

**Marked Agendas
Approved Minutes
Approved Reports**

Resolution 8835 & 8850

Ordinance No. 3974

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City Council Hearing 10/18/2011

Planning Commission 9/21/2011

6-GP-2011& 10-ZN-2011

Zocallo Residential

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City Council Hearing 10/18/2011

Planning Commission 9/21/2011

6-GP-2011& 10-ZN-2011

Zocallo Residential



Aviation Division

15000 N. Airport Drive, Suite 200
Scottsdale, AZ 85260

Phone: 480-312-2321
Fax: 480-312-8480
Web: www.scottsdaleairport.com

Date October 12, 2011

The Honorable Jim Lane, Mayor
3939 Drinkwater Blvd
Scottsdale, AZ 85251

Subject: Scottsdale AAC (Airport Advisory Commission) recommendation relative to zoning and general plan land use change requests for: 6-GP-2011 Zocallo Residential, 10-ZN-2011 Zocallo Residential, 7-GP-2011 Scottsdale Airpark Community, 11-ZN-2011 Scottsdale Airpark Community, and 8-GP-2011 Crackerjax

Dear Mayor Lane and members of the Scottsdale City Council:

This letter is to explain in context a bit of history, the issues of timing and the airport commission's recommendation on subject issues. For the purposes of this document they will be referred to as land use changes.

Context/History

There are 3 parcels of land in the Scottsdale Airpark that are seeking to change designation from a land use of AMU (Airpark Mixed Use) to an AMU-R (Airpark Mixed Use with Residential). Please note their location on FIGURE 1 attached.

These (3) three parcels are within the city council adopted FAA Part 150 noise study airport influence area. Each of these land use change requests create direct conflict with the FAA Part 150 noise study and as such Chapter 5 of the Scottsdale revised code requires AAC review and to provide a recommendation to city council.

History: All of these parcels and their land use were reviewed by the AAC as part of the Scottsdale Greater Airpark Character Plan. This was completed in July 14th, 2010.

For reference we have included APPENDIX A, Letter to City Council from Airport Advisory Commission dtd, 15 October, 2010 regarding the commissions previous recommendation on this topic.

At that time it was the recommendation of the AAC (5-1) that the designation be changed from AMU-R to AMU. Figure 2 attached is a copy of that letter. These decisions were broadly based on the need to not increase close-in residential housing to the airport, thereby increasing the number of effected residents by airport noise and thus increasing the amount of disharmony with neighbors and citizens.

The Scottsdale planning commission then voted (5-1) to have the R (Residential component) added to the parcels. The city council then voted (6-1) to have the R (Residential component) removed on 26 October, 2010 as the city council approved the Scottsdale Greater Airpark Character plan.

It is important to note that the Scottsdale Quarter (SQ) development, located at Scottsdale Rd and Greenway/Butherus, does have a residential component. However, the developer has not started work on that portion of the Quarter.

When the city planning department changed the SQ land use to include residential (approx. 7 years ago), it was not brought before the AAC for review. This was an error within the cities' processes and procedures for land use changes in the FAA Part 150 area of concern and has since been corrected. I cannot speak to the recommendation that any previous AAC would have relative to this action. However, it is good to note that city planning and aviation staffs have worked to rectify the issue over the years.

SQ is not a residential reality yet. But it has all the rights and conveyances to do so. It is our hope as a commission that this does not become a noise complaint problem for the airport in the future.

Timing/Acceleration:

Having worked diligently through this past summer on issues relative to airport's rules/regulations, the commission made a motion and duly voted in August 2011 to not have a commission meeting in September of 2011. All other commission business was up to date.

In the late August time frame I received a call from the Aviation Director regarding the possibility of adding the previously cancelled September 2011 meeting so that the AAC could review 1 (one) parcel of the 3 subject parcels. The Aviation Director's phone call to me was precipitated by a request from city staff and planning staff. I told the Aviation Director, "No, the AAC would not reconvene/re-schedule the September 2011 meeting so that we can review 1 parcel of land."

After another request from the planning staff I spoke with the Aviation Director and suggested that we could hold the October 2011 meeting 1 week earlier. After discussion with the city/planning staff that was acceptable. A quorum was polled, the AAC meeting changed and was subsequently held on 5 October, 2011.

I told the aviation director we would make this change, "as long as I have a request from city or planning staff to do so." City Planning did eventually call me to make that request.

Why would I spend time on this detail? It is my opinion and that of other airport commission members that city staff and planning staff are "fast tracking" or "jamming" multiple zoning and non-Major General Plan changes through the city and requesting that the AAC change their schedules to accommodate. Furthermore, I mentioned that only one (1) parcel was requested for review in late August/early September. By the time I spoke to city planning staff the 1 parcel had become 3 parcels. I found this rather odd so I dug a little deeper.

Why is timing important to the applicants and city/planning staff? The applicants must get the land use changed as fast as possible to make it on the agenda for review by the City Council in

October 2011. An October 2011 city council review will only require a majority vote to make a Non-Major General Plan change. Even the date of the originally scheduled airport commission meeting of 12 October, 2011 would have been too late to put on the city council agenda for its 25 October, 2011 meeting. At this meeting the city council will vote on the 2011 General Plan.

If this issue is not changed now and the Scottsdale General Plan goes forward, the applicants, city and planning staff will have to re-submit for a "Major" General Plan change in the future. A Major change will require a "super majority" of the city council. On a sensitive issue such as this I would hope you can see why pressure was being applied by city and planning staff to "bundle" up and get as many parcels through as fast as possible.

As the chair of the airport advisory commission I could have elected to not listen to the request of city and planning staffs. I could have elected to not change our meeting date and allow this issue to die a death of "ill timing." It is my opinion that an action of that type is counter-productive to the city and not in keeping with a good spirit of well and faithfully conducting the city's business.

My personal note: As one of your advisory chairs, these actions and pressure by city and planning staff vexes me and I do not appreciate it. I would hope that we have been accommodating as a commission and I believe there is plenty of evidence to prove this. However, there was/is undue pressure coming from city and planning staff on the aviation staff to do what they want and to fast track these changes to meet their schedule. Forget the right/wrong aspects of the 3 land use issues. The process is being "rigged up" to accommodate the city/planning staff and applicants.

Our synopsis as to why this all is happening now. The applicants, city staff and planning staff all (or one) dropped the ball on their timing. In the course of someone's review of airport/airpark area zoning and general plan land use they realized that one, then two, then three parcels of value did not have the full range of land use options. Now they want to apply for that full use and get it done fast. When there was a glimmer of hope on the timing, the process then became "how many parcels" can be grouped up and sent up for review.

It is fair to say that all the applicants have been professional and courteous in their approach to educating and informing the airport commission on their respective plans, concepts and reasons for requesting the land use zoning and general plan changes. We do appreciate their communications.

Each applicant/parcel is in a different stage of planning/development. Some more mature than others. The 3 parcels/projects are known as:

1. Zocallo (The old Barcelona facility on Greenway-Hayden)
2. Scottsdale Community (the former Cardinale auto dealership lot next to Costco on Hayden)
3. Crackerjax (the current Crackerjax entertainment venue on Scottsdale Rd)

Airport Commission's Recommendation on the 3 zoning/general plan change requests:

At our 5 October 2011 meeting, The AAC voted 4-2 to recommend that the AMU-R (with residential) request be denied. 1 member was not in attendance. I can speak in depth to the

majority opinion. We cannot speak for the dissent but we can have their views known if the council requires. Furthermore, this is not an easy topic to deal with.

Your AAC is a rather pro-growth, business, development minded unit. As the guardian of the Scottsdale Airport Enterprise Fund this should be a major consideration in all of our recommendations. It is our opinion that these land use changes (all three) have a future impact of harming, or at least not improving the airport's long term ability to function as an enterprise fund.

Can we put R (Residential on these parcels). Yes, if we as a city want to run counter to our city council adopted Airport FAA Part 150 NCP (Noise Compatibility Plan) and the city council adopted Greater Airpark Character Area Plan approved on October 26, 2010, less than 1 year ago.

Should we put R on these parcels? Emphatically, No.

Noise and Compatible Land Use

The Scottsdale city council has adopted the Part 150 FAA Study relative to the airport. The study contains chapter 7 known as the NCP (Noise Compatibility Program). These are the adopted policies, measure and elements that the city uses to implement a friendly and functional growth plan relative to the Scottsdale airport. This plan also takes into consideration the need for development and redevelopment over the coming years.

The 3 parcels in question all run counter to the measures outlined in the existing NCP. We are now being asked to make changes to zoning and the General Plan that are not in keeping with our approved plan.

The applicants are correct. Two of the three parcels (#1 and #2 in Figure 1) lie outside of the FAA and City of Scottsdale 65 and 55 DBL noise contour lines. These 2 parcels lie in a zone known as AC-1 which does allow for residential ***"if the right of that type of land use is already in existence"*** and as long as there are Fair Disclosure Notices and Avigation Easements in place for each dwelling.

One applicant representative (land use attorney) is claiming that the right for residential exists based on the 2001 General Plan and it's definition of commercial land use. This occurred during our AAC meeting on 5 October, 2011. After further research we have found this to be not accurate.

The land use of all 3 parcels is currently governed by the city council approved Scottsdale Greater Airpark Character Area Plan from October, 2010. The Airpark Character Area Plan designates the area of all 3 parcels as mixed-use neighborhood, which does allow for high density residential.

However, within the area of mixed-use neighborhood, these 3 parcels are designated as AMU (Airpark Mixed Use) with no residential component. The pre-existing right to have residential on these 3 parcels does not exist today.

One parcel (#3 in figure 1) actually has the 55 DBL noise line running through it. Our city of Scottsdale NCP (Noise Compatibility Program) Chapter 7, Land Use Management Element #1 states: *"...jurisdictions (city of Scottsdale) should strongly discourage rezoning for residential*

and other noise sensitive land uses that are not consistent with the respective city's general plan. The compatible land use should be maintained to ensure compatible development in the future." Land Use Management Element #1 speaks directly to parcel #2 (Figure 1) that is in the 55 DBL noise contour line. To be clear, the 55 DBL noise contour runs through parcel #2. Part of the parcel#2 is inside the 55 DBL noise contour and part of it is not.

The zoning and/or general plan change requested by all 3 applicants runs counter and in direct conflict with NCP, Chapter 7 Land Use Management Element #3 which states: *"The City of Scottsdale should retain and encourage the city of Phoenix to retain current commercial and industrial zoning designations within the study area. In addition, both cities should strongly discourage rezoning for residential and other noise sensitive land uses that are not consistent with their general plans. This will ensue compatible development within the airport environs.*

Adding the AMU-R (residential) conflicts with our own city guidelines on this topic as well as our Greater Airpark Character Plan.

Airports and residential land uses are incompatible. Even if one thinks that statement is too strong it is clear that residential development near airports is not in the best interest of the airport nor its citizens.

Noise Complaints

Yes, the Scottsdale aviation department staff and members of the AAC deal with noise complaints and the complainants themselves. A cursory review of quarterly and annual noise complaint data for the airport will reveal:

1. The airport gets many complaints in a given month
2. The actual complainants (citizens) tend to be repeat calls...but not always.
3. Complaints seem to cycle with the season (i.e. increase in aviation activity)
4. Most complainants tend to be homeowners. Not renters. Although this can't be proven it probably stands to reason
5. Complaints come from all directions around the airport
6. Many of the complainants are dwellings that have signed fair disclosure notices and aviation easements. i.e. signing a piece of paper does not constitute good will.

Will more apartments near the airport bring more complaints? We cannot prove that one way or the other. It does stand to reason that as you bring more citizens in close to the airport, an environment for increased complaints is being built.

What we do know is that the Zocallo project and Crackerjax are in the flight path of helicopter activity that departs and arrives at the airport. This is low level, 500' AGL (Above Ground Level) activity. Usually with helicopters that are at or near full power for taking off and climb out.

Furthermore, 90% of Scottsdale airport's operations use a "right-hand" VFR (Visual Flight Rules) flight pattern. This pattern drives the greatest majority of aircraft over parcel #1 and #3 (Zocallo and Crackerjax).

FAA Grant Assurances. What is best for the airport?

In order to receive FAA funding for various airport projects there exist many Grant Assurances that an airport must follow in order to receive its FAA grants.

The FAA does address compatible land use as it relates to the airport. They (the FAA) have a vested interest in the public use airport and provides significant funding to maintain the facility for a long period of time.

The FAA grant assurance on this topic does not prohibit residential land use near an airport. However, the grant assurance is clear that the sponsor (city) must have the best interests of the airport in mind when making land use decisions. FAA Grant Assurance #21 states:

Compatible Land Use. It (the sponsor/city) will take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. In addition, if the project is for noise compatibility program implementation, it will not cause or permit any change in land use, within its jurisdiction, that will reduce its compatibility, with respect to the airport, of the noise compatibility program measures upon which Federal funds have been expended.

A change to this zoning/General Plan land use is a reduction of compatibility.

Noise Studies/Monitoring

Two applicants have commissioned noise studies. These results will be presented for your review. The AAC does not dispute the data of these noise studies outside of the following comments:

- Each study was conducted for only a 24 hour period from a Friday at 1200 to a Saturday at 1200. A period of one week would have been more representative of the airport's activity. The consultant, Stantec did explain the logic for using that specific 24-hour period to capture times when people are most likely to be out doors and not otherwise working or committed to other activities.
- The study does not capture the busiest periods for the airport. Thursday afternoon and Sunday/Monday (arrivals/departure for the weekends.)

Summary

The city council charges the airport advisory commission to provide sound, logical, cogent and forward thinking recommendations on issues relevant to the airport. This forces us to look at topics such as land use near the airport a bit differently than city staff, developers and planners.

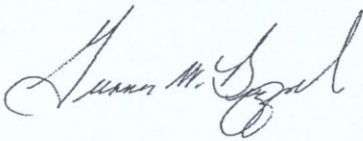
This is not a personal decision but one based on the long term, best interests of our city's airport. This comes after careful thought, discussion and consideration.

Residential encroachment has been and is now the death (see city of Santa Monica, CA) of many municipal airports in this country. The best of good intentions in the short term have to be weighed against the long- term ramifications.

