



# STAFF APPROVAL LETTER

353-SA-2010

Scottsdale Quarter Building C - Dominicks

## STEP 1

### STAFF APPROVAL NOTIFICATION

This letter is notification that your request has been conceptually approved by Current Planning Services staff.

**Additional review and permits may be required. Refer to Final Plan Review Submittal Requirements below.**

This approval expires one (1) year from date of approval if a permit has not been issued, or if no permit is required, work for which approval has been granted has not been completed.

### PROJECT INFORMATION

LOCATION: 15323 N Scottsdale Rd Ste 100  
PARCEL: 215-56-056G  
Q.S.: 34-45  
CODE VIOLATION #:

APPLICANT: Oliver Badgio  
COMPANY: Mastro Development  
ADDRESS: 16441 N 90Th St Scottsdale, AZ 85260  
PHONE: 480-235-1306

**Request:** Staff approval for modification of the building elevations at the south end of building C for the 1st level restaurant tenant.

### STIPULATIONS

1. The building design shall be in conformance with the building elevations and partial site plan by Nelsen Partners, Inc. stamped approved by City staff 9/28/10.
2. The materials shall be in conformance with the existing building materials, and those additional materials shown on the material board stamped approved by City staff 9/28/10.
3. The upper hang point for the proposed fabric awnings located on the east end of the south elevation shall be lowered to be no higher than the second stone coarse line down from the bottom of the cornice.
4. The building height on the west half of the tenant space shall be no higher than 23' measured from the established benchmark for Building C (1471.78' Above Sea Level).
5. Outdoor lighting fixtures shall be in conformance with the cut sheets stamped approved by City staff 9/28/10.
6. Light fixture types HH and JJ shall be on a dimmer so that the level may be increased or decreased in the field as required by City staff.

**Related Cases:** 353-SA-2010

SIGNATURE: \_\_\_\_\_

Bryan Cluff, LEED AP  
Planner

DATE APPROVED: 9/28/10

## STEP 2

### FINAL PLAN REVIEW SUBMITTAL REQUIREMENTS

No additional reviews or permits are required.  
Improvements related to this approval are being reviewed under plan check 2825-10.

**POLICY OF THE CITY OF SCOTTSDALE  
ON APPEALS OF DEDICATIONS, EXACTIONS, OR ZONING REGULATIONS**

**RIGHTS OF PROPERTY OWNER**

In addition to other rights granted to you by the U.S. and Arizona Constitution, federal and state law and city ordinances or regulations, you are hereby notified of your right to appeal the following City actions relating to your property:

- 1) Any dedication or exaction which is required of you by an administrative agency or official of the city as a condition of granting approval of your request to use, improve or develop your real property. This appeal right does not apply to a dedication or exaction required as part of a city legislative act (for example a zoning ordinance) where an administrative agency or official has no discretion to determine the dedication or exaction.
- 2) The adoption or amendment of a zoning regulation that creates a taking of property in violation of Arizona and federal court decisions.

**APPEAL PROCEDURE**

The appeal must be in writing and specify the City action appealed and the date final action was taken, and it must be filed with or mailed to the hearing officer designated by the city within 30 days after the final action is taken. Address the appeal as follows:

**Hearing Officer, C/O City Clerk**

3939 Drinkwater Blvd.  
Scottsdale, AZ 85251

- ❖ No fee will be charged for filing
- ❖ The City Attorney's Office will review the appeal for compliance with the above requirements, and will notify you if your appeal does not comply.
- ❖ Eligible appeals will be forwarded to the hearing officer, and a hearing will be scheduled within 30 days of receipt by the hearing officer of your request. Ten days notice will be given to you of the date, time and place of the hearing unless you indicate that less notice is acceptable to you.
- ❖ The city will submit a takings impact report to the hearing officer.
- ❖ In an appeal from a dedication or exaction, the City will bear the burden of proving that the dedication or exaction to be imposed on your property bears an essential nexus between the requirement and a legitimate governmental interest and that the proposed dedication or exaction is roughly proportional to the impact of the use, improvement or development you proposed.
- ❖ In an appeal from the adoption or amendment of a zoning regulation, the City will bear the burden of proving that any dedication or exaction requirement in the zoning regulation is roughly proportional to the impact of the proposed use, improvement, or development, and that the zoning regulation does not create a taking of property in violation of Arizona and federal court cases.
- ❖ The hearing officer must render his decision within five working days after the appeal is heard.
- ❖ The hearing officer can modify or delete a dedication or exaction or, in the case of an appeal from a zoning regulation, transmit a recommendation to the City Council.
- ❖ If you are dissatisfied with the decision of the hearing officer, you may file a complaint for a trial de novo with the Superior Court within 30 days of the hearing officer's decision.

**If you have questions about this appeal process, you may contact:**

City Manager's Office  
3939 Drinkwater Blvd.  
Scottsdale, AZ 85251  
(480) 312-2422

City Attorney's Office  
3939 Drinkwater Blvd.  
Scottsdale, AZ 85251  
(480) 312-2405

Please be aware that City staff cannot give you legal advice. You may wish, but are not required, to hire an attorney to represent you in an appeal.

SIGNATURE: \_\_\_\_\_



# Staff Approval Application Submittal Requirements

Project Name: Dominick's City Staff Contact: Bryan Cluff

Project Address: 15169 North Scottsdale Road

Zoning: PRC A.P.N.: 215-56-056G Quarter Section: 34 .45

Associated References: Project Number: -PA- Plan Check Number \_\_\_\_\_ Case(s) 10-DR-2007

Request: Request approval for elevation changes to the south end of Building C for tenant build out.

