

**SCOTTSDALE DEVELOPMENT REVIEW BOARD  
KIVA - CITY HALL  
3939 N. DRINKWATER BOULEVARD  
FEBRUARY 21, 2002  
MINUTES**

**PRESENT:** Cynthia Lukas, Councilwoman  
David Gulino, Planning Commission Member  
Raymond Potter, Vice Chairman  
E.L. Cortez, Design Member  
J.T. Elbracht, Design Member  
Anne Gale, Design Member  
Mark Soden, Design Member

**STAFF:** Tim Curtis  
Kurt Jones  
Jayna Shewak  
Bill Verschuren  
Al Ward  
Kira Wauwie  
Jason Yaich

**CALL TO ORDER**

The regular meeting of the Scottsdale Development Review Board was called to order by Councilwoman Lukas at 1:05 p.m.

**ROLL CALL**

A formal roll call confirmed members present as stated above.

**OPENING STATEMENT**

**COUNCILWOMAN LUKAS** read the opening statement, which describes the role of the Development Review Board and the procedures, used in conducting this meeting.

**MINUTES APPROVAL**

January 24, 2002

**MR. ELBRACHT MADE A MOTION TO APPROVE THE JANUARY 24, 2002 MINUTES. SECONDED BY MR. CORTEZ.**

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

**APPROVED AT THE 3-21-02 DRB HEARING - PC**

**CONTINUANCES**

1.      3-DR-2002                      DC Ranch-Guard gate house  
   within Unit V  
   Site plan & elevations  
   Horseshoe Canyon Dr., 1,000 feet east of  
   Thompson Peak Parkway  
   Oz Architects, Architect/Designer  
   **TO BE CONTINUED TO MARCH 7, 2002**
  
2.      4-DR-2002                      DC Ranch guard gate house  
   within Unit VI  
   Site plan & elevations  
   Windgate Pass Dr., 500' East of  
   Thompson Peak Parkway  
   Oz Architects, Architect/Designer  
   **TO BE CONTINUED MARCH 7, 2002**

(NO ACTION WAS TAKEN BY THE BOARD)

**EXPEDITED AGENDA**

3.      1-DR-1992#3                      Verizon – PhoAztec – wireless  
   communication facility @ Aztec Park  
   Site plan alteration  
   13750 N. 100<sup>th</sup> St.  
   Burnham & Gammage, applicant

(PULLED TO REGULAR AGENDA)

4.      6-DR-2002                      LLM Investments, Bell 19/C3 – Industrial Park  
   Site Plan & elevations  
   Southwest corner of Bell Rd & 94<sup>th</sup> St.  
   James Elson, Architect/Designer

(PULLED TO REGULAR AGENDA)

5.      39-DR-1982#2                      The Calvin Charles Gallery – remodel and addition  
   Site plan & elevations  
   4201 N. Marshall Way  
   Wagner Architecture, Architect/Designer

(PULLED TO REGULAR AGENDA)

6.      62-DR-2000#5                      Offices at Sundown Ranch – minor  
   elevation changes

Elevations  
Northeast corner of 84<sup>th</sup> St. & Shea  
DFD Architecture, Architect/Designer

(PULLED TO REGULAR AGENDA)

7. 92-DR-2001 Scottsdale Maintenance Yard Multi-use path  
Site plan  
South end of maintenance yard between  
Miller Rd & Rio Salado Golf Course  
Logan Simpson Design,  
Architect/Designer
8. 2-PP-1997#2 Preserve 8 acre – single family subdivision  
Preliminary Plat  
Southeast corner Dynamite & 56<sup>th</sup> St.  
SKG Enterprises, applicant

**MS. SHEWAK** stated there would not be presentations on the remaining expedited cases.

**MR. ELBRACHT MOVED TO APPROVE CASES 92-DR-2001 AND 2-PP-1997#2 WITH THE ATTACHED STIPULATIONS. SECONDED BY MR. GULINO.**

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

**REGULAR AGENDA**

3. 1-DR-1992#3 Verizon – PhoAztec – wireless  
communication facility @ Aztec Park  
Site plan alteration  
13750 N. 100<sup>th</sup> St.  
Burnham & Gammage, applicant

**MR. YAICH** presented this case as per the project coordination packet. Staff is recommending approval subject to the attached stipulations.

