourage private reinvestment through flexible policies, practices, and incentives that work with the private sector to respond to functional and economic changes in the Downtown.***

***Policy EV 2.4. Promote the retention of existing major Downtown employers and accommodate their future expansion needs.***

***Policy EV 2.5. Promote additional employment opportunities that will attract a variety of office and commercial development to Downtown.***

***Policy EV 2.7. Attract and retain a broad array of economic activities that widen the appeal of Downtown and strengthen the city's tax base.***

**Response:** This mixed-use project will contribute to the diversity of residential use in that it will introduce lower density single family residential into an area that currently is primarily commercial. Other proposed developments in the area are trending in the way of higher density multi-family, further adding to the residential diversity. In addition, the proposed commercial space on the lower level will supplement the opportunity for business to be conveniently located within easy walking distance of other nearby residential development. Currently, this area of 5<sup>th</sup> Avenue is alive and active during business hours and practically abandoned after 5:00 pm. The introduction of residential development will help to invigorate the area and stimulate business/retail beyond the 8-hour working day, which in turn will create a greater diversity of amenities within walking distance. There are currently no other similar larger-scale single family residential developments like this in the Downtown Core. This project will spur similar development, appealing to professionals looking to bring their business downtown.

#### **JUSTIFICATIONS FOR REQUESTED AMENDMENTS TO ZONING ORDINANCE:**

##### **TABLE 5.3006.C.**

##### **Minimum Setback for Buildings Adjacent to Public Streets, except alleys:**

##### **DOWNTOWN MULTIPLE USE WHERE LOT WIDTH IS 30 FEET OR LESS: 16' FROM BACK OF CURB**

The reasoning for this request is to ease the square footage restrictions for small lots which share street frontage with large adjacent lots, while still providing setback variation among facades along the same street frontage.

##### **5.3006.F.1.c.**

**IN A TYPE 2 AREA WITH A LOT WIDTH OF THIRTY (30) FEET OR LESS, THE LENGTH AND AREA OF THE BUILDING FAÇADE AT GRADE AND UP TO THIRTY THREE (33) FEET SHALL BE LOCATED AT THE MINIMUM SETBACK.**

The reasoning for this request, as above, is to ease the square footage restrictions for small lots which share street frontage with large adjacent lots, while still providing setback variation among facades along the same street frontage. In addition, the increase to the 33' height in this case, would allow the 3<sup>rd</sup> floor of the proposed building at 6922 East 5<sup>th</sup> Avenue to align with the top of the adjacent parapet at 6916 East 5<sup>th</sup> Avenue.

**5.3006.H.7.**

**IN A TYPE 2 AREA WITH A LOT WIDTH OF THIRTY (30) FEET OR LESS**

a.

**THE STEPBACK PLANE SHALL INCLINE AT A RATIO OF 3:1, BEGINNING THIRTY THREE (33) FEET ABOVE THE MINIMUM SETBACK FROM A PUBLIC STREET (EXCEPT ALLEYS).**

b.

**THE STEPBACK PLANE SHALL INCLINE AT A RATIO OF 4:1, BEGINNING THIRTY THREE (33) FEET ABOVE THE MINIMUM SETBACK FROM AN ALLEY.**

c.

**THE STEPBACK PLANE SHALL INCLINE AT A RATIO OF 4:1, BEGINNING THIRTY THREE (33) FEET ABOVE A SIDE PROPERTY LINE WHEN ABUTTED TO AN ADJACENT BUILDING.**

The reasoning for this request is to ease the square footage restrictions for the upper floors of small lots which share street frontage with large adjacent lots, while still providing variation of height and depth among facades along the same street frontage.

**5.3006.I.3.c.**

**Subject to design approval by the Development Review Board, in a Type 2 Area:**

**A MAXIMUM EIGHT (8) FOOT ENCROACHMENT INTO THE GROUND FLOOR STEPBACK/SETBACK IS ALLOWED IF THE ENCROACHMENT IS LESS THAN FIFTY (50) PERCENT OF THE LENGTH OF THE SEGMENT OF THE BUILDING FAÇADE WHERE THE ENCROACHMENT OCCURS, AND THE**

**ENCROACHMENT IS OFFSET INTERNALLY FROM THE SETBACK BY AN EQUIVALENT SQUARE FOOTAGE.**

The reasoning for this request is to allow a portion of the existing building to remain within the 16' setback and to compensate for this encroachment, push a portion of that façade back, maintaining the intent for a dynamic façade and creating a shaded entry courtyard that addresses the street.