Is there an outstanding Code Enforcement violation?  Yes  No

Owner Contact: Oliver Badgio

Applicant Contact: Oliver Badgio

Company: Dominick's Italian Steakhouse LLC

Company: Dominick's Italian Steakhouse LLC

Phone: 480-235-1306 Fax: 480-889-1189

Phone: 480-235-1306 Fax: 480-889-1189

E-mail: o@mastrodevelopment.com

E-mail: o@mastrodevelopment.com

Address: 16441 N 90th St. Scottsdale AZ

Address: 16441 N 90th Street Scottsdale AZ

**Submittal Requirements: Please submit 1 copy of materials requested below. All plans must be folded.**

- Completed Application (this form) and Application Fee -- \$** (fee subject to change every July)
- Context Aerial** with site highlighted
- Site Location Map** with site highlighted
- Maricopa County Assessor's Parcel Map** with site location highlighted
- Narrative** describing nature of request.
- Property Owner's Authorization, or signature below**
- Homeowners/Property Owners Association Approval** (if applicable).
- Photographs of Site** – including all areas of change.
- Site Plan** indicating extent and location of additions, buildings, and other structures; indicate dimensions of existing and proposed structures, sidewalks, or driveways as well as any required setbacks.
- Lighting**- provide cut sheets, details, photometric to any proposed lighting
- Cross Sections**- for all cuts and fills
- Floor Plan(s)** of additions, alterations, or new structures. The floor plan shall be dimensioned and clearly delineate existing and proposed construction.
- Landscape Plan** indicating location of existing and new plants, location and dimensions of paving, a plant palette with names, symbols, sizes, spacing & quantities, and open space/landscaping calculations.
- Elevation Drawings** of new additions, buildings, or other changes with materials and colors noted and keyed to material samples.
- Material Samples** - color chips, awning fabric, glazing, etc.
- Conceptual Grading & Drainage Plan** showing existing & proposed drainage flows, channels and retention.
- Copy of Liquor License Application** (For all bars/restaurants/patios)
- Airport Vicinity Development Checklist**- provided
- Current Title Report**
- Copy of Code Enforcement Violation**, if applicable
- Other:** Provide material sample for the proposed awnings.

**Please Note:** After staff review, it may be determined that this request requires approval by the Development Review Board through the public hearing process. If approved at staff level, this approval expires twelve (12) months from date of approval if a permit is required but has not been issued.

Oliver Badgio  
Applicant Signature

Digitally signed by Oliver Badgio  
DN: cn=Oliver Badgio, o=Ill. Mastro@mastrodevelopment.com, c=US  
Date: 2010.07.15 10:55:40 -0400

7-15-10  
Date

**Official Use Only:**

Submittal Date: \_\_\_\_\_

City Staff Signature: \_\_\_\_\_

## Planning & Development Services Department

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 • Phone: 480-312-7000 • Fax: 480-312-7800



# City of Scottsdale Cash Transmittal

## # 84633

84633  
 11 00265278  
 07/23/10 PLN-1STOP  
 ANBENNETT HPDC575014  
 7/23/2010 4:04 PM  
 \$85.00

**Received From :**  
 MASTRO DEVELOPMENT  
 16441 N 90TH ST  
 SCOTTSDALE, AZ 85260  
 480-235-1306

**Bill To :**  
 MASTRO DEVELOPMENT  
 16441 N 90TH ST  
 SCOTTSDALE, AZ 85260  
 480-235-1306

**Reference #** 458-PA-2010  
**Address** 15323 N SCOTTSDALE RD STE 100  
**Subdivision** MOD FOR SCOTTSDALE QUARTER  
**Marketing Name**  
**MCR** 1020-26  
**APN** 215-56-056G

**Issued Date** 7/23/2010  
**Paid Date** 7/23/2010  
**Payment Type** CREDIT CARD

**Owner Information**  
 GLIMCHER DEVELOPMENT CORPORATION  
 180 E BROAD ST  
 COLUMBUS, OH 43215  
 614-887-5691

**Lot Number** 1  
**County** No  
**Gross Lot Area** 0  
**NAOS Lot Area** 0  
**Net Lot Area**  
**Number of Units** 1  
**Density**  
**Cost Center**  
**Metes/Bounds** No  
**Water Zone**  
**Water Type**  
**Sewer Type**  
**Meter Size**  
 QS 34-45

Code	Description	Additional	Qty	Amount	Account Number
3180	PRE-APPLICATION / SA		1	\$85.00	100-21300-44221

SIGNED BY OLIVER BADGIO ON 7/23/2010

Total Amount

**\$85.00**

(When a credit card is used as payment I agree to pay the above total amount according to the Card Issuer Agreement.)

**TO HAVE WATER METER SET - CALL 480-312-5650 AND REFER TO TRANSMITTAL # 84633**

## Dominick's Steakhouse Narrative

The Design intent for Dominick's Steakhouse located at Scottsdale Quarter is to meld our specific trade dress to the existing architecture of Scottsdale Quarter.

The west and southwest elevations that face Scottsdale road will remain the existing finish with the addition of a cornice molding at the top of the building. In addition, Awnings will be added to provide both a functional shade, as well as to portray our trade dress and signature identifying architectural features to the public view on the outward (Scottsdale road) facing side of our building.

The southeast and east elevations will be converted to display our trade dress of classic New York American architecture featuring limestone, steel windows and classic conservative iron work.

Scottsdale Quarter is a precise blend of unique building fronts all masterfully compiled to create an urban streetscape that is both fitting of Scottsdale Arizona and reminiscent of America's great cities of New York or Boston. Dominick's Steakhouse is designed to compliment this collection and continue to help raise the bar in Scottsdale for current yet timeless architecture and design that helps to improve our city as we grow.

## Cluff, Bryan

---

**From:** Cluff, Bryan  
**Sent:** Thursday, July 22, 2010 10:56 AM  
**To:** 'Oliver Badgio'  
**Cc:** 'gmelara@nelsonpartners.com'  
**Subject:** Dominick's

Oliver,

Per your revised submittal we have the following comments:

- As I explained in my previous email, the maximum building height allowed in this location is 23'. The plans are showing the building height to be 24'. This needs to be reduced another foot to meet the existing DRB approvals.
- We have concerns with design of the proposed awnings. It appears that the awnings are extending several feet above the windows they are associated with, creating the false appearance that the windows extend that high. These oversized canopies are overwhelming the building elevations. Please reduce the upper hang points for the awnings on the west elevation and west end of the south elevation to mount below the break in material from stone to EIFS. Then the remainder of the south elevation and the east elevation should be lowered to match the mounting height of the west elevation.
- In my previous email, we expressed concern with the color of the proposed awnings. We still have this concern, but feel that if the area of the canopies are reduced per the comment above, the concern may be reduced to an acceptable point.
- Please provide clarification of the edge treatment for the point on the south elevation where the cornice is meeting the bottom of the tower window.
- Please provide clarification for how the cornice will terminate at the north end of the east elevation. This cannot extend beyond the lease line for the tenant space. Please identify the lease boundary.