**CHRIS SCHMALTZ**, Gammage and Burnham, 2 N. Central Suite 1800, Phoenix, AZ, legal counsel representing Verizon Wireless, provided background information on this request. He stated the City of Scottsdale owns the property and Verizon has entered a lease with the City of Scottsdale. Part of this request is to change the antenna and will require a lease amendment to allow for the raising of the single array and some other minor changes to the lease will be necessary. He further stated that the profile of the antenna would not change. They antennas would be mounted closer to the pole as requested by staff. He added the FCC issues that were raised with regard to this site have been met and are in compliance with FCC regulations.

**COUNCILWOMAN LUKAS** inquired when the lease amendment would take place if this request were to be approved. **MR. SCHMALTZ** replied the plan is to go before the City Council in March.

(**COUNCILWOMAN LUKAS OPENED PUBLIC TESTIMONY**)

**ARTHUR MONES**, 15050 N. Thompson Peak Parkway, stated he has worked in the telecommunication industry and has provided products to these people. He further stated he has great respect for the achievements in wireless. He discussed his concerns regarding notification and FCC compliance. He noted that based on information put out by the FCC, if an antenna is associated with a light in a residential area, which this is, an environmental assessment is required. He commented that Verizon notified people but they did not provide any information regarding the RF emissions. He further commented that parents with jobs couldn't attend these meetings at 1 o'clock in the afternoon. He reported that in the Verizon stores in Washington DC they hand out a bulletin that is labeled consumer information about RF emissions that is a general advisory warning. These warnings are reminiscent of the tobacco industry's general advisory warnings that enabled people to win lawsuits. He reported that no one knows if RF emissions are a problem. He further stated that the provider, the School District, and the City must attempt to educate the public regarding what this is about.

Mr. Mones stated that the city staff did a great job in development of the compliance language and incorporating it into the ultimate wireless ordinance. He further stated the City needs to do tests on a random basis to make sure every provider stays in compliance. If the DRB is the arbiter for wireless they should have some education with respect to what all of this is about.

**COUNCILWOMAN LUKAS** stated that all of Mr. Mones comments regarding the environmental assessment and the potential additions to the Wireless Ordinance as it comes before the City Council have been duly noted. Also the comments regarding the potential additions to the ordinance and how the Development Review Board might evolve in that have been noted for that future discussion.

(**COUNCILWOMAN LUKAS CLOSED PUBLIC TESTIMONY**)

**VICE CHAIRMAN POTTER** inquired if the power in the antenna arrays that are being moved would be greater than what they have been historically. **LUBY SUPROTICH** replied the power would remain the same. They are replacing the antennas to concentrate the power in certain areas. **VICE CHAIRMAN POTTER** inquired if the power would be greater to the people standing on the ground. **MS. SUPROTICH** replied by raising the antennas they would be reducing the admissions on the ground by approximately one third.

**COUNCILWOMAN LUKAS** stated that she would pass on Mr. Mones' suggestions to the School District that they work with the City to educate people.

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

- APPROVED AT THE 3-21-02 DRB HEARING - PC**

5. 39-DR-1982#2 The Calvin Charles Gallery – remodel and addition  
Site plan & elevations  
4201 N. Marshall Way  
Wagner Architecture, Architect/Designer

**COUNCILWOMAN LUKAS** requested that staff point out where the metal would be appearing because it seems very reflective. **MR. VERSCHUREN** pointed out where the metal would appear noting it is in the horizontal striped area.

**MS. GALE** stated the new design is more in keeping with the neighborhood and allows Mr. Gauthier's building and the beautiful piece of sculpture to remain exposed. She further stated she is in favor of the new design.

**MR. ELBRACHT** inquired with the revised parking circulation do they have to back out. **MR. WAGNER** replied in the affirmative.

**COUNCILWOMAN LUKAS** inquired how the proposed changes would affect the parking. **MR. VERSCHUREN** stated the applicant is required to have nine parking spaces. The applicant has six on-site parking spaces and has purchased five in-lieu parking spaces so they have 11 parking spaces. Even with the loss of the two spaces, they would have enough spaces. He further stated if the applicant adds more square footage they would have to determine whether additional parking was needed.

**MR. GULINO** inquired if the applicant had done the calculations on the additional square footage to determine whether they would need additional parking. **MR. WAGNER** replied they received this request late last week and they have not done the calculations. He stated the additional square footage would not dramatically change the calculations and they do not anticipate needing any additional parking.

