PLANNING COMMISSION REPORT

MEETING DATE: September 27, 2006 ITEM NO. _____ GOAL: Coordinate Planning to Balance Infrastructure

SUBJECT	**Winstar Pro - 4-GP-2006**
REQUEST	Request to approve a major General Plan Amendment of the Land Use Element from Cultural/Institutional or Public Use to Office on a 5 +/- acre parcel located at 9909 E. McDowell Mountain Ranch Road.
STAFF RECOMMENDATION	Staff recommends approval of case number 4-GP-2006 to amend the General Plan Land Use Element.
RELATED POLICIES, REFERENCES	General Plan Environmentally Sensitive Lands Ordinance
OWNER	Windstar Pro LLC 480-538-5474
APPLICANT CONTACT	Paul Gilbert Beus Gilbert PLLC 480-429-3002
LOCATION	9909 E. McDowell Mountain Ranch Rd.

SUMMARY OF MAJOR ISSUES

Key Items for Consideration:

- Impact of potential development on adjacent surrounding land use.
- Traffic and circulation.
- Influences on the historic Old Verde Canal.

BACKGROUND

Planning Commission August 30, 2006

This case was presented to the Planning Commission on August 30, 2006. The Planning Commission reviewed the history of General Plan changes, traffic and circulation, and conceptual future development plans. One neighboring property owner spoke about their concerns relative to the development pattern which could result from this proposal along McDowell Mountain Ranch Road extending west from Thompson Peak Parkway, which could be commercial retail/office, multi-family residential, and office use. New information added to this report after the August 30, 2006 meeting is shown in italics.

Context

This site is located on the south side of McDowell Mountain Ranch Road just over one mile east of Pima Road/Loop 101. The intensity of uses in this area is generally greater in closer proximity and with direct access to the Pima Road/Loop 101. The Horsemans Park properties located along the south side of Bell Road east of Pima Road/Loop 101 are developed, zoned, and planned for employment uses including offices and limited manufacturing.

Located to the west of this site is the City's WestWorld facility *which is a premier, nationally recognized equestrian center and special events facility serving the local community and visitors. This facility hosts events such as horse shows and competitions, auto auction, circus, music festival, dog agility competition, specialty goods shows (e.g., clothing, gems), golffest, and polo matches. In addition, the WestWorld has a recreational vehicle park and offers its arenas, barn, and other improvements for daily and short term rental.*

At the southwest corner of Thompson Peak Parkway and McDowell Ranch Road is a convenience gasoline station. Also to the north and east of the subject site, the intensity of development decreases to medium density multi-family residential apartments/condominiums and low-density single-family residential subdivisions. Schools, a library, a park, and public facilities are located east of Thompson Peak Parkway and south of McDowell Mountain Ranch Road.

The surrounding land has the following General Plan Land Use Categories:

- *North.* Urban Neighborhoods
- *South.* Cultural/Institutional or Public Use
- *East.* Urban Neighborhoods
- *West.* Cultural/Institutional or Public Use

Site General Plan Amendment History

- *March 2002. The General Plan update was ratified by Scottsdale citizens.*
- *September 2003. Case 3-GP-2003 was submitted for the subject 4-GP-2006 five-acre property and the adjacent four-acre property to the east. The request was to change from Cultural/Institutional or Public Use to Employment. That case was withdrawn prior to any hearing.*
- *October 2005. The City Council approved case 10-GP-2005 on the adjacent four-acre property to the east from Cultural/Institutional or Public Use to Urban Neighborhoods.*
- October 2005. The City Council denied case 12-GP-2005, which included this subject site and the property to the south, for an amendment from Cultural/Institutional or Public Use to Urban Neighborhoods. There were concerns regarding the compatibility of residential use in close proximity to WestWorld. The City Council in their deliberation on that case indicated that Service Residential development corresponding to the General Plan Office designation might be appropriate for this site.