Please address the above comments at your earliest convenience.

Thanks,

**Bryan D. Cluff, LEED AP**  
Planner  
City of Scottsdale  
Planning, Neighborhood & Transportation  
Phone: 480-312-2258  
Fax: 480-312-7088  
[bcluff@ScottsdaleAZ.gov](mailto:bcluff@ScottsdaleAZ.gov)

## Cluff, Bryan

---

**From:** Cluff, Bryan  
**Sent:** Monday, June 21, 2010 3:21 PM  
**To:** 'George Melara'  
**Cc:** 'Oliver Badgio'; 'Brian Teske'  
**Subject:** RE: Building C- Dominick's

George,

I have reviewed the documents further and had some discussions with Tim. I also went out to the site this morning to refresh myself on the context of the existing conditions. The possibility of a staff approval rather than a full DRB would be dependent on the following conditions:

- The building height will need to be reduced back down to 23'. Since the stipulated "Building Height Variation Exhibit" specifically calls out a maximum of 23' for this section of the building, we cannot staff approve anything that is in conflict with that. The height increase would require the DRB to approve a revised "Building Height Variation Exhibit".
- The canopy color will need to be revised from the bright red to a more muted color. There are some umbrellas on the Oakville patio that are a slightly darker maroon color. Something like that would be more approvable. The storefront glazing should be revised to match.
- The depth and coverage of the proposed canopies needs to be as much or more than the existing steel canopies. There are not any dimensions shown on the Dominick's plans, but the existing canopies are 9'-11" deep.
- We will need to see some details of the edge treatment that will be used between materials. Specifically where the proposed limestone will be abutting the existing sandstone.
- We will need to see details on the proposed exterior lighting fixtures to make sure they are in conformance with the approved lighting plan.
- There is a material (M-1) called out on the elevations, but no sample was provided. We will need to review this material.

Please let me know if these conditions are acceptable. Give me a call if you would like to discuss further.

Thanks,

Bryan D. Cluff, LEED AP  
Planner  
City of Scottsdale  
Planning, Neighborhood & Transportation  
Phone: 480-312-2258  
Fax: 480-312-7088  
[bcluff@ScottsdaleAZ.gov](mailto:bcluff@ScottsdaleAZ.gov)

WINDOW HEIGHT BEHIND AWNINGS  
LOWER HANG POINT IF WINDOWS DONT EXTEND  
TREATMENT OF WINDOW SILL ADJACENT TO  
STONE.  
HOW DOES THE MOLDING TERMINATE?

---

**From:** George Melara [mailto:[gmelara@nelsonpartners.com](mailto:gmelara@nelsonpartners.com)]  
**Sent:** Monday, June 21, 2010 1:45 PM  
**To:** Curtis, Tim; Cluff, Bryan  
**Subject:** Building C- Dominick's

Tim/ Bryan,

When do you want to talk about Dominick's? I am available on my cell today. If there was a way that we can work with staff in order for Quarter not to loose this tenant, it would be great. IF this is not a staff approval process, then is it possible to get this in front of DRB for their input to see if they want to see it? ( we can have info for you ready in one day)