**MR. GULINO** inquired which of the two site plans the applicant preferred. **MR. WAGNER** replied he would prefer the revised site plan because it creates landscaping opportunities for them. He stated he would like to emphasize they are on a time schedule because of their lease and they need to get into this building so they are looking for approval today.

**CALVIN PUCKET**, owner, stated they did not have time to do a detailed landscape plan but the idea is to have 12 to 15 feet between the Gauthier building and their building nicely landscaped with nice walkway through the parking area from the street.

**MR. ELBRACHT** stated he felt that the very cool light colors and highly reflective colors are out of context with the downtown character.

**MS. GALE** inquired if the applicant would consider a less reflective material than the stainless steel. **MR. WAGNER** stated it would be a brushed aluminum so it would not be so highly reflective. They were picking up on some of the elements on the Gauthier building. They would be willing to consider penny colored copper. **MS. GALE** requested that they also consider a warmer color than the gray. **MR. PUCKET** stated they would be willing to make a modification in the color of the building.

**MR. GULINO** stated he is not in favor of the colors that have been presented. He further stated that the requirement to back out of those parking spaces might be awkward at best, but if the property owner is willing to live with it he would not make an issue of it.

**COUNCILWOMAN LUKAS** stated she would support the request to change the colors. She further stated that she approves of the revised plan that has been presented.

**MR. ELBRACHT** stated he would not be comfortable with a motion for approval because there are so many changes. There is a site plan change. There is a landscape change. There is a building color and material changes.

**MR. ELBRACHT MOVED TO CONTINUE CASE 39-DR-1982#2 FOR 30 DAYS TO ALLOW THE APPLICANT TIME TO RESOLVE THESE ISSUES WHICH WOULD INCLUDE A FINAL LANDSCAPE PLAN, REVISED SITE PLAN, RESOLUTION OF THE PARKING AND NEW COLORS OF MATERIALS.**

**SECONDED BY MR. GULINO.**

**MR. WAGNER** stated they would like to withdraw the alternative design if it means losing a month of time. They would like to go back to the original design that they have staff approval for to keep the owner on the time schedule for his lease.

**MS. GALE** stated that perhaps Mr. Elbracht has not seen the neighborhood and does not understand the value of going with the new design. She further stated that this is a terrific resolution and would be a much better building and the applicant is entitled to approval today.

**MR. ELBRACHT** stated he is not arguing the merit of the revisions. From his standpoint, there is not enough in concrete and pulled together for him to recommend approval and for the same reasons he does not feel comfortable with the existing design.

**CONNIE PADIAN**, Community Design Studio, stated the design studio was involved in terms of asking for changes to the design after walking the area and specifically looking at it. From their standpoint, they are comfortable that the concept the Board is seeing is close enough to the original in terms of massing and the design of the building. They feel the changes to the site plan are very nominal and they are very comfortable from an architectural and site plan standpoint to handle the changes at the staff level.

**MR. PUCKET** requested that the color issue could be addressed later because the issue would not come into play for several months. They are amenable to reaching an agreeable color scheme.

**COUNCILWOMAN LUKAS** stated she did not see a problem with having the color scheme come back later.

**THE MOTION FAILED BY A VOTE OF THREE (3) TO FOUR (4) WITH COUNCILWOMAN LUKAS, VICE CHAIRMAN POTTER, MS. GALE, AND MR. SODEN DISSENTING.**

**MS. GALE MOVED TO APPROVE CASE 39-DR-1982#2 WITH THE SITE PLAN AND THE ELEVATIONS AS PRESENTED. WITH THE ADDED STIPULATIONS:**

**THAT THE COLORS AND CHOICE OF REFLECTIVE METAL COME BACK TO STUDY SESSION FOR STAFF APPROVAL.**

**THAT THE REVISED SITE PLAN RETURN TO STUDY SESSION TO ILLUSTRATE THE PLAN FOR THE STREET SIDE PARKING AND LANDSCAPING.**

**SECONDED BY VICE CHAIRMAN POTTER.**

**THE MOTION PASSED BY A VOTE OF FOUR (4) TO THREE (3) WITH MR. ELBRACHT, MR. GULINO AND MR. CORTEZ DISSENTING.**



6. 62-DR-2000#5                      Offices at Sundown Ranch – minor  
   elevation changes  
   Elevations  
   Northeast corner of 84<sup>th</sup> St. & Shea  
   DFD Architecture, Architect/Designer

**MS. WAUWIE** presented this case as per the project coordination packet. Staff is recommending approval subject to the attached stipulations.

