

## Symer, Daniel

---

**From:** Symer, Daniel  
**Sent:** Friday, June 22, 2012 6:02 PM  
**To:** 'Michele Hammond'; John Berry  
**Cc:** Ekblaw, Kroy  
**Subject:** RE: Waterfront Patios

John and Michele,

Regardless of the conversation on 06/14/2012, ultimately, the reasoning to provide such accommodation on the other elevations should be in the realm and justification expressed for the west elevations adjacent to North Goldwater Boulevard (further below). Furthermore, and support therefore, will depend on the architectural effectiveness of the building's design to mitigating the bulk and monolithic appearance of the building. In addition, the ability to achieve effective building reliefs, appropriate massing, and material and features to effectively achieve purpose and intent that patio provide to the architecture and the downtown design guidelines.

Staff would consider this interpretation based on all the following conditions being comprehensively addressed and met as follows:

- The application narrative clearly identifies the request.
- All architectural elevations and renderings must be submitted with the zoning site plan submittal so that the DRB, Planning Commission, and City Council are specifically directed to review and comment on whether the architectural application addresses the following:
  - To reiterate, the key is the quality of the architectural design of the building shall incorporates building massing, reliefs, setbacks, and use of material, and other architectural features that mitigate the buildings relief of the that would otherwise be provided by the patios.
- Each unit shall have balcony doors that may be opened in to the units with a minimum provision of "juliette-sized" balconies and step on to.
- The total aggregate of private open space area required/provided as patio area is not reduced.
- The applicant shall discuss their application and this specific issue related to private space with the members of the DRB, Planning Commission, and City Council.
- The applicant shall present the alternative interpretation with their presentation to each hearing of the DRB, Planning Commission, and City Council, and address how they are mitigating the design of the buildings relief/massing, that would otherwise be provide with the patios.

Please note that the requested interpretation, report to the zoning administrator, and the applicant's ability to address the requirements above may necessitate changes to the schedule discussed at the June 8, 2012 meeting with City Staff.

Please confirm your concurrence with the above.

Thanks

Dan Symer, AICP  
Senior Planner  
City of Scottsdale  
Community & Economic Development Division  
Current Planning Services  
480-312-4218  
[dsymer@scottsdaleaz.gov](mailto:dsymer@scottsdaleaz.gov)

Keeping you informed!

- Subscribe to the Scottsdale Planning and Zoning newsletter at the following link:  
<https://eservices.scottsdaleaz.gov/listserve/default.asp>

You may also find us on Facebook:  
<http://www.facebook.com/ScottsdalePZLink>

or on,

Twitter:  
<http://twitter.com/ScottsdalePandZ>

 Please consider the environment before printing this e-mail.

---

**From:** Michele Hammond [mailto:mh@BerryDamore.com]  
**Sent:** Friday, June 22, 2012 1:33 PM  
**To:** Symer, Daniel; John Berry  
**Cc:** Ekblaw, Kroy  
**Subject:** RE: Waterfront Patios

Dan:

While we agree that our request was to interpret that the total area of the private outdoor living space requirement be aggregated for the Waterfront/Alliance project, we did not intend to limit the request to apply only to the patio areas for the units on the upper two floors of the west elevation, fronting North Drinkwater Boulevard. I apologized for any confusion. We also agree through this interpretation that the total aggregate of private open space area required/provided as patio area not be reduced. We, however, have asked Staff to look at this interpretation for the project as a whole, not just an isolated area. Please contact me with any questions regarding this request and we look forward to a revised response. Thank you!

Sincerely,

*Michele Hammond*

Principal Planner  
BERRY & DAMORE, LLC  
6750 E. Camelback Road, Suite 100  
Scottsdale, Arizona 85251  
602-463-4081 cell  
480-385-2753 direct  
480-385-2757 fax  
[mh@berrydamore.com](mailto:mh@berrydamore.com)

This message and any of the attached documents contain information from Berry & Damore, L.L.C. that may be confidential and/or privileged. If you are not the intended recipient, you may not read, copy, distribute, or use this information, and no privilege has been waived by your inadvertent receipt. If you have received this transmission in error, please notify the sender by reply e-mail and then delete this message. Thank you.

---

**From:** Symer, Daniel [mailto:DSymer@scottsdaleaz.gov]  
**Sent:** Friday, June 22, 2012 11:51 AM  
**To:** John Berry; Michele Hammond  
**Cc:** Ekblaw, Kroy  
**Subject:** Waterfront Patios

John and Michele,

- Based on the information provided during our 06/14/2012 conversation, the applicant's description of input from adjoining neighbors related to concerns over outdoor patios overlooking the neighbors to the west of the property. The applicant is proposing to address these concerns through their application and public review process as follows:

The purpose of this request is to address the concerns of the neighbors on the west side of the North Goldwater Boulevard regarding privacy and the ability of people looking down and into their yards. Specifically the applicant is requesting to interpret that the total area of the private outdoor living space requirements be aggregated, and that patio areas for the units on the upper two floors of the west elevation, fronting North Drinkwater Boulevard, maybe reduced in size.

Staff would consider this interpretation based on all the following conditions being comprehensively addressed and met as follows:

- The application narrative clearly identifies the request.
- All architectural elevations and renderings must be submitted with the zoning site plan submittal so that the DRB, Planning Commission, and City Council are specifically directed to review and comment on whether the architectural application addresses the following:
  - The quality of the architectural design of the building shall incorporates building massing, reliefs, stepbacks, and use of material, and other architectural features that mitigate the buildings relief of the that would otherwise be provided by the patios.
- Each unit shall have balcony doors that may be opened in to the units with a minimum provision of "juliette-sized" balconies.
- The total aggregate of private open space area required/provided as patio area is not reduced.
- The applicant shall discuss their application and this specific issue related to private space with the members of the DRB, Planning Commission, and City Council.
- The applicant shall present the alternative interpretation with their presentation to each hearing of the DRB, Planning Commission, and City Council, and address how they are mitigating the design of the buildings relief/massing, that would otherwise be provide with the patios.

Please note that the requested interpretation, report to the zoning administrator, and the applicant's ability to address the requirements above may necessitate changes to the schedule discussed at the June 8, 2012 meeting with City Staff.

Please confirm your concurrence with the above.

Thanks

Dan Symer, AICP  
Senior Planner  
City of Scottsdale  
Community & Economic Development Division  
Current Planning Services  
480-312-4218  
[dsymer@scottsdaleaz.gov](mailto:dsymer@scottsdaleaz.gov)

Keeping you informed!

Subscribe to the Scottsdale Planning and Zoning newsletter at the following link:

<https://eservices.scottsdaleaz.gov/listserve/default.asp>

You may also find us on Facebook:

· <http://www.facebook.com/ScottsdalePZLink>

or on,

Twitter:

<http://twitter.com/ScottsdalePandZ>

 Please consider the environment before printing this e-mail.