APPLICANT'S PROPOSAL

Proposed Amendment

The proposed Land Use designation is Office. The applicant's project narrative indicates that this development would consist of two-story buildings with following land use impacts:

Impact	*Existing Land Use Designation*	*Proposed Land Use Designation*
Water Use	13 acre feet/year	33 acre feet/year
Wastewater	3.5 acre feet/year	13 acre feet /year
Solid Waste	12 tons/year	92 tons/year
Vehicle Trips	200/day	732/day
Employees	24	183

STAFF ANALYSIS

General Plan

In examining the Land Use Element of the General Plan the following Values, Goals and Approaches should be considered.

Land Use Element Vision Statement

- Land uses are arranged and diverse to enhance the quality of life and ensure long-term prosperity.
- Land uses must complement each other visually, aesthetically, socially, and economically.
- Conflicting, damaging, or unwanted land uses are avoided from compromising the character of a site, neighborhood, or community.

Values

- Respect for the natural environment.
- Respect for the existing and historical context of the built environment.
- Land use and transportation planning that creates logical and efficient transportation options and patterns to help connect people to jobs, services and amenities.

Goals and Approaches

Regional Context

- Recognize Scottsdale's role as a major regional economic and cultural center, featuring business, tourism, and cultural activities.

Citywide land Use Policies

- Encourage the transition of land uses from more intense regional and citywide activity areas to less intense activity areas within local neighborhoods.
- 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.

Local Land Use Relationships

- Provide a broad variety of land use that creates a high level of synergy within mixed-use neighborhoods.

Land Use Map Designations

- The proposed Office designation includes a variety of office uses. "Minor Offices have a residential scale and character, often in a campus setting. Minor Office uses generate low to moderate traffic volumes, and could be located along collector as well as arterial streets. They are generally one-story structures, with at-grade parking. (zoning categories determine building heights and setbacks). Strict development and landscaping requirements will protect adjacent residential uses. Major Offices include offices and related uses that have more than one story and may have underground parking. Typically, this use is in and around the central business district, other major commercial cores, or freeway interchanges.

Arterial roadway access is desirable. Landscaping and development standards for Major Offices vary, depending upon the location of the use."

- The General Plan Land Use Element designates the property as Cultural/Institutional and Public Use. This category includes a variety of public and private facilities including government buildings, schools, private and public utilities, and airports. Private facilities include Taliesin West, Scottsdale Memorial Hospital, and Mayo Clinic. Some areas north of the C.A.P. Canal may include a mixture of recreation, tourism, destination attraction, equestrian facilities, hotels or resorts, and cultural uses serving a large area. The existing land use designation was placed in this area to accommodate the WestWorld facility and ancillary or support uses.

Assessment of Proposal

There is no concurrent zoning application filed with this General Plan Amendment request.

The proposal is to amend the General Plan Land Use Element to Office. This category includes a variety of office uses. *The General Plan describes Office as either Minor Office with less intensity characteristics or Major Office with greater intensity characteristics.*

Minor Office uses generate low to moderate traffic volumes, and could be located along collector as well as arterial streets. They are generally one-story structures; with at-grade parking (zoning categories determine building height and setbacks). Strict development and landscaping requirements would buffer adjacent residential uses.

Major Offices include offices and related uses that have more than one story and may have underground parking. Typically, this use is in and around the central business district, other major commercial cores, or freeway interchanges. Arterial roadway access is desirable. Landscaping and development standards for Major Offices vary, depending upon the location of the use.

There are several existing factors that establish a character for this site and its vicinity. These include planned and established use patterns, natural features, and the street network.

The Pima Road/Loop 101 corridor is shown on the General Plan Land Use Element Map as a Regional Use District and has a high intensity, concentrated mixed-use land use pattern. That corridor has a concentration of major employers, corporate headquarter offices, and manufacturing facilities along with commercial retailers. This area has a regional character and makes up Scottsdale's major employment center by drawing employees, visitors and others from other locations in the region. Beyond the Pima Road/Loop 101corridor, the land use intensity decreases.

