

PLANNING COMMISSION REPORT



Meeting Date: December 14, 2016
General Plan Element: *Land Use*
General Plan Goal: *Create a sense of community through land uses*

ACTION

6922 Mixed Use
23-ZN-2016

Request to consider the following:

1. A recommendation to City Council regarding a request by owner for Zoning District Map Amendment from Central Business, Downtown Overlay (C-2 DO) to Downtown/Downtown Multiple Use – Type 2 Downtown Overlay (D/DMU-2 DO) zoning with amended development standards on a +/- 2,063 square foot site located at 6922 E. 5th Avenue.

Goal/Purpose of Request

The applicant proposal would allow for a new four-story mixed-use development containing 1,281 square feet of non-residential floor area and 3,827 s.f. of upper floor residential space, with Amended Development Standards for building setbacks, building location and stepbacks.

Key Items for Consideration

- Consistency with General Plan and Downtown Plan
- Consistency with the Downtown Urban Design and Architectural Guidelines
- No known opposition

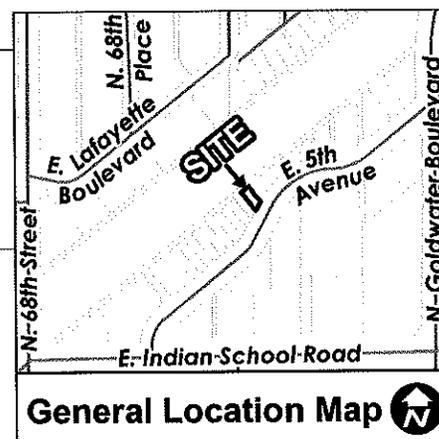
OWNER

KB on 5th LLC
480-599-7543

APPLICANT CONTACT

Brian Stark
Ben Knowles
602-505-9116

LOCATION



6922 East 5th Avenue

BACKGROUND

General Plan

The General Plan Land Use Element designates the property as Mixed-use Neighborhoods. This category includes higher density housing combined with office and retail uses, often in mixed-use structures, such as this proposal. Mixed-use neighborhoods also are located in areas with access to multiple modes of transportation. The site is also located in a growth area, as designated by the Growth Areas Element of the General Plan. Growth areas are those that are best able to accommodate future growth and have a focus on enhanced transportation systems and infrastructure.

Character Area Plan

The Downtown Future Land Use map of the Downtown Plan designates the site as Downtown Multiple Use Type 2 and it is within the Arizona Canal Conceptual Urban Neighborhood. The Multiple Type 2 land use encourages new development, redevelopment and infill that strengthens the Downtown's mix of uses and activities through mutually supportive uses. The land use also seeks vertically mixed land uses with redevelopment that is located to the Arizona Canal.

Zoning

The site is zoned Central Business Downtown Overlay (C-2 DO). The C-2 district allows for retail, office and personal services. The Downtown Overlay district encourages urban design forms to accommodate dwelling units in mixed-use developments and stimulates sustainable live/work lifestyles in an urban environment.

Context

The subject property is located at 6922 East 5th Avenue, which is located within the western end Scottsdale's Downtown area, along East 5th Avenue between North Goldwater Boulevard and East Indian School Road. Please refer to context graphics attached.

Adjacent Uses and Zoning

- North: Arizona canal zoned Central Business Downtown Overlay (C-2 DO), and further north are existing single family residential homes zoned Single Family Residential (R1-10) and attached townhouse and Townhouse Residential (R-4).
- South: East 5th Avenue, and further south are existing retail and office buildings zoned Downtown / Office Commercial – Type 2 Planned Block Development Overlay Downtown Overlay (D/OC-2 PBD DO)
- East: Office building zoned Central Business Downtown Overlay (C-2 DO)
- West: Mixed use office/residence zoned Downtown / Office Residential – Type 2 Downtown Overlay (D/OR-2 DO)

Other Related Policies, References:

Scottsdale General Plan 2001, as amended

Downtown Plan
Downtown Urban design and Architectural Guidelines
Zoning Ordinance
35-DR-1976: Approved office building on subject property

APPLICANTS PROPOSAL

Development Information

- Existing Use: Office building
- Proposed Use: Office building with one residence
- Parcel Size: 2,063 square feet (.047 acre)
- Building Height Allowed: 36-feet (with the current C-2 zoning), 66 feet with the proposed D/DMU-2 zoning
- Building Height Proposed: 46-feet inclusive of rooftop appurtenance
- Parking Required: 2 spaces (no new parking stalls required)
- Parking Provided: 2 spaces
- Gross Floor Area Ratio Allowed: 1.3
- Gross Floor Area Ratio Provided: 0.34
- Density Allowed: 3.94 dwelling units (50 dwelling units per acre)
- Density Proposed: 1 dwelling unit

IMPACT ANALYSIS

Land Use

The General and Downtown Plan's designations encourage new developments, redevelopment and infill that strengthen the Downtown's mix of uses and activities through mutually supportive land uses. The applicant's narrative includes a summary of the development and how the requested zoning conforms to the policies of both the General and Downtown Plans.

The proposed use for the site area is a mixed-use development that contains both residential and non-residential land uses in one building. The proposed zoning designation of Downtown / Multiple Use – Type 2 Downtown Overlay (D/DCC-2 DO) allows the proposed uses, and is consistent with the General Plan and Downtown Plan. In addition, the proposed development is consistent with the Downtown Plan as it pertains to maintaining a 24-hour mixed use center with a variety of housing types in Downtown area (DP LU 1.2, DP LU 1.3, DP LU 6.1 and DP LU 6.2).

Amended Development Standards

Included as part of this application, the owner is requesting Amended Property Development Standards. In accordance with the Downtown district, the City Council may approve amendment to the Property Development Standards that conform to the Downtown Plan and Downtown Plan Urban Design & Architectural Guidelines (DUDAG). The proposed amendments that are requested

pertain to the setbacks, stepbacks, and setback/building location/stepback exceptions requirements (Exhibit B to Attachment). The setback and building location exception standards are to assist in providing unified street frontage with supportive relationship between neighboring properties. The proposed development addresses the intent of these standards by maintaining and incorporating a setback and building location that is consistent with the neighboring properties, which promotes a coherent and consistent street frontage that is pedestrian oriented with a setback pattern of similar building locations and variations (DP CD 5, 5.1, M3.3, and DUDAG Goal 7, A8, A9).

The stepbacks and stepback exceptions standards are to assist with a building's perceived height and bulk. The proposed development addresses the intent of these standards by stepped back upper portion of the building to toward the interior of the site, treating the building's form with a composition of smaller parts and including a defined base, middle, and top (DP CD 1.4, 1.8, 8.1, and 8.2, DUDAG Goal 4, and B1). In addition, the proposed development standards and design assisting in mitigating the building size in comparison to the adjacent buildings.

Traffic

East 5th Avenue are unclassified commercial streets. The Transportation Department has reviewed the application and has determined that the proposed plan will not negatively impact the capacity of the affected alley and streets, and parking will be provided on-site.

Water/Sewer

The City's Water Resources Department has reviewed this application and has determined that there is adequate water and waste water services to serve the development.

Public Safety

The Fire Department has reviewed this application and has determined that there is adequate ability to provide fire and emergency services to the development. The nearest fire station is located at 7522 East Indian School Road.

Community Involvement

Staff and the applicant have mailed notifications to property owners within 750 feet of the site, and the applicant held an open house on August 29, 2016. Seven residents attended the open house. A copy of the applicant's Citizen Involvement Report is included as Attachment #10.

STAFF RECOMMENDATION

Recommended Approach:

Staff recommends that the Planning Commission find that the Zoning District Map Amendment and Amended Development Standards are consistent and conform to the Downtown Plan, Downtown Urban Design and Architectural Guidelines, and conform to the adopted General Plan, and make a recommendation to City Council for approval per the attached stipulations.