**MR. GULINO** requested information on the proposed changes to the veneer and wainscot. **MS. WAUWIE** reviewed the proposed changes.

**COUNCILWOMAN LUKAS** inquired if any lights would be added as a result of the doors and windows. **MS. WAUWIE** stated the applicant has not mentioned any additional lights.

**COLLEEN MCPHEARSON**, Shea Commercial, 9393 N. 90<sup>th</sup> Street, Suite 211, representing Stacey Olson, the owner of the building. She stated with her today is Brian Elliott, the contractor. She indicated that there are no lighting changes. She further stated that a similar change for the project came before the DRB on October 4, 2001. They felt their changes were in line with the precedence that was set at that meeting. She requested the Board's approval.

(COUNCILWOMAN LUKAS OPENED PUBLIC TESTIMONY)

**ART SCHMITT**, 10630 N. 84<sup>th</sup> Street, representing Sundown Neighborhood Committee, stated that Ken Legan had to leave but made his comments on the back of the citizen comment card. He further stated that the Sundown Neighborhood Committee got together and put together deed restrictions. This project, from the time Shea Commercial has taken over, has stretched, pushed and ignored the deed restriction. He further stated that this design change exceeds and deviates too much for the project integrity and it will open the door for a lighting increase and alter the flow of the project. He added that their main concerns are regarding the lighting and traffic calming issues. He further added that they are requesting more time to try and address these issues.

**TERRY LANE**, 8414 E. Desert Cove, stated this area has been undergoing significant changes. The key issue is regarding the lighting and specific language which was agreed upon in the development agreement. He further stated at the meeting that was held last night there was a spirit of cooperation. The neighborhood would like to satisfy the outstanding issues before they ask for more changes.

**NANETTE SMITH**, 11022 N. 85<sup>th</sup> Place, representing Sundown Neighborhood Committee, stated she hopes everyone is aware of the history of this project. She further stated that the neighborhood has made sacrifices to be able to come to an agreement with the developer. Now what it comes down to is that there have been a tremendous amount

of changes made to what they signed off on. There should be no further changes until the previous issues have been addressed. She noted they were promised seven traffic-calming devices would be installed prior to occupancy of the building. One traffic-calming device is under construction and six that have not yet been addressed. The building is occupied.

(COUNCILWOMAN LUKAS CLOSED PUBLIC TESTIMONY)

**MS. MCPHEARSON** stated she is here on behalf of the applicant. She further stated she works for Shea Commercial who is not the developer. Dr. Stacey Olson purchased the building November 30, 2001. The contractor has been feverishly working to finish her building plan. This is the final change needed to be on the permitted set of plans for approval. There may be some neighborhood discrepancies that have happened with the developer, but certainly Dr. Olson was not involved in that. The developer is meeting with the neighborhood on March 7<sup>th</sup> to finalize their issues.

**MR. CORTEZ** stated it appears that the neighborhood was never given the benefit of how this project was going to be developed. He further stated he can understand the neighbors frustration simply because this is the fifth time this has come before the Board for changes. He added he felt there was a lack of communication between the developer and the property owners.

**MS. MCPHEARSON** stated staff has already approved elevation changes with the precedent that was set by the Board in October. She further stated she was surprised to be here today because she thought these minor changes would be by staff approval. The forum for the neighborhood discussions needs to be made some other place rather than the Stacey Olson DR submittal.

**MR. GULINO** inquired if there would be lights above the doors. He also inquired if there was a code requirement to have lights above the doors. **MS. MCPHEARSON** stated they did not have plans to put lights above the doors.

**MR. GULINO** stated he felt this was an enforcement issue. He further stated he would agree the changes shown on the building are minor and could have been handled by staff. He noted that he does not have a problem with the architectural changes that are proposed to the building. He further noted that he is assuming there would be no additional lighting. He felt the enforcement should be done at the inspection service level and should not hold this approval back. He added he is sympathetic to the neighborhood and felt if the original developer made commitments to do things he needs to do them.

**BRIAN ELLIOTT**, contractor, stated there is no lighting issue as far as they are concerned. There is no new lighting going in.

**COUNCILWOMAN LUKAS** requested clarification on the precedent that was set on October 4<sup>th</sup>. **MS. MCPHEARSON** stated there were eight elevation changes. With those big changes that were approved she was surprised they had to come back with these



those windows in the wall planes recessed 8 to 12 inches. **MR. GRASS** replied he felt the could accommodate six inches; any further would encroach on the interior space.