The area to the southwest is developed and master planned for WestWorld, a major event venue with impacts such as traffic, odors, noise, and lighting. The area to the north and northeast is developed with the Horsemans Park and McDowell Mountain Ranch single-family and multi-family residential neighborhoods. To the east is a property planned for urban neighborhoods, then a commercial site and gasoline service station, and farther east is a public facility improved with schools, library, and park.

The on-site character features include the historic Old Verde Canal, natural vegetation, and slope descending from northeast to southwest. The only key deviation from that slope pattern is the Old Verde Canal that rises approximately 10 feet above the site's regularly occurring grade. The Old Verde Canal has been substantially maintained in its natural state as properties along it develop. The site is located within the Environmentally Sensitive Lands zoning district that encourages preservation of natural features including natural vegetation, views to mountains/corridors, and other naturally occurring property features.

A hierarchy or system of streets creates the street network that provides connectivity between origins and destinations. This system of streets is classified by the function of the street and amount of traffic a particular street carries. *Minor streets have less traffic volume and allow greater access; major streets carry higher volumes and have limited access.* McDowell Mountain Ranch Parkway, located north of this site, is a Major Collector Street. A Major Collector Street provides connections from smaller streets to larger streets. Access from parcels abutting Major Collector Streets may occur for commercial or multi-family residential land uses.

There are existing Government Land Office Patent Easements (GLO's) on this property and the adjacent property to the east that provide access to McDowell Mountain Ranch Road for the property to the south (5-GP-2006). The undeveloped properties in this area should work together to define a street system that will provide reasonable access for all parcels to McDowell Mountain Ranch Road.

Potential development on this site will need to respond to the surrounding development impacts, site natural features, and the street system. *The General Plan's land use designation for Office is acceptable. The General Plan describes Office as either Minor Office with less intensive characteristics or Major Office with greater intensive characteristics.*

There is no concurrent zoning application filed with this General Plan amendment request. The City Council, in their deliberation on the 12-GP-2005 case indicated that the S-R (Service Residential) development that corresponds to the General Plan Minor Office description might be appropriate for this site. *S-R (Service Residential) allows less intensity of uses and 18-foot high buildings.* The zoning district that corresponds to the General Plan's Major Office description is C-O (Commercial Office). C-O zoning allows a greater intensity and variety of land uses and 36-foot high buildings. This site could support either S-R zoning or highly conditioned C-O zoning with restrictions on height, intensity of development and limiting uses to those with strictly office characteristics.

The approval of a General Plan Amendment cannot directly stipulate to a specific zoning district. The purpose of a General Plan is to provide a broad policy guide for future development. The Land Use Element and its land use map serve as an indicator for the zoning that could be placed on a property. At the time of zoning case submittal and review, a detailed analysis of use intensity including development characteristics such as building height, setbacks, buffers, and traffic patterns will need to be evaluated to determine the most appropriate zoning.

Community Involvement
A City-sponsored open house for case 4-GP-2006, 5-GP-2006, and 6-GP-2006 was held on June 5, 2006, from 5:30 p.m. to 6:30 p.m. at the Scottsdale Water Campus at 8787 Hualapai Drive. Eleven individuals attended the Open House Meeting. Most of the attendees were seeking additional information, and some voiced concerns regarding potential additional traffic and view corridor impacts from office buildings.

STAFF RECOMMENDATION

Staff recommends approval of case number 4-GP-2006 to amend the General Plan Land Use Element.

NEXT STEPS

The City Council will consider this request at their October 30, 2006 hearing.

RESPONSIBLE DEPT(S)