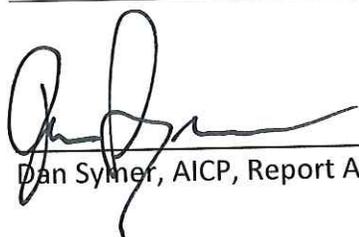
RESPONSIBLE DEPARTMENT

Planning and Development Services
Current Planning Services

STAFF CONTACT

Dan Symer, AICP
Senior Planner
480-312-4218
E-mail: dsymer@ScottsdaleAZ.gov

APPROVED BY


Dan Symer, AICP, Report Author

11-30-2016
Date


Tim Curtis, AICP, Current Planning Director
480-312-4210, tcurtis@scottsdaleaz.gov

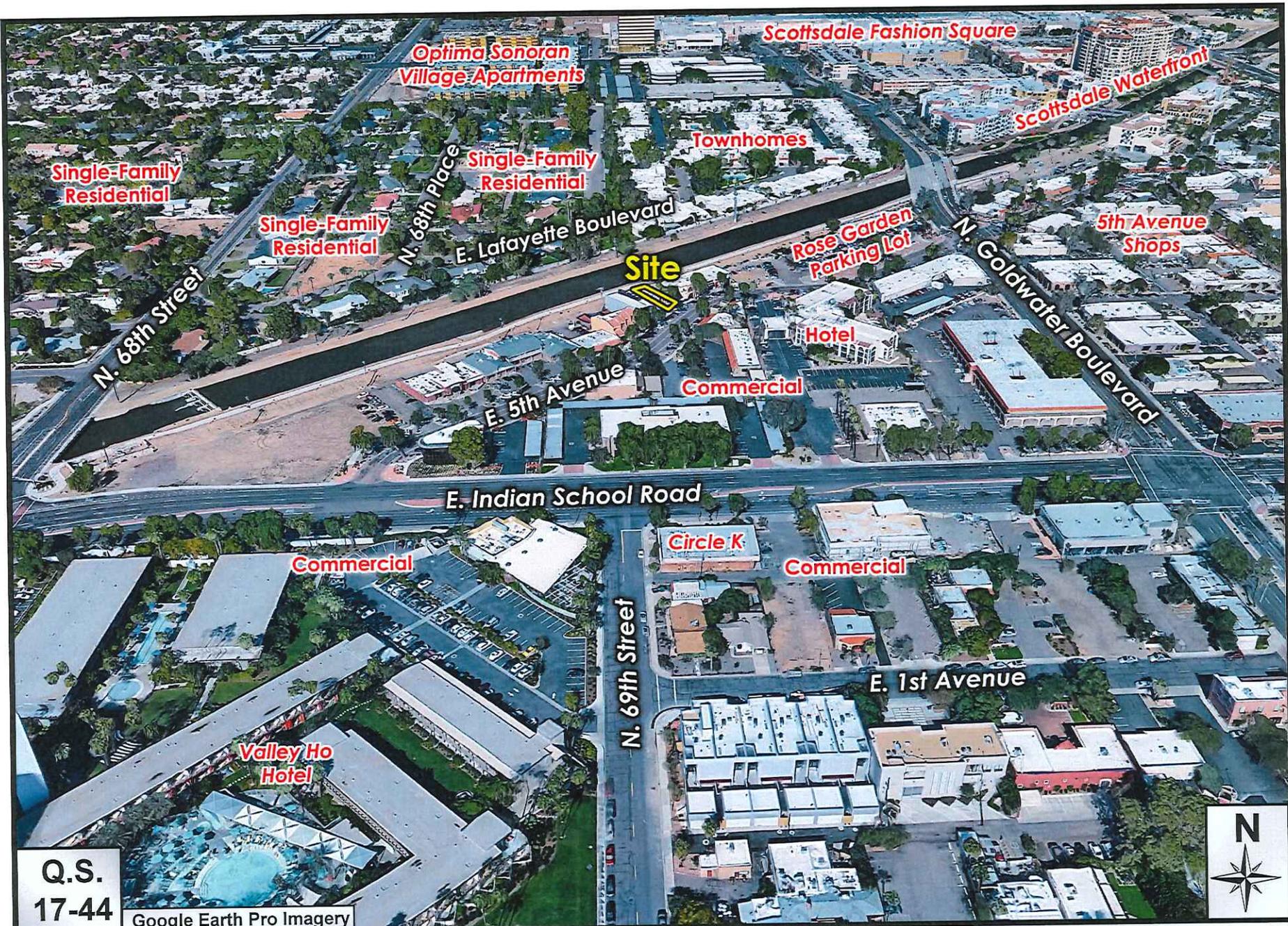
12/2/2016
Date


Randy Grant, Director
Planning and Development Services
480-312-2664, rgrant@scottsdaleaz.gov

12/5/16
Date

ATTACHMENTS

1. Context Aerial
- 1A. Aerial Close-Up
2. Stipulations
 - Exhibit A to Attachment 2: Site Plan
 - Exhibit B to Attachment 2: Amended Development Standards
3. Applicant's Narrative
4. General Plan Land Use Map
5. Downtown Future Land Use Map
6. Current Zoning Map
7. Proposed Zoning Map
8. Building Elevations
9. Perspectives
10. Citizen Involvement
11. City Notification Map



Q.S.
17-44

Google Earth Pro Imagery

6922 Mixed Use

23-ZN-2016



Q.S.
17-44

Google Earth Pro Imagery

6922 Mixed Use

23-ZN-2016

Stipulations for the Zoning Application:
6922 Mixed Use
Case Number: 23-ZN-2016

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

SITE DESIGN

1. CONFORMANCE TO CONCEPTUAL SITE PLAN. Development shall conform with the conceptual site plan submitted by Stark James and with the city staff date of 10/19/16, attached as Exhibit A to Attachment 2. Any proposed significant change to the conceptual site plan, as determined by the Zoning Administrator, shall be subject to additional action and public hearings before the Planning Commission and City Council.
2. CONFORMANCE TO AMENDED DEVELOPMENT STANDARDS. Development shall conform with the amended development standards pertaining to setbacks, stepbacks, and setback/building location/stepback exceptions with the city staff date of 10/19/16, attached as Exhibit B to Attachment 2. Any change to the development standards shall be subject to additional public hearings before the Planning Commission and City Council.
3. BUILDING HEIGHT LIMITATIONS. No building on the site shall exceed 46-feet in height inclusive of roof top appurtenance, measured as provided in the applicable section of the Zoning Ordinance.

INFRASTRUCTURE AND DEDICATIONS

4. CIRCULATION IMPROVEMENTS. Prior to any permit issuance for the development project the owner shall make the required dedications.
 - a. STREETS. Dedicate the following right-of-way and construct the following street improvements:

Street Name	Street Type	Dedications	Improvements	Notes and Requirements
East 5 th Avenue	Unclassified Local Commercial Street	Existing 40-foot northwest half street	Existing	a.1., a.2.
Alley	Alley	Two (2) additional feet for a total southeast 10-foot half alley	Pavement	a.1., a.3., a.4.