During the course of this next city council meeting I ask that at least one member of the council ask the Aviation Director to discuss and explain to council the purpose of the NCP and specifically Chapter 7 Land Use Management Elements #1 and #3.

We hope this provides you, the City Council, with our thought process, logic and reason for such a recommendation. Ultimately this is your decision. Your Airport Advisory Commission is a forward thinking body chartered to advise you on all issues good and bad as they relate to the Scottsdale Airport. We all share an opportunity to think ahead and act responsibly today, to make a better Scottsdale tomorrow.

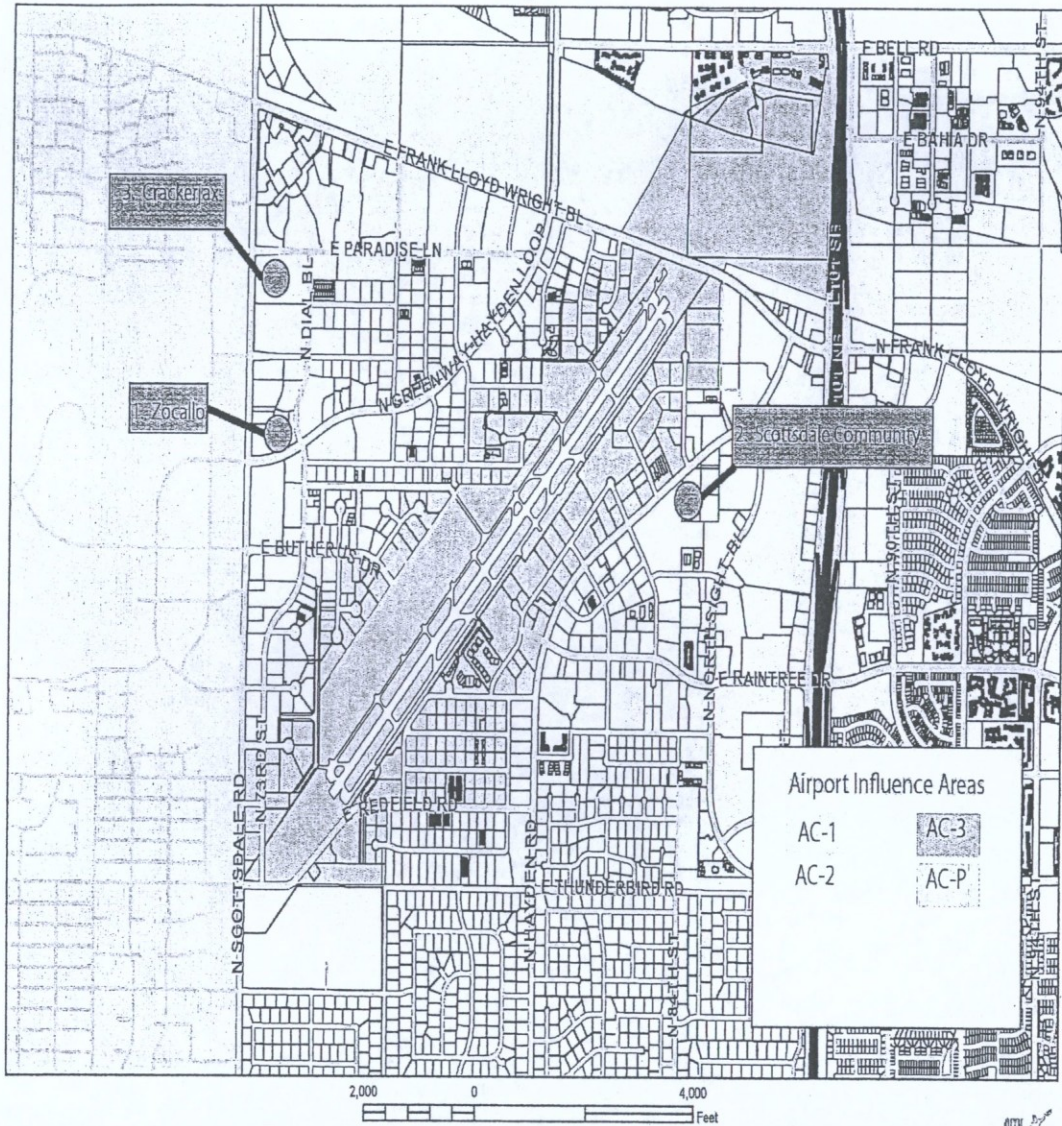
Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Gunnar W. Buzzard".

Gunnar W. Buzzard, Chairman
Scottsdale Airport Advisory Commission

Cc: Airport Advisory Commission
City of Scottsdale Aviation Director
Scottsdale City Council

Figure 1



komalley
10/12/2011 8:40:26 AM

Notice: This document is provided for general information purposes only. The City of Scottsdale does not warrant its accuracy, completeness, or suitability for any particular purpose. It should not be relied upon without field verification.



APPENDIX A

Letter from Airport Advisory Commission to City Council, dtd 15 October, 2010

15 October 2010

Mayor Jim Lane
City of Scottsdale
3939 Drinkwater Blvd
Scottsdale, AZ 85251

SUBJECT: Position Paper, Scottsdale Airport Advisory Commission (AAC) recommendation as it relates to City Council Item: Greater Scottsdale Airpark Character Area Plan.

Mayor Lane and members of City Council,

My name is Gunnar Buzzard, Chairman of the Scottsdale Airport Advisory Commission. On behalf of the AAC, the purpose of this letter is to provide you and the City Council the genesis, thought process, logic and reason relative to the recommendation on two minor changes to the Greater Scottsdale Airpark Character area plan.

On the 26th of October, 2010, the City Council will consider possible adoption of the subject area plan.

First, allow us to say that the AAC fully supports the Greater Airpark Character Area Plan and the vast changes and developments that are included therein. In total, the AAC supports the area plan with the recommendation that (2) land parcels change their land use from the current classification of AMU-R (Airpark Mixed Use with Residential component) to the classification of AMU (Airpark Mixed Use). This has the effect of removing residential use on (2) parcels located in close proximity to helicopter and fixed-wing (aircraft) operations at the Scottsdale Airport. Please see Figure 1 attached. The "Circled" zones will denote the two parcels in question.

Why would the AAC get involved in this issue? First, the AAC has responsibilities pursuant to Scottsdale Airport CFR 14 Part 150 Noise Compatibility program. In short, this type of development is within the "Airport Influence" area and as such the commission needs to consider such development as it relates to the Airport and the City's future. Both of these issues fall into this category.

More, importantly the City Council charges the AAC via Section 5-109 of the Scottsdale Revised Code to advise the City Council on "Land use policies at and surrounding the airport in conflict with 14 CFR Part 150 or other aviation planning documents or ordinances. In addition to advising the city council, the airport advisory commission may take action to inform the planning commission of such conflicts." The Federal Aviation Administration (FAA) also requires sponsors (the Airport) to control and maintain land use capability and prevent encroachment of noise sensitive development at airports.

Personally, I greatly appreciated the opportunity to have a conference call with the Planning Commission Chairman, Michael D'Andrea to discuss this topic. We also welcomed the ability to have our Aviation Director, Gary Mascaro, address the Planning Commission at its September 2010 meeting.

It is important to be clear that the AAC is not a land planning, land zoning or land use deliberative body. Our commission fully understands its responsibilities, purview and limits as stated in the Scottsdale Revised Code. However, it is our responsibility to advise the City Council on land use issues that have a negative effect upon the Airport.

Encroachment, residential conflict, perceived vs. factual noise issues are some of the major contributors that lead to discord between various municipal airports and their surrounding cities, communities and neighborhoods. Scottsdale Airport is not immune to these issues and continuously strives to improve community communications, community relations, procedures and policies to minimize the impact of airport operations on the surrounding residences in the North Scottsdale and City of Phoenix areas.

We cannot affect previous city of Phoenix and city of Scottsdale developments or the "entitled residential" element of current parcels in the airport area. As an example, The Kierland development located at the Northwest corner of Scottsdale Rd and Greenway Blvd has loft/apartment type residences. However, that is a city of Phoenix project and not within our scope of concern. Within City of Scottsdale is the Scottsdale Quarter development, located at the Northeast corner of Scottsdale Rd and Greenway Blvd. This project received residential approval without having been submitted for review by the AAC.

The AAC has a responsibility to consider the growth of Scottsdale Airport/Airpark both today and in the coming 10-15 years. Maintaining the AMU-R designation on these parcels appears to be innocuous today. However, it sets the foundation for future problems as increased residences close to the airport will inevitably lead to an increased number of citizens who find aircraft/helicopter noise and operational issues not to their taste.

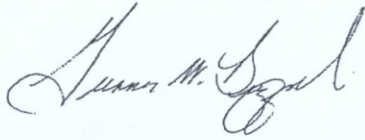
History shows us that no matter what administrative or cautionary tool we use to advise residents of the Scottsdale Airport it does not stop some citizens from developing an adverse association to the airport. The use of "Avigation" easements, disclosure notices or disclaimers are all good tools. However, they do not have any effect upon a citizen who feels they are somehow damaged or inconvenienced by the airport and its operations.

Changing these (2) parcels to an AMU will have a positive effect on airport operations, future AAC's and our future citizens in the out years. More residences located close to the airport traffic pattern, close to congested helicopter operations, set the stage for more discontent in the future.

During a September 2010 meeting, the Scottsdale Planning Commission voted to accept or reject this recommendation from the AAC to remove the residential component from the plan. The vote was 5-2 to not accept the recommendation and to leave the residential component in the plan. Our recommendation to the City Council is that you accept the Greater Airpark Character Area Plan with designation of AMU (Aviation Mixed Use) for the 2 parcels as noted on Figure 1 attached.

We hope this provides you, the City Council, with our thought process, logic and reason for such a recommendation. Ultimately this is your decision. Your Airport Advisory Commission is a forward thinking body chartered to advise you on all issues good and bad as they relate to the Scottsdale Airport. We all share an opportunity to think ahead and act responsibly today, to make a better Scottsdale tomorrow.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read "Gunnar W. Buzzard". The signature is fluid and cursive, with the first name being the most prominent.

Gunnar W. Buzzard
Chairman, Scottsdale Airport Advisory Commission

Cc: Jim Lane, Mayor
City Council, City of Scottsdale
David Richert, City Manager
David Ellison, Assistant City Manager
Gary Mascaro, Scottsdale Airport Aviation Director
Scottsdale Airport Advisory Commission members



Current Planning Services

7447 East Indian School Road, Suite 105
Scottsdale, Arizona 85251

To: Honorable Mayor and Members of City Council
From: Brad Carr, AICP, Senior Planner *BC*
Through: Tim Curtis, AICP, Current Planning Director *[Signature]*
CC: Connie Padian, Administrator
Date: October 6, 2011
Re: October 5, 2011 Airport Advisory Commission hearing

Honorable Mayor and Members of City Council,

This memorandum serves to inform you of the results of the October 5, 2011 Airport Advisory Commission hearing regarding three projects scheduled on your October 18th Agenda. Those three projects are comprised of five cases, including:

6-GP-2011 Zocallo Residential
10-ZN-2011 Zocallo Residential
7-GP-2011 Scottsdale Airpark Community
11-ZN-2011 One Hayden Centre (*Note: This case is not on the 10/18/2011 Agenda*)
8-GP-2011 CrackerJax

At the hearing, the Commission heard comments from the applicant in each case and staff regarding the proposals. One person also spoke in opposition of all three projects. Commission members expressed apprehension over each project citing several concerns including possible erosion of aviation uses near the Airpark, proximity of residential uses to the Airport, future noise complaints as a result of the new residential units and helicopter overflight issues.

The Commission voted 4-2 to recommend denial to the City Council of all five cases.



COMMISSION ACTION REPORT

Discussion and Possible Action to recommend approval of 10-ZN-2011
(Zocallo Residential)

Agenda Item No.: 5

Meeting Date: 10/05/11

Staff Contact: Brad Carr, AICP
Senior Planner

Phone: (480) 312-7713

ACTION

Discussion and Possible Action to recommend approval of 10-ZN-2011, a zoning district map amendment from Highway Commercial District (C-3) zoning to Planned Unit Development (PUD) District zoning, including approval of a Development Plan and amended development standards for Average Setback, on a 6.42 +/- acre site located at 15440 N. Greenway-Hayden Loop.

PURPOSE

To provide the Airport Advisory Commission information on the proposed zoning district map amendment for a site located within the Airport Influence Area, as it relates to the 14 CFR Part 150 Noise Compatibility Study.