Planning and Development Services Department
Advanced Planning

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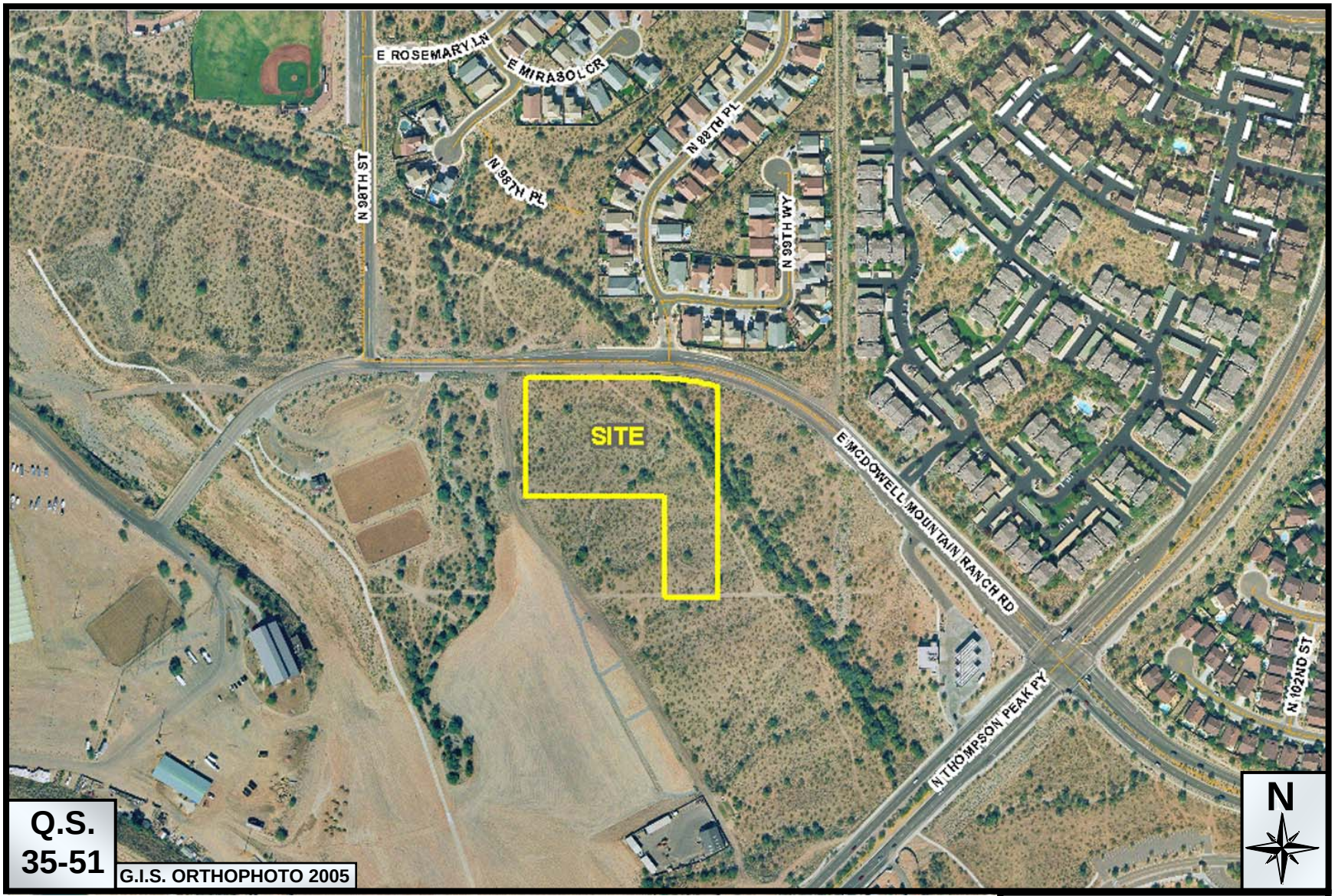
ATTACHMENTS

1. Context Aerial
2. Existing General Plan Map
3. Applicant's Narrative
4. Planning Commission Remote Hearing Minutes



Winstar Pro

4-GP-2006

ATTACHMENT #1

General Plan (Existing)

- 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

N

Adopted by City Council October 30, 2001
Ratified by Scottsdale voters March 12, 2002
revised to show McDowell Sonoran Preserve as of May 2004
revised to reflect General Plan amendments through June 2004

4-GP-2006
ATTACHMENT #2

WINSTAR PROJECT NARRATIVE

I. INTRODUCTION

The proposed amendment is change the Land Use Element of the General Plan from a Cultural/Institutional or Public Use designation to Office for a parcel of approximately 5 acres located west at 9909 E. McDowell Mountain Ranch Road.