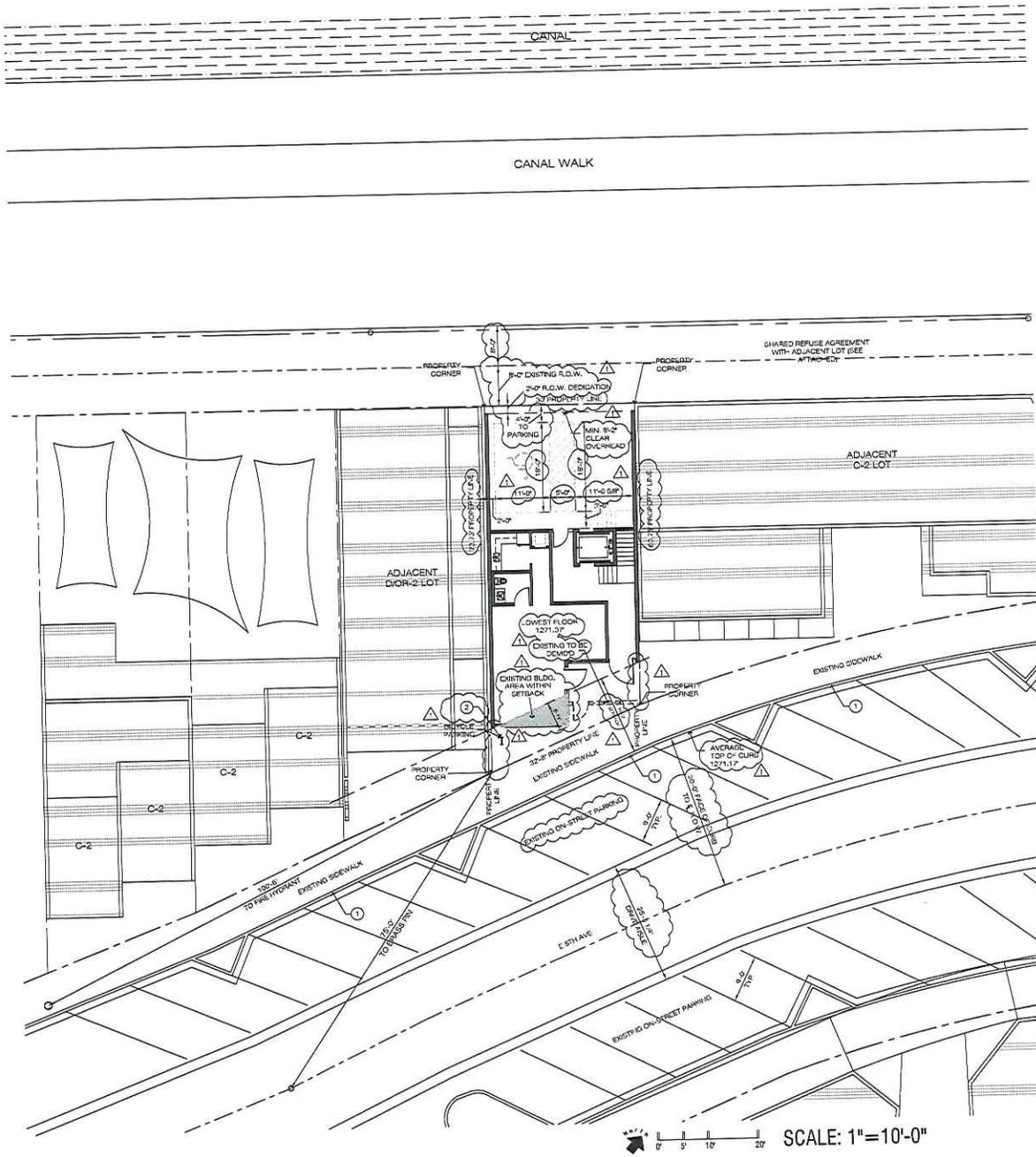
a.1. All street improvements (curb, gutter, sidewalk, curb ramps, driveways, pavement, concrete, etc.) shall be constructed in accordance with the applicable

City of Scottsdale's Supplements to the Maricopa Association of Governments (MAG) Uniform Standard Specifications and Details for Public Works Construction, and Maricopa Association of Governments (MAG) Uniform Standard Specifications and Details for Public Works Construction and the Design Standards and Policies Manual.

- a.2. The property owner shall remove and replace any broken sidewalk abutting East 5th Avenue to match the existing widths.
- a.3. Prior to issuance of any building permits for the development project, the owner shall dedicate to the City additional right-of-way so that a total of a 10 foot wide southeast half alley right-of-way is provided abutting the property.
- a.4. The property owner shall mill and pave the alley directly adjacent to the property.

5. EASEMENTS.

- a. EASEMENTS CONVEYED BY SEPARATE INSTRUMENT. Prior to issuance of any building permit for the development project, each easement conveyed to the city separate from a final plat shall be conveyed by an instrument or map of dedication subject to city staff approval, and accompanied by a title policy in favor of the City, in conformance with the Design Standards and Policies Manual.



GENERAL NOTES

1. VERTICAL WORK ONLY. NO SITE WORK.

KEY NOTES

1. EXISTING BACK OF CURB AND OUTLET
2. BICYCLE PARKING: ONE RUND (2 SPACES) PER SCOTTSDALE'S SUPPLEMENTS TO THE MAG DETAILS #2205

10/19/2016
23-ZN-2016

Exhibit A to
Attachment 2

WWW.STARKJAMES.COM
FAX 480.994.7344

PROJECT INFORMATION

PROJECT NAME:	6922 MIXED USE
LOT ADDRESS:	6922 EAST 5TH AVE SCOTTSDALE, AZ 85251
PARCEL NUMBER:	173-48-040
SUBDIVISION:	VALLEY PLAZA
CURRENT ZONING:	C-2 DO DOMA-2
GROSS LOT AREA:	3,435 SF
GROSS FLOOR AREA ALLOWED:	1.3
GROSS FLOOR AREA RATIO PROVIDED:	0.197
NET LOT AREA:	2,022 SF
EXISTING NON-RESIDENTIAL OFA:	
OFFICE:	1173 SF
GARAGE:	677 SF
PROPOSED RESIDENTIAL UNITS:	1
PROPOSED OFA:	
1ST FLOOR OFFICE:	685 SF
2ND FLOOR PRIVATE OFFICE:	588 SF
TOTAL PROPOSED OFFICE:	1273 SF
1ST FLOOR CIRCULATION:	305 SF
UPPER FLOOR RESIDENTIAL:	2,622 SF
TOTAL CONDITIONED SPACE:	5,434 SF
CARPOR:	705 SF
PARKING:	NO NEW PARKING REQUIRED 2 EXISTING PARKING SPACES TO REMAIN (1 TO COMPLY WITH 8.105.B.4)
BICYCLE PARKING:	2 SPACES REQUIRED
DENSITY ALLOWED:	50 UNITS/ACRE
DENSITY PROVIDED:	4.21 UNITS/ACRE
OPEN SPACE:	NONE REQUIRED
REQUIRED OUTDOOR LIVING SPACE:	60 SF
PROPOSED OUTDOOR LIVING SPACE:	1,200 SF

VICINITY MAP



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

REZONING APPLICATION CASE # 23-ZN-2016

10/19/2016

A1.0

OVERALL SITE PLAN

**AMENDED DEVELOPMENT STANDARDS FOR
VALLEY PLAZA, CASE # 23-ZN-2016**

Sec. 5.3006. - Property development standards.

C.

Setbacks from public streets, except alleys.

1.

The minimum setback from public streets (except alleys) is shown in Table 5.3006.C.
The setback is measured from the back of curb.

Table 5.3006.C. Minimum Setback for Buildings Adjacent to Public Streets, except alleys	
Street	Minimum Building Setback
North Drinkwater Boulevard and North Goldwater Boulevard	30 feet
East Indian School Road	30 feet
East Camelback Road	40 feet
North Scottsdale Road in the Downtown Regional Use sub-district	40 feet
North Scottsdale Road in the Downtown Core, Downtown Multiple Use, Downtown Medical, Downtown Civic Center sub-districts	20 feet
DMU WHERE LOT WIDTH IS THIRTY (30) FEET OR LESS	16 FEET

All other public streets and public street segments in the Type 1 Area	14 feet
All other public streets and public street segments in the Type 2 Area	20 feet
Note: See the Downtown Plan Urban Design & Architectural Guidelines for locations of the public streets and setbacks above.	

F.

Building location.

1.

A building adjacent to a public street (except alleys) shall be located as follows:

b.

In a Type 2 Area, at least twenty-five (25) percent of the:

i.

Length of the building façade shall be shall be located at the minimum setback;

ii.

Length of a building façade at grade and up to a height of thirty (30) feet shall be set back at least ten (10) additional feet; and

iii.

Area of the building façade at grade and up to a height of thirty (30) feet shall be located at the minimum setback.

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.

H.

Stepbacks.

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.

I.

Exceptions to building location, setback, prevailing setback and stepback standards.

3.