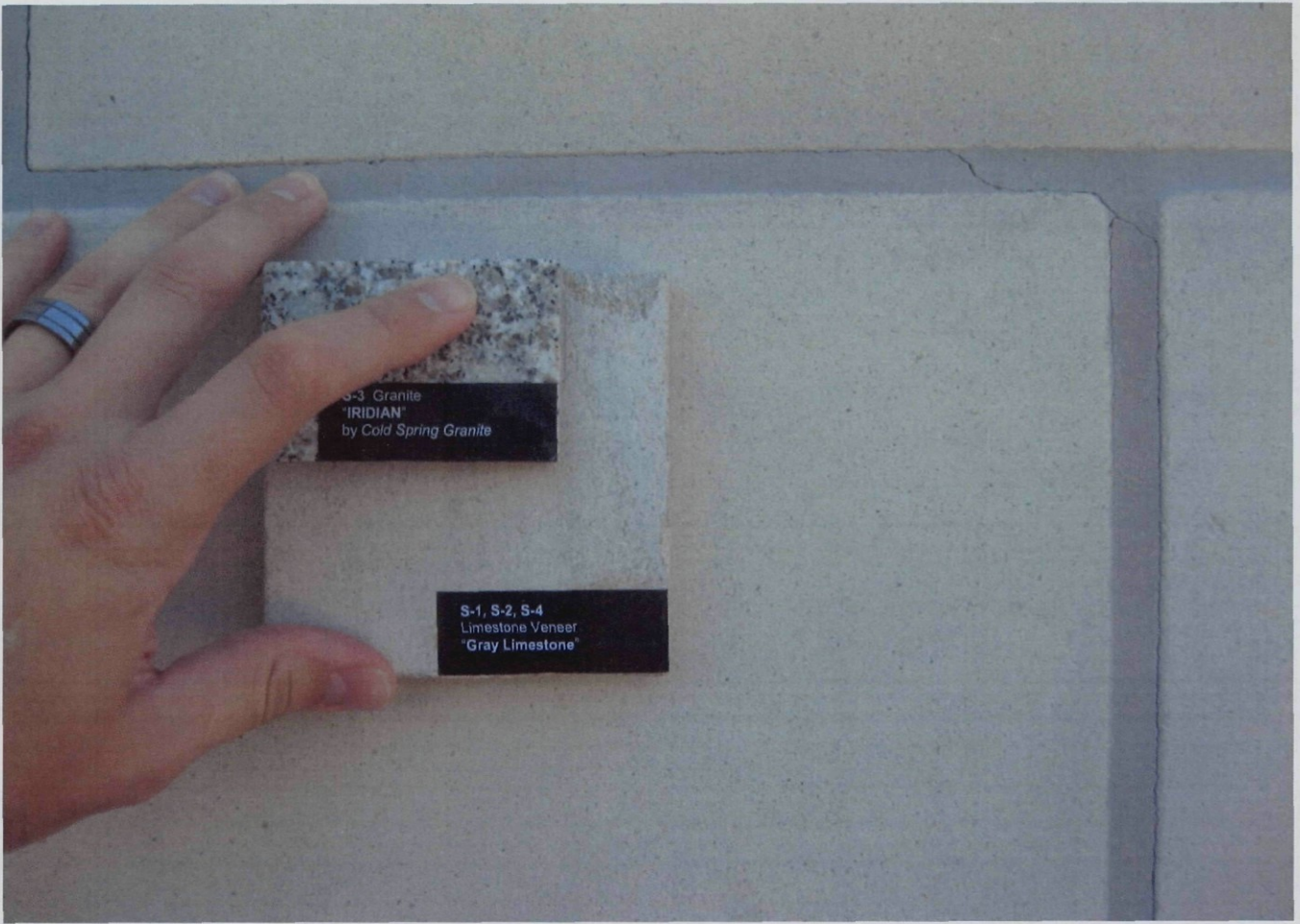
Thanks,  
George A. Melara, AIA



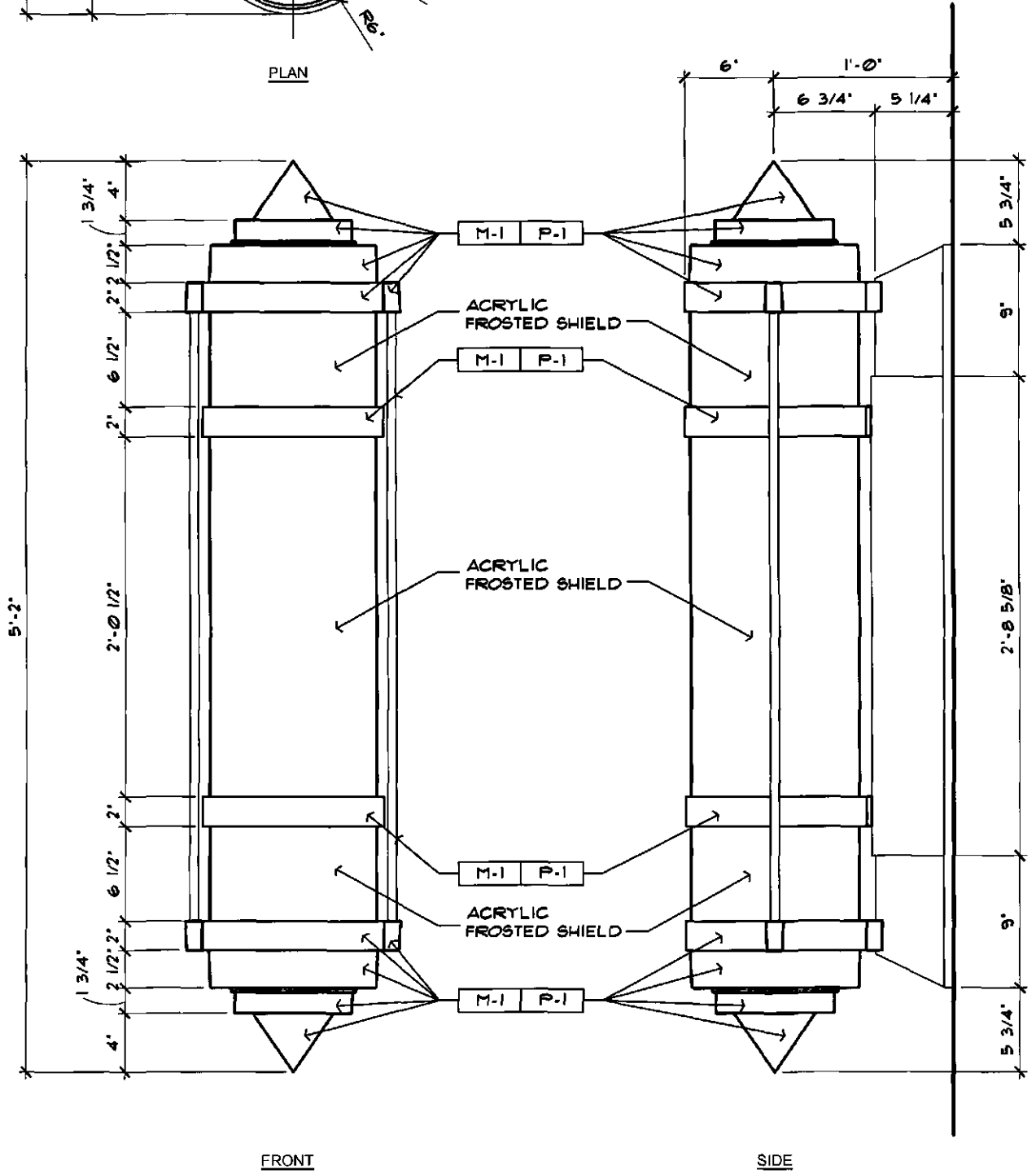
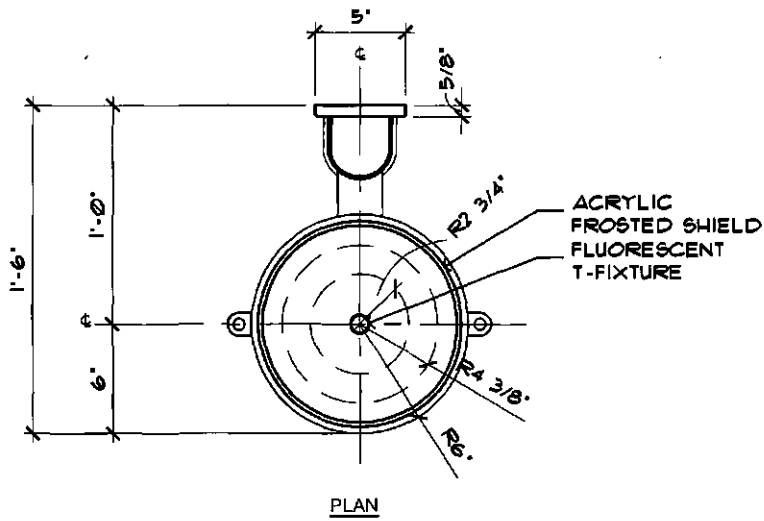




