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SCOTTSDALE DEVELOPMENT REVIEW BOARD
KIVA - CITY HALL
3939 N. DRINKWATER BOULEVARD
MAY 6, 2004
MINUTES

PRESENT: David Ortega, Council Member
E.L. Cortez, Vice Chairman
James Heitel, Planning Commission Member
Michael D'Andrea, Design Member
Anne Gale, Design Member
Jeremy Jones, Design Member
Michael Schmitt, Design Member

STAFF: Jayna Shewak
Kroy Ekblaw
Suzanne Colver
Tim Curtis
Bill Verschuren
Al Ward
Greg Williams

CALL TO ORDER

The regular meeting of the Scottsdale Development Review Board was called to order by Councilman Ortega at 1:00 p.m.

ROLL CALL

A formal roll call confirmed members present as stated above.

OPENING STATEMENT

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COUNCILMAN ORTEGA read the opening statement that describes the role of the Development Review Board and the procedures used in conducting this meeting.

MINUTES APPROVAL

April 15, 2004 DRB Minutes

VICE CHAIRMAN CORTEZ MADE A MOTION TO APPROVE THE APRIL 15, 2004, MEETING MINUTES AS PRESENTED. SECOND BY MR. JONES.

THE MOTION PASSED BY A VOTE OF SEVEN (7) TO ZERO (0).

CONSENT AGENDA

COUNCILMAN ORTEGA stated cases 75-DR-2003, 18-DR-2004, and 100-DR-2003 have been moved from the consent to regular agenda.

75-DR-2003	Scottsdale Mitsubishi Site Plan & Elevations 15500 N. Hayden Road John Mahoney Architect, Architect/Designer

(PULLED TO REGULAR AGENDA)

5-DR-2004	McKnight & Main Office/Residential Building Site Plan & Elevations 7539 E. McKnight Avenue Design Coalition, Architect/Designer
18-DR-2004	South Corp Yard Site Plan & Elevations 7601 E. McKellips Road Larson Associates Architects Inc., Architect/Designer

(PULLED TO REGULAR AGENDA)

28-DR-2004	Allen Instruments 7114 E. Earll Drive Outside Wall Mural The Mural Company, Applicant
100-DR-2003	Westar 101 8700 N. Northsight Blvd

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Site Plan & Elevations
Patrick Hayes Architecture

(PULLED TO REGULAR AGENDA)

7-DR-2004 Sugar Daddy's Parking Lot Expansion
7107 E. Earll Drive
Site Plan, Parking Lot Wall,
Landscape/Lighting
Sixty-First Place Architects

MR. D'ANDREA MOVED TO APPROVE CASE 5-DR-2004 WITH AMENDED STIPULATIONS. CASE 28-DR-2004 WITH THE ADDED STIPULATION THAT SOME SORT OF MAINTENANCE SCHEDULE OR PROTECTION IS PUT ON THAT MURAL. AND CASE 2-DR-2004. SECOND BY MR. HEITEL.

THE MOTION PASSED BY A VOTE OF SEVEN (7) TO ZERO (0).

COUNCILMAN ORTEGA stated for the record that no citizen comment cards had been submitted for the consent agenda.

REGULAR AGENDA

75-DR-2003 Scottsdale Mitsubishi
Site Plan & Elevations
15500 N. Hayden Road
John Mahoney Architect, Architect/Designer

MR. WILLIAMS presented this case as per the project coordination packet. Staff recommends approval, subject to the attached stipulations.

MS. GALE stated the colors are cold, very white, and reflective. She inquired if the applicant would consider using warmer colors.

JOHN MAHONEY, architect, replied they would be willing to go warmer with the colors but would like direction from the Board regarding what level they would like them to go to in terms of warmth. He explained the Mitsubishi branding element is primarily red and they use a lot of silver so he would suppose they are suggesting warmer grays and things like that because browns would not work. Ms. Gale stated she felt they could go with warmer colors and makes a nice background that would still show the Mitsubishi logos. Mr. Mahoney stated he would be happy to bring back a warmer palette for the Board's review.

MR. JONES suggested the applicant use deeper colors rather than warmer colors that would be in character with the area. Ms. Gale remarked good idea.

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Councilman Ortega inquired if the colors could be handled in a study session. Ms. Gale replied in the affirmative.