KEY CONSIDERATIONS

- Proximity of proposed site to Scottsdale Airport (approximately 3,600 feet northwest of runway)
- Proposed site located within the AC-1 area of the Airport Influence Zones
- Proposed site located outside of the 55 DNL noise contour
- Scottsdale Airport 14 CFR Part 150 Noise Compatibility Study Land Use Measure #2, #4, and #6 are triggered
- Airport Overlay Zone Matrix permits proposed use with conditions
- Owner has agreed to additional stipulation to reduce exterior to interior noise levels by 25 decibels (dB)
- Maximum of 48 feet height on all buildings
- 240 units proposed
- Potential increase of workforce housing in the Airpark
- Implementation of the General Plan's mixed-use land use designation for this area of the Airpark

OTHER RELATED POLICIES, REFERENCES

- 2010 Greater Airpark Character Area Plan
- Scottsdale General Plan 2001, as amended
- 2005 Scottsdale Airport 14 CFR Part 150 Noise Compatibility Study
- 2009 Airpark Economic Analysis and Forecast by Gruen Gruen + Associates
- Zoning Ordinance

Attachment(s): 1. Vicinity Map
2. Site Plan
3. Part 150 Airport Influence Zones Map
4. Part 150 Noise Contours Map
5. Part 150 Helicopter Arrival/Departure Routes Map

Action Taken:

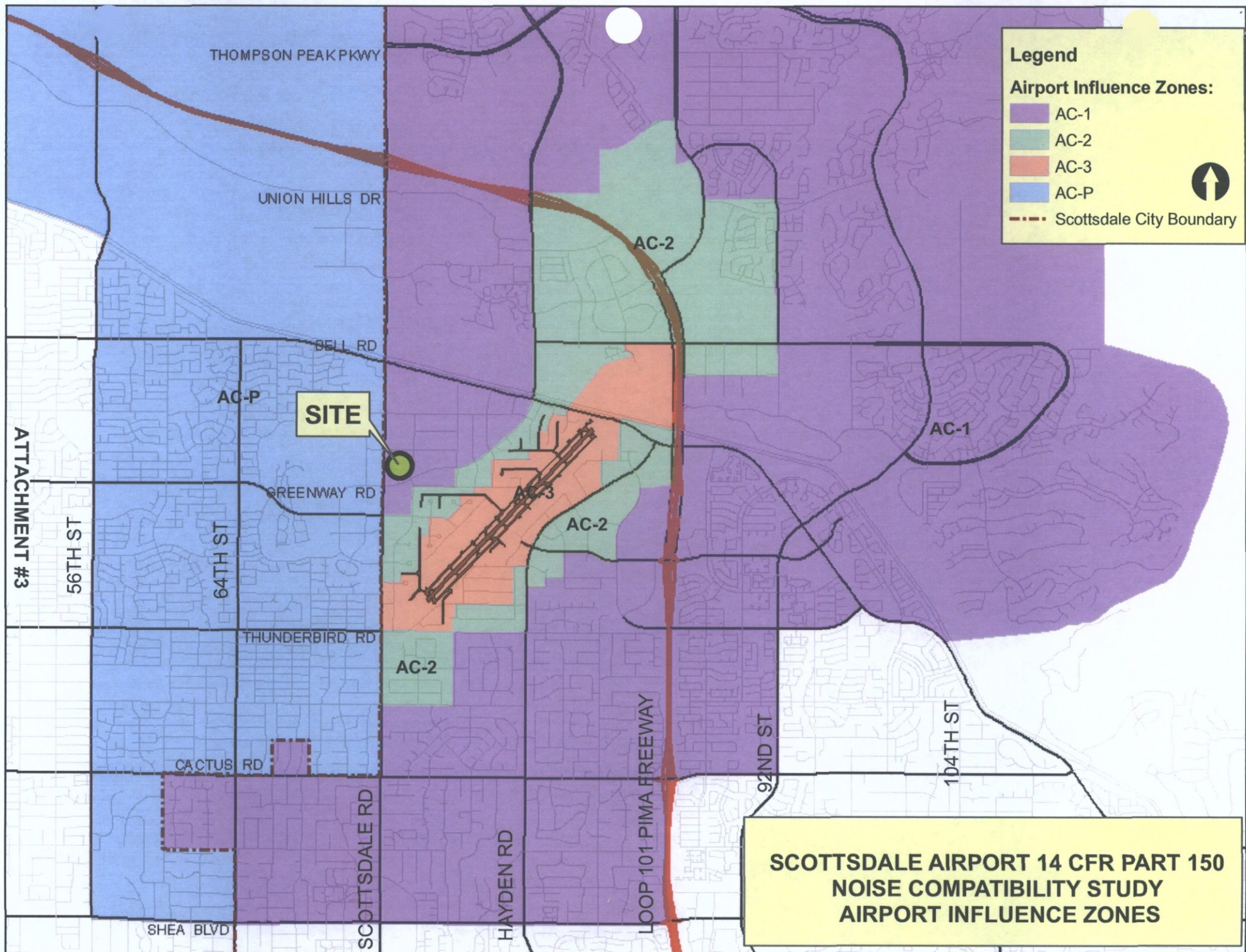


Zocallo Residential

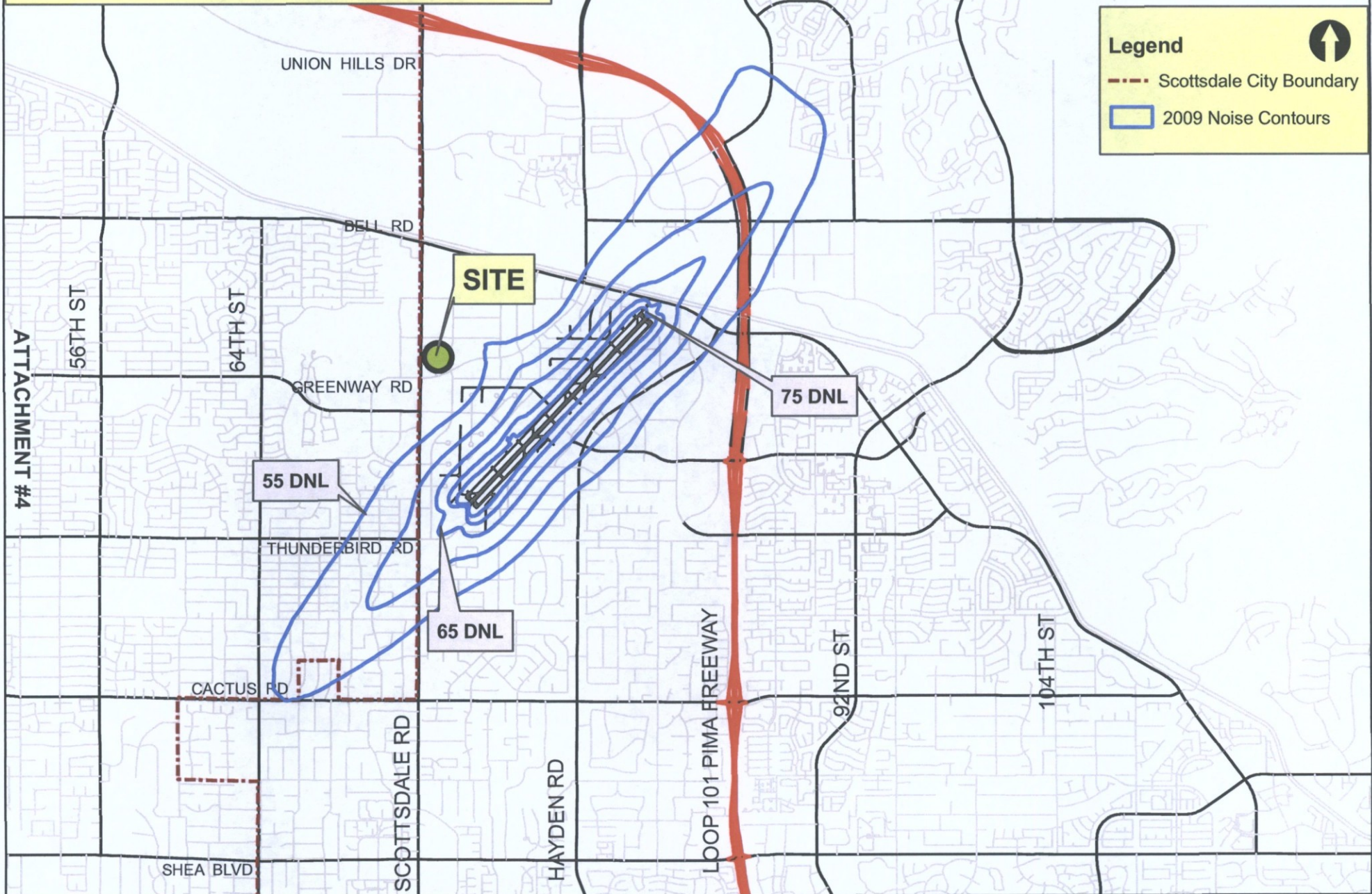
10-ZN-2011

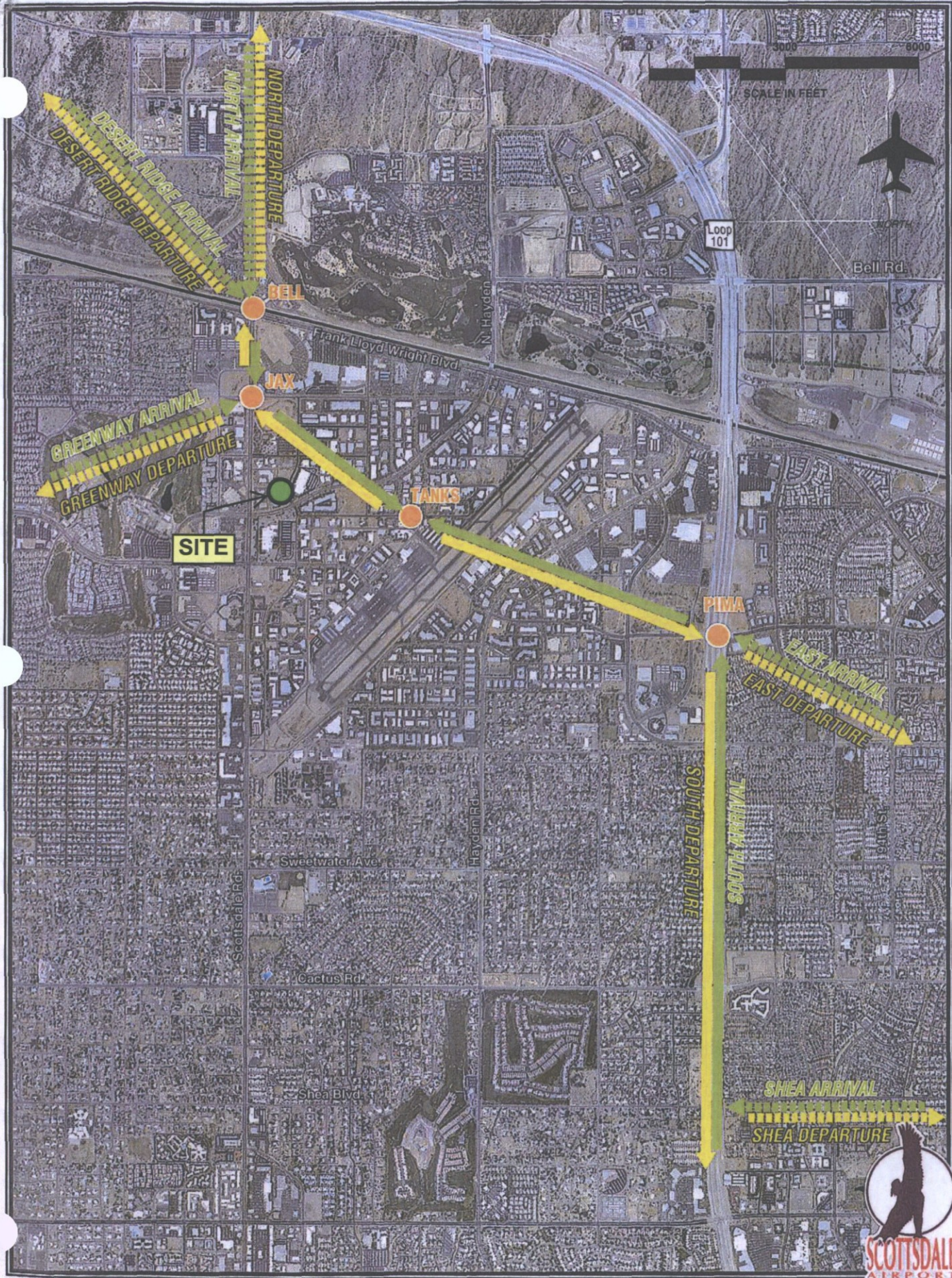


ATTACHMENT #2



**SCOTTSDALE AIRPORT 14 CFR PART 150
NOISE COMPATIBILITY STUDY
2009 NOISE CONTOURS**







November 16, 2011

John Berry
Berry & Damore LLC
6750 E Camelback Rd Ste 100
Scottsdale, AZ 85251

Re: 401-PA-2011
10-ZN-2011 & 6-GP-2011
Zocallo Residential

Dear John Berry,

This is to advise you that the case referenced above was approved at the October 18, 2011 City Council meeting. Enclosed is a copy of the approved ordinance and/or resolutions for the case referenced above. Please distribute all necessary copies to any persons involved with this project and remove the red hearing sign as soon as possible. If you have any questions, please contact me at 480-312-7713.

Sincerely,

Brad Carr, AICP
Senior Planner

Enclosure

PLANNING COMMISSION REPORT



Meeting Date: September 21, 2011
General Plan Element: *Land Use*
General Plan Goal: *Create a sense of community through land uses*

ACTION

Zocallo Residential
6-GP-2011 & 10-ZN-2011

Request to consider the following:

1. Recommend that the City Council approve a Non-Major General Plan Amendment to the Greater Airpark Character Area Plan Future Land Use Map from Airpark Mixed Use (AMU) to Airpark Mixed Use-Residential (AMU-R) on a 6.43 +/- acre site located at 15440 N. Greenway-Hayden Loop.
2. Find that the Planned Unit Development (PUD) District criteria have been met, and determine that the proposed zoning district map amendment is consistent and conforms with the adopted General Plan, and recommend that the City Council approve the Development Plan and a zoning district map amendment from Highway Commercial District (C-3) zoning to Planned Unit Development (PUD) District zoning, including amended development standards for Average Setback, on a 6.43 +/- acre site located at 15440 N. Greenway-Hayden Loop.

OWNER

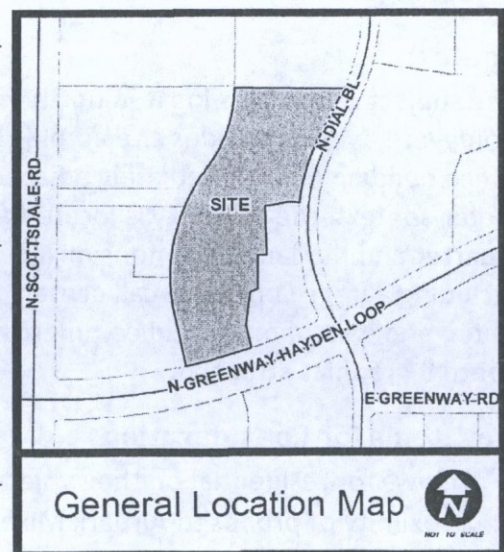
Scottsdale Place, LLC
602-778-0400

APPLICANT CONTACT

John Berry
Berry & Damore, LLC
480-385-2727

LOCATION

15440 N. Greenway-Hayden Loop



BACKGROUND

General Plan

The General Plan Land Use Element designates the property as Mixed Use Neighborhoods, Regional Use Overlay and within the Greater Airpark Character Area. The Mixed Use Neighborhoods category encourages access to multiple modes of transportation, major regional access and services, human scale development, and may be non-residential in nature near the Scottsdale Airport. The Regional Use Overlay category provides flexibility for land uses when it can be demonstrated that new land uses are viable in serving a regional market.