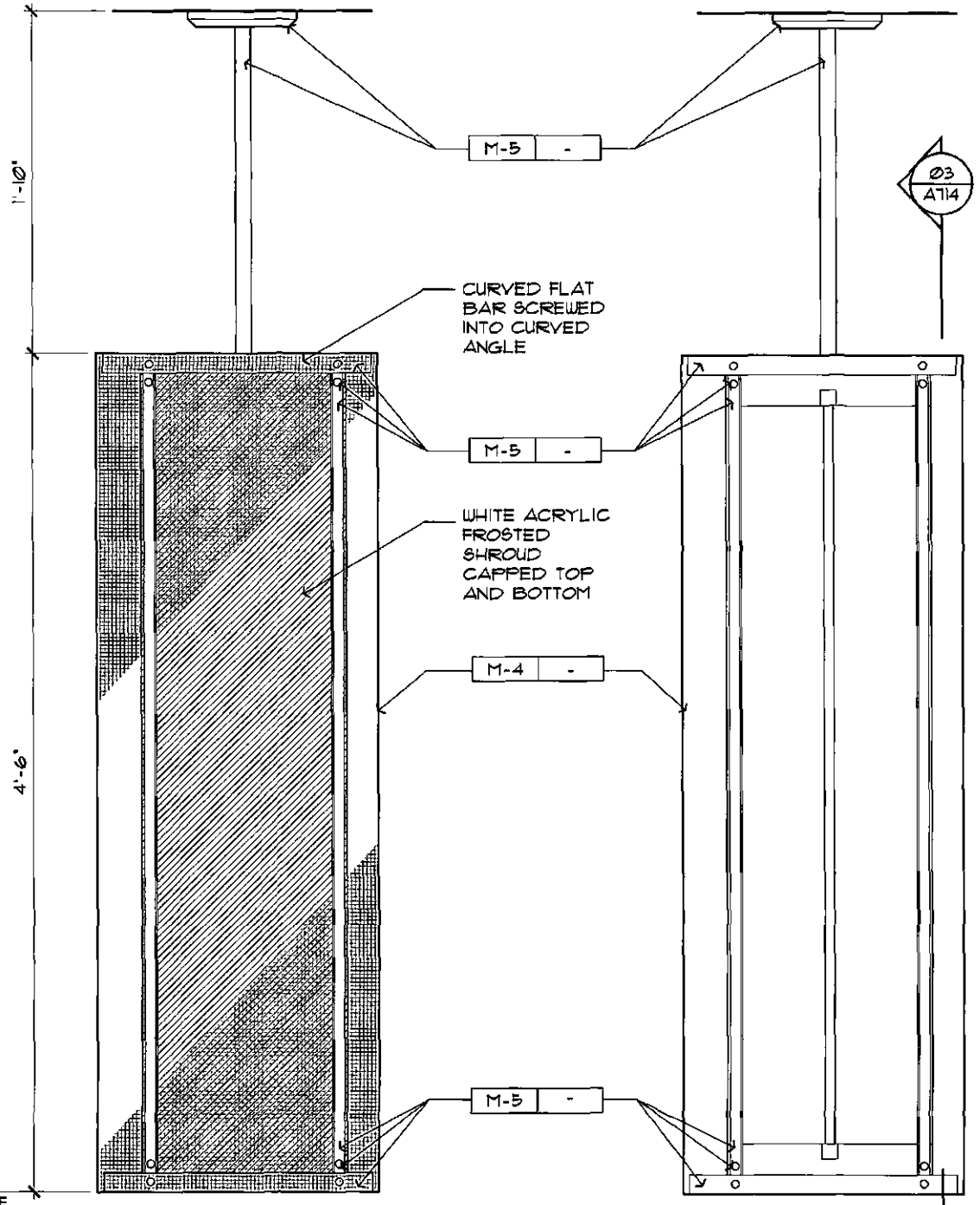
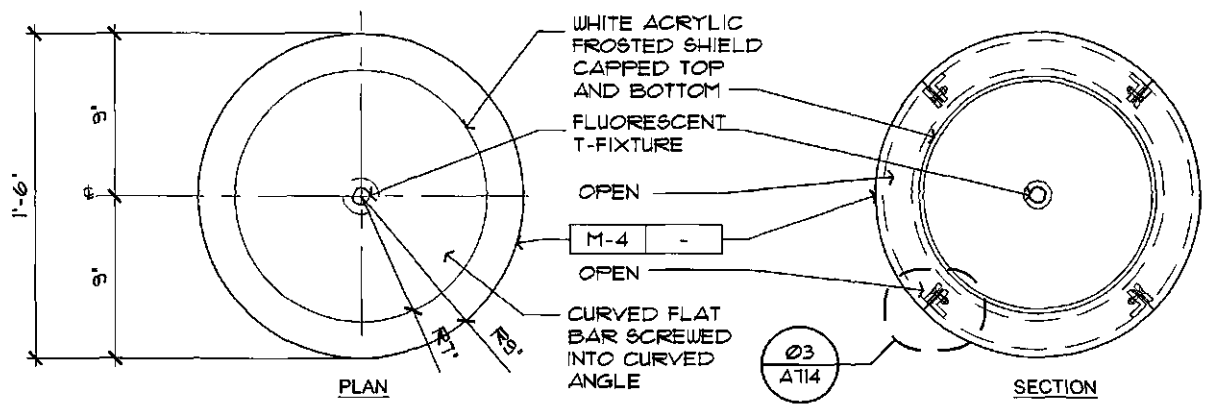