**5.3006.I.10.c.**

**IN A TYPE 2 AREA WITH A LOT WIDTH OF THIRTY (30) FEET OR LESS, THE LENGTH AND AREA OF THE BUILDING FAÇADE AT GRADE AND UP TO THIRTY THREE (33) FEET SHALL BE LOCATED AT THE MINIMUM SETBACK.**

The reasoning for this request, as above, is to ease the square footage restrictions for small lots which share street frontage with large adjacent lots, while still providing setback variation among facades along the same street frontage. In addition, the increase to the 33' height in this case, would allow the 3<sup>rd</sup> floor of the proposed building at 6922 East 5<sup>th</sup> Avenue to align with the top of the adjacent parapet at 6916 East 5<sup>th</sup> Avenue.

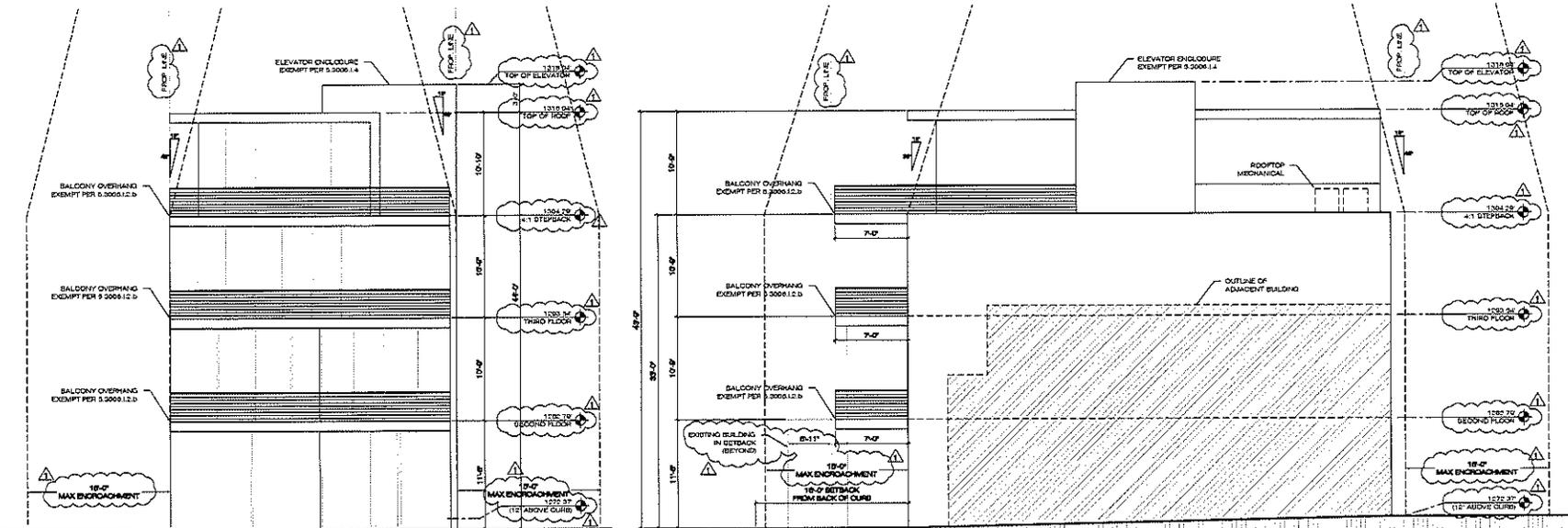
**Summary:**

The goal is to meet the intent of the Downtown Plan Urban Design & Architectural Guidelines. It is understood that the regulations were put in place to preserve the small lots and preclude buildings from being built too large or too tall. A large majority of the adjacent lots in this neighborhood would allow 66' tall buildings since their sites are much larger than the proposed site. This project is located on the smallest lot on the street and because of this, the current zoning would only allow a 30' tall building due to the stepbacks. Although this rezoning case is asking for a building height of 44', it would still be one of the shorter buildings when surrounding buildings are redeveloped and built to the allowable height. The proposed building would also respect the intent of the stepbacks, pushing the fourth floor back from the line of the lower floors adding to an already dynamic façade. This approach follows the guidelines of section B1 and zoning section 5.3006.F.b providing variations in the building's facade. The building will follow section A1.2 by aligning to the form and height of the adjacent building to the West, and provide a shaded entry courtyard that activates the sidewalk.