The Cultural/Institutional or Public Use land use category "includes a variety of public and private facilities including developed open space, government buildings, schools, private and public utilities, and airports. Some areas north of the CAP Canal may include a mixture of recreation, tourism, destination attractions, equestrian facilities, hotels or resorts, and cultural uses serving a large area." The designation of Cultural/Institutional for this area of the city was mainly for the Westworld equestrian facilities to the south and west of this property. It was anticipated that this general area would include a mixture of uses focusing on the equestrian facilities, recreation, and tourism facilities supporting the Westworld complex.

The Office category "could accommodate complementary 2-story office development.

II. GUIDING PRINCIPLES

Character and Lifestyle:
One of the Goals of this Element is to make sure that all development is consistent and appropriate in terms of community goals, surrounding area's character, and the specific neighborhoods. Another Goal is to identify and preserve the city's historic, archaeological and cultural resources. The Old Verde Canal is one of those identified resources and should be preserved through the development process. The proposed Office use will enable the subject property to be planned and developed in land uses that are similar to the uses abutting to the east, while accomplishing a transition from Westworld. Uses and activities of the Westworld Cultural Center, such as impacts created by large scale special events must be planned for and the Office use will allow for adequate buffering for potential adverse sights and sounds while promoting integration with the adjacent neighborhoods. The proposed amendment to Office enhances and protects neighborhoods and ensures and sustains their quality of life by creating a safe, clean, and visually attractive transition from Westworld. The change to Office positively affects and implements the neighborhood's character by providing a buffer from more intense uses and creating additional opportunities for economic activity. The plan will allow alternate modes of transportation for local residents/employees as well as enhance the landscape and architectural character established by existing residential and non-residential uses. No character area study has been approved, and no neighborhood plans have been proposed or completed for this area. The application site is within the designated ESL area and thus is subject to the accompanying regulations of the overlay regardless of the land use category.

Economic Vitality

Office will provide for office development bringing additional small business opportunities to an attractive location with numerous amenities. The proximity of the office space to desirable living areas has the potential to reduce vehicle travel, and at least some of the employees of these offices are expected to reside within McDowell Mountain Ranch.

Neighborhoods:
The Neighborhoods Element seeks to enhance, preserve, or rehabilitate as may be appropriate. McDowell Mountain Ranch is a relatively new neighborhood that is comparatively diverse, containing a regional (and occasionally national) destination facility at Westworld together with a variety of non-residential uses typically at a small scale and a variety of residential densities. This property, and the areas to the west are designated Cultural/Institutional on the General Plan Land Use Map. The Cultural/Institutional designation was placed in this area specifically to accommodate the Westworld facility and ancillary or support uses. The areas on the north side of McDowell Mountain Ranch Road are designated Suburban Neighborhoods, the property immediately to the east is designated Commercial. The Westworld equestrian center is to the south and west, the McDowell Mountain Ranch master planned community is to the east, and a mix of smaller subdivisions and nonresidential uses (school facilities) are to the north and west. Current zoning for this property is R1-35 ESL. Areas upslope of the Old Verde Canal, subject from time to time to ponding of run -off have the greatest plant density. The vegetation on the property is predominantly naturally occurring and indigenous. With the exception of the Old Verde Canal and perimeter roadways, the site is largely undisturbed and has a natural desert character. The application proposes land uses that will be consistent with approved uses on adjacent properties, allowing for enhanced compatibility.

Open Space The Verde Canal extends several miles northwest and southeast from the site and has been identified by area developers and by the city as both a cultural resource, an environmental asset and as a linear open space feature connecting several neighborhoods, commercial centers and cultural/recreational facilities along its length. While a constraint in some respects, the feature represents a unique opportunity and is both an asset to the property and to the larger community. In order to promote harmony with the natural desert surroundings, the applicant recognizes that the site is within an ESL designated area and provides for certain NAOS requirements.