**MR. ELBRACHT** stated his other concern is regarding the reflective metal color. He referred back to the Scottsdale Sensitive Design study that refers to colors that blend with the character of the desert. He further stated he felt a different metal would be more appropriate. **MR. GRASS** replied the metal finish they are proposing would patina and is less reflective. They have a duller product that they would be happy to have the Board look at. **MS. GALE** stated she prefers the darker gray color.

**KEN MADDEN**, President of Shiloh Custom Homes, discussed their history of excellence. He stated this project reflects that commitment to excellence. He further stated the metal is not intended to be bright and shiny metal. The material used would be a galvanized aluminum paint lock finish that will deteriorate and get a matte finish.

**MR. CORTEZ** shared his experiences of working with the Galvalum and confirmed that this particular product does oxidize when exposed to the weather.

**MR. ELBRACHT MOVED TO APPROVE CASE 5-DR-2002 WITH THE ADDED STIPULATION:**

**THAT THE LARGE WINDOWS ON THE SURFACE WALL PLANES  
WOULD BE RECESSED APPROXIMATELY SEVEN TO SEVEN AND A  
HALF INCHES.**

**SECONDED BY MR. CORTEZ.**

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

6.	62-DR-2000#5	Offices at Sundown Ranch – minor elevation changes Elevations Northeast corner of 84 <sup>th</sup> St. & Shea DFD Architecture, Architect/Designer
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**COUNCILWOMAN LUKAS** stated the Board would continue their discussion on case 62-DR-2000#5.

**MS. SHEWAK** stated that she has advised Ms. Bronski of the neighbors' conflict regarding the private agreement they entered into with the developer and the fact that the Board needs to be advised how they should deal with this issue.

**DONNA BRONSKI**, Assistance City Attorney, advised the Board that the development agreement that was entered into with the neighbors is a private agreement and needs to be enforced privately. It is not a City issue.

**COUNCILWOMAN LUKAS** stated there have been objections from the neighbors regarding adding additional lighting and doors. She inquired if these were legitimate concerns of the Board. **MS. BRONSKI** stated that would be an issue that would go to the overall look of that building and that would be within the Board's purview.

**MR. GULINO MOVED TO APPROVE CASE 62-DR-2000#5 WITH THE ADDED STIPULATION:**

**THAT ANY LIGHTING ADDED TO THE DOORWAYS TO MEET BUILDING CODE WOULD ONLY HAVE ILLUMINATION SUFFICIENT TO MEET THE MINIMUM CODE REQUIREMENTS.**

**SECONDED BY MR. ELBRACHT.**

**THE MOTION PASSED BY A VOTE OF SIX (6) TO ONE (1) WITH COUNCILWOMAN LUKAS DISSENTING.**

10.     70-DR-2001                      Creative Ware Office Building  
   Site plan & elevations  
   7430 E. 6<sup>th</sup> Ave.  
   Sam J. West, Architect,  
   Architect/Designer

**MR. WARD** presented this case as per the project coordination packet. He stated it was requested by the Planning Commission and endorsed by City Council that the DRB consider massing and articulation on the building's south side. Staff is recommending approval subject to the attached stipulations.

**MR. ELBRACHT** requested additional information regarding what the Planning Commission and City Council meant when they requested that the Board consider massing and articulation. **MR. WARD** replied they felt there could be some additional detailing and articulation in the upper parapet roof area and pitched roof.

**SAM WEST**, 8160 N. Hayden Road No. J210, architect, stated he would like to go through some of the background that brought them to the design of the exterior of the building. He presented slides of the various architectural style of buildings in the area. Mr. West reported that this is not a phased project. Previously there was a discussion that this would be a phased project and the owner decided to go ahead and do the project all at once. He reviewed the floor plan of the building. He discussed the massing and articulation of this building. He noted that there was a discussion regarding the arch height not being in scale with the building. He further noted that he tried several different sizes for the arches and felt this height was the most suitable. He discussed the colors that would be used on the building.

**MR. SODEN** noted the computer drawing appears to be missing one of the arches. **MR. WEST** stated there should be 11 arches and 12 columns.