Greater Airpark Character Area Plan

The Greater Airpark Character Area Plan specifies the site as Airpark Mixed Use (AMU), Regional Core Development Type (RC). The AMU category is appropriate for a variety of non-residential uses, including a combination of business, office, employment, retail, institutional and hotel. The RC Development Type is the appropriate location for the greatest development intensity within the Greater Airpark so as to support major regional land uses.

Zoning

The site is zoned Highway Commercial District (C-3). The C-3 zoning district allows for most types of commercial activities and includes the sale of commodities or performance of services for a larger segment of population than the average neighborhood.

Other Related Policies, References:

- 2010 Greater Airpark Character Area Plan
- Scottsdale General Plan 2001, as amended
- 2005 Scottsdale Airport 14 CFR Part 150 Noise Compatibility Study
- 2009 Airpark Economic Analysis and Forecast by Gruen Gruen + Associates
- 2010 City-wide Economic Analysis and Forecast by Applied Economics
- Zoning Ordinance

Context

The subject property is located north of Greenway-Hayden Loop and west of 73rd Street/Dial Boulevard, which provides site access. The site consists of a vacant restaurant and bar and vacant office building. It is immediately adjacent to an existing retail center and large office building. In the larger context, the property is located along the Scottsdale Road corridor, just north of Scottsdale Quarter and Kierland Commons mixed-use shopping areas; west of a large employment area, including a large corporate call center; south of commercial developments and an extended-stay hotel; and east of office and commercial developments in the City of Phoenix. Please refer to context graphics attached.

Key Items for Consideration

- Allows for residential on the subject site.
- Proximity of proposed Airpark Mixed Use-Residential designation to Scottsdale Airport and other Airpark Mixed Use-Residential designated properties
- Potential increase of workforce housing in the Airpark

- Implementation of mixed-use land use designation for this area of Airpark

APPLICANTS PROPOSAL

Goal/Purpose of Request

The applicant's request is for a Non-Major General Plan Amendment to the Greater Airpark Character Area Plan Future Land Use Map from Airpark Mixed Use (AMU) to Airpark Mixed Use-Residential (AMU-R) and for a zoning district map amendment from Highway Commercial District (C-3) zoning to Planned Unit Development (PUD) District zoning, including amended development standards for Average Setback. The applicant is making these requests to permit the proposed multi-family residential project on the site.

Development Information

- Existing Use: Restaurant and office uses
- Proposed Use: Multi-family residential
- Parcel Size: 5.82 net acres (6.43 gross acres)
- Building Size: 389,195 square feet
- Floor Area Ratio Allowed: 0.8 FAR (for commercial uses)
- Floor Area Ratio Proposed: None
- Building Height Allowed: 48 feet
- Building Height Proposed: Varies – no more than 48 feet plus allowable mechanical equipment screening
- Parking Required: 360 spaces
- Parking Provided: 411 spaces
- Open Space Required: 27,992 square feet / 0.64 acres
- Open Space Provided: 54,734 square feet / 1.26 acres
- Density Allowed: Density determined by Development Plan
- Density Proposed: 37.35 dwelling units per gross acre (240 units)

NON-MAJOR GENERAL PLAN AMENDMENT ANALYSIS

General Plan

Land Use Element

Goals in the General Plan Land Use Element involve providing a variety of land uses that create synergy within mixed-use neighborhoods; maintaining a balance of land uses needed to support the community; and supporting Scottsdale's role as a major regional economic and cultural center. To this end, approaches discuss encouraging land uses that contribute to community character, supporting the jobs/housing balance in mixed-use centers, and promoting development patterns consistent with surrounding uses and character. Also discussed is maintaining a citywide balance of

land uses that support changes in community vision/dynamics over time.

Economic Vitality Element

The General Plan Economic Vitality Element seeks to sustain the long-term economic well being of the city through redevelopment and revitalization efforts. Approaches include encouraging quality redevelopment in employment areas and supporting the reuse of underutilized or vacant parcels/buildings/shopping centers.

Character and Design Element

The first goal of the General Plan Character and Design Element stresses the appropriateness of a development proposal based on community goals, surrounding areas character, and the specific context of the surrounding neighborhood. The Character Type for the area surrounding this proposal is Employment Core, recognizing the Airpark area's importance as a significant economic engine for the city.

Housing Element

Two goals in the General Plan Housing Element involve encouraging housing options that meet socioeconomic needs of people who live and work in Scottsdale and encouraging housing that provides for "live, work, and play" relationships. Approaches include encouraging a variety of housing densities in areas of major employment to offer greater live-work choices, exploring opportunities for new housing to serve the employment base, and working to adjust the housing mix based on changing demographics and economics of the city.

Growth Areas Element

The Growth Areas Element approaches growth management from a perspective of identifying those areas of the community that are most appropriate for development focus. Having certain "growth areas" allows an increased focus on creating or enhancing transportation systems and infrastructure coordinated with development activity. The Greater Airpark is one of the city's designated Growth Areas. Growth Areas are where future development is focused, and mixed-uses and multi-modal transportation are most appropriate in these areas.

Community Mobility Element

The General Plan Community Mobility Element includes a goal emphasizing live, work, and play land use relationships to reduce strain on regional and local/neighborhood transportation systems. Approaches include encouraging redevelopment of areas that support a balance of land use relationships and alternative modes of transportation that reduce automobile reliance and encouraging mixed-use developments that incorporate residential, shopping and work environments and place strong emphasis on connectivity.

Greater Airpark Character Area Plan

The proposed Airpark Mixed Use-Residential (AMU-R) designation is appropriate for the greatest variety of land uses in the Greater Airpark Character Area. Uses may include a combination of services, employment, office, institutional, hotel, retail and higher density residential. These areas should be pedestrian-oriented and located outside of the Airport's 55 DNL contour. The Character Area Plan recommends that residential and other sensitive uses should be a lesser component of

development and include sound attenuation measures. Residential uses south of the Central Arizona Project Aqueduct, as is the case with this site, should support business and tourism uses, such as time-shares, multi-family rental units and corporate housing.

The following policies in the Greater Airpark Character Area Plan relate to this proposal:

Land Use Chapter

- Encourage a mix of land uses that promote a sense of community and economic efficiency, such as incorporating residential intended for the area's workforce, where appropriate.
- Encourage the redevelopment of underutilized land to more productive uses.
- Prioritize employment uses over residential uses in the Greater Airpark.
- In accordance with the Airport's Part 150 Noise Compatibility Study, require aviation easements and fair disclosure statement for all new and redevelopment projects in the Greater Airpark.
- Dial Boulevard/73rd Street and Greenway-Hayden Loop are designated Signature Corridors, along which revitalization and infill development should be encouraged.

Neighborhoods and Housing Chapter

- Encourage a variety of urban dwelling types and mixed-use development that are compatible with and support the aviation and employment uses of the Greater Airpark.
- Encourage thoughtful and creative residential development that enhances, supports, and is sensitive to Airport operations and the Greater Airpark's identity as an employment center.
- Encourage residential in AMU-R areas to reduce traffic congestion, improve air quality, and provide workforce housing opportunities where:
 - Dwellings will not be adjacent to industrial uses that could be in conflict with residential uses; and
 - Dwellings will not lie within the 55 DNL contour (or higher).
- Support the integration of workforce housing and a diversity of dwelling types within the Greater Airpark.

During the two-year public outreach process for the Greater Airpark Character Area Plan, the business community in particular expressed support for more residential in the area. Businesses, particularly small to medium-size businesses, cited frustrations with keeping entry to mid-level staff employed because of long and costly commutes their employees have to endure. Many larger companies mentioned that younger professionals, whom they are trying to attract, prefer urban-style living environments close to work.

In the past, the Scottsdale Road corridor in the Airpark area had been the subject of planning discussion of anticipated conversion to commercial uses. Looked at with the surrounding context of land use changes and development in Phoenix, and the probability of a synergetic commercial core being established, staff examined the logical edges to this conversion to avoid erosion into the employment core. The Greater Airpark Character Area Plan established a mixed-use edge at 73rd Street/Dial Boulevard. This property, already a commercial use, falls within that "edge" and, thus,

the proposed change is not considered employment core erosion.

Scottsdale Airport 14 CFR Part 150 Noise Compatibility Study

The Airport 14 CFR Part 150 Noise Compatibility Study (hereafter referred to as "Part 150") is a voluntary study last updated in 2005 that includes recommendations for aircraft noise abatement and land use compatibility planning. The Part 150's land use study area consists of 64 square miles around the Scottsdale Airport, bounded by Deer Valley Road to the north, Shea Boulevard to the south, 48th Street to the west, and 120th Street to the east (Attachment #8).

The Land Use Management Element of the Part 150 Program recommends that land uses within the 2009 55 day-to-night average noise level (DNL) contour (Attachment #9) should be maintained. It also recommends the preservation of current compatible industrial, commercial and open space designations, and discourages rezoning for residential and other noise sensitive land uses, within the 64-square mile study area. The subject property falls outside of the 55 DNL contour, but within the larger study area.

In addition, the Part 150 study recommends a set of project review guidelines to evaluate land use and zoning changes within the study area. The Part 150 includes a recommended influence zone map (Attachment #10) and matrix (Attachment #11) to evaluate a proposed development. The subject property falls within the AC-1 zone, which allows for multi-family and other residential uses, provided a fair disclosure statement and aviation easement is required as a condition of development or building permit approval. City staff currently utilizes the recommended project review guidelines upon processing entitlement cases, such as zoning and Development Review Board projects.

Another item of note in the Part 150 study is departure and arrival routes of helicopters near the site. The Federal Aviation Administration (FAA) guides helicopter traffic into and out of the Airpark utilizing departure routes and "checkpoints." The routes were determined based upon airspace safety and noise compatibility. All routes are located over major roadways or compatible land uses and were included in the development of the 2009 noise contours. The closest checkpoint to the site is point JAX, over the CrackerJax property at Scottsdale Road and Paradise Lane. Helicopters are required to remain at or below 500 feet above ground level until crossing point JAX. Attachment #12 shows the Airpark helicopter routes map.

2009 Greater Airpark Economic Study by Gruen Gruen +Associates

In 2008, the City of Scottsdale contracted with Gruen Gruen + Associates to perform an update to their 1999 Economic Study of the Airpark Area. The purpose of the study was to document existing and forecast future Greater Airpark employment and space demand, as well as to provide strategic policy recommendations.

The study estimates that the Greater Airpark area contained 1,270 business establishments (of five or more employees), employing around 42,500 people in 2007. By 2030, the area could comprise over 73,000 jobs. In comparison, northeast Phoenix, the 16,600-acre area immediately west of the Greater Airpark, could reach 93,000 jobs in 2030, and several million square feet of retail space are

planned/entitled in this area. The Gruen economic study projects that retail expenditure potential within a 20-minute drive from the Greater Airpark will increase by \$820 million between 2009 and 2020. That study also forecasts future retail space demand of 120,000 square feet per year.

"Market demand is not likely to support much more regional-serving retail uses than those already planned and under construction, and it will be challenging for all of the existing properties and planned projects to build-out in the time frames the developers originally anticipated. Accordingly... policy actions should be directed to augmenting the strength and diversity of the mixed-use activity nodes which have already gained entitlement [with higher-density housing and other diverse uses]."

"Given the intense competition for office and retail uses that can be expected, along with traffic concerns, encourage relatively high-density housing integrated into mixed-use developments...which will (a) facilitate efficient density patterns, (b) allow the private market to replace obsolete building space, and (c) reduce reliance on the automobile. Higher-density housing will provide comparative advantages to office-using businesses and buttress the viability of retail and service establishments, while reducing traffic congestion."

– 2009 Analysis and Forecast of Employment and Building Space Demand and Strategic Policy Recommendations for the Greater Airpark Study Area by Gruen Gruen + Associates, pgs 14 and 15

The full Economic Study text can be found at:

<http://www.scottsdaleaz.gov/Assets/Public+Website/economics/2009+Airpark+Land+Use+Study.pdf>

2010 Citywide Development Forecast by Applied Economics

In 2009, the City of Scottsdale contracted with Applied Economics to perform forecasts for future development for all of Scottsdale. The study examined Scottsdale in three geographic areas—south, central and north Scottsdale. The Greater Airpark falls within the Central Sub-Area, which is bounded by Deer Valley Road, Indian Bend Road, Phoenix/Paradise Valley, and Fountain Hills/Salt River Pima-Maricopa Indian Community.

The Central Sub-Area is projected to absorb 500 acres of urban residential development by 2030, far more than the rest of the city. Non-residential (e.g. office, retail, industrial) land absorption will continue to dominate the Central Sub-Area through 2030, and non-residential land absorption in the Central Sub-Areas will be more than double the rest of the community.

The full Development Forecast text can be found at:

http://www.scottsdaleaz.gov/Assets/Public+Website/generalplan/Development_Forecasts_2010.pdf

Land Use Impact Model

Long-Range Planning Services uses a land use impact model to generally assess the impacts of potential changes in land use designations. The application of the model on the subject property as AMU-R indicates that the change in land use classification would result in an increase in resident population of 543 people and an increase of 240 residential units. The model indicates an increase of 103 school-aged students across grades K-12 and an increase of 300 workers. Water usage will

increase by 30.5 million gallons per year more than the existing AMU designation. Traffic, according to the model, could increase by 1,400 vehicle trips per day. Because the existing land use designation allows for a considerable range of use types, the actual increases in measured categories are at best an estimate and should not be considered conclusive.