VICE CHAIRMAN CORTEZ MOVED TO APPROVE CASE 75-DR-2003 WITH THE COLORS TO BE MODIFIED TO A DEEPER TONE THAN HAS BEEN PRESENTED TO THE BOARD AND RETURN FOR BOARD APPROVAL. SECOND BY MR. JONES.

THE MOTION PASSED BY A VOTE OF SEVEN (7) TO ZERO (0).

18-DR-2004	South Corp Yard Site Plan & Elevations 7601 E. McKellips Road Larson Associates Architects Inc., Architect/Designer

MR. WARD presented this case as per the project coordination packet. Staff recommends approval, subject to the attached stipulations.

COUNCILMAN ORTEGA inquired if there was the need for a helicopter landing pad at this area. Mr. Ward replied in the negative.

MR. JONES inquired about the composition and design approach for the design of the building.

JAMES LARSON, Larson Associates Architects, Inc., 3807 N. 24th Street, Suite 100, Phoenix, AZ, provided an overview of the project and provided information on the building materials. He stated in the packet there are a series of stipulations that codify what they agreed to in the study session last time that there are elements that require further study.

COUNCILMAN ORTEGA inquired about the timetable for this project. Mr. Larson reviewed the timetable for this project noting it should go before Council in August ’05.

Councilman Ortega stated he would commend the applicant on how the buildings are set on the lot.

MR. SCHMITT stated that it is his understanding some of the project is in Tempe. He inquired if this facility would have to go before the Tempe Development Review Board. Mr. Larson explained the west and east property lines are also the City limits between Tempe and Scottsdale. The southern portion of this project abuts additional Corp Yard Land. The south boundary of the Corp Yard also abuts Tempe. They will have to go to Tempe for ratification of Scottsdale DR approval. They are told by Tempe staff that Scottsdale DR approval will ride

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and they will accept our project information but they won't know until it is submitted.

MR. JONES MOVED TO APPROVE CASE 18-DR-2004 AS PRESENTED WITH THE UNDERSTANDING THAT THE DESIGN WILL CONTINUE TO DEVELOP. SECOND BY MR. SCHMITT.

THE MOTION PASSED BY A VOTE OF SEVEN (7) TO ZERO (0).

100-DR-2003	Westar 101 8700 N. Northsight Blvd Site Plan & Elevations Patrick Hayes Architecture

MR. VERSCHUREN presented this case as per the project coordination packet. Staff recommends approval, subject to the attached stipulations.

PATRICK HAYES, Patrick Hayes Architecture, 15849 N. 71st Street, Suite 200, stated this is a project that is a sister project to an office project brought before the Board three months ago and it was unanimously approved. He further stated that this project was pulled from the consent agenda because there were questions regarding the amount of articulation on the project. He explained that he was at a loss for words since the sister project was commended on the amount or articulation and the amount shade structures on the building.

COUNCILMAN ORTEGA requested information on the true shade on the project versus just a brow of something that looks like shade but really is not. He inquired about the types of gaps they have in the grid. Mr. Hayes provided information on the three different types of shade structures on the building. He reported there would be approximately 70 percent shading and 30 percent open. Councilman Ortega stated he would encourage they make sure that happens through the construction documents.

MS. GALE commented that she felt the colors were very interesting.

MR. SCHMITT stated the elevations and the renderings appear to be significantly different in detail with regard to dark colored cap on the parapet. Mr. Hayes explained the elevations are two dimensional version of a three dimensional site noting they are the same elevations. He further explained the shade element Mr. Schmitt is referring to is difficult to perceive on a two dimensional elevation and that is why they have provided three dimensional perspectives. He noted that the depth also gets lost in the elevation. He provided additional information on the elevations.

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MR. JONES stated that Mr. Hayes' firm makes outstanding effort to make buildings more interesting and to articulate them. He further stated the fact that the deep shade is on the north side is an unusual condition. He remarked he finds the deep lid distracting and would suggest they re-consider it. He explained that he felt the design should be simplified because there are too many competing elements that are trying to do the same thing.

He stated the applicant is proposing to use reflective glass on the east façade and on the west, and there is the freeway right next to that. He inquired if they have studied sun angles and verified that it would not reflect bright light on the motorists on the 101. He expressed his concern that they are using reflective glass. Mr. Hayes replied they have not done that type of study but they would be using the same type of high performance similar to the nature and quality that is being used in this area. He provided information on the glass that would be used through the project.

