

March 25, 2010

**RE: 7-TA-2009 and 38-UP-2009
NWC of Pima & Dynamite**

Dear Mr. Murillo:

Please find the following responses to your 1st Staff Review Letter dated February 27, 2009.

Ordinance Related Issues

The following ordinance related issues have been identified in this first review of the project and will need to be addressed in a re-submittal prior to scheduling a hearing. Please address the following:

Legal:

1. Provide Complete and updated Commitment for Title within the last 30 days. The "Proposed Insured" shall be the City of Scottsdale and the "Amount" shall be the estimated value of the property.
 - **Updated Title Report included with submittal.**
2. Commitment for Title shall have all sections and paragraphs completed.
 - **Updated Title Report included with submittal.**

Circulation:

3. The TIMA study is underway and will be required to be completed before the proposed Condition Use Permit, 38-UP-2009, is scheduled for a Planning Commission hearing date.
 - **TIMA is under review by Transportation Staff.**

Policy Related Issues

The following policy related issues have been identified in the first review of the project. While these issues are not as critical to scheduling the case for public hearing, they may affect the City Staff's recommendation for support of this project and should be addressed as soon as possible. Please address the following:

Ordinance Format:

The format of proposed draft as written is not consistent with the format in the existing Zoning Ordinance.

4. The proposed text amendment should make reference to the Conditional Use Permit section and the Additional conditions for specific conditional uses in the ordinance.

- **Section 1.403 is referenced in the Text Amendment language.**

Zoning:

5. Provide screen walls and landscaping in front of all parking stall areas located along or facing street frontage areas (or identify screening created by cuts and fills on site). Do not provide walls in front of parking stall break areas (i.e. landscape medians).

- **Applicant requests that this requirement be stipulated as part of the Use Permit.**

Justification/Proposed Criteria:

6. The Narrative describes a need/use for a rural neighborhood support services center and a mixture of land uses for the northwest corner of N. Pima Road and E. Dynamite Boulevard. Provide research findings that support the proposed text amendment and service station criteria. Provide revised narrative with the resubmittal.

- **This was discussed with City Staff in our follow-up meeting. The applicant has provided resumes and a letter of intent from both Shell and Chevron.**

7. In the revised Narrative, please address how such a neighborhood service center and a service station, with the level of proposed intensity, will impact: adjacent uses, the Environmentally Sensitive Lands (ESL) district, and the Foothills Overlay (FO) district. Impacts include, but are not limited to: noise, lighting, traffic generated by all proposed uses, and truck deliveries. State how these proposed uses would be compatible with surrounding uses, ESL, and FO zoning districts, and how the impacts can be mitigated/addressed.

- **Narrative revised.**

8. The Narrative identifies a maximum square footage allocation and a maximum property size as criteria for the text amendment. In the revised Narrative, please address how the maximum square footage allocation and the maximum property size are relevant text amendment criteria.

- **Narrative revised.**

9. The Environmentally Sensitive Lands (ESL) zoning district currently limits the maximum height of all R1 Districts to a maximum of twenty-four (24) feet above natural grade. In the revised Narrative, please address how maximum building height is relevant text amendment criteria.

- **Narrative revised.**

10. In the revised Narrative, please address how maximum square footage allocation and the maximum property size are relevant text amendment criteria. Provide justification for restaurant, hardware store, service station, general store, and bank square footages.

- **Narrative revised.**

11. In the revised Narrative, please address how proximity to an existing power line corridor is relevant text amendment criteria. What is the basis for such criteria, and how are they relevant to the land use proposed. Please explain and provide justification on the Location criteria in the Narrative in the next submittal.

- **Criteria adjusted and Narrative revised.**

12. In the revised Narrative, please address how the proposed neighborhood services center is consistent with the Desert Foothills Character Plan and Foothills Overlay.

13. In the revised Narrative, please address how the text amendment criteria requiring the project's proximity to be adjacent to two (2) scenic corridors is relevant text amendment criteria.

- **Narrative revised.**

14. The Scottsdale Sensitive Design Principles, Design Standards and Policies Manual, Environmentally Sensitive Lands zoning district, Desert Foothills Character Area Plan, and Foothills Overlay zoning district already include requirements and ordinances that promote creating designs that are sensitive to the Sonoran Desert. In the revised Narrative, please address how the design compatibility requirements are relevant text amendment criteria.

- **Narrative revised.**

15. Please address how the proposed use (all proposed uses, structures, intensities, and square footages) serves the intent or furthers the purpose of the General Plan. Most large lot properties are located in areas commonly designated as Rural Neighborhoods in the General Plan which denotes large lot single-family neighborhoods consisting of one house per one acre or more of land.

Please explain how the proposal is consistent with the goals and objectives set forth in the General Plan for the Rural Neighborhoods designation. The justification in the Narrative talks about the concept of providing a mixture of land uses as set forth in the General Plan, but does not address how the proposal is consistent with the land use designations that commonly affect the single-family properties in this particular area of the City.