**01** CUSTOM FIXTURE AA

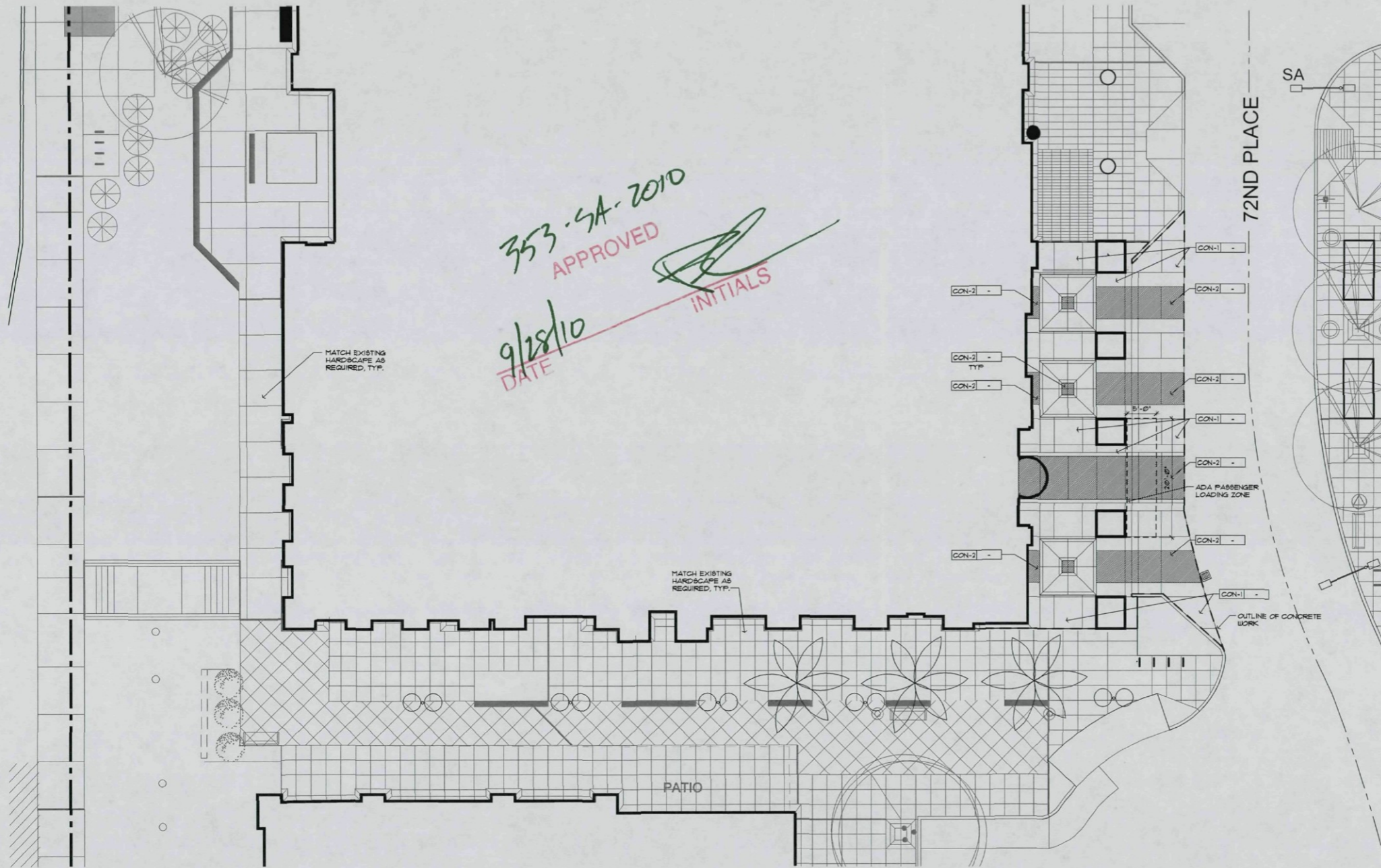


9'-6"  
B.O. FIXTURE AFF.

**02 CUSTOM FIXTURE BB**

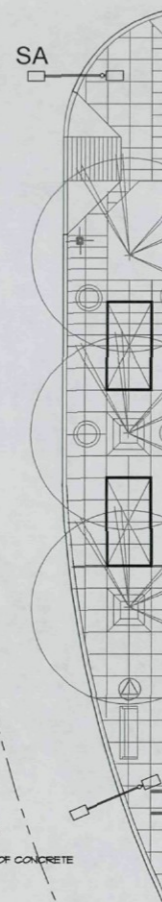
CASE - 10-DR-2007

Assessor's Parcel no. 215-05-056G



353-SA-2010  
APPROVED  
9/28/10  
DATE  
INITIALS

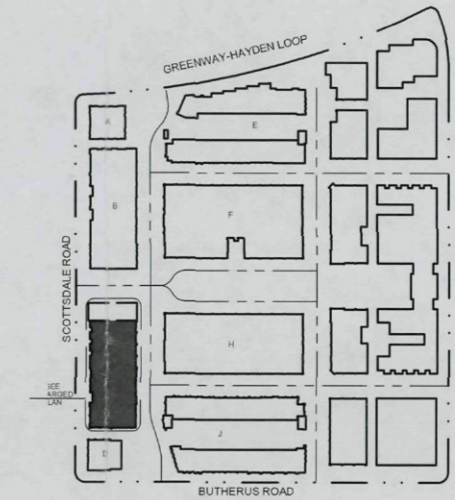
72ND PLACE



NOTES

- 1. Site Plan is for reference. All site related work will be performed under a separate permit. Reference the Civil plans for site information.
- 2. Work to be performed under this contract is Building related only. Work under this contract will be performed in conjunction with the work described in 10-DR-2007.
- 3. All landscaping, irrigation, and any related planting items are to be performed on a design build basis. The General Contractor is responsible for coordination of all items related to landscaping.

01 PARTIAL SITE PLAN  
SCALE: 1/8"=1'-0"  
REF:



Date  
June 21, 2010

DOMINICK'S  
Scottsdale Quarter - Building C  
15168 NORTH SCOTTSDALE ROAD  
SCOTTSDALE, ARIZONA 85254

Drawings and written material appearing herein constitute original and unpublished work of the architect and may not be duplicated, used, or disclosed without written consent of the architect.

© 2008 NELSEN PARTNERS, INC.