Subject to design approval by the Development Review Board, in a Type 2 Area, a ~~maximum fifteen (15) feet exception to stepback and setback standards above the first floor (not specified in I.2. above), is allowed for projections that:~~

a.

A MAXIMUM FIFTEEN (15) FEET EXCEPTION TO STEPBACK AND SETBACK REQUIREMENTS ABOVE THE FIRST FLOOR IS ALLOWED FOR PROJECTIONS THAT Are less than fifty (50) percent of the length of the segment of the building façade where the projections occur; and

b.

A MAXIMUM FIFTEEN (15) FEET EXCEPTION TO STEPBACK AND SETBACK REQUIREMENTS ABOVE THE FIRST FLOOR IS ALLOWED FOR PROJECTIONS THAT Are less than thirty-three (33) percent of the surface area of the segment of the building façade where the projections occur; AND

c.

A MAXIMUM SIX (6) 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.

7.

~~The minimum setback from public street (except alleys) shall be equal to the average prevailing setback of all buildings on the same frontage, but in a Type 2 Area, not less than sixteen (16) feet.~~

10.

Where the building location requirements in F.1. above can not be met due to the location of the street line, the following shall apply:

a.

In a Type 1 Area, at least fifty (50) percent of the:

i.

Length of the building façade shall be located at the street line; and

ii.

Area of the building façade at grade and up to a height of thirty (30) feet shall be located at the minimum setback.

b.

In a Type 2 Area, at least twenty-five (25) percent of the:

i.

Length of the building façade shall be shall be located at the street line;

ii.

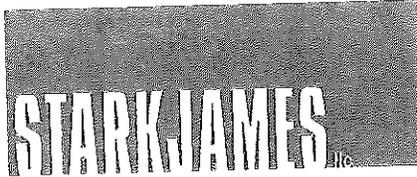
Length of a building façade at grade and up to a height of thirty (30) feet shall be set back at least ten (10) additional feet; and

iii.

Area of the building façade at grade and up to a height of thirty (30) feet shall be located at the minimum setback.

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.



November 4, 2016

RE: 6922 Mixed Use Rezoning/Amendments
#23-ZN-2016
6922 East 5th 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.

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 5th 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 5th 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 5th 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 5th 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 5th 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 5th 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 5th Avenue.

The activity of the commercial first floor unit is evident from the street through the extensive use of glass along the 5th 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 5th 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 5th 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 5th 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 5th 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 5th 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 5th 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 3rd floor of the proposed building at 6922 East 5th Avenue to align with the top of the adjacent parapet at 6916 East 5th 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 SIX (6) 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 3rd floor of the proposed building at 6922 East 5th Avenue to align with the top of the adjacent parapet at 6916 East 5th 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



- RURAL NEIGHBORHOODS
- SUBURBAN NEIGHBORHOODS
- URBAN NEIGHBORHOODS
- MIXED-USE NEIGHBORHOODS
- RESORTS/TOURISM
- SHEA CORRIDOR
- MAYO SUPPORT DISTRICT
- REGIONAL USE DISTRICT
- COMMERCIAL
- OFFICE
- EMPLOYMENT
- NATURAL OPEN SPACE
- DEVELOPED OPEN SPACE (PARKS)
- DEVELOPED OPEN SPACE (GOLF COURSES)
- CULTURAL/INSTITUTIONAL OR PUBLIC USE
- MCDOWELL SONORAN PRESERVE (AS OF 8/2003)
- RECOMMENDED STUDY BOUNDARY OF THE MCDOWELL SONORAN PRESERVE
- CITY BOUNDARY
- LOCATION NOT YET DETERMINED