**MR. ELBRACHT** stated this area has an eclectic combination of styles and dates and times, but there seems to be a strong contemporary influence that occurs in this area, but this a traditional building and for that reason he is concerned about the contextual issue. He noted that he has the same concerns that were expressed by the City Council and the Planning Commission in regard to the massing and articulation on the building's south side. The Scottsdale Sensitive Design Guide states that buildings should be designed with a logical hierarchy of masses. He felt this building does not have that hierarchy and balance that gives it a strong street presence.

**MR. WEST** addressed the contextual issue stating they have followed the downtown guidelines and the building complies with those guidelines. He stated part of the objective is that the owner is going to occupy half of the building and the other half would be leased out. He further stated that his area is a mixed bag and there is not an overall theme in this area.

**MS. GALE** stated this building complies with the downtown plan. She inquired if Mr. West felt it improved the look of the building to take the upper roof away at the right end. **MR. WEST** stated that after studying it and looking at it he concluded that he likes it better this way.

**MS. GALE** inquired if there would be any design merit to using a larger column on the second floor. **MR. WEST** stated it is a very delicate line because once you get to a point they can become too massive for the roof and beams and it becomes a proportion issue.

**MS. GALE** stated she does not like the purple brown. She further stated that she likes the blue color.

**MR. SODEN** discussed his concerns regarding massing. He noted that this was originally four parcels that would be tied together. He further noted part of the character of this area is the buildings that were built on these small parcels that allowed you a new façade every 30 feet. He added that he appreciates the variety between the two phases. He suggested eliminating one of the diagonal parking spaces in front of the building and placing a large shade tree. This would create shade on the upper balconies. **MR. WEST** stated he would not have a problem with removing one of the parking spaces, but that issue would have to be addressed by the downtown. He further stated one thing he would point out that they do not have a landscape plan but he discussed some of the planting they have planned for the site.

**MR. SODEN** suggested in Phase 2 the applicant could change the specie types of the tree and cluster two in the planting area; this would be another way to get subtle asymmetrical changes.

**MS. GALE** inquired how recessed the French doors and windows would be. **MR. WEST** replied approximately 7 to 8 inches.

**MS. GALE MOVED TO APPROVE CASE 79-DR-2001 WITH THE ADDED STIPULATION:**

**THAT THE EXTERIOR WALL COLOR COMES BACK TO STUDY SESSION AND THAT IT IS NOT THE PURPLE BEIGE THAT WAS PRESENTED.**

**SECONDED BY VICE CHAIRMAN POTTER.**

**MR. ELBRACHT** stated he would not be voting in favor of his motion, given the specific thoughts expressed by the City Council and the Planning Commission regarding the massing and the articulation this building would benefit from a little more massing and hierarchy.

**MR. SODEN** stated he would be inclined to approve the site plan and give the applicant an opportunity to explore the concerns regarding massing and scale as a possible direction. He inquired if the maker of the motion and the second would agree to that amendment.

**MS. GALE** stated she likes that the building is subtle and if it were changed, it would become more corporate and less in the spirit of the traditional New Mexican architecture.

**MR. ELBRACHT** discussed good examples of this type of architecture and the hierarchy in the massing.

**COUNCILWOMAN LUKAS** inquired if the maker of the motion and the second would agree to Mr. Soden's amendment.

**VICE CHAIRMAN POTTER** stated he is satisfied with the building as it stands and would not be in favor of the amendment.

**MR. CORTEZ** stated he would not be voting in favor of this motion. He further stated he is concerned about the contextual issue.

**VICE CHAIRMAN POTTER** stated he would be willing to withdraw his second if that would help.

**MS. GALE** stated she would like to address the contextual issue because there is not any great architecture to marry up to. This might be the nicest building on the block. She felt they should not ask the architect to dress down to the neighborhood because that would not be an appropriate suggestion. She stated she would rephrase the motion.

**MS. GALE MOVED TO APPROVE CASE 79-DR-2001 WITH THE ADDED STIPULATION:**

**THAT THE EXTERIOR WALL COLOR COMES BACK TO STUDY SESSION FOR APPROVAL AND THAT IT IS NOT THE PURPLE BEIGE THAT WAS PRESENTED.**

**SECONDED BY VICE CHAIRMAN POTTER.**

**MR. SODEN** inquired if with this motion they would be approving the revised elevations. **MR. WEST** stated they would like the revised elevations to be approved.