Policy Implications (Non-Major General Plan Amendment)

The proposed amendment includes several policy implications:

Residential in the Airpark

- Residential uses located within the Airpark may be beneficial for the following reasons:
 - Supports the city's largest employment area by providing housing for the Airpark workforce, a top priority for the Airpark business community during Greater Airpark Character Area Planning outreach.
 - Potentially reduces commute times and traffic congestion for Airpark workers.
 - Promotes synergy and vibrancy along the Scottsdale Road Corridor (i.e. Scottsdale Quarter, Kierland Commons, the Promenade, etc).
 - Supports the planned and existing retail base in Scottsdale and northeast Phoenix.
 - Provides new housing options close to employment areas, which may be attractive to prospective companies seeking to relocate; young professionals who would want to live close to work and entertainment; and existing businesses looking to retain employees.
- Residential uses located within the Airpark, and this site in particular, may be an issue for three reasons:
 - The impacts of airport uses with airplane and helicopter flights nearby and potential noise complaints from future residents.
 - Potentially hazardous materials and activities that may occur in an employment/industrial area in relative proximity to residential uses.
 - Potential impacts on helicopter flight patterns into and out of the Airpark for this specific site.

Land Use

- Supports a shift from a suburban industrial park setting, to more of an urban, mixed-use environment, a goal of the Character Area Plan.
- Possible compatibility issues of adjacent land uses in the Airpark (e.g. helicopter landing pad to the southeast, helicopter checkpoint/route to the north and east, and employment land uses to the east).
- The change in land use may have some impacts on transportation, such as pedestrians crossing to adjacent properties and traffic flow.
- Reinvestment in underutilized/vacant Airpark properties in the city's largest growth area.

Due to potential impacts to Airport operations and impacts to potential future residents, staff recommends that, if approved, any development that includes a residential component in this area should:

- Mitigate the impacts of helicopter and aircraft noise on the development's tenants utilizing adequate noise attenuation measures in building construction;
- Include an aviation easement as a condition of development; and

- Require noise disclosures and notification of the Airport's proximity.

Proposed 2011 General Plan Update

The existing 2001 General Plan is currently in the midst of a state-mandated 10-year update process. If approved by the City Council on October 25, the amendment will be incorporated into the 2011 update document, which will be placed on the ballot in March 2012 (pending City Council adoption).

ZONING DISTRICT MAP AMENDMENT IMPACT ANALYSIS

Land Use

The proposed zoning district map amendment would introduce multi-family residential into the area. Although the surrounding area is primarily comprised of retail and employment uses, the proposed residential use would allow for implementation of the goals of the Greater Airpark Character Area Plan, which promotes a mixture of land uses in the Airpark area, including residential. In addition, the proposed multi-family land use would be located adjacent to existing retail and employment uses and could encourage more pedestrian circulation in the area and a reduction in overall vehicle trips, while introducing workforce housing near several large employment sites. The applicant has provided several enhancements to the existing pedestrian circulation of the area to encourage an increase in pedestrian circulation of the area.

Airport Vicinity

The site is located approximately 3,600 feet northwest of the runway for the Scottsdale Airport. This location is outside the 55 decibel (dB) noise contour of the airport. Additionally, the site is located within the AC-1 area of the Airport Influence Zones, which allows for residential uses but requires additional steps to be taken by the property owner for disclosure to future tenants. The owner has agreed to these requirements and will also be adding additional sound insulation to the building to further reduce exterior to interior noise travel in the proposed buildings. The project is scheduled to be reviewed by the Airport Advisory Board on October 5, 2011.

PUD Findings

As part of the approval or modified approval of an application for a PUD District, the Planning Commission shall recommend and the City Council shall find that the following criteria have been met:

- a. The proposed development promotes revitalization, the goals, policies, and guidelines of the General Plan, area plans, and design guidelines.
 - The proposed development promotes the revitalization of the area by redeveloping the existing underutilized site into a use that will help sustain existing uses surrounding the site. In addition, the proposed development promotes the goals, policies and guidelines of the General Plan by expanding the diversity of land uses in the Greater Airpark area, by providing usable open space as part of the development and by providing pedestrian connections to existing developments in the surrounding area.

- b. The proposed development's uses, densities, or development standards would not otherwise be permitted by the property's existing zoning.
 - **The site is currently zoned Highway Commercial District (C-3). The C-3 district does not permit multi-family residential.**
- c. The proposed development will be compatible with adjacent land uses and promotes the stability and integrity of abutting or adjacent residential neighborhoods.
 - **The site of the proposed project is located within a larger area containing a mixture of uses ranging from retail and office to hotel and other employment uses. The proposed multi-family development will be compatible with those adjacent uses and promotes the stability and integrity of those uses by introducing a residential use to the area that will help sustain existing retail business and employment areas within the vicinity.**
- d. There is adequate infrastructure and city services to serve the development.
 - **City staff has determined that there are adequate infrastructure and city services to serve the development.**
- e. The proposal meets the following location criteria:
 - i. The proposed development is not located within any area zoned Environmentally Sensitive Lands Ordinance (ESL) nor within the boundaries nor within the boundaries of the Downtown Area.
 - **The proposed development is not located within an area zoned ESL or within the boundaries of the Downtown Area.**
 - ii. The proposed development fronts onto a major or minor arterial and/or major collector street as designated in the Transportation Master Plan.
 - **The proposed development fronts onto both a minor arterial street and minor collector street, as defined by the Transportation Master Plan.**

Amended Development Standards

To encourage sensitivity to site conditions and provide flexibility in planning, an application for the PUD district may request to amend development standards of the PUD district, other than maximum building height. The applicant is requesting to utilize this provision for the following development standards:

1. Average Setback – N. Greenway-Hayden Loop. The applicant is requesting an amendment to increase the average setback requirement from 40 feet to 49'-6".
 - The proposed amendment would allow the building fronting N. Greenway-Hayden Loop to be located further back from the planned curb line of the roadway, which would more closely mimic the existing two-story building located east of the site. In addition, the increased setback would allow the building to fit better contextually with existing buildings in the surrounding area. Finally, the increased setback will allow additional landscaping between the proposed building and the road.
2. Average Setback – N. 73rd Street. The applicant is requesting an amendment to increase the

average setback requirement from 30 feet to 44 feet.

- Similar to N. Greenway-Hayden Loop, the proposed amendment would allow the building fronting N. 73rd Street to be located further back from the planned curb line of the roadway. The increased setback would allow the building to fit better contextually with existing buildings in the surrounding area. In addition, the increased setback will allow additional landscaping between the proposed building and the road.

Traffic/Trails

The Transportation Department has reviewed the proposed development, including revised access points and pedestrian circulation. The applicant has submitted a detailed traffic impact study for the proposed development. The study estimates a total of 1,885 vehicle trips generated by the site under the current conditions. Additionally, the study estimates a total of 1,436 vehicle trips to be generated under the proposed development condition, or an overall reduction of 449 vehicle trips daily. There are currently no trails located adjacent to the proposed development. However, the recent Greater Airpark Character Area Plan indicated N. 73rd Street as an enhanced pedestrian thoroughfare. There are existing sidewalks in the area along both N. Greenway-Hayden Loop and N. 73rd Street. There are no traffic impacts anticipated as a result of the proposed development.

Water/Sewer

The City's Water Resources Department has reviewed the applications and finds that there are adequate water and wastewater services for the proposed use.

Public Safety

The City's public safety departments have reviewed the applications and find that there is adequate ability to provide fire and police services for the proposed use. No impacts are anticipated as a result of the proposed Non-Major General Plan Amendment and rezoning requests.

School District Comments/Review

The applicant has notified the Scottsdale Unified School District of the proposed requests. The School District has confirmed that there are adequate facilities to accommodate the applicant's proposed use.

Open Space

The proposed development will be providing nearly double the amount of open space required for the project. The applicant has chosen to provide increase building setbacks for the buildings fronting on both N. Greenway-Hayden Loop and N. 73rd Street in context with the existing building setbacks of adjacent properties. In addition, the proposed development will be providing private outdoor living space adjoining each unit that meets or exceeds the requirements of the Zoning Ordinance.

Policy Implications (Zoning District Map Amendment)

The Planned Unit Development (PUD) District is intended as a tool to help implement the City's goals of the General Plan's Mixed-Use Neighborhoods land use designation. The PUD zoning district provides for that purpose by allowing a mix of uses within the same district, usually within one development parcel. However, the intent of the PUD district was also to promote a mix of uses within a broader context of development, including development located on multiple adjacent

parcels. Approval for the proposed zoning district map amendment would allow for the integration of the residential component of the overall mixed-use development for this site and the surrounding area.

Community Involvement

The applicant notified all property owners within 750 feet of the site and held an open house to present the requests on September 1, 2011. A copy of the applicant's Citizen Involvement Report is attached to this report. The city also notified all property owners within 750 feet of the site. City staff has received one e-mail inquiry with general questions regarding the request.

OTHER BOARDS & COMMISSIONS

Development Review Board

The Development Review Board reviewed the proposed zoning district map amendment case at their September 1, 2011 hearing to make a recommendation to the Planning Commission regarding design compatibility, environmental responsiveness, solar shading, connectivity and open space of the project. The Board voted 5-0 to forward a favorable recommendation of the proposed project to the Planning Commission.

Airport Advisory Board

The Airport Advisory Commission will review the proposal and make recommendation to the City Council at their October 5, 2011 meeting.

OPTIONS & STAFF RECOMMENDATION

Recommended Approach:

Staff recommends that the Planning Commission:

1. Recommend that the City Council approve a Non-Major General Plan Amendment to the Greater Airpark Character Area Plan Future Land Use Map from Airpark Mixed Use (AMU) to Airpark Mixed Use-Residential (AMU-R) on a 6.43 +/- acre site located at 15440 N. Greenway-Hayden Loop.
2. Find that the Planned Unit Development (PUD) District criteria have been met, and determine that the proposed zoning district map amendment is consistent and conforms with the adopted General Plan, and recommend that the City Council approve the Development Plan and a zoning district map amendment from Highway Commercial District (C-3) zoning to Planned Unit Development (PUD) District zoning, including amended development standards for Average Setback, on a 6.43 +/- acre site located at 15440 N. Greenway-Hayden Loop.

RESPONSIBLE DEPARTMENTS

Planning, Neighborhood and Transportation

Current Planning Services & Long Range Planning Services

STAFF CONTACTS

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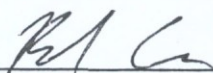
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APPROVED BY


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9.13.2011
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9/15/2011
Date

ATTACHMENTS

1. Stipulations
 - Exhibit A to Attachment #1: Development Plan
 - Exhibit B to Attachment #1: Amended Development Standards
- 1A. Additional Information
2. Applicant's Narrative
3. Context Aerial
- 3A. Aerial Close-Up
4. General Plan Map
5. Greater Airpark Character Area Plan Future Land Use Map (existing)
6. Greater Airpark Character Area Plan Future Land Use Map (proposed)
7. Greater Airpark Character Area Plan Development Types Map
8. Part 150 Study Area Map
9. Part 150 2009 Noise Contours Map
10. Part 150 Airport Influence Zones Map
11. Part 150 Influence Zones Recommended Use Matrix
12. Part 150 Helicopter Arrival/Departure Routes Map
13. Citizen Involvement
14. City Notification Map

Stipulations for the Zoning Application:

Zocallo Residential

Case Number: 10-ZN-2011

These stipulations are in order to protect the public health, safety, welfare, and the City of Scottsdale.

SITE DESIGN

1. **CONFORMANCE TO DEVELOPMENT PLAN.** Development shall conform with the Development Plan submitted by L.R. Niemiec Architects, Inc and with the city staff date of September 9, 2011 attached as Exhibit A to Attachment #1. Any proposed significant change to the Development Plan as determined by the Zoning Administrator, shall be subject to additional action and public hearings before the Planning Commission and City Council.
2. **MAXIMUM DENSITY.** Maximum density shall be as indicated on the Land Use Budget Table below.

Parcels	Gross Acres	Zoning	Maximum DU/Acre
215-44-071, 215-44-067	6.42	Planned Unit Development (PUD)	42 DU/Gross Acre

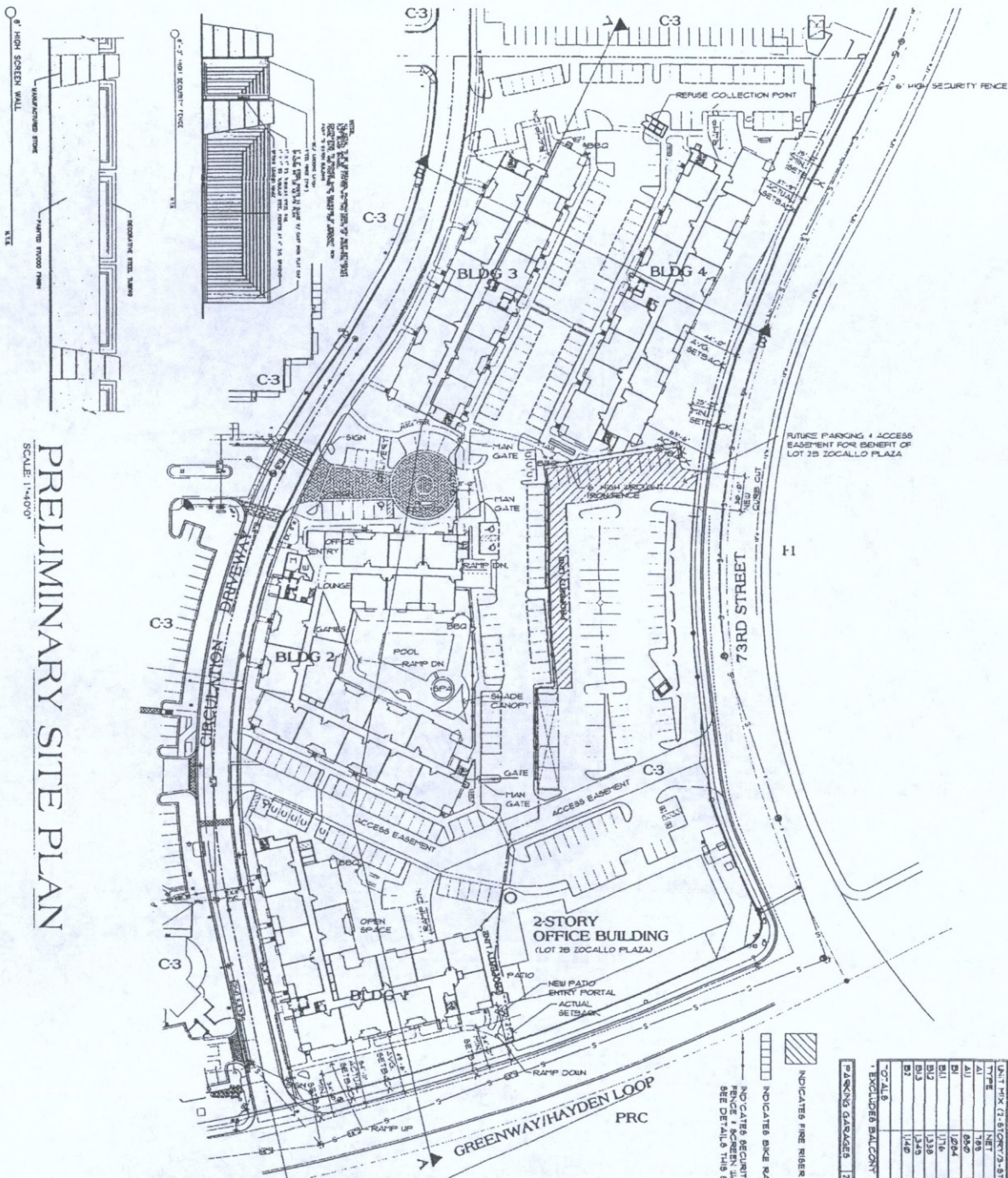
3. **CONFORMANCE TO AMENDED DEVELOPMENT STANDARDS.** Development shall conform with the Amended Development Standards with the city staff date of September 9, 2011, attached as Exhibit B to Attachment #1. Any change to the development standards shall be subject to additional public hearings before the Planning Commission and City Council.