Sustainability. This is an ideal site for multimodal transportation with established infrastructure of several modes already in place. In addition, the work function proposed here suggests more opportunities for minimizing motor vehicle travel. In a nutshell, there will be more places for people living in McDowell Mountain Ranch to work. Sustainability includes Preservation and Environmental Planning, which will be addressed in more detail with the implementation of the project. However, the site is located within the Lower Desert Landform of the ESL Ordinance and will require the dedication of Natural Area Open Space. Future development of this site should take into account the preservation of the Old Verde Canal, which has been identified as a historical/archeological resource for the City of Scottsdale. This recognition of the Verde Canal has resulted in the preservation of large portions of the Canal feature in the site planning and

development of other properties in the area. A similar response is expected in development of this property. Sustainability also encompasses the Cost of Development. The City of Scottsdale has long held the philosophy that new development should "pay for itself" and not burden existing residents and property owners with the provision of infrastructure and public services and facilities. The developer of the project will be responsible for any necessary infrastructure improvements to accommodate the demand generated by the new uses. The current land use designation of cultural/institutional could provide for a land use of greater intensity that is proposed with this application, and the infrastructure in place or planned will readily accommodate this project, so it is unlikely that any significant additional off-site improvements will be required.

Transportation

The Office use offers predictability in peak use trips with moderate activities throughout the day and limited activity on weekends. Office use will also provide an opportunity for employees/residents to walk or bicycle to and from the site. In addition, equestrian facilities are adjacent and opportunities for hiking are nearby.

III. LAND USE IMPACT ANALYSIS

The following table is derived from the City of Scottsdale Land Use Impact Model. Although it reflects increases in comparable categories, it should be noted that the values reflected here are estimates that are not based on actual uses or plans. In reality, the Cultural/Institutional land use category could encompass a broad range of uses whose actual impact could be very different from these values, and the same is true of the proposed Office land use. Accordingly, floor area is not depicted in the table below.

	Existing Cult.Inst.	Proposed Office
Carbon Monoxide	22	80
Floor Area		
Population		
School Children	---	
Water Use	13 Acre Ft/Yr	33 Acre Ft/Yr
Wastewater	3.5 Acre Ft/Yr	13 Acre Ft/Yr
Solid Waste	12 Tons/Yr	92 Tons/Yr
Vehicle Trips	200/Day	732
Employees	24	183

IV. POLICY AND GOALS DISCUSSION

The Land Use designation of Cultural/Institutional is not necessary for the benefit of the city's Westworld facility. Land Use Element Goals speak to integrating the land uses into the surrounding physical and natural environments, the neighborhood setting, and the neighborhood itself. This can be achieved through transitions to help integrate into surrounding neighborhoods, and promoting development patterns and standards that are consistent with the surrounding uses and reinforce the area's character. The location of this property is unique, it is surrounded by a variety of land uses, and it is adjacent to a primary developed equestrian facility, providing amenities for both visitors and residents. It is important to consider the proximity of the McDowell Mountain Ranch subdivision to the north and the east.

The only change that this application proposes is to the land use designation. Instead of continuing the cultural/institutional land use existing to the west of the subject property, a designation that provides for integration with the land uses to the east is appropriate. Unless the City wants to acquire the subject property and expand Westworld, a prospect that is remote at best, this site should be planned in conjunction with or to be compatible with the approved uses to the east. The Office category allows that to happen, while the cultural/institutional designation does not.

Open Space and Vista Corridor goals are will benefit from this application. Although the ESL designation and its required open space apply to any land use designation, and the requirement to preserve the Verde Canal will likely apply to any land use designation, the ability to retain the Canal will be enhanced by a land use designation that allows the subject property to be planned in conjunction with the uses to the east. Transportation would also be enhanced by the appropriate land use category. As noted, the opportunity for a trail along the canal in this area would be improved. In addition, in this area the relationship between the canal, the existing streets, and parcel boundary lines does not provide good vehicle access for some parcels in the area. Fortunately this site does have good access to McDowell Mountain Ranch Road.