**MS. GALE AMENDED THE MOTION TO INCLUDE APPROVAL OF THE REVISED ELEVATIONS OF THE BUILDING. SECONDED BY VICE CHAIRMAN POTTER.**

**MR. SODEN** inquired if the maker of the motion would accept an amendment to revise the landscape plan to create an asymmetrical planting design with the building.

**MS. GALE** and **VICE CHAIRMAN POTTER** indicated they would accept that amendment to the motion.

**THE MOTION PASSED BY A VOTE OF FIVE (5) TO TWO (2) WITH MR. ELBRACHT AND MR. CORTEZ DISSENTING.**

11.     82-DR-1998#2A     The Promenade Phase 2  
                                 Site plan & elevations  
                                 Southeast corner Scottsdale Rd. & Frank  
                                 Lloyd Wright Blvd.  
                                 Ellermann & Schick, Architect/Designer

(MR. ELBRACHT DECLARED A CONFLICT AND DID NOT PARTICIPATE IN THE DISCUSSION OR THE VOTE.)

**MR. JONES** stated he wanted to make sure the Board received a copy of the new stipulations. Mr. Jones stated the applicant has made some changes. Staff does like the changes the applicant has made; however, no changes have been made to staff's comments regarding why they recommended a continuance on this case. Mr. Jones presented this case as per the project coordination packet. Staff recommends continuance to work on key issues.

**GARY PEDERSON**, 2800 N. Central Avenue Suite 1500, Phoenix AZ, stated that they did significant community outreach on Phase 2. He further stated that they have assembled an incredible team of consultants for this project. He added the Master Design Concept Plan was spearheaded by Betty Drake and has been very favorably received. He reported Ms. Drake is in charge of the pedestrian circulation and common area amenities. A Taliesin architect has been retained as the consulting architect for all of Phase 2. He discussed the team that worked on Phase 1 of this project. He noted that Phase two is a high-end project and they have a high commitment to quality. He noted that they have



worked hard with their consultants, the community and staff. He stated that with regard to this project, the bar is being set very high particularly with regard to the parking structure. He stated they are very proud of what they have come up with and they would respectfully disagree that this project should be continued. He further stated that in the supplemental narrative they tried to address the staff's concerns.

**BETTY DRAKE** stated she would like address the key issues regarding common area amenities that are listed in the staff report as reasons for a continuance which include: indirect pedestrian flow from "outer ring" to main plaza requires strong visual cues. "Outer ring" continuous glazed storefront lacks balance of intermittent mass; open northwest face of parking structure does not define edge of plaza well; and lack of substantial mass at 1<sup>st</sup> floor to ground structure and provide building base. She presented information on how these issues were being addressed and the concepts behind the plan. She presented information on the visual cues. She presented information on the pinch point. She presented information regarding the retail areas on the "outer ring". She discussed the pedestrian circulation plan for the outer ring.

**JOHN RATTENBURY** responded to staff's key issues regarding the architecture. He addressed the staff concern regarding lack of floor hierarchy—relativity unbroken equal horizontal emphasis. He stated they are very concerned with aesthetics of this building. He noted there is a concern that the building looks flat. He further noted that if you look at this building you would have a hard time calling it flat. He discussed the different types of materials they would be using. He further noted that it is their intention that people would come from around the world to see this building as an example of good architecture. He addressed the concern regarding ineffective solar orientation and glazing solar protection. It is their intention to make this building as efficient as possible.

**MR. SODEN** inquired if Mr. Rattenbury was familiar with Leeds Certification. **MR. RATTENBURY** replied he was not familiar with that certification.

**MS. GALE** inquired if they would consider using a darker color on the horizontal bands. **MR. RATTENBURY** replied they are not locked into the color but they want this building to be energy efficient and the darker colors tend to absorb the heat. **MS. GALE** stated by changing the color to a softer darker color might be more elegant.

**MR. CORTEZ** stated one thing he noticed was missing from the composition it self in the office buildings was the mass that he is used to seeing in Mr. Wright's work, particularly concrete. He would agree with the concern made by staff about the horizontal emphasis. There does not seem to be a transfer of mass of the roof structure to the floor plates down to the ground. They have touched upon it slightly at the entries into the office buildings, but he was hopeful there would be more of that in particular with concrete. **MR. RATTENBURY** inquired if Mr. Cortez was looking for a horizontal connection in part of the building to break the horizontalness. **MR. CORTEZ** replied in the affirmative. He stated he felt there needed to be more articulation of the office buildings with regard to transfer of the weight vertically on to the ground at the base particularly with all of the retail that is being proposed. **MR. RATTENBURY** stated

that they recognize they don't want monotonous buildings that are totally horizontal so they have broken it up. He discussed some opportunities to express verticality.