- **Narrative revised.**

16. In the revised Narrative, please make reference to the Conditional Use Permit section and the Additional conditions for specific conditional uses in the ordinance.

- **Section 1.403 is referenced in the Text Amendment language and discussed in the Narrative**

Support material

17. The proposed amendment should be supported by research and findings; however, no market analysis or compatibility study were provided in the first submittal. Please provide any relevant data and analysis that will support the proposed use in the next submittal (i.e. market analysis).

- **This was discussed with City Staff in our follow-up meeting. The applicant has provided resumes and a letter of intent from both Shell and Chevron.**

Neighborhood Involvement:

18. Please note that the public involvement for the prior rezoning and General Plan processes indicated potential opposition to the proposed service station at the same property that is now going through the text amendment and the Conditional Use Permit. Consider additional meetings on the proposed text amendment and the accompanied Conditional Use Permit application to ensure meaningful outreach efforts. Please provide a status on any additional public involvement process since the submittal and please discuss comments and concerns raised at the meeting in the report summary.

- **Neighborhood Involvement Plan has been revised.**

Site Design/Transportation:

19. Right in right out access should be at 330 foot spacing. Owner will be required to construct islands in the driveway or medians to prevent left turns.

- **Acknowledged (TIMA).**

20. Provide justification for the four (4) proposed driveways. The Transportation Department has stated that all four (4) driveways may not be needed for the proposed project.

- **Applicant has discuss this with Transportation Staff and no changes are proposed to the site plan (TIMA).**

21. All site driveways will likely require right turn deceleration lanes.

- **Acknowledged (TIMA).**

Technical Corrections

The following technical corrections have been identified in the first review of the project. While these items are not as critical to scheduling the case for public hearing, they will likely affect the final plans submittal (construction set) and should be addressed as soon as possible. Correcting these items before the hearing may also help clarify questions regarding these plans. Please address the following:

Zoning:

22. Previous Natural Area Open Space Plan was not consistent with site plan. No Natural Area Open Space Plan was submitted with this application. Provide complete and updated Natural Area Open Space data table. No improvements, walls, or structures shall be located within dedicated Natural Area Open Space areas (Residence as shown on site plan is within NAOS area as shown on NAOS plan).

- **Revised NAOS plan included with submittal.**

23. Provide Transportation Department approval of all right-in and right-out turn lanes located at driveways.

- **Acknowledged (TIMA).**

24. Provide screen walls and landscaping in front of all parking stall areas located along or facing street frontage areas (or identify screening created by cuts and fills on site). Do not provide walls in front of parking stall break areas (i.e. landscape medians).

- **Applicant requests that this requirement be stipulated as part of the Use Permit.**

Drainage:

Note: The Civil Engineer for Pima/Dynamite has met with City Staff and resolved the drainage issues outlined below. Please reference the revised Drainage Report for comments #25-#33.

25. Plan Check # 5521-09. Please submit two (2) copies of the revised Drainage Report with the original red-lined copy of the report to the One-Stop Shop.

26. Noted that the "full-storage" volume calculation should be based on the entire disturbed ground in the parcel and not just as "total area - NAOS area." Since the NAOS could be re-vegetated within disturbed areas (up to thirty (30) percent of total NAOS requirement). This should be clarified in the drainage report. The 'C' value of 0.65 is too low for the volume calculation considering the development a commercial one. A 'C' value of 9.0 is more

appropriate. The provided volume was still found more than the required volume when the higher 'C' value was used. Please revise the volume calculation.

The original lot was a residential Metes & Bounds and requires full onsite storage. Developing the lot as a commercial one does not waive the lot from full onsite storage. Therefore, "pre-post storage" is not allowed for this lot and full storage should be provided for this development. Onsite storage requirement should be based on actual disturbed area (any grading and landscaping in addition to impervious/paved areas)

27. Previous staff comments stated that at higher elevations, split flow is likely to occur along Wash #5 downstream of Pima Road and portion of flow may divert to the Center Wash in between Wash #3 (103 cfs) and Wash #5, which according to COS LIS is a significant wash with flow capacity >50 cfs (not necessarily the real flow from the contributing watershed). At least two typical cross-sections should be cut along the Center Wash from the existing 1.0 ft. contours and their flow capacity should be determined. If the flow capacity is found to be >50 cfs, wash modification permit (from the COS Planning Dept.) is required to kill the Center Wash and appropriate documentation should be included in the case drainage report (e.g. copy of wash modification application or the approved permit). All relevant calculations should be shown in the case drainage report. Please note that assumption of trapezoidal channel is not appropriate in the flow capacity calculations for natural channel.

This has not been addressed. The "Center Wash" (located in between Wash #3 and Wash #5) has been marked on the G&D plan in the drainage report. Please cut at least 2 or 3 cross-sections from the 1.0 ft. contours (as indicated by XS-1, XS-2, XS-3... on the plan) and calculate the bank-full flow capacity. If the flow capacity is >50 cfs, "Wash Modification Permit" is required to kill this wash. Please clarify this in the drainage report along with all supporting calculations.