V. NEIGHBORHOOD ISSUES

This property has been the subject of 2 previous applications for General Plan amendment, the first for an Employment land use and the second for Urban Neighborhoods. One was withdrawn, and the other denied. A benefit from this experience is that there has been a great deal of public scrutiny. We know, for example, that multifamily residential at a density of 10-12 units per acre has been deemed acceptable by neighbors in the past, and we accept that density limit. Employment use has been replaced by 2-story Office use due to concerns about service bay doors, truck traffic, and the aesthetics of industrial buildings, particularly given the lower elevation of the subject property.

The designation of Cultural/Institutional for this area of the city was established mainly for the Westworld equestrian facilities to the south and west of this property. At the time of the previous

applications there was some indication of a possible interest in expanding Westworld to this site, but that possibility ended when the State land was purchased by its current owners.

The applicant has notified neighbors within 750 feet, as well as the appropriate HOA's, and has posted the property and scheduled the necessary Open House meeting. The City will be informed of the neighbor's response throughout the amendment process.

Conclusion

This proposed General Plan amendment is consistent with the character, land use intensity, and goals for future development in this area of the city and, if developed sensitively, will not have a negative impact on surrounding neighborhoods or neighboring land uses. The Westworld complex does not need this area to be maintained as Cultural/Institutional. The proposed Office use will provide an adequate transition and a buffer from the diverse uses and activities of Westworld.

Christopher Heede, resident, addressed the Commission. He expressed concern about traffic on Lone Mountain and westbound traffic making left-hand turns. He noted a concern about headlights from the commercial area being visible from the residential property. Thirdly, he expressed concern about the safety of people using the area at night and the amount of people it would attract.

Brent Nerguizian, resident, addressed the Commission. He spoke in favor of the development. He noted that he had been made written promises which addressed all of his initial concerns about the development. He read a letter addressed to him from the Applicant confirming that the building height would be limited to 18 feet, parking lot lighting would be low level bollard type used only for security purposes, lighting on the building would be shielded or recessed into the building to prevent horizontal viewing of light, and parking would be confined to the south side of the building. He opined that it was important to maintain the scenic corridor of the area and that a bank would be the best use because it would be low intensity and would increase area property values.

Howard Myers, 6631 East Horned Owl Trail, addressed the Commission. He reiterated that the application was a land use issue. In no way does the Desert Foothills Overlay allow for commercial development; allowing this would open the door for development on every other major corner going down Scottsdale Road. He noted that the only commercial development in the area was the Basha's shopping center, which was not planned; it already existed.

Mr. Myers clarified that every citizen group in that area opposes the amendment; noting that the petitioners were supplying misleading information. He expressed hope that the Commission would not entertain all the ideas of the way it would look, et cetera and keep in mind the land use issue. He noted that the bank hours would be incompatible with the area. Banking hours are no longer 9 to 5, because of the drive-up ATMs.

Mr. Gulino addressed the traffic concerns raised by the speakers, noting that a traffic study would be conducted which may result in a right in, right out only situation. He mentioned that the twenty feet buffer on the south and west side should screen out any headlight impacts on the neighborhood. Mr. Gulino agreed with Mr. Myers that this was a land use issue, but felt that it would not make sense as a single family residential structure.

In response to an inquiry by Commissioner Barnett, Mr. Gulino noted that there had not been any interest in working on a differently entryway from the property owners to the west.

1. 4-GP-2006 <u>Winstar Pro</u>

Request by owner for a major General Plan Amendment of the Land Use Element from "Cultural/Institutional or Public Use" to "Office" on a 5/- acre parcel located at 9909 E. McDowell Mountain Ranch Road.

Mr. Lusardi requested that 4-GP-2006 and 5-GP-2006 be reviewed together.

2. 5-GP-2006 2005 R.E. Investments

Request by owner for a major General plan Amendment of the Land Use Element from "Cultural/Institutional or Public Use" to "Office" on a 5+/- acre parcel located at 15522 N. Thompson Peak Parkway.