**MR. CORTEZ** stated the booklet that was prepared for the Board in consideration of this case was excellent. He further stated he would applaud the developer's entire design team for the quality that is being set in this development. He commented one of the issues that was raised is that the nightclub might appear adjacent to the parking structure at the pinch point. How far out would the nightclub project into the pinch point. **MS. DRAKE** replied it would not project out too far.

**MR. CORTEZ** inquired if the design team had any preconceived ideas for the design of the retail entries. **MS. DRAKE** replied they do not have any preconceived concepts; it would depend on tenants. They anticipate there would be a lot of variety along the individual shop fronts.

**MR. CORTEZ** inquired about the schedule for the development of the retail. **MR. PEDERSON** stated they hope to have it open by the holiday season 2003.

**MR. GULINO** expressed his concern regarding the traffic on Scottsdale Road and Frank Lloyd Wright Boulevard. He stated he is hoping that when the freeway connection is completed the traffic would improve. He inquired if there was a plan to put in a double left turn lane on the main drive on Scottsdale Road. He also inquired if they have done extensive traffic studies regarding how they are going to move the cars in and out of the center. **MR. PEDERSON** presented information on the results of their traffic studies. He further discussed the measures they would take to relieve the congestion at the intersection. The traffic engineer has informed them that when the freeway loop is finished the traffic count on Scottsdale Road and Frank Lloyd Wright Boulevard would significantly decrease.

**MS. GALE** stated she would support this plan as it has been presented.

**VICE CHAIRMAN POTTER** inquired if there was any information on the restaurant pads. **MR. PEDERSON** stated two restaurants have entered a lease agreement and are on board with using the Frank Lloyd Wright theme. The buildings would come before the DRB for approval.

**MR. POTTER** inquired about the timeline for the visitors' center. **MR. PEDERSON** stated fall 2003. **MR. POTTER** inquired if the area between the restaurants and the visitors' center would be landscaped to tie the two areas together visually. **MR. PEDERSON** replied in the affirmative.

**MR. POTTER** inquired about the provisions that have been made to allow people to get to the spire during construction. **MR. PEDERSON** stated they have built a parking field that would be accessible to the sidewalk so they can gain access along Scottsdale Road.

**COUNCILWOMAN LUKAS** stated she supports the plan that has been presented. She further stated that she had to leave and turned the meeting over to Vice Chairman Potter.

**MR. SODEN** requested a response to staff's concern regarding the less than optimal solar orientation. **MR. RATTENBURY** stated that optimal solar orientation for these buildings would be almost impossible to achieve because of the climate. He discussed the measures they have taken to achieve the best orientation. He discussed the high tech glass they would be using.

**MR. SODEN** inquired if it would be possible to recess the windows more than two inches. **MR. RATTENBURY** stated they are willing to look into ways of creating more shade for this building. He discussed their plans to bring natural daylight into the building. **MR. PEDERSON** discussed the areas the building would be providing shade. He presented information on the high tech glass they would be using.

**MR. SODEN** inquired if the lead architect, Mr. Kendall, had ever heard of Leeds certification. **MR. KENDALL** stated his firm is very familiar with Leeds certification for energy efficient buildings. He further stated it is their goal that all of their buildings would have Leeds certification. **MR. SODEN** inquired how close this building would be to achieving Leeds certification. **MR. KENDALL** stated he does not have that information. **MR. SODEN** requested that information be provided to the Board at another meeting.

**VICE CHAIRMAN POTTER** stated there have been a number of points made about how expensive this project is and it shows. He thanked the applicant for the work that has been done on this project. They are known for their fine projects.

**MR. GULINO** stated he would concur with Mr. Potter's statement.

**MR. GULINO MOVED TO APPROVE CASE 82-DR-1998#2A WITH THE REVISED STIPULATION PACKET. SECONDED BY MS. GALE.**

**THE MOTION PASSED BY A VOTE OF FIVE (5) TO ZERO (0) WITH MR. ELBRACHT ABSTAINING.**

#### **ADJOURNMENT**

With no further business to discuss, the regular meeting of the Scottsdale Development Review Board was adjourned at 5:15 p.m.

Respectfully Submitted

"For the Record" Court Reporters