AIRPORT

4. **FAA DETERMINATION.** With the Development Review Board Application, the owner shall submit a copy of the FAA Determination letter on the FAA FORM 7460-1 for any proposed structures and/or appurtenances that penetrate the 100:1 slope. The elevation of the highest point of those structures, including the appurtenances, must be detailed in the FAA form 7460-1 submittal.
5. **AIRCRAFT NOISE AND OVERFLIGHT DISCLOSURE.** Prior to any building permit issuance for the site, the owner shall provide noise disclosure notice to occupants, potential homeowners, employees and/or students in a form acceptable to the Scottsdale Aviation Director.
6. **AVIGATION EASEMENT.** With the Development Review Board submittal, the owner shall provide a signed and completed Avigation Easement in a form acceptable to the City for recording.
7. **SOUND ATTENUATION MEASURES.** With the final plans submittal, the owner shall provide sound attenuation measures in compliance with the Building Code. Sound attenuation measures must reduce exterior to interior noise levels by at least 25 decibels (dB).

INFRASTRUCTURE AND DEDICATIONS

8. CIRCULATION IMPROVEMENTS. Before any certificate of occupancy is issued for the site, the owner shall provide the following improvements in conformance with the Design Standards and Policies Manual and all other applicable city codes and policies.
 - a. NEW DRIVEWAY ALONG N. 73RD STREET. The owner/developer shall install a new driveway in accordance with City of Scottsdale Type CL-1 standard, or as otherwise approved by City Transportation and Engineering staff.
 - b. REMOVAL OF DRIVEWAYS ALONG N. 73RD STREET. Upon removal of any existing driveways along N. 73rd Street, the owner/developer shall replace the driveway with new curb, gutter, and sidewalk to match existing.
 - c. REMOVAL OF DRIVEWAYS ALONG INTERNAL CIRCULATION DRIVE. Upon removal of any existing driveways along the internal circulation drive, the owner/developer shall replace the driveways with new curb, gutter, and sidewalk to match existing.
 - d. GREENWAY-HAYDEN LOOP LANDSCAPE. At time of the Development Review Board application, the owner/developer shall submit plans for landscape enhancements within the existing Greenway-Hayden Loop median that includes, but is not limited to, ground cover and low shrubs and other forms of pedestrian barriers.
9. ACCESS RESTRICTIONS. Access to the site shall conform to the following restrictions:
 - a. There shall be no direct access from the site to N. Greenway-Hayden Loop, except as provided by the existing internal circulation drive.
10. DRAINAGE REPORT. With the Development Review Board application the owner/developer shall submit a revised Conceptual Drainage Report and Plan, which is subject to City review and subsequent acceptance. The Conceptual Drainage Report and Plan shall be in conformance with the Scottsdale Revised Code and the Design Standards and Policies Manual – Chapter 4.



PRELIMINARY SITE PLAN

PROJECT DATA									
THIS PROJECT WILL BE CONSTRUCTED									
PARCEL REF: 0437 700 1000 ACRES									
EXISTING ZONING: C-3									
DESIRABILITY: 4106 DULWENT ACRES 3,338 ACRES ACRES									
D-1 TYPE 12 (2:12:00) 7.5 STORY 10									
FLR	THICK	QUALITY	%	GROUND	BLD CONC	AS	GROUND	FL	
A1	188			46	833		7000	138	8.0
A2	188			3.28	89.7		1000	138	8.0
B1	1204	76	31	10.6		1024 76 31	66	33.56	
B2	1176	4	7	17.14		1024 4 7	66	33.56	
B3	1318	4	7	13.55		1024 4 7	66	33.56	
B4	1343	7	7	14.0		1024 7 7	66	33.56	
B7	1740	36	18	19.0		1024 36 18	66	33.56	
TOTALS							1024	138	8.0
EXCLUDED BLD CONC							1204	76	31
PARKING GARAGES 700 80 ACRES									
GROUND 85									
79.077 87.									

1	CLIMATE CONTROL	6,200
2	MAINTENANCE	600
3	FIRE	50
4	STORAGE	752
5	TOTAL COMMON AREAS	7,652 SF
6	INCLUDES TELCO & ELEC. ROOMS	
7	CONDO/DOME	6,000 SF
8	1ST FLOOR	943
9	2ND FLOOR	943
10	3RD FLOOR	943
11	4TH FLOOR	943
12	BALCONIES	757462
13	TOTAL	76,766

SUMMARY OF TOTAL BUILDINGS	
APARTMENT 6	24,134
GARAGE 6	15,075
CONCRETE/PAVEMENT	59,186
COTTON AREA 6	14,650
TOTAL 6	309,190 05

PARKING REQUIRED	
1 BED, 2 BATH UNIT	156.6 SPACES
2 BED, 2 BATH UNIT	200.0 SPACES
TOTAL PARKING REQ.	356.6 OR 14.5
PARKING PROVIDED	206
GARAGE SPACES	205 (70% CAPACITY)
ACCESSIBLE SPACES (7% MIN)	9

INCLUDES ALL OCCUPANT SPACES DESIGNATED WITH A "C" SYMBOL.
BICYCLE PARKING REQ. 14(11, 03)
BUILDING CODED 2-0606 I.D.C.
OCCUPANCY:
APARTMENTS, R-2
CLUBHOUSE, B
GARAGES, B-2
TYPE OF CONSTRUCTION, V-A WITH (7) HOUR
OCCUPANCY SEPARATION TO B-2
MARKETED: D-R APARTMENTS

PRIVATE/BAL CON*	10,463 OR 0.4%
FRONTAGE	0.063
CORNER	36.671
PARKING LANDSCAPE	6,210
TOTAL	9,406 SF OR 35.9%

A) ALL FLOORS SHALL BE FAIR
 HOUSING COMPLIANT, ALL PUBLIC BUILDING
 & SITE ARENIES SHALL BE ADA ACCBESB1
 B) ALL PARKING LOT LIGHTING SHALL MATCH
 ZOCALTO PLAZA DESIGN STANDARDS

AS I

Site Plan
Scale: 1" = 40'0"

The Residences At Zocallo Plaza
15440 N. Greenway-Hayden Loop
Scottsdale, AZ 85260

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10-ZN-2011
2nd: 9/9/2011

2211 N. 7th Street
Phoenix, AZ 85016
T 602.264.3632
F 602.264.3181
www.gilmoreparsons.com

LANDSCAPE ARCHITECTURE
LAND PLANNING

THE RESIDENCES AT ZOCALLO PLAZA
15440 NORTH GREENWAY-HAYDEN LOOP
SCOTTSDALE, AZ 85260
PREPARED FOR: L.R. NIEMIEC ARCHITECTS

DATE: 8.11.11
APPROVED BY: SCF
DATE: 8.11.11



REVISIONS:

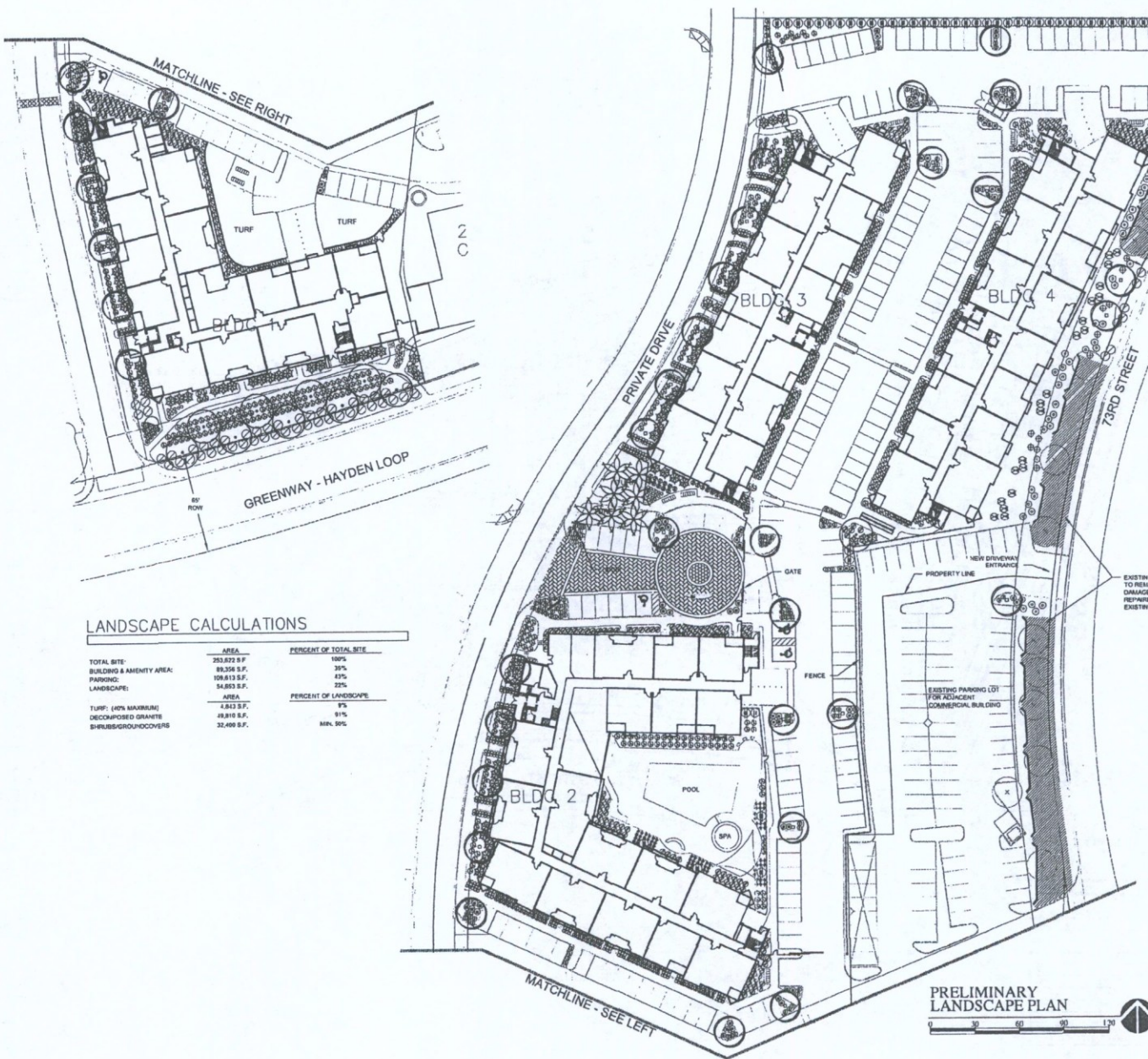
1.
2.
3.
4.

1.200.000.000

MEET

L1.1

1 OF 1



PLANT SCHEDULE

SYMBOL	BOTANICAL/COMMON NAME	GLP/SIZE
TREES		
⊕	ACACIA ANEURA MULGA	1"715 GAL.
⊕	PARKRODIA HYBRID DESERT MUSEUM DESERT MUSEUM PAID VERDE	24" BOX
⊕	PHOENIX DACTYLIFERA DATE PALM	25" CLEAR TRUNK
⊕	PROSOPIS CHILENSIS THORNLESS THORNLESS CHILEAN MESQUITE	15 GAL.
⊕	EXISTING TREE EXISTING TO REMAIN	
SHRUBS		
⊗	CAESALPYNIA PULCHERRIMA RED BIRD OF PARADISE	5 GAL.
⊗	CAESALPYNIA MEXICANA MEXICAN BIRD OF PARADISE	5 GAL.
⊗	CALLIANDRA CALIFORNICA RED FARTY CUSTER	5 GAL.
⊗	JUSTICIA SPICIGERA MEXICAN HONEYBUCKLE	5 GAL.
⊗	LEUCOPHYLLUM LARGIFLORUM RED BRAYO SAGE	5 GAL.
⊗	LEUCOPHYLLUM TETRAHYLLUM CHAMBRON CHAMBRON SAGE	5 GAL.
⊗	RUPELLIA PENINSULARIS BAJA RUPELLIA	5 GAL.
⊗	TECOMA SP. CRISMAN FLARE JUBILEE	5 GAL.
ACCENTS		
⊗	AGAVE PARVIFLORUS TRUNCATA PARRY'S AGAVE	10 GAL.
⊗	AGAVE GEMMIFLORA TWIN-FLowered AGAVE	5 GAL.
⊗	ASCLEPIAS SUBULATA DESERT MILKWEED	5 GAL.
⊗	HESPERALOE FUNIFLORA GIANT HESPERALOE	5 GAL.
⊗	HESPERALOE PARVIFLORA RED YUCCA	5 GAL.
⊗	MULBERRIA CALIFORNICA REGAL MIST REGAL MIST DEER GRASS	5 GAL.
⊗	HESPERALOE HYBRID BRACKETLIGHTS BRACKETLIGHTS RED YUCCA	5 GAL.
GROUNDCOVER		
⊗	ACACIA REDOLENS LOW BOY	1 GAL.
⊗	CONVOLVULUS CNEORUM N.C.A.	1 GAL.
⊗	CYNODON DACTYLON MIDIRON MIDIRON HYBRID BERMUDA	500
TURF		
⊗	LANTANA SP. NEW GOLD LANTANA	1 GAL.
⊗	LANTANA MORTYVENSIS PURPLE TRAILING LANTANA	1 GAL.
⊗	RUPELLIA BRITTONIANA KATIE DWARF RUPELLIA	1 GAL.
MATERIAL		
⊗	CONCRETE HEADER	8" x 8" CURBSTYLE
⊗	DECOMPOSED GRANITE "COLOR TO MATCH EXISTING"	1/2" SCREEN

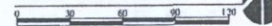
NOTES:

- 1) TREE HEIGHTS AND CALIPERS WILL COMPLY WITH "ARIZONA NURSERY ASSOCIATION SPECIFICATIONS" FOR THAT TYPE AND SIZE OF TREE.
- 2) LANDSCAPE TO BE WATERED BY AN UNDERGROUND AUTOMATIC IRRIGATION SYSTEM.