Mr. Lusardi stated that the two cases had similar issues. He reviewed that a General Plan amendment was filed in 2003 for employment and was withdrawn by the Applicant. The Council approved a General Plan amendment on the adjacent site for urban neighborhoods and then in 2005 they denied a General Plan amendment for urban neighborhoods on the subject sites. The major issues being reviewed are the impact on adjacent and surrounding land uses with respect to view corridors and view-sheds. The difference between the two sites, is GP-5 has access only from McDowell Mountain Ranch Road. Staff would work with the Applicant, the developers of GP-4, to provide for access to GP-5, which would typically be through a dedication on the site. The third issue was influences on the historic Old Verde Canal and how it would be impacted by development.

In response to a question by Commissioner Barnett, Ms. Wauwie explained that the other nearby parcel passed by City Council was zoned R1-35 because the companion zoning case requesting a rezoning to R-5 had not yet been considered for final decision; additional work needed to be done on the details of the case.

Vice-Chairman Heitel inquired regarding a letter from the owners of the adjacent site which suggested that they believed they should receive office designation if the other two parcels were approved. The owner of that property indicated that he would address questions during the public speaking segment of the meeting.

In response to a question by Commissioner Barnett, Mr. Lusardi stated that from a planning perspective the two properties could be looked at as a single development with respect to access; GP-5 has to get its access from the site on GP-4 and the adjacent property. Staff cannot guarantee that the two properties will be developed simultaneously or with one developer. Transportation planning would not allow access from North Thompson Peak Parkway.

Commissioner Steinke inquired about whether the access that touches North Thompson Peak just before the bridge is continuous and if it could be a potential access. Mr. Kercher explained that what is under construction was a loop driveway being constructed as part of the McDowell Mountain Ranch Aquatic Center. Some potential exists to have access from the loop road, but the Transportation Department's goal is to get access to McDowell Mountain Ranch. The loop is not designed to street standards for access, it is a driveway. The Transportation Department would like to see all three developments work together to achieve an access plan that will work coming off of McDowell Mountain Ranch Road.

Vice-Chairman Heitel suggested there may be opportunities to require the two parcels to be developed in a similar cohesive manner in order to avoid traffic

problems. Mr. Lusardi reiterated that there cannot be a stipulation, although staff could encourage the Applicants to work together; the site design will be looked at during a zoning or DRB hearing.

Paul Gilbert, representative for the Applicants, addressed the Commission. He opined that the cultural institutional designation was not a practical use for the properties. He reviewed that the property owners had unsuccessfully applied for both employment and multifamily residential in the past, they are now coming forward with office. Mr. Gilbert reviewed the reasons that office use would be an appropriate use for the area.

In response to a question by Vice-Chairman Heitel concerning connectivity between the two parcels, Mr. Gilbert stated that he could inform them of the need for inner connection. Mr. Gilbert noted that a specific site plan was not chosen because the owners wanted to establish the use as a General Plan amendment and then bring it in with the zoning case that would follow.

Chairman Steinberg inquired about the reason for bringing in a two-story concept when City Council recommended a one story or SR 18 foot maximum height. Mr. Gilbert argued that that opinion was never expressed as a majority view of the City Council; when presenting a site plan compatibility may be shown for two-story. He clarified that there was no slope that would preclude any major objections to a two story structure.

Commissioner Steinke observed that 5-GP-2006 is an island and cannot be accessed without addressing access. If the Commission is going to be asked to vote on the use he hoped that the access question would be addressed even without a zoning request.

John Thomas addressed the Commission as a representative of his mother Judy Thomas who owned the adjacent property. He addressed Vice-Chairman Heitel's question regarding the letter he had written. He explained that because their property is surrounded by commercial, it would make sense to allow them to have rentals on their property, as opposed to individual residential. Mr. Thomas mentioned that a topographical survey was recently conducted on their property which showed a 17-foot fall. He felt this indicated that there may be a larger fall on the applicant properties; it would seem reasonable and beneficial to allow up to three stories if that were the case.

In response to an inquiry by Commissioner Barnett, Mr. Thomas clarified that there was no time frame for zoning application as of yet.

WRITTEN COMMUNICATION

None.