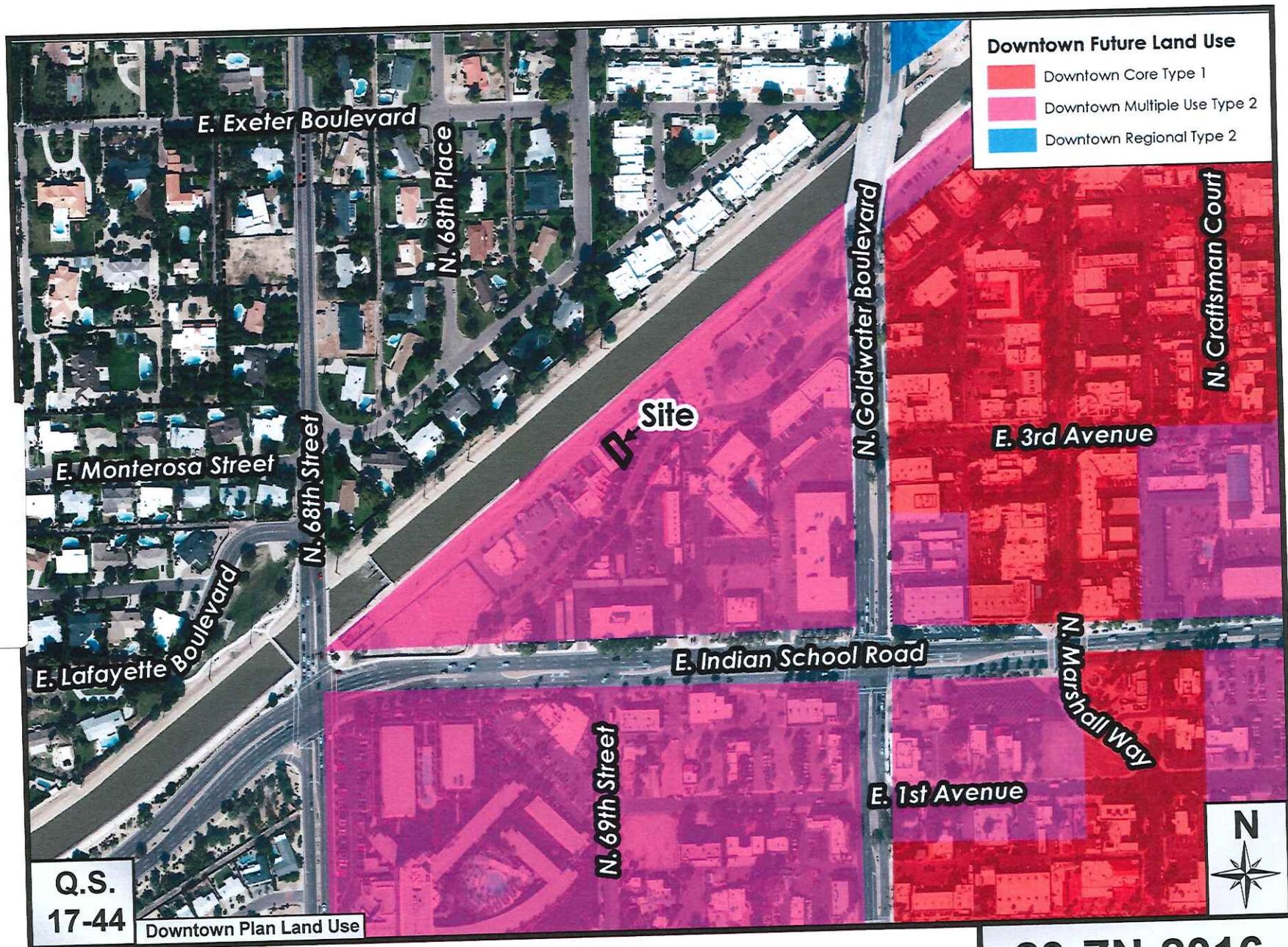
Q.S.
17-44

General Plan Land Use

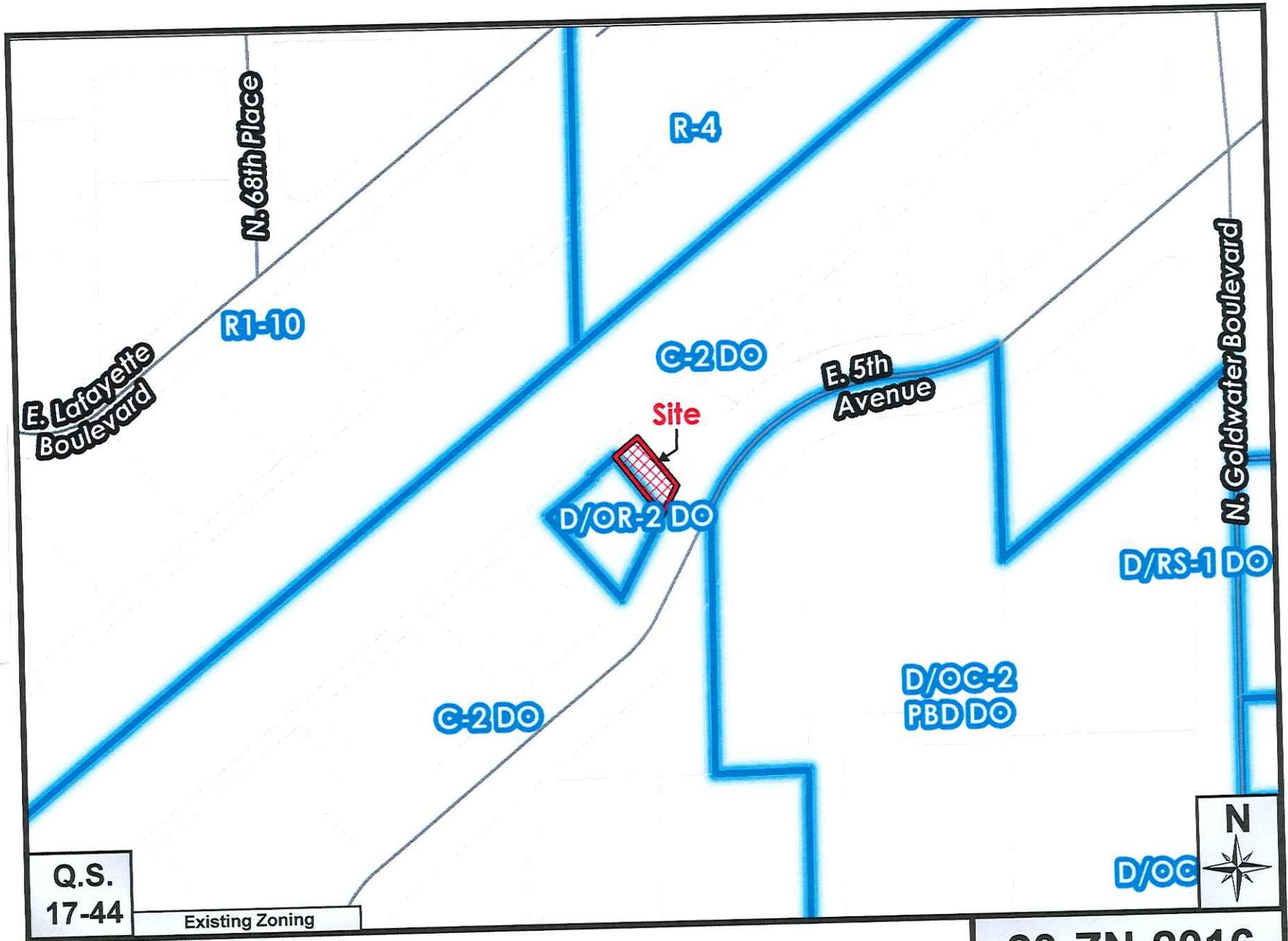
6922 Mixed Use



23-ZN-2016



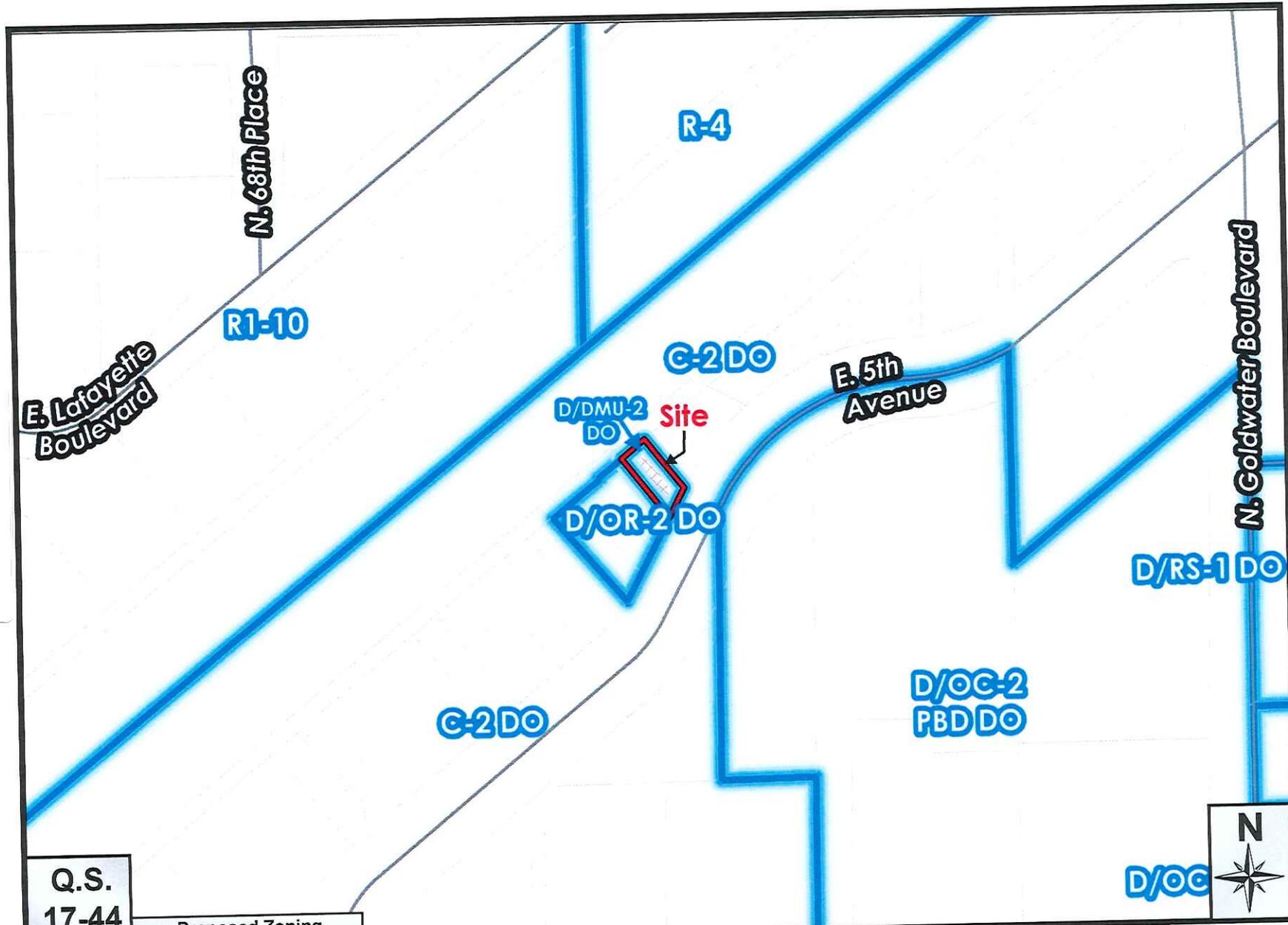
6922 Mixed Use



Q.S.
17-44 Existing Zoning

6922 Mixed Use

23-ZN-2016

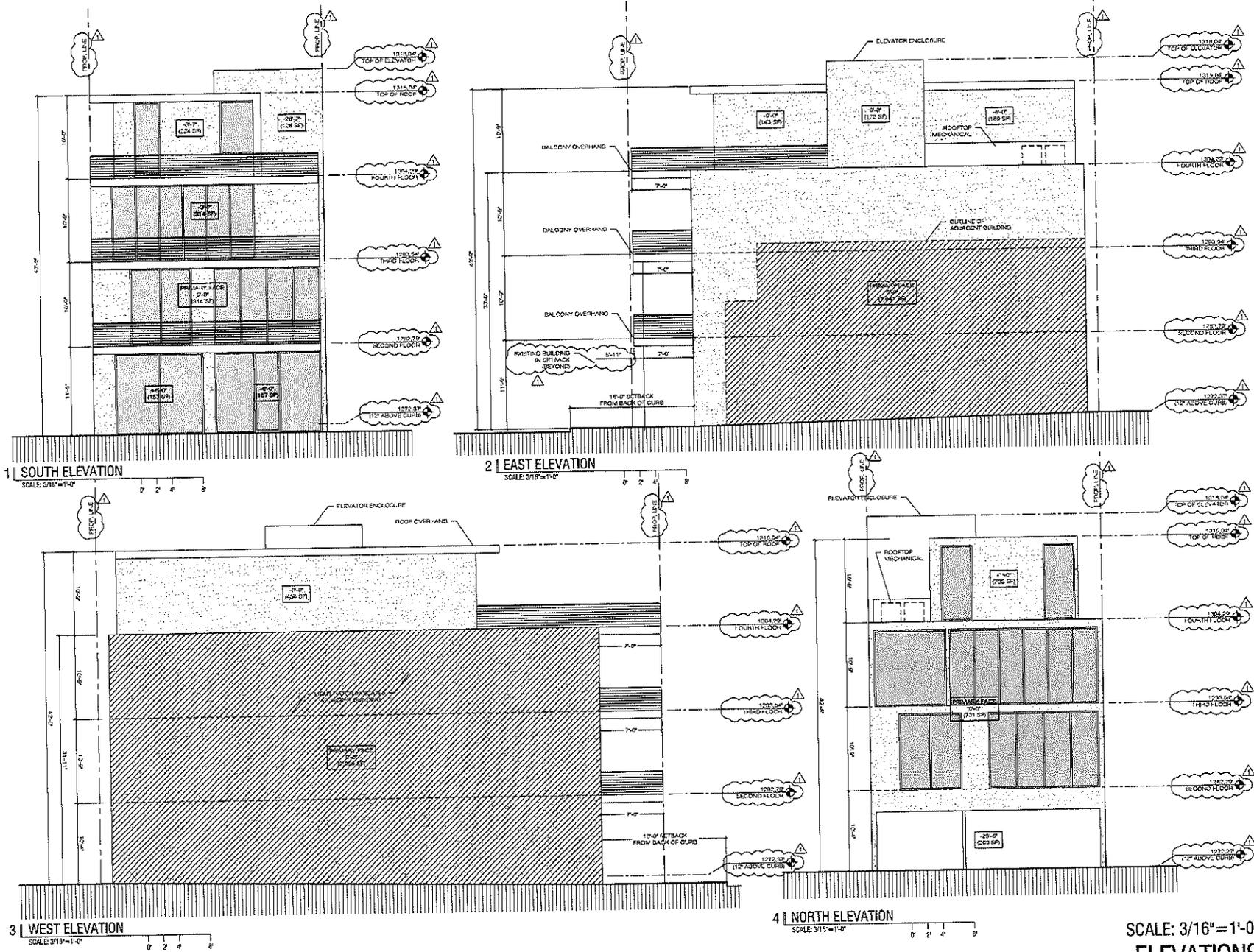


Q.S.
17-44
Proposed Zoning

6922 Mixed Use

23-ZN-2016