Mr. Jones stated to summarize he thought this building could be improved by some simplification and just a little more consistency in parts. Mr. Hayes stated this building needs to be reviewed from three distinct different locations and they need some very bold significant architecture.

MR. D'ANDREA stated that he liked the look of the building. He further stated that he would suggest the corners be looked at again - that the shadow is a little distracting. He inquired if typically the canopy structure in the parking lot would be located at the entryway. Mr. Hayes replied in the affirmative. He explained that they felt there would be too much conflict if the canopies were to close to the building and they have tried to achieve a certain level of detail that is a step beyond what would typically be provided on projects similar to this. They took the risk of moving the canopy back so that they would have a more comprehensive view of the building.

VICE CHAIRMAN CORTEZ stated that he believed in the rendering they have taken artistic license because of the shadows, particularly with regard to the cornice. He further stated that he did not believe they see what they are going to get. He noted that the elevations more accurately represent what is going to be built.

He requested information on the new architectural design elements that are in this project that are not a part of the project the Board reviewed and approved approximately a year ago that sits to the north of this property. Mr. Hayes reviewed the elements that are different from the previous project. He noted the projects are not identical but are very close in size and scale.

Vice Chairman Cortez stated there is a stipulation that reads: "The reflectance of visible light for window glass shall not exceed 17%". He inquired if the glass

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meets that stipulation. Mr. Hayes stated they are 13% reflectivity so they are less.

COUNCILMAN ORTEGA stated he likes this project. He further stated the main obstacle was the east-west exposure and they have handled it well with shading. He commented that by splitting the building they were able to create more of a court yard glazing that is desirable.

MR. JONES MOVED TO APPROVE CASE 100-DR-2003 WITH THE OPPORTUNITY FOR THE ARCHITECT TO CONTINUE TO IMPROVE THE PROJECT IF HE IS ABLE TO. OTHERWISE IT IS A FINE BUILDING AND THEY WISH HIM WELL WITH IT. SECOND BY COMMISSIONER D'ANDREA.

THE MOTION PASSED BY A VOTE OF SEVEN (7) TO ZERO (0).

1-PP-2004	Parker Place II Preliminary Plat 11421 N. 124th Street HTPO, Inc., Engineers

MR. WARD presented this case as per the project coordination packet. Staff recommends approval, subject to the attached stipulations.

MR. D'ANDREA inquired if there is a gate at the access point at lots 10 and 11. He also inquired if the retention area could ever be enclosed. Mr. Ward replied there is a gate between the two, noting there is a perimeter buffer that is meant to be left as open space.

MR. JONES inquired about the curb on the north side. Mr. Ward stated there is a stipulation to ensure it conforms to the standards for gated communities but it would be a turn-around.

VICE CHAIRMAN CORTEZ inquired why staff has specifically referred to these walls as site walls not perimeter walls. Mr. Ward replied a perimeter wall would be on the property line. He explained that all of the NAOS is on the outside of the plat. On this property, there is no other room other than to put the site walls on the edge of the lot.

Vice Chairman Cortez stated that it was his understanding under ESLO II they were prevented from providing perimeter walls around housing developments. He further stated that if they are calling these site walls in order to avoid the intent of the ordinance he is concerned. Ms. Shewak explained that the ordinance that was recently adopted by the City Council does not to affect this property noting that the current ordinance does not limit perimeter walls. Mr. Ekblaw stated the recently amended ESLO spoke to the site wall and the

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perimeter wall particularly when they have larger lot sizes. The ordinance specifically speaks with smaller lot sizes of this density that wall can surround this area but the NAOS area is intended to be left open and accessible and not enclosed. He noted that this would be consistent with what has most recently been approved with ESLO.

MR. HEITEL remarked that was a very good observation by Vice Chairman Cortez and that he hopes the Board continues to make those types of observations as ESLO II comes into effect.

MR. D'ANDREA inquired if 124th Way should go through and continue, and if not will there be a fire access gate required on the north side of the community. Mr. Ward replied that it would be an emergency fire access gate to 124th to the north. Mr. D'Andrea inquired if they have been given anything regarding what that gate would look like. Mr. Ward replied in the negative. Mr. D'Andrea stated they should request that.