Thank you for your consideration,

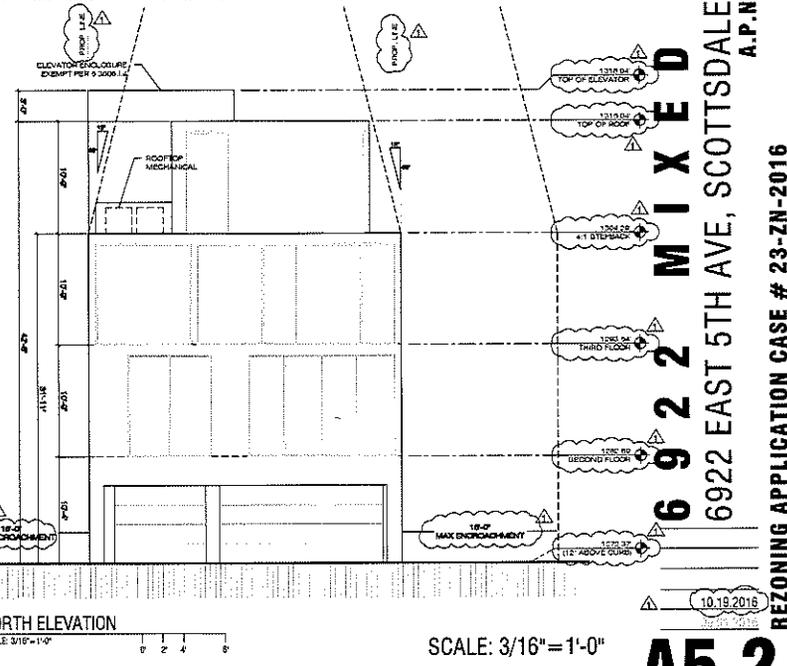
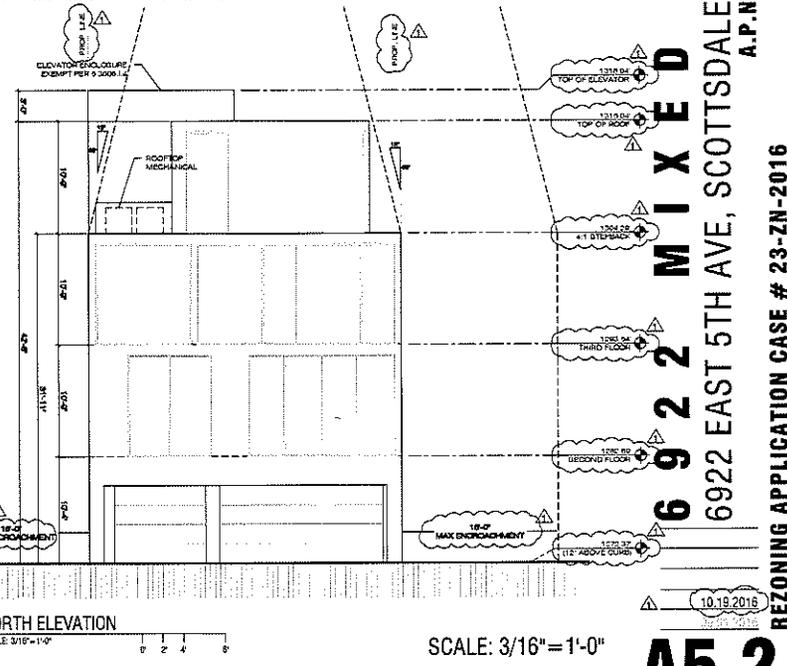
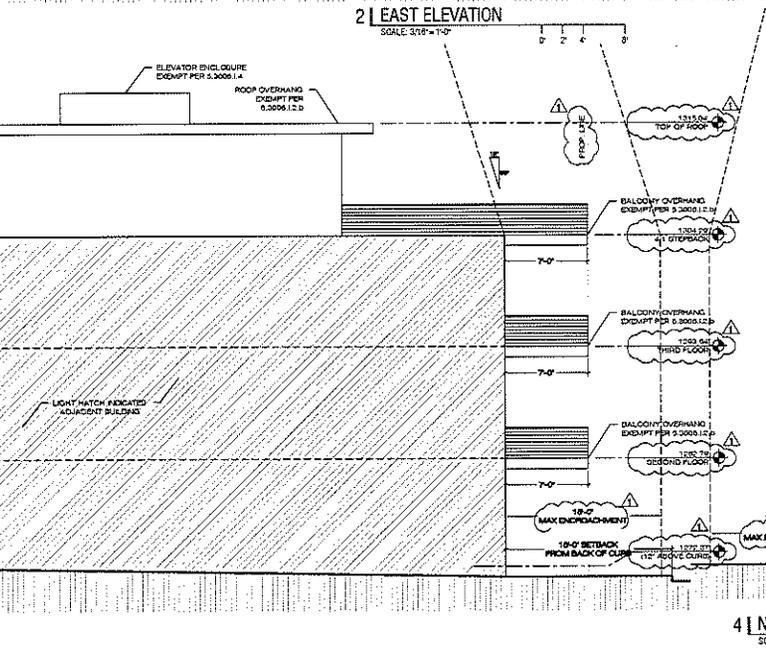
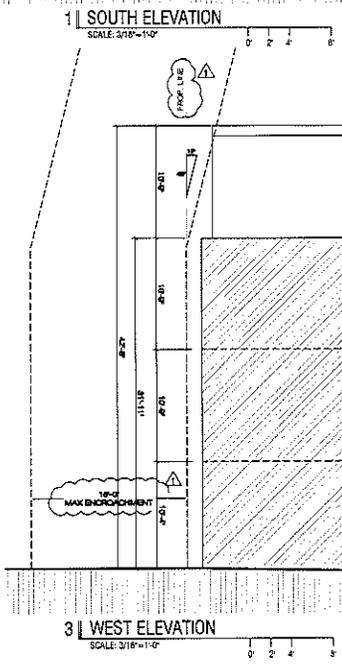