ATTACHMENT #8



STARK JAMES
 ARCHITECTS
 6922 EAST 5TH AVENUE, #251
 SCOTTSDALE, ARIZONA 85251
 P.O. BOX 994
 SCOTTSDALE, ARIZONA 85251
 TEL: 480.994.7344
 FAX: 480.994.7344
 WWW.STARKJAMES.COM

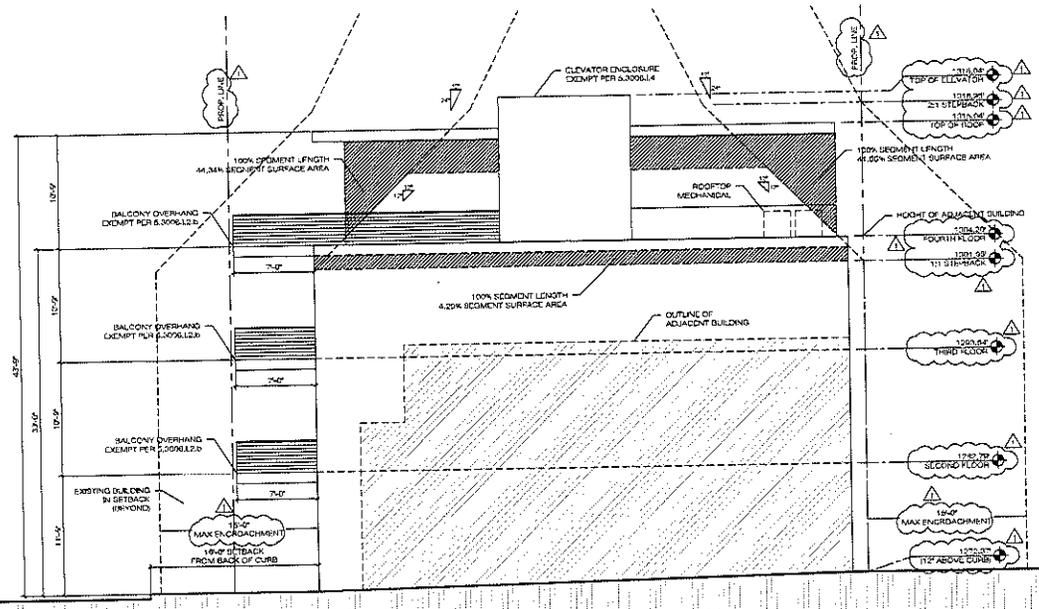
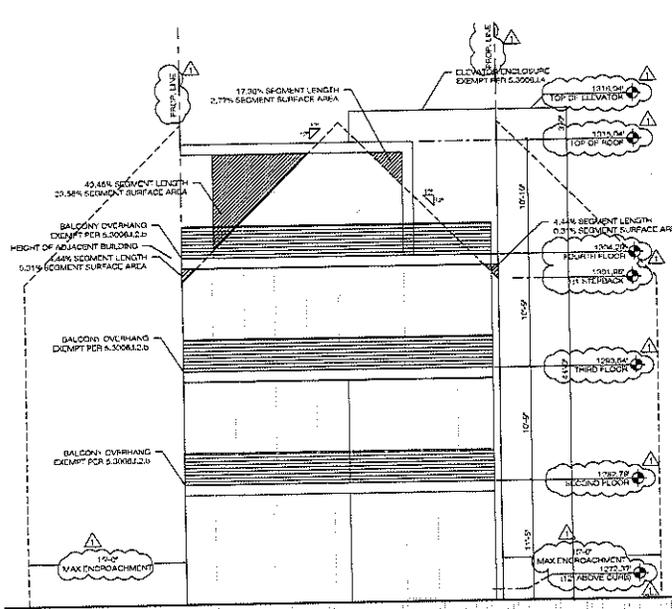
6922 MIXED USE
 6922 EAST 5TH AVE, SCOTTSDALE AZ 85251
 A.P.N. 173-48-040