COUNCILMAN ORTEGA stated that he liked the soft corners at the entrance where the open space is left natural.

(COUNCILMAN ORTEGA OPENED PUBLIC TESTIMONY.)

MIKE NAPOLI, 12463 E. Cortez Drive, stated at this point he was concerned with architectural structure of the buildings and what they would look like.

COUNCILMAN ORTEGA explained that is not part of the discussion. Mr. Napoli stated they have already looked at this and agreed to it.

(COUNCILMAN ORTEGA CLOSED PUBLIC TESTIMONY.)

MR. JONES MOVED TO APPROVE CASE 1-PP-2004. SECOND BY MR. HEITEL.

THE MOTION PASSED BY A VOTE OF SEVEN (7) TO ZERO (0).

6-PP-2004	Boulders Villas Preliminary Plat NEC Westland & Scottsdale Road Douglas Frederickson Architecture, Architect/Designer

MR. WARD presented this case as per the project coordination packet. Staff recommends approval, subject to the attached stipulations.

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DOUGLAS FREDERICKSON, Douglas Frederickson Architects, provided an overview of this plan. He stated they have come up with a plan that is logical and sensitive plan based on the environmental constraints that they have and the circulation issues. He explained that this plan incorporates a live/work environment. He noted that they have reduced the density on the plan and would be providing as much open space as they can.

MR. D'ANDREA inquired if there would be parking on the south. Mr. Frederickson stated there would be parking on the south.

MR. SCHMITT inquired how a product like this would work. Is the idea that a person would have a home office to conduct business, or is this a space where they would have clients coming and going. Mr. Frederickson replied it would be designed for both of those uses. Mr. Schmitt inquired if a client were to come to one of these offices would there be adequate parking at each unit or would they have to park in the community. Mr. Frederickson explained they would have a double garage that would accommodate two cars and there is parking elsewhere on the site, but it is primarily designed to have that person coming to visit park at that unit.

MR. D'ANDREA MOVED TO APPROVE CASE 6-PP-2004 WITH THE ATTACHED STIPULATIONS. SECOND BY VICE CHAIRMAN CORTEZ.

THE MOTION PASSED BY A VOTE OF SEVEN (7) TO ZERO (0).

9-PP-2004	104th St. & Bell Preliminary Plat 104th Street & Bell Road Greey – Picket, Architect/Designer

MR. CURTIS presented this case as per the project coordination packet.

MR. EKBLAW explained that staff has been working with the applicant for some period as it is the City's intention to acquire on the property east of Thompson Peak Parkway. In the stipulation packets they speak to the improvements on the east side of Thompson Peak Parkway, to the Preserve access, and that there are three access points at 108th, 104th, and the access point off of Thompson Peak Parkway. In working with the applicants, they have come up with a refinement with a direct access into the Preserve. With the direct access, there will be some change that the applicant will have to make with the lot layout and street layout in that area. They don't believe there will be substantial changes.

Staff recommends that Phase 1 and 2 and the Thompson Peak Parkway and Bell Road improvements would be approved today and that speaks to the stipulations in the case. And Phases 3 and 4 and Stipulation Sections IV and VII would

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return in two weeks with any refinements in that area and any stipulation changes.

He clarified that there are no changes to the west side. No changes to Thompson Peak Parkway or Bell Road.

MR. JONES stated on Page 5 of the stipulations it reads: "Side yard. There shall be a side yard on each side of a building having an aggregate width of not less than five and one quarter (5.25) feet." He inquired if he should read that to mean that the total of the two yards is five and one quarter feet wide. Mr. Curtis replied the five and one quarter would allow for zero lot line and on one side and five one quarter on the other side. Mr. Jones stated so presumably they would have 10 feet between the actual houses with a wall in the middle and then zero lot line on the other side. Mr. Curtis replied in the affirmative.

COMMISSIONER HEITEL requested information on the main access point to the Preserve and how it is going to work for parking access. He inquired if they were going to just have a trail with no parking. Mr. Ekblaw stated there will be three access points to the Preserve, noting that it has not been designed in any detail yet but that it would come through the DRB process. He provided a brief overview of the proposed access points.