Brian Stark, LEED AP

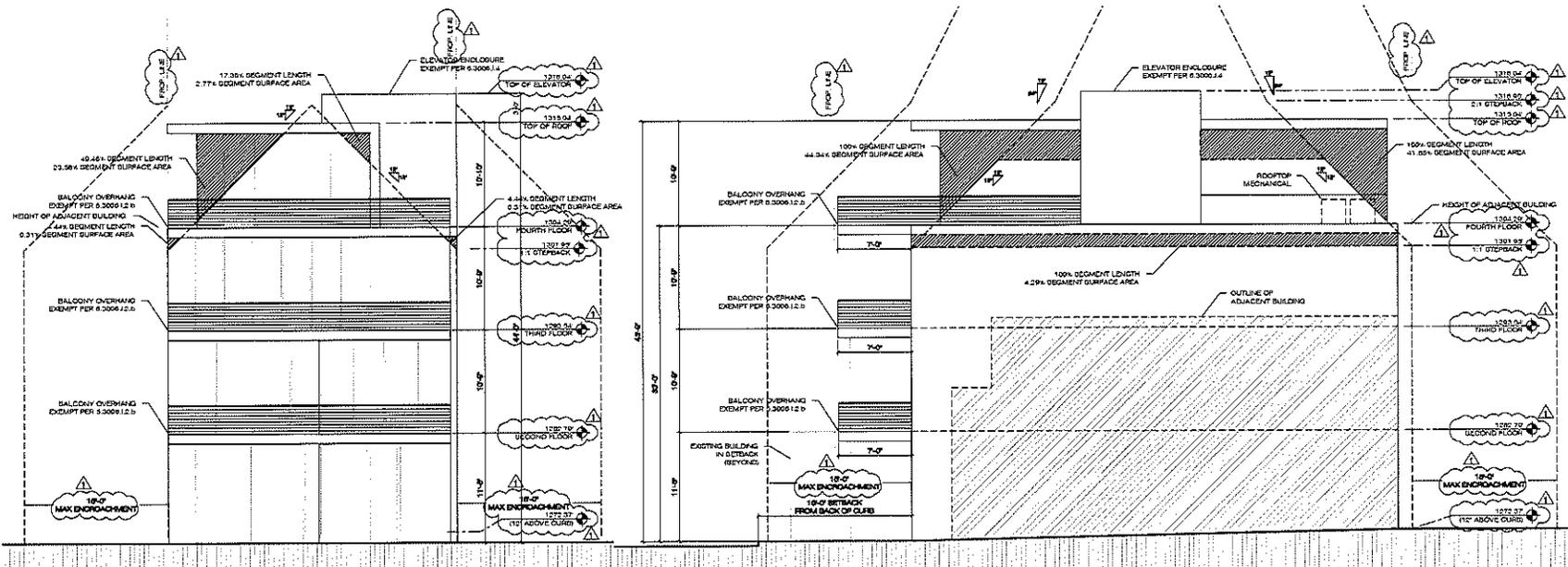


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**MIXED USE**  
**6922 EAST 5TH AVE, SCOTTSDALE AZ 85251**  
**A.P.N. 173-48-040**