28. Wash #3 and Wash #5 combine to form a larger wash that goes through the proposed 3 – 4'X8' box culvert. Wash #5 goes through another 2 – 4'X8' box culvert located halfway along its length within the parcel. A HEC-RAS model is required to correctly simulate the backwater effect of the downstream culvert and the momentum across the wash confluence (confluence of Wash #3 and Wash #5) and to delineate the 100-yr floodplain correctly. Please setup a HEC-RAS model that appropriately covers the wash system within the parcel (Wash #3, Wash #5, the confluence, and the downstream combined wash).

Please consider 330 cfs for Wash #5, 103 cfs for Wash #3 and 363 cfs for the confluence in the HEC-RAS model as has been described in the drainage report. Please include the HEC-RAS summary results in the drainage report. Generate a "HEC-RAS report" and include it in the drainage report. Include a CD in the drainage report containing the HEC-RAS digital files and a PDF version of the entire drainage report.

29. At a minimum, the extent of the riprap protection should be calculated for the downstream 3 – 4'X8' box culvert since the extent of the riprap protection is not allowed to go beyond the parcel limit. Riprap protection should be calculated based on the exit velocity of the culvert and the flow velocity and WSE for the wash should be resumed to its pre-development condition before the wash exits the parcel.

Justification of the selection of the riprap size upstream and downstream of the proposed culverts along Wash #3 and Wash #5 should be based on hydraulic calculations. The extent of the riprap protection (riprap length) should also be calculated based on hydraulic analysis and should be shown on the plans (with appropriate label). All relevant calculations should be documented in the case drainage report.

30. The locations of all cross-sections (for Wash #3, Wash #5 and the Center Wash) and delineation of the 100-yr floodplains (for Wash #3 and Wash #5) should be shown on the plans. The limit of DE should be based on the limit of the 100-yr floodplains and both should be labeled on the plans appropriately. The limits of DE should also encompass the wing walls for all the culverts involved. Please show all cross-section locations (HEC-RAS cross-section locations for Wash #3 and Wash #5 and FlowMaster cross-section locations for the "Center

Wash") on the G&D plan. Please show the respective 100-yr water surface elevations (WSE) for all HEC-RAS cross-sections on the plan.

31. Previous staff comments asked for a calculation of the 100-yr flow coming to each grate inlet and perform spread calculation for each inlet to determine the depth of flow over each inlet located in the parking lots. Perform hydraulic grade line calculation for the end drain pipe (or the only drain pipe where appropriate) to show that they have adequate capacity to handle the onsite runoff. This comment was not addressed.

Please generate another plan sheet showing contributing drainage areas to each detention basin and to each inlet in the parking lots. The inlets must have enough capacity to handle runoff without causing flooding in the parking lots. Hydraulic grade lines should be calculated for the pipes to ensure that the pipes connectivity makes sense. Apparently, Basin #2 is draining into Basin #3 through an inlet and two interconnected pipes. Hydrograph routing and/or stage-discharge and drain time calculation should be performed for the interconnected Basin #2 and Basin #3 to ensure that Basin #2 drains fast enough into Basin #3 without overtopping. The storage volume calculation for Basin #1 should be separated from the total volume calculation to ensure that it has enough capacity to provide full-storage for the contributing drainage area draining into this basin. Please show all calculations in the case drainage report.

32. Please label all washes (e.g. Wash #3, Wash #5, etc.) on the G&D plan along with their respective input discharge values (Q_{100}).
33. Proposed site plan shows major wash being crossed four (4) times: crossed twice by pedestrian connections and twice by vehicular connections. Proposed site plan only shows three (3) proposed bridges for the four (4) wash crossings. Provide justification for both pedestrian bridge crossings, and why the second wash crossing (westernmost vehicular wash crossing) does not require a bridge.

Water and Waste Water:

34. Submit basis of design reports prior to Development Review Board hearing demonstrating how water/wastewater service is being provided to this project. Please submit three (3) copies of the revised Water and Waste Water Design Report(s) to the One-Stop Shop.

- **Acknowledged – to be submitted prior to DRB.**

35. Owner will likely need to provide for a private onsite lift station to eject development's wastewater to Pima Road.

- **Acknowledged.**

36. Owner will likely need to provide public water line loop thru the subject site, from N. Pima Road to E. Dynamite Boulevard, for fire lines and domestic and irrigation metering.

- **Acknowledged.**

Site:

37. Label and show sidewalk improvements along N. Dynamite Boulevard.

- **Applicant requests that this be stipulated as part of the Use Permit.**

Lighting:

38. All lighting shall meet Environmentally Sensitive Lands Ordinance requirements. See attached lighting packet to help in the design of lighting this proposed commercial site.

- **Acknowledged.**

Fire:

39. All fire lanes on site must support 83,000 lb. fire truck. Internal circulation must accommodate the required fifty-five (55) foot turning fire truck radius.

- **Acknowledged.**

If you have any questions regarding this letter or submittal items please do not hesitate to contact me.

Respectfully,



Michele Hammond, AICP

Principal Planner