REZONING APPLICATION CASE # 23-ZN-2016

10.19.2018

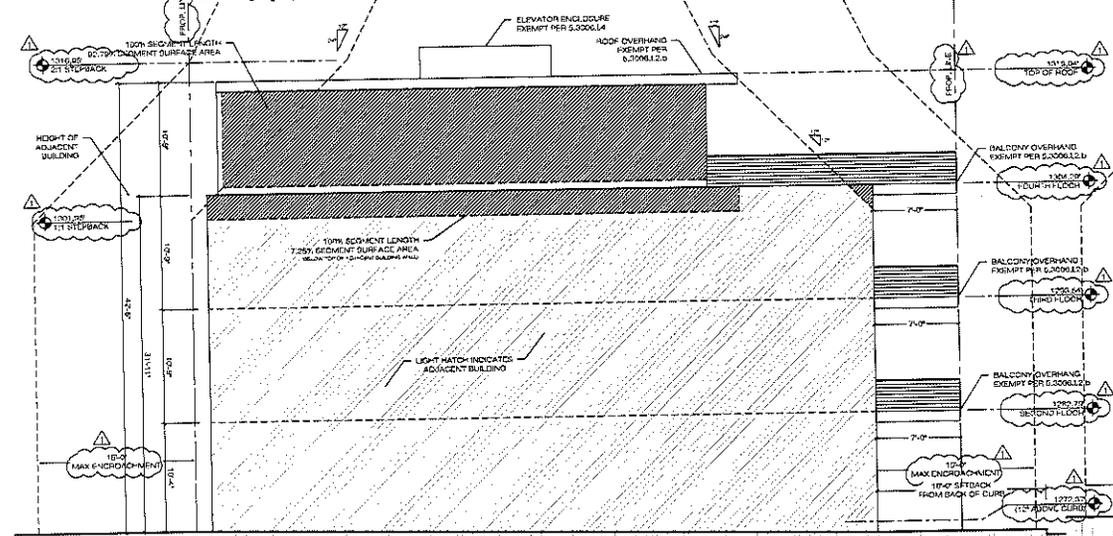
SCALE: 3/16" = 1'-0"
 ELEVATIONS

A5.0

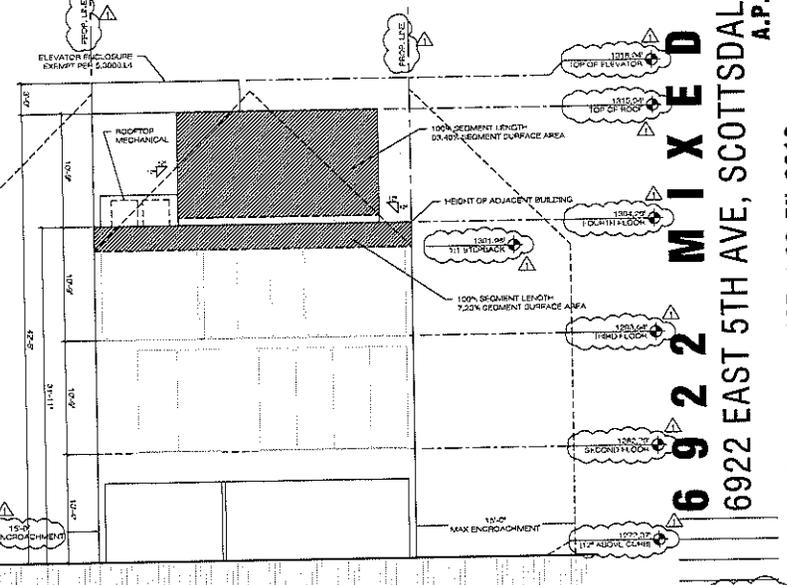


1 | SOUTH ELEVATION
SCALE: 3/16"=1'-0"

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

STARK JAMES
 603 WEST WILLOW AVENUE #200
 SCOTTSDALE ARIZONA 85251
 OFFICE 480.994.7340
 FAX 480.994.7344
 WWW.STARKJAMES.COM

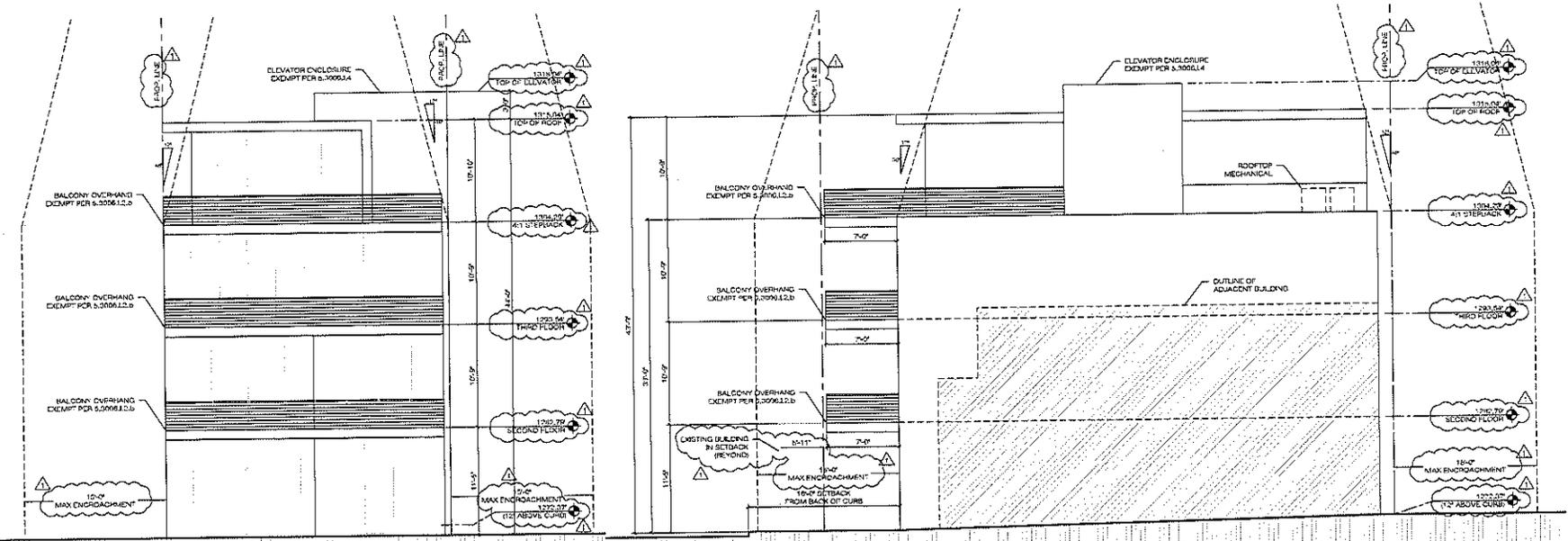
6922 MIXED USE
 6922 EAST 5TH AVE, SCOTTSDALE AZ 85251
 A.P.N. 173-48-040

REZONING APPLICATION CASE # 23-ZN-2016

10.19.2016

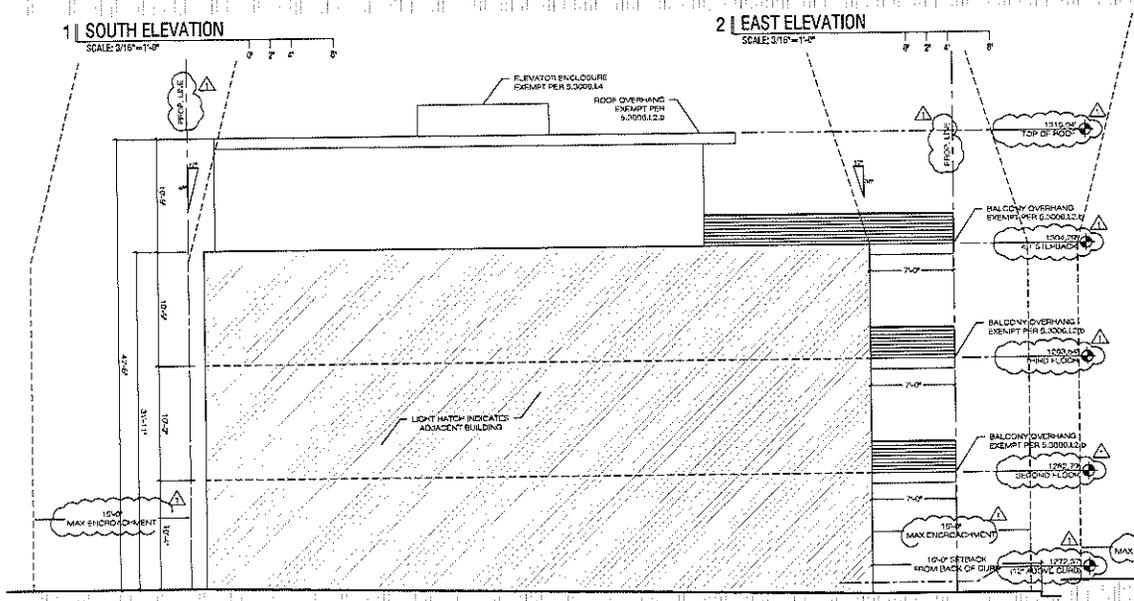
A5.1

STARK JAMES
 802 WEST HAVANA #200
 802 WEST HAVANA #200
 802 WEST HAVANA #200
 OFFICE
 OFFICE
 OFFICE
 FAX
 WWW.STARKJAMES.COM



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"

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

REZONING APPLICATION CASE # 23-ZH-2016

ELEVATIONS: PROPOSED STEPBACKS

SCALE: 3/16"=1'-0"
A5.2

10.19.2016



6922 MIXED USE

6922 EAST 5TH AVENUE, BOULDER, CO
PRESUBMITTAL

ATTACHMENT #9

STARK JAMES, LLC

23-ZN-2016

9/2/2016

100
151
140
144
C.M.A.