COMMISSIONER HEITEL inquired if the east side were fully developed would there be disclosure to the property owners that there will be a public trail way access through their neighborhood. Mr. Ekblaw stated in the platting process and development process the developer is very interested in what they are doing and will work to ensure that people understand the impacts as well as the amenity of it. Commissioner Heitel suggested staff have that discussion with the developer and enlighten the Board.

COUNCILMAN ORTEGA inquired if they could have two access points on the west side. Mr. Ekblaw stated they do meet all of the requirements for emergency access. He discussed the pedestrian pathway connectivity that occurs.

MR. SCHMITT inquired if relaxing the standards has resulted in providing greater open space without actually increasing the total density. Mr. Ekblaw replied this is a decrease over what was approved in the zoning as far as density. What they are seeing is the utilization of those standards to provide flexibility so they can maximize the open space.

MR. SCHMITT inquired if the direction being taken is five feet in between each rooftop. Mr. Ekblaw stated it would be five and one quarter on each side. There are greater setbacks. The clustering will allow flexibility to fit the lot patterns into the terrain, the vegetation, and drainage patterns. He noted that they are exceeding the NAOS requirements.

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VICE CHAIRMAN CORTEZ requested clarification on what staff is recommending for approval. Mr. Ekblaw replied staff is recommending approval of Phase 1 and 2 and the Thompson Peak Parkway and Bell Road improvements. And Phases 3 and 4 and Stipulation Sections IV and VII would return in two weeks with any refinements in that area and any stipulation changes.

CHARLES HARE reminded the Board that this preliminary plat represents a reduction in density by approximately 40 percent from 1786 units to 1026 units. He explained that through working with staff they have managed three access points to the Preserve. He provided a brief overview of what is being proposed. He explained that with regard to the flood wall they have elected to go with Option B.

COUNCILMAN ORTEGA provided information on the portions of land the City hopes to acquire. He remarked that he would applaud the fact that the density has been reduced. He pointed out that the Board is reviewing the preliminary plat with the trail portion later. He noted that the drainage issues are stipulated. He requested information regarding the stipulations that would be excluded from today's recommendation. Mr. Ekblaw explained the recommendation is for approval of Case 9-PP-2004 relating to Phases 1 and 2 and the map of dedications with the attached stipulations. And exempt Phases 3 and 4 that have stipulation subsections IV and VII, which will be presented for consideration at the DRB hearing on May 20th. Councilman Ortega stated that he felt that was a good way to handle it.

VICE CHAIRMAN CORTEZ requested additional information on the channel stabilization concept plan noting the Board packets show the slope wall not the vertical wall version that has been indicated by the applicant. Mr. Hare stated the only difference from what is shown is the slope is below grade.

VICE CHAIRMAN CORTEZ stated the cut and fill exhibit indicates cuts and fills of 12 feet and greater. He inquired if they do not typically look at cuts and fills of eight feet and higher. Mr. Curtis replied in the affirmative. He explained that the exhibit shows the worst case situation they have anticipated in terms of cuts and fills. There are provisions and terracing through step walls.

MR. HEITEL stated for clarity on the conceptual wall master plan the bold line around the entire perimeter merely delineates the property. Mr. Hare replied in the affirmative.

COUNCILMAN ORTEGA inquired if the Board was empowered to make any recommendations on the removal or relocation of fencing in that area as construction progresses. Mr. Ekblaw stated staff has been working on that

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through the development agreement and the ultimate acquisition that would be resolved at that point in time. They would secure access easements as they go through the platting process.

MR. HEITEL MOVED TO APPROVE 9-PP-2004 WITH THE PROVISION THAT THEY ARE APPROVING PHASES 1 AND 2 AND THEY ARE EXEMPTING OUT AND CONTINUING TO MAY 20, 2004 THE APPROVAL OF PHASES 3 AND 4 AND THE SUBSECTION STIPULATIONS IV AND VII. SECOND BY MR. JONES.

MR. EKBLAW stated to clarify the map of dedications elements is included in the approval which are Thompson Peak Parkway and Bell Road.

COUNCILMAN ORTEGA called for the vote.

THE MOTION PASSED BY A VOTE OF SEVEN (7) TO ZERO (0).

ADJOURNMENT

With no further business to discuss, the regular meeting of the Scottsdale Development Review Board was adjourned at 3:00 p.m.

Respectfully Submitted

"For the Record" Court Reporters