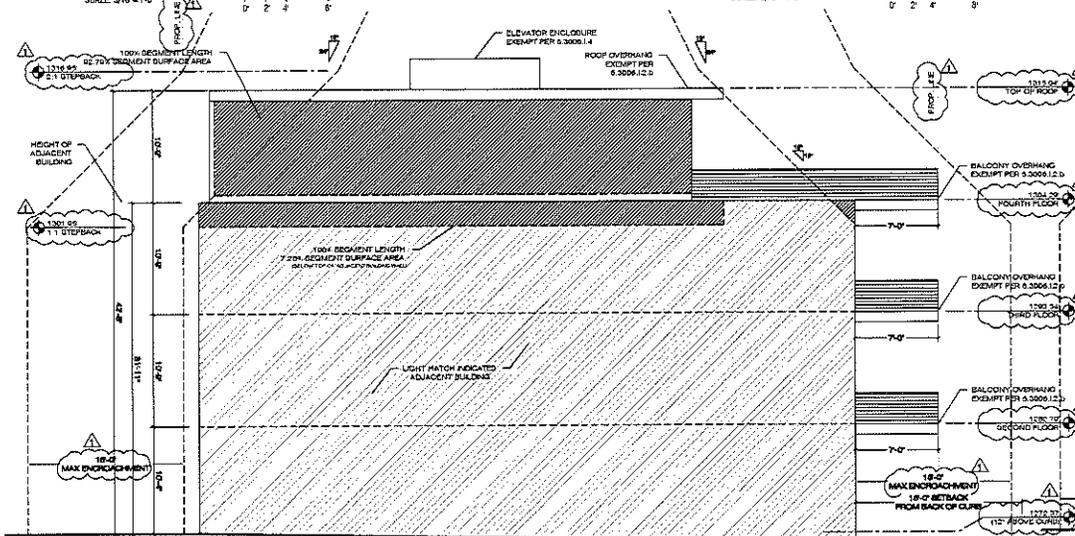


SCALE: 3/16" = 1'-0"  
**ELEVATIONS: PROPOSED STEPBACKS**  
**A5.2**

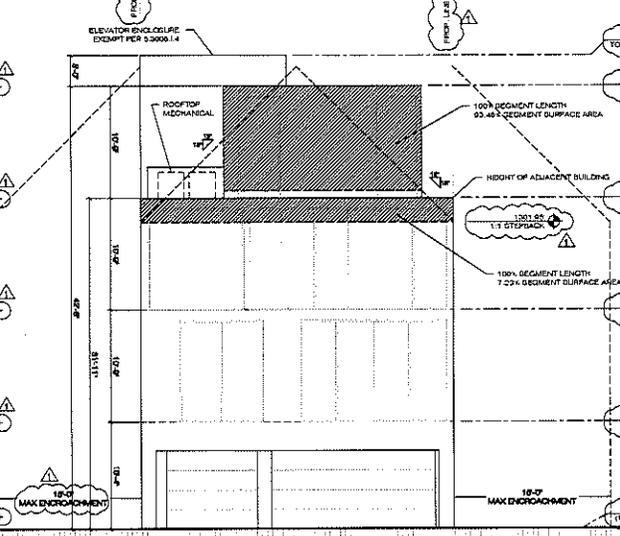


1 | SOUTH ELEVATION  
SCALE: 3/16"=1'-0"

2 | EAST ELEVATION  
SCALE: 3/16"=1'-0"



3 | WEST ELEVATION  
SCALE: 3/16"=1'-0"



4 | NORTH ELEVATION  
SCALE: 3/16"=1'-0"

SCALE: 3/16"=1'-0"  
ELEVATIONS: EXISTING STEPBACKS

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REZONING APPLICATION CASE # 23-ZN-2016