6922 MIXED USE

6922 EAST 5TH AVENUE, SCOTTSDALE, AZ 85251

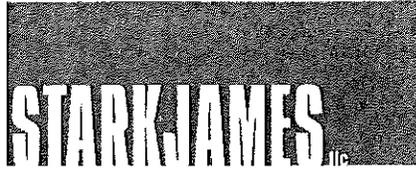
PRE-APPLICATION # 613-PA-2016

STARK JAMES
INC.

23-ZN-2016

9/2/2016

700
251
840
844
000
MAYOR S A D K I A R R S
C O M



August 29, 2016

RE: Neighborhood Open House Meeting

#613-PA-2016

6922 East 5th Avenue

Scottsdale, AZ 85251

The meeting commenced at 6:00 p.m. In attendance were neighborhood residents Rick Whalen, Joe Martin, Tony Siegle, David Perry, Greg Campbell, property owners Bruce and Kim Raskin, and Brian Stark and Ben Knowles of Stark James LLC.

Rick Whalen, Joe Martin and Greg Campbell, all of whom live on Lafayette Blvd. on the opposite side of the canal, came initially with some concerns about the proposed height of the building and visibility into their back yards. A slide show was presented demonstrating the project's consistency with the intention of the code, along with renderings of the proposed building, showing stepbacks from property lines.

David Perry, owner of the adjacent property at 6928 E 5th Avenue, said that he was glad to see new development coming in to the area.

All in attendance came up to the second floor of the existing building to get an idea of the view across the canal, and there was a general consensus that visibility was not a significant issue.

Afterward, the group went across the canal to the home of Rick Whalen to get a view across the canal to the proposed building site.



August 18, 2016

RE: 6922 Mixed Use Rezoning
Pre-Application #613-PA-2016
6922 East 5th Avenue
Scottsdale, AZ 85251

OPEN HOUSE MEETING:

Monday, August 29th at 6:00 p.m., 6922 E. 5th Ave., Scottsdale, AZ 85251

Dear neighbor,

This letter is being sent in regards to a Zoning District Map Amendment application to be submitted for 6922 East 5th Avenue. The proposed application is to rezone the property to allow for a new four-story mixed use building containing office/retail space on the ground floor and three stories of residential above.

Overview:

The 6922 Mixed Use project is located on a site that is currently zoned as Central Business Downtown Overlay (C-2 DO). The current Downtown District that applies to this area is Downtown/Downtown Multiple Use-Type 2 (D/DMU-2).

Purpose:

This application is to rezone the property to D/DMU-2 in order to allow a building height of 44 feet. There will also be a requested amendment to the setback requirements of the D/DMU-2 property development standard (Section 5.3006.I.3) to allow the building to enter into the setback area.

The goal is still 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 these sites are much larger than the proposed site. This project is located on the smallest lot on the street. Due to the lot size the current C-2 DO setback requirements would only allow a 30 foot' tall building. This height is taller than other buildings in the area; but, is much less than buildings that are planned across the street. The proposed building would also respect the intent of the setbacks by 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 façade. 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.

If you have any questions, please feel free to call me at 602.505.9116 or email me at brian@starkjames.com. You can also contact Dan Symer of the City of Scottsdale Zoning Department at 480-312-4218 or email at dsymer@scottsdaleaz.gov, or you may find additional project information at <https://eservices.scottsdaleaz.gov/bldgresources/PreApp/Search>.

Thank you,

A handwritten signature in black ink, appearing to read "Brian Stark".

Brian Stark, LEED AP

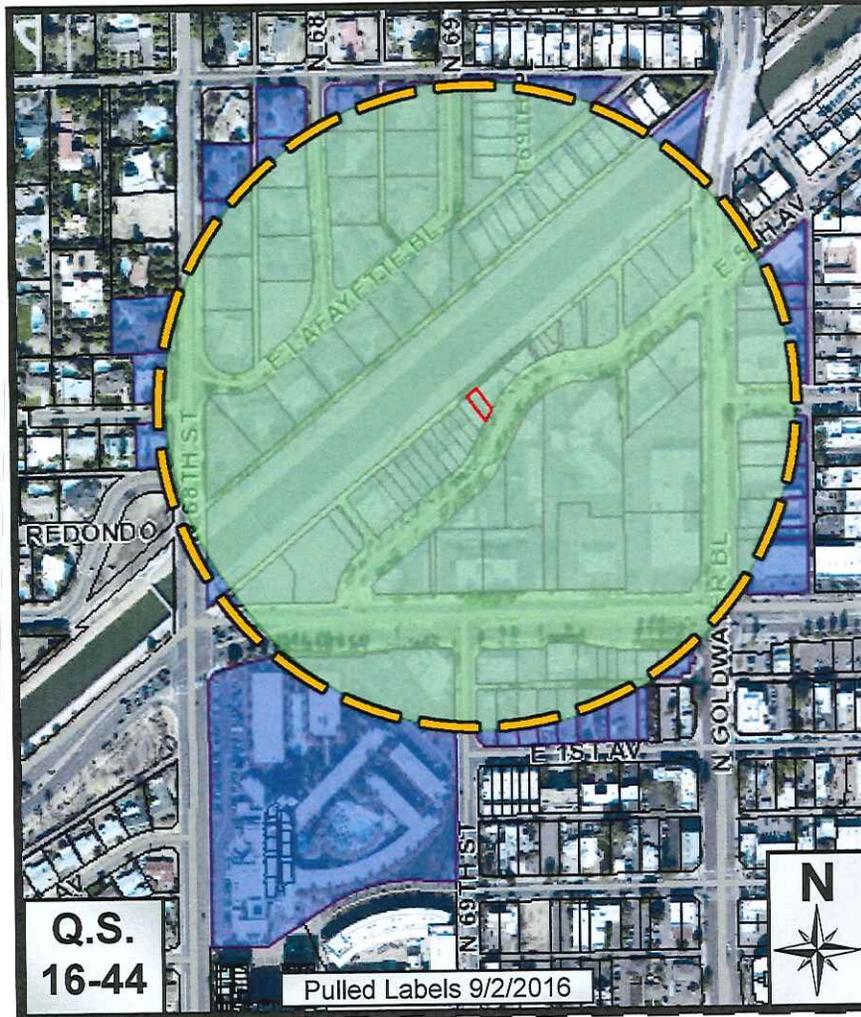
6922 EAST 5TH AVENUE #200
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FAX 480.994.7344
WWW.STARKJAMES.COM

23-ZN-2016

9/2/2016

City Notifications – Mailing List Selection Map

ATTACHMENT #11



Map Legend:



Site Boundary



Properties within 750-feet

102

Postcards

Additional Notifications:

- Interested Parties List
- Adjacent HOA's
- P&Z E-Newsletter
- Facebook
- Twitter
- Nextdoor.com
- City Website-Projects in the hearing process

6922 Mixed Use

23-ZN-2016

ATTACHMENT #11