LANDSCAPE CALCULATIONS

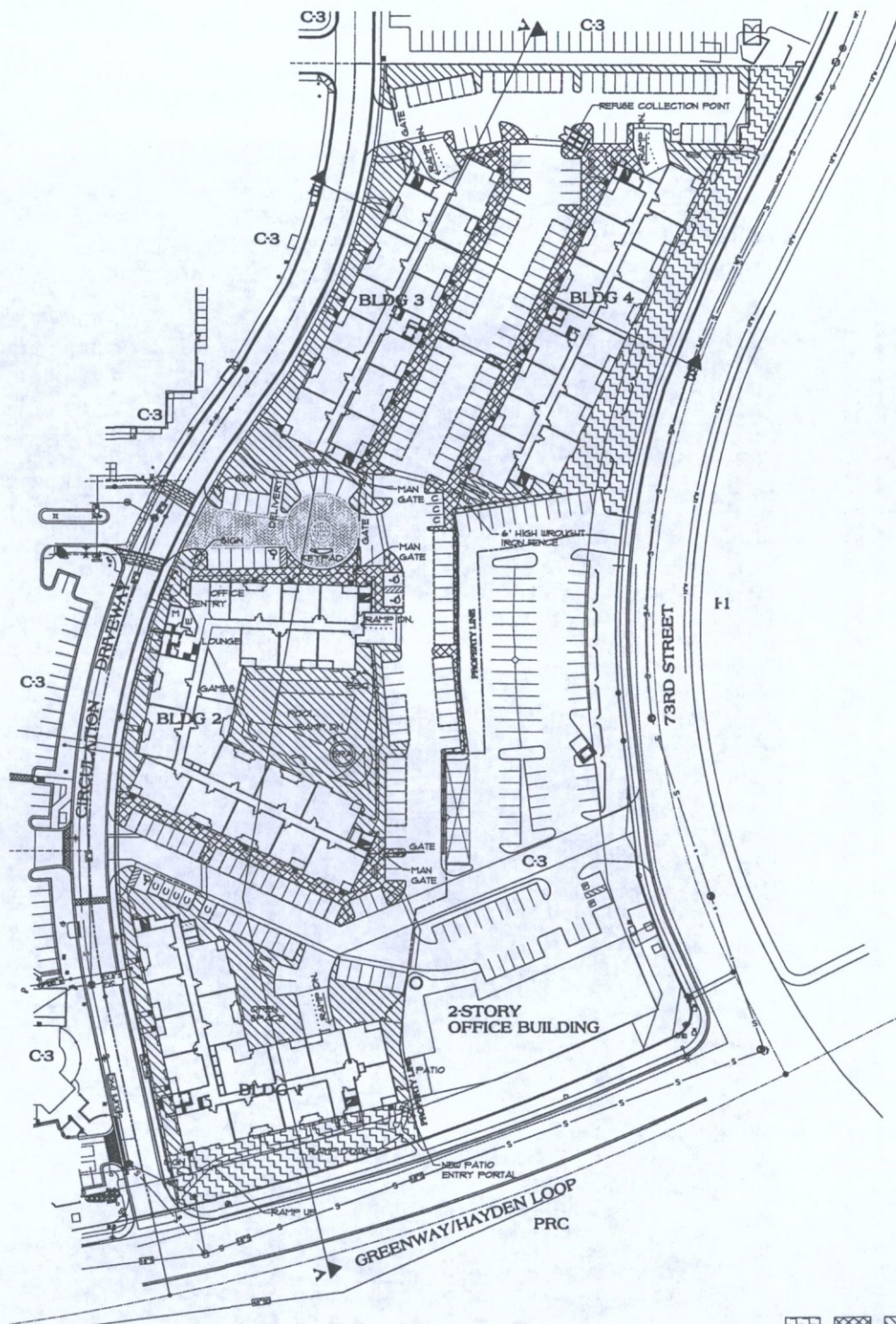
	AREA	PERCENT OF TOTAL SITE
TOTAL SITE:	253,822 S.F.	100%
BUILDING & AMENITY AREA:	89,356 S.F.	35%
PARKING:	108,813 S.F.	43%
LANDSCAPE:	54,853 S.F.	22%
	AREA	PERCENT OF LANDSCAPE
TURF: (40% MAINTENANCE)	4,842 S.F.	8%
DECOMPOSED GRANITE	48,810 S.F.	81%
SHRUBS/GROUNDCOVERS	32,400 S.F.	MIN. 50%

PRELIMINARY
LANDSCAPE PLAN



SITE PLAN WORKSHEET/OPEN SPACE PLAN

SCALE: 1"=40'-0"



- INDICATES COMMON OPEN SPACE
- INDICATES PARKING LOT LANDSCAPED AREA (75% OF PARKING/PAVED AREA IS REQUIRED) 10,495 S.F. PAVED+LS - 10,513 S.F. REQUIRED
- INDICATES STREET FRONTAGE
- OPEN SPACE

OPEN SPACE	10,495 S.F.
PRIVATE/PAVED/COMMON	10,513 S.F.
OPEN SPACE	10,513 S.F.
PARKING LOT LANDSCAPING	10,513 S.F.
TOTAL OPEN SPACE	21,008 S.F. OR 35.5%



AS2

Open Space
Scale: 1" = 40'-0"

The Residences At Zocallo Plaza
15440 N. Greenway-Hayden Loop
Scottsdale, AZ. 85260

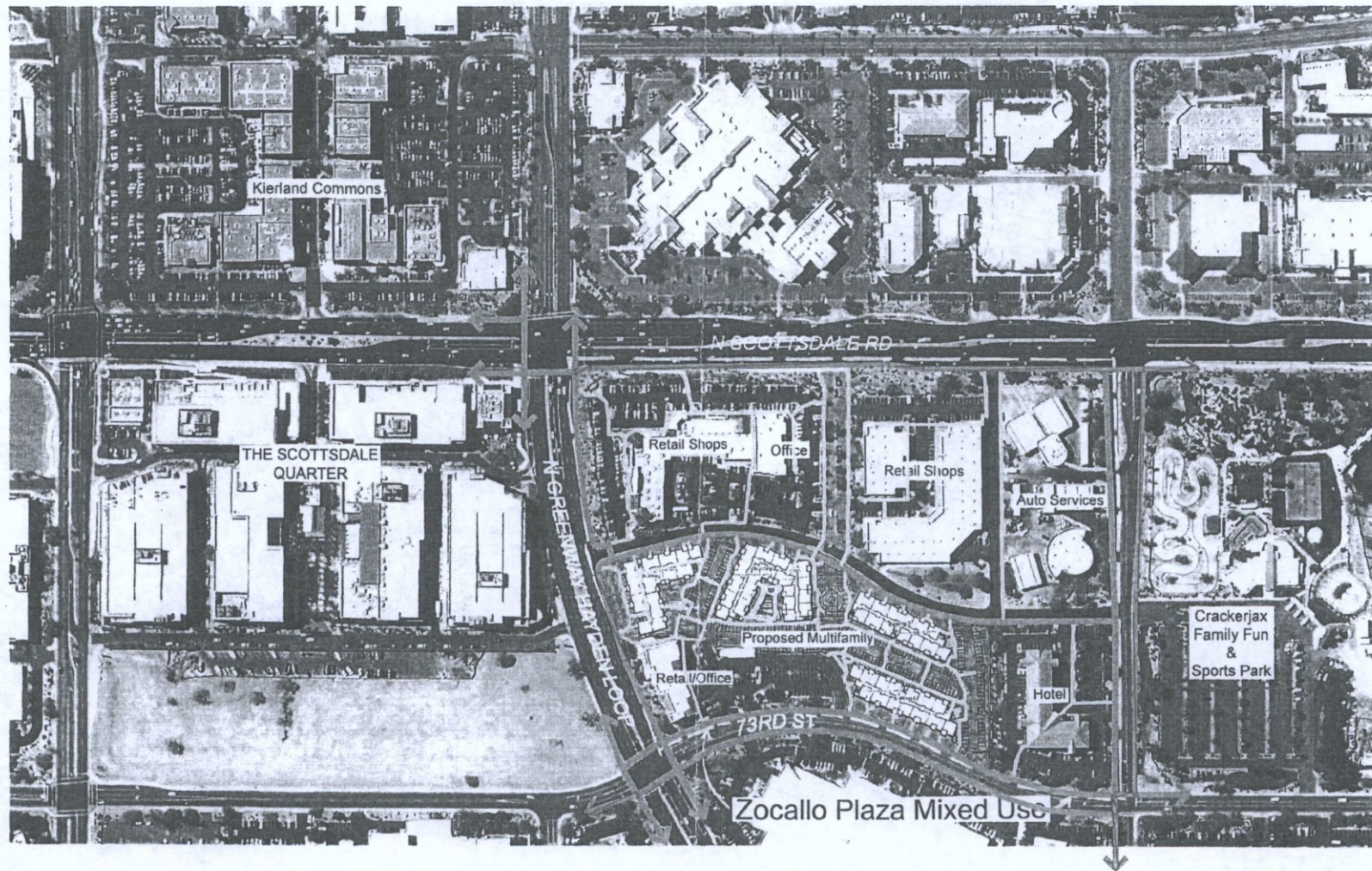
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THE RESIDENCES AT ZOCALLO PLAZA SCOTTSDALE ARIZONA

PEDESTRIAN CIRCULATION PLAN



GILMORE PARSONS
LAND DESIGN GROUP
2010 N. 1st Avenue, Phoenix, AZ 85004
T 602.442.1000 F 602.442.1001
www.gilmoreparsons.com

DATE: 8-11-11

L.R. Niemiec Architects, Inc.



8585 E. Hartford Drive, Suite 115 Scottsdale, AZ 85255 (480)990-7576



BUILDING 1 SOUTH ELEVATION
Scale: 1/8" = 1'-0"



BUILDING 1 WEST ELEVATION
Scale: 1/8" = 1'-0"

Elevations
Scale: 1/8" = 1'-0"

The Residences At Zocallo Plaza
15440 N. Greenway-Hayden Loop
Scottsdale, AZ. 85260

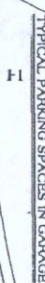
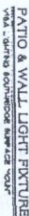
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15/10/2004

SCALE: 1"=40' 0"



Scale: 1" = 40'0"

The Residences At Zocallo Plaza
15440 N. Greenway-Hayden Loop
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10-ZN-2011
2nd: 9/9/2011

Zocallo Residential

10-ZN-2011

Amended Development Standards

ARTICLE V. DISTRICT REGULATIONS

1. Subsection E. of Section 5.5005. [Development standards.] is amended as follows:

Sec. 5.5005. Development standards.

A. PUD development area.

1. Gross acreage.

- a. The minimum gross site area of any PUD development shall be one-half (0.5) acre and the maximum gross site area shall be fifteen (15) acres, except as specified in Section 5.5005.A.1.b.
- b. When the PUD is the most appropriate district to achieve mixed-use development, the City Council may authorize a PUD development in a site area greater than fifteen (15) gross acres up to a maximum of twenty-five (25) gross acres.

B. Density and intensity.

1. The overall density of residential uses shall be established by the approved DP.
2. The overall intensity of commercial uses shall not exceed 0.8 floor area ratio, except as provided in Section 5.5005.B.3.
3. The City Council may approve intensity of commercial uses greater than 0.8 floor area ratio subject to any of the following criteria:
 - a. The proposed DP provides improved dedicated public open space.
 - b. The proposed DP provides a public parking facility(ies).
 - c. The proposed DP provides shared parking as established in Article IX parking and loading requirements.

C. Allowable building height.

1. Building height:

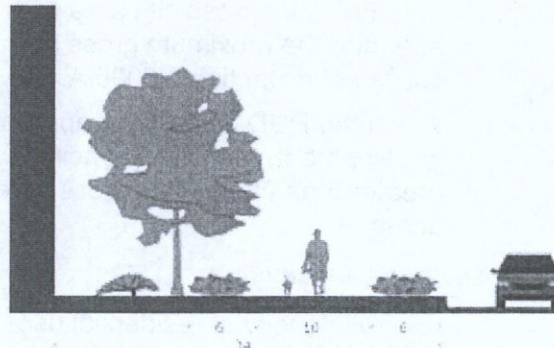
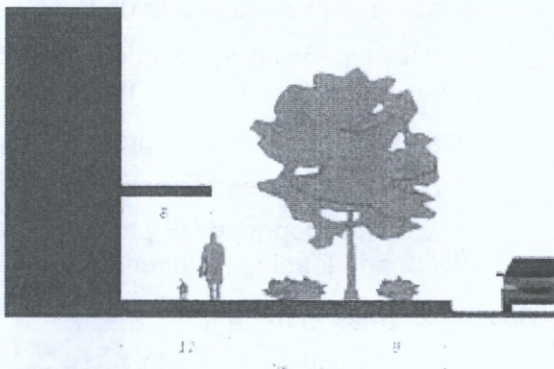
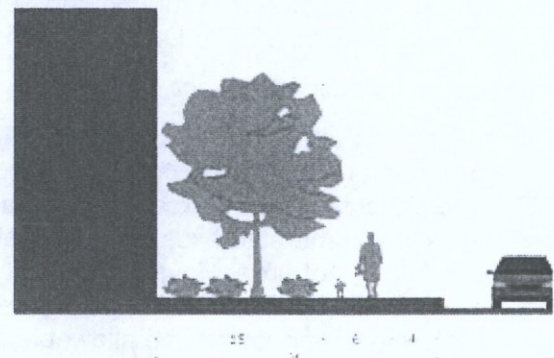
- a. Shall be a maximum of forty-eight (48) feet, except as otherwise provided in Section 5.5005.D. and 5.5005.F.