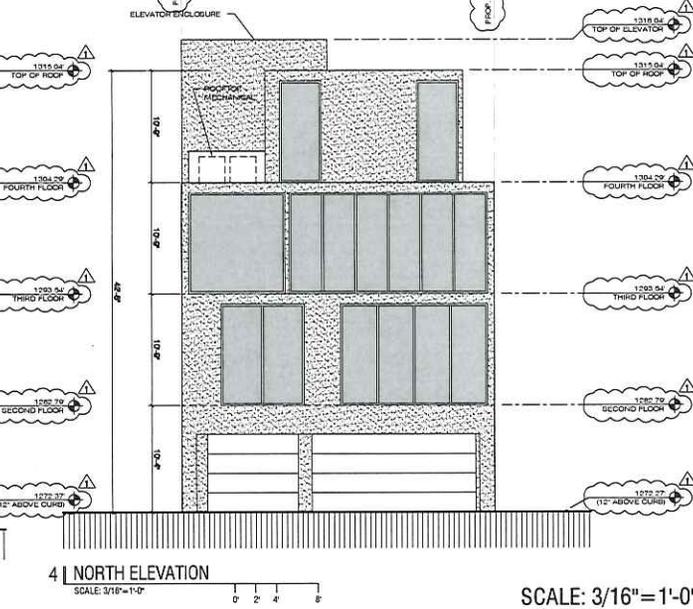
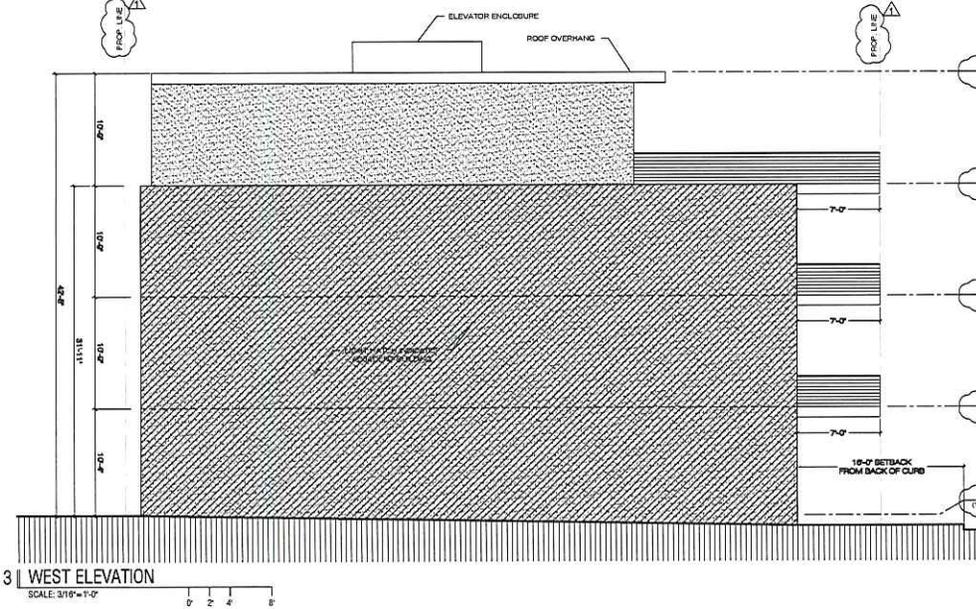
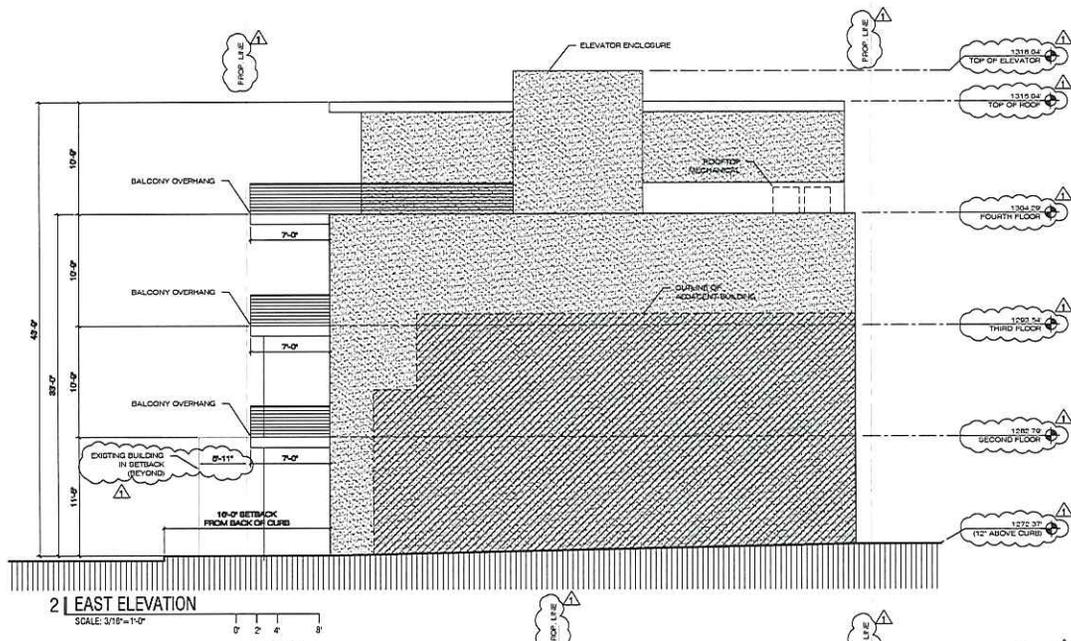
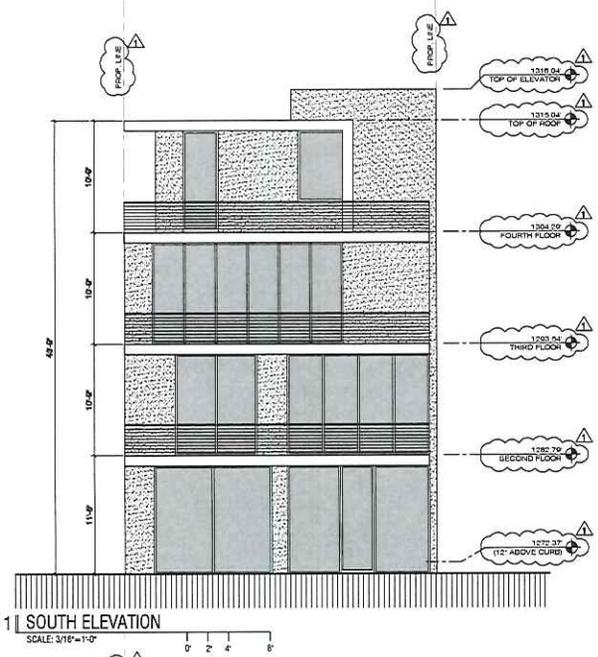
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REZONING APPLICATION CASE # 23-ZN-2016