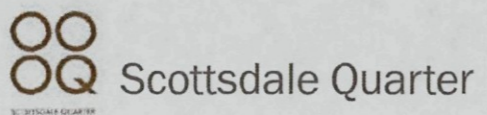
Project No.  
39614

A110  
PARTIAL SITE PLAN



EAST EXTERIOR ELEVATION

253-SA-2010  
 APPROVED  
 9/28/10  
 DATE INITIALS



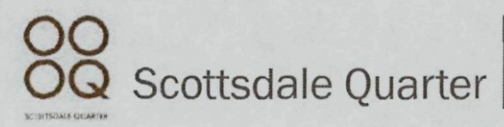
Dominick's  
 Schematic Design

June 24, 2010  
 DRB Submittal

NelsenPartners  
 www.nelsenpartners.com



353-SA-2010  
 APPROVED  
 9/28/10  
 DATE  
 INITIALS

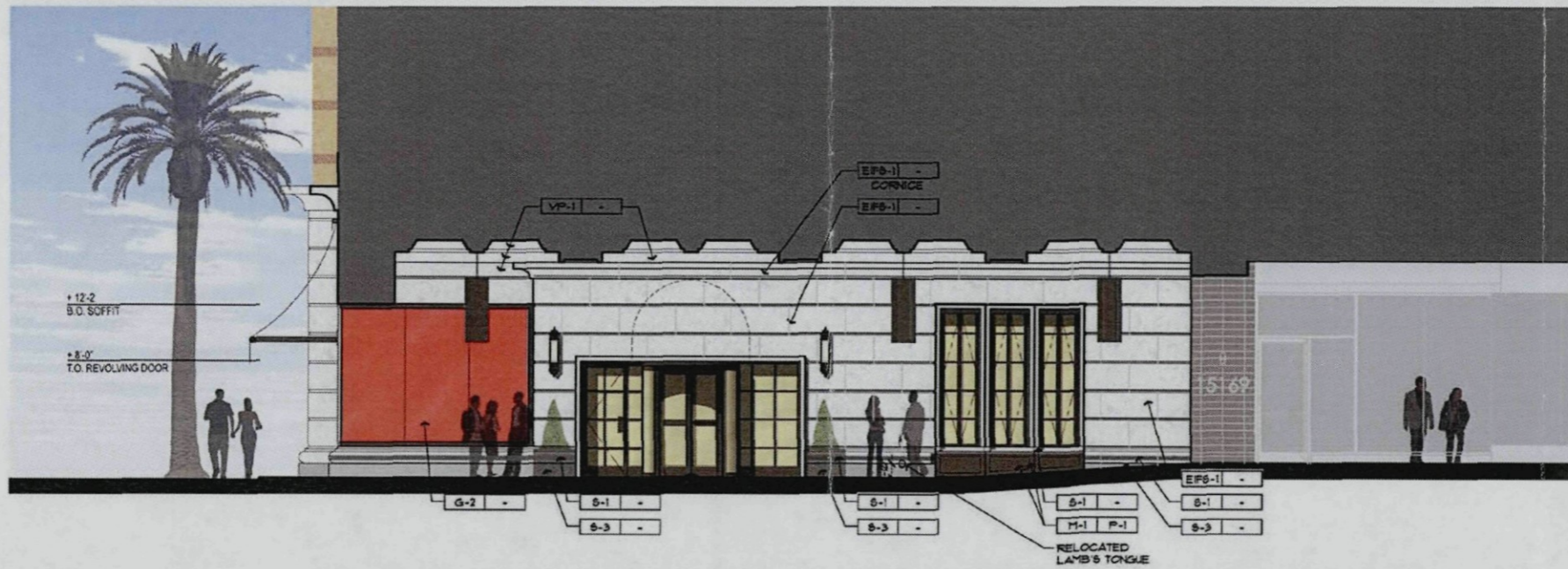


Dominick's  
 Schematic Design

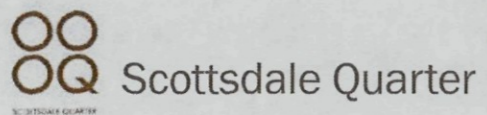
June 24, 2010  
 DRB Submittal



353-4A-2010  
 APPROVED  
 9/28/10  
 DATE INITIALS



EAST INTERIOR ELEVATION



Dominick's  
 Schematic Design

June 24, 2010  
 DRB Submittal

NelsenPartners  
 www.nelsenpartners.com

353-SA-2010  
 APPROVED  
 9/28/10 DATE  
 INITIALS



SOUTH ELEVATION

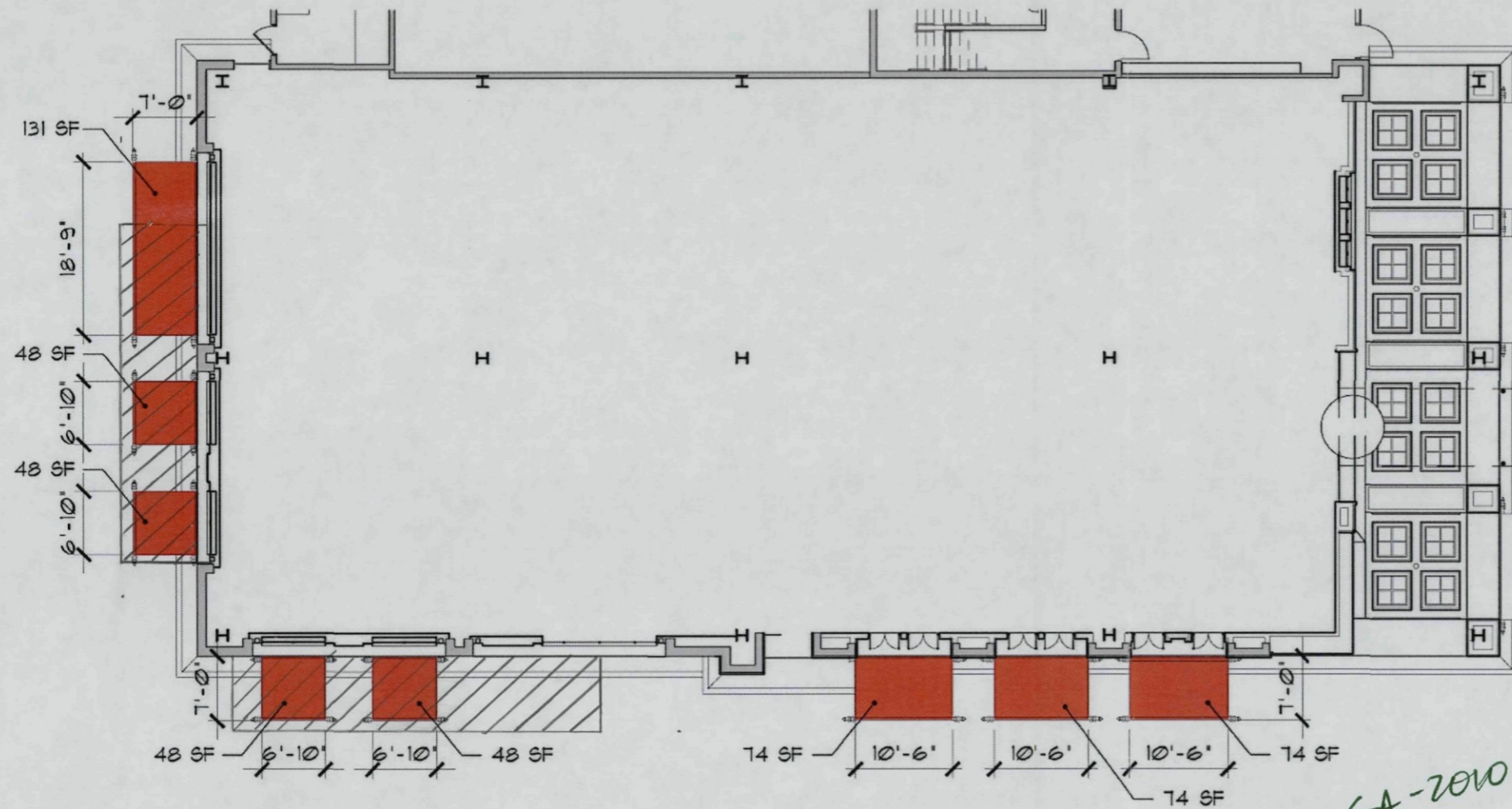


OO  
 OO Scottsdale Quarter  
 SCOTTSDALE QUARTER

Dominick's  
 Schematic Design

June 24, 2010  
 DRB Submittal

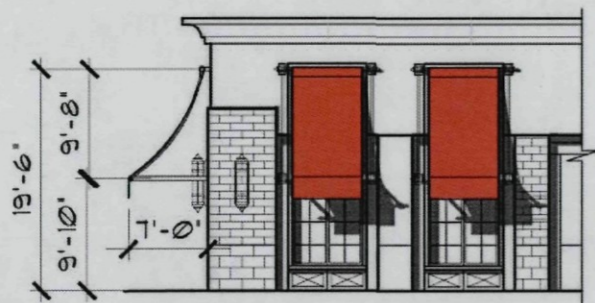
NelsenPartners  
 www.nelsenpartners.com



Existing Canopy: 50% Shade



Proposed Canopy: 100% Shade



Typical Elevation of Proposed Canopy

**Canopy Analysis**

Existing Canopy:

684 SF at 50% shade = 342 SF at 100% shade

Proposed Canopy:

545 SF at 100% shade

353-SA-2010  
 APPROVED  
 9/28/10 DATE  
 INITIALS



Scottsdale Quarter

Dominick's  
 Canopy Analysis

September 10, 2010

NelsenPartners  
 www.nelsenpartners.com

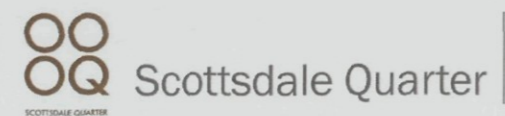


BEFORE



AFTER

SCOTTSDALE ROAD ELEVATION



Dominick's  
Schematic Design

June 18, 2010  
DRB Submittal

NelsenPartners  
www.nelsenpartners.com

c. Wood able to be used in storefront applications:

- Painted or stained wood for window frames, decorative trim or molding and for solid areas such as decorative bulkheads and larger architectural elements such as columns or entablatures.
- Wood paneling not permitted.
- Resin based composite wood panels such as Parklex, Trespa and Prodema are allowed.

d. Tile able to be used in storefront applications:

- Porcelain, ceramic and glass tiles with glazed or natural finishes as accent or limited field applications.
- Small and intricate mosaic tile patterns may be used for detail or accent only.
- Tile patterns executed over large areas are allowed.

e. Precast Stone and Concrete able to be used in storefront applications:

- Variety of integral color precast stone with honed, split-face or polished finish.
- Wainscot, pier, sill, surround, column base and accent applications.
- Integral color board-formed concrete applications in base and accent conditions.

f. Glazing to be used in storefront applications:

- Exterior glass shall be clear
- All glass shall be tempered glass
- Large panels of glazing must be of sufficient thickness to meet applicable codes and be properly supported.
- Stained, leaded, etched, beveled, fritted windows and glass blocks are allowed.
- Exterior windows must be recessed 50% of the wall depth.
- Highly reflective glass and use of mirrored surfaces shall not be allowed.

g. Plaster able to be used in storefront applications:

- Plaster, cement plaster (stucco) and Venetian plaster finishes.
- Texture finish must be light dash, sand or smooth.
- Use of plaster surfaces must be in combination with other materials.

h. Faux Finishes able to be used in storefront applications:

- Photographs of the proposed faux finish must be provided along with the building elevations identifying where the finish is to be applied.
- The tenant must provide documentation that the individual to do the work is a commercial artisan qualified to do this work.

i. Prohibited Materials:

- Plastic Laminates
- Glossy or large expanses of acrylic or plexiglass
- Pegboard
- Mirrors or mirrored surfaces
- Highly polished or plated metals except as trim or hardware elements
- Reflective glass
- Simulated brick, stone or wood finishes
- Vinyl, fabric or paper wall coverings
- Plywood or particle board
- Sheet or modular vinyl
- Luminous ceilings
- Vinyl awnings
- Tile roofing

### 3. Canopies and Arcades:

All pedestrian walks within the development shall be shaded by either architectural canopies, covered arcades and/or shade trees whether attached to a building or free-standing.

a. Modifications to architectural canopies and/or arcades can only be made if the proposed solution retains at a minimum, the shade provided by the original approved design; more shade can be provided.

b. Material changes to canopies and arcades may only occur if the depth and height of the canopy and arcades are retained and materials complement the approved palette for the building.