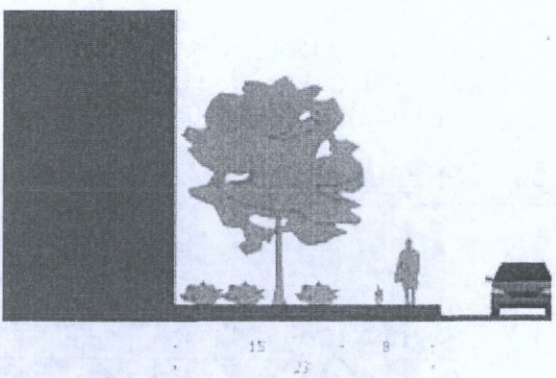
D. Exception to building height.

1. Architecturally integrated features, such as roof top mechanical equipment for utility and communication purposes, elevator bulk head, stairwell, screen wall, railing, trellis and patio cover may exceed the building height up to ten (10) feet provided that the area within the said exceptions do not exceed a total of thirty (30) percent of a building's roof area. However, the City Council may approve either greater mechanical height or building roof area coverage where the DP and supporting materials demonstrate the allowable exception cannot reasonably be achieved.
2. Architecturally integrated, active solar systems may exceed thirty (30) percent of a buildings' roof area subject to Development Review Board approval.
3. Roof top garden structures may exceed the building height up to five (5) feet.

E. *Building setbacks.*

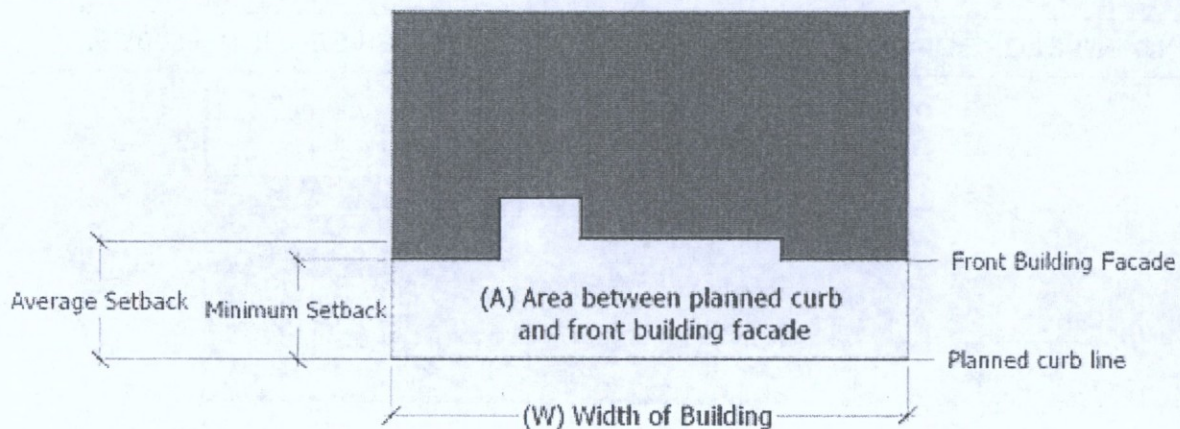
1. *Minimum setback.* Buildings adjacent to public and private streets shall be setback from the back of the planned curb line, including the planned curb line for bus bays and turn lanes, in accordance with Section 5.5005.E. Table A. The planned curb line, including the planned location for bus bays and turn lanes, shall be as described in the Transportation Master Plan and the Design Standards & Policies Manual.

TABLE A			
BUILDING SETBACK FROM BACK OF THE PLANNED CURB ALONG STREETS			
Street Classification Type and Use	Minimum Setback	Average Setback	Setback Diagram – This Illustrates Setbacks, Excluding Average Setback, Dimensions are for Illustrative Purposes.
Major and Minor Arterial – Residential on First Floor Adjacent to the Street	34 feet	40 49'-6" feet	
Major and Minor Arterial – Retail and Commercial on First Floor Adjacent to the Street	28 feet	32 feet	
Major and Minor Collector, Local Streets, and Unclassified Streets (Including Private Streets but Excluding Alleys) – Residential on First Floor Adjacent to the Street	25 feet	30 44 feet	

Major and Minor Collector, Local Streets, and Unclassified Streets (Including Private Streets but Excluding Alleys) – Retail and Commercial on First Floor Adjacent to the Street	23 feet	28 feet	
--	---------	---------	--

2. *Average setback.* The front building façade shall be placed to achieve an average setback as specified in Table A. The average setback shall be equal to the land area located between the planned curb line and the front building façade divided by the width of the front building façade.

AVERAGE SETBACK DIAGRAM – THIS DIAGRAM ILLUSTRATES SECTION 5.5005.E.2.



$$\frac{(A) \text{ Area}}{(W)} = \text{Average Setback (According to Table A)}$$

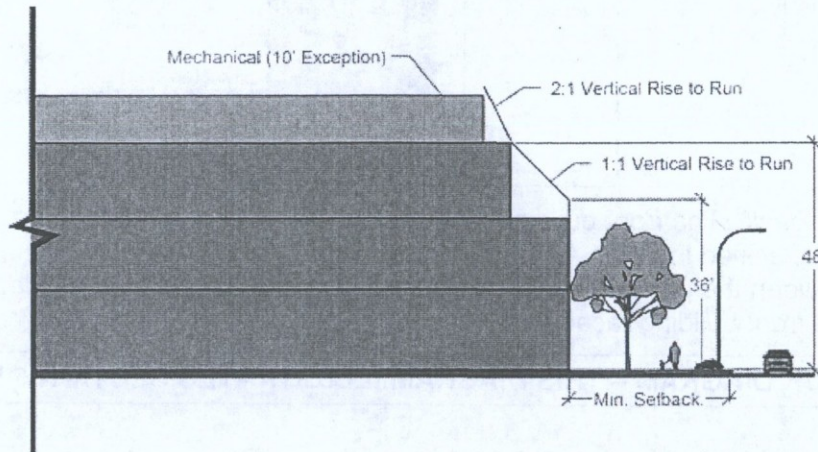
3. *Designated scenic corridor or buffered setback.* Where a designated scenic corridor or a buffered setback is existing or planned the setback shall be the required width of the designated scenic corridor or buffered setback. The Planned Unit Development (PUD) District average setback shall not apply.

F. Building envelope.

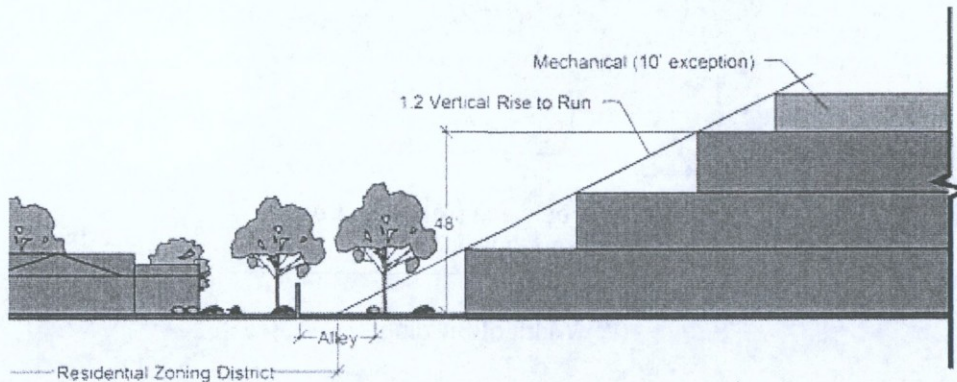
1. Starting at a point thirty-six (36) feet above the minimum building setback line, the building envelope inclined stepback plane shall slope upwards at 1:1 (ratio of the vertical rise to the horizontal run) to a point measured forty-eight (48) feet above the minimum building setback line. Thereafter the building envelope inclined stepback plane shall slope upwards at 2:1 (ratio of the vertical rise to the horizontal run) on all sides of a property adjacent to public and private streets.

2. PUD Developments abutting or adjacent to a residential zoning district shall have a building envelope inclined stepback plane of 1:2 (ratio of the vertical rise to the horizontal run) starting on the residential zoning district boundary, except as specified Section 5.5005.F.3.

BUILDING ENVELOPE DIAGRAM – THIS DIAGRAM ILLUSTRATES SECTION 5.5005.F.1.



BUILDING ENVELOPE DIAGRAM – THIS DIAGRAM ILLUSTRATES SECTION 5.5005.F.2.



3. PUD Developments adjacent to a residential zoning district, where the properties are separated by a major and/or minor arterial street as classified by the Transportation Master Plan and the Design Standards & Policies Manual, shall comply with Section 5.5005.F.1.

G. Encroachment beyond the building envelope.

1. A maximum encroachment of fifteen (15) feet may be allowed for:
 - a. Architectural ornaments and similar features, and
 - b. Trellis, canopies, balconies, patios and partial or full patio enclosures, covered walks, and screen walls.
2. Any encroachment into the right-of-way, roadway easement, or right-of-way easement requires a city issued encroachment permit and/or agreement.
3. The requirements of Article VII. General Provisions shall not apply to Section 5.5005.G.

H. *Setback abutting a residential zoning district.*

1. A setback of twenty (20) feet shall be provided along the property line abutting a residential zoning district(s). the setback area shall be landscaped and may include space reserved for services such as refuse, recycling, utility boxes, and amenities such as playground equipment, picnic tables, and screen walls.

I. *Residential open space.*

1. A private outdoor living space shall be provided adjoining each dwelling unit equal to a minimum of five (5) percent of the gross floor area of the dwelling unit.
2. A minimum of ten (10) percent of the total gross site area of the development shall be set aside as common open space for recreation uses, or other common landscaped and open space areas, unless the overall residential density of the development is less than five (5) dwelling units per acre.

J. *Landscape improvements.* The provisions of Article X. Landscaping Requirements shall apply.

Additional Information for:
Zocallo Residential
Case: 10-ZN-2011

PLANNING/DEVELOPMENT

1. **DEVELOPMENT CONTINGENCIES** Each element of this zoning case—including density, unit placement, access and other development contingencies—may be changed as more information becomes available to address public health, safety and welfare issues related to drainage, open space, infrastructure and other requirements.
2. **DEVELOPMENT REVIEW BOARD.** The City Council directs the Development Review Board's attention to:
 - a. wall design,
 - b. the type, height, design, and intensity of proposed lighting on the site, to ensure that it is compatible with the adjacent use,
 - c. improvement plans for common open space, common buildings and/or walls, and amenities such as ramadas, landscape buffers on public and/or private property (back-of-curb to right-of-way or access easement line included),
 - d. major stormwater management systems, and
 - e. signage.
3. **RESPONSIBILITY FOR CONSTRUCTION OF INFRASTRUCTURE.** The owner/developer shall be responsible for all improvements associated with the development or phase of the development and/or required for access or service to the development or phase of the development. Improvements shall include, but not be limited to, washes, storm drains, drainage structures, water systems, sanitary sewer systems, curbs and gutters, paving, sidewalks, streetlights, street signs, and landscaping. The granting of zoning/use permit does not and shall not commit the city to provide any of these improvements.
4. **FEES.** The construction of water and sewer facilities necessary to serve the site shall not be in-lieu of those fees that are applicable at the time building permits are granted. Fees shall include, but not be limited to the water development fee, water resources development fee, water recharge fee, sewer development fee or development tax, water replenishment district charge, pump tax, or any other water, sewer, or effluent fee.
5. **EASEMENTS CONVEYED BY SEPARATE INSTRUMENT.** Before any building permit is issued for the site, each easement conveyed to the city separate from a final plat shall be conveyed by an instrument or map of dedication subject to city staff approval, and accompanied by a title policy in favor of the city, in conformance with the Design Standards and Policies Manual.
6. **CONSTRUCTION COMPLETED.** Before any Certificate of Occupancy is issued for the site, the owner shall complete all the infrastructure and improvements required by the Scottsdale Revised Code and these stipulations, in conformance with the Design Standards and Policies Manual and other applicable standards.

Project Narrative/Development Plan

Minor General Plan Amendment

Rezoning

for

The Residences at Zocallo Plaza

Location: East of the Northeast Corner of Scottsdale Road & North Greenway-Hayden
Loop

Request for a Minor General Plan Amendment
from Airpark Mixed Use (AMU) to Airpark Mixed Use Residential (AMU R)

Rezoning from Highway Commercial (C-3) to Planned Unit Development (PUD))

Prepared for:

Scottsdale Place, L.L.C. (site owner)

Prepared by:

Berry & Damore, LLC

John V. Berry, Esq.

Michele Hammond, Principal Planner

6750 E. Camelback Road, Suite 100
Scottsdale, AZ 85251

Date: August 14, 2011

I. Purpose of Request

This request is for a Minor General Plan Amendment ("GPA") from Airpark Mixed Use (AMU) to Airpark Mixed Use – Residential (AMU-R) and a rezoning from Highway Commercial (C-3) to Planned Unit Development (PUD) on a 6.42+/- gross acre site located east of the northeast corner of Scottsdale Road and Greenway-Hayden Loop (the "Property"); commonly referred to as Lots 2A and 3 of Zocallo Plaza ("Zocallo"). Within the PUD district, the applicant intends to create a unique luxury multi-family community of approximately 240+/- residential units, which will serve as the residential land use component of the larger (20+/- acre) Zocallo mixed-use master plan. Zocallo currently includes a range of uses consisting of retail, office, restaurants, and hotel. The proposed residential development enhances