SCALE: 3/16" = 1'-0"  
 ELEVATIONS

**A5.0**

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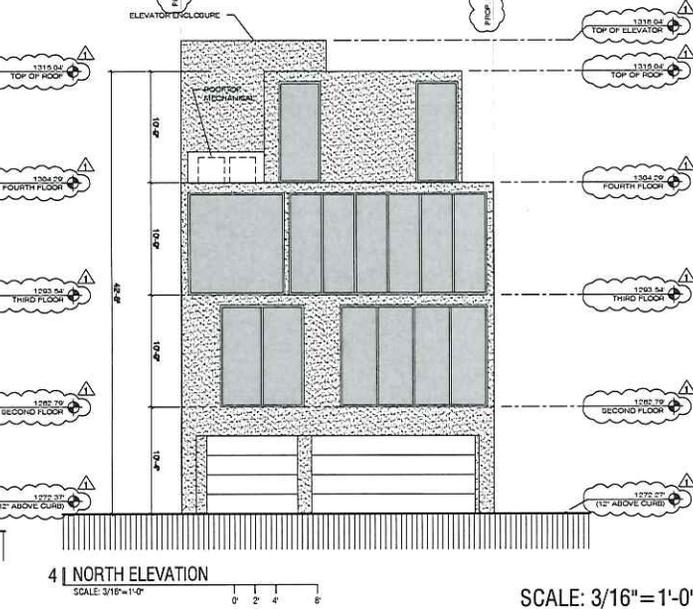
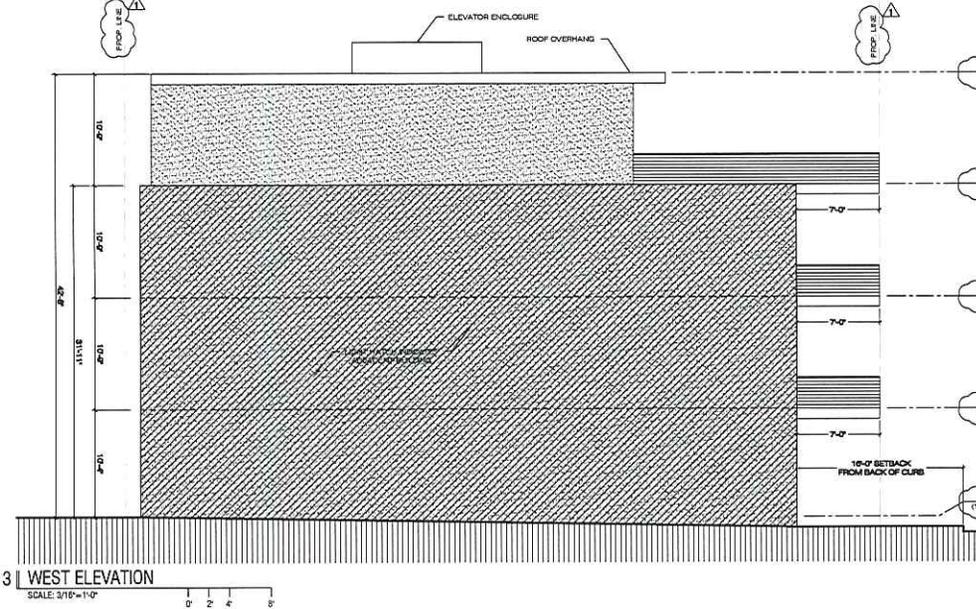
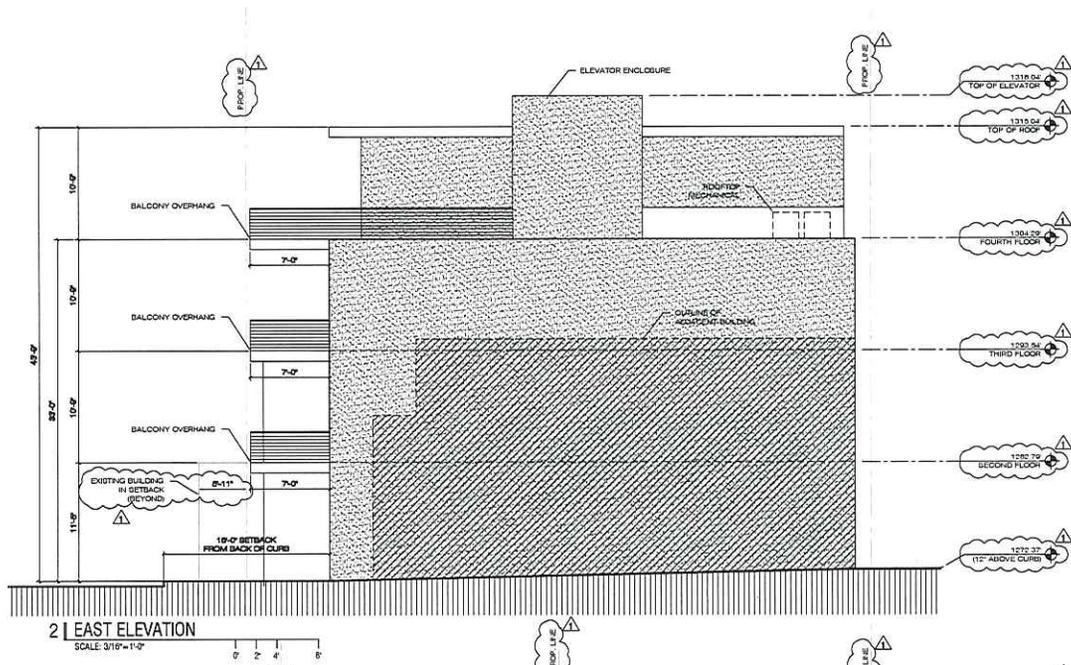
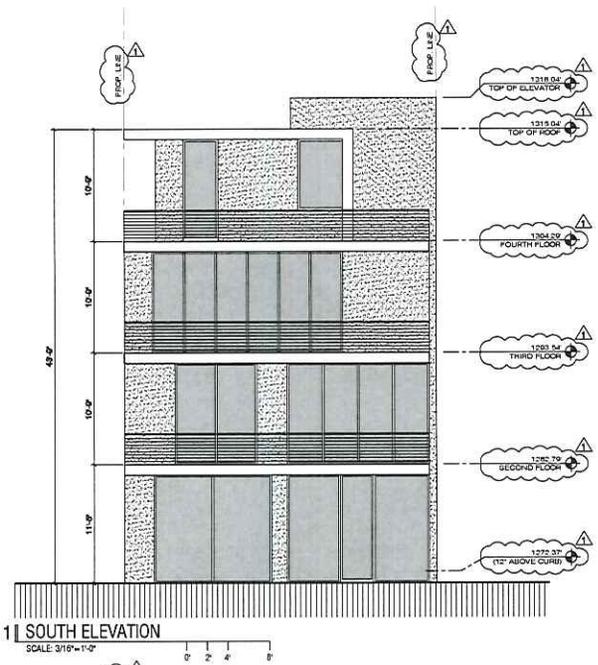
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REZONING APPLICATION CASE # 23-ZN-2016

10.19.2016  
**A5.0**



SCALE: 3/16" = 1'-0"  
 ELEVATIONS

**23-ZN-2016**  
**10/19/16**





**23-ZN-2016**  
**10/19/16**

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**A.P.N. 173-48-040**

RETURNING APPLICATION CASE # 23 ZN 2016

SCALE: 1"=100'  
 CONTEXT AERIAL

10.19.2016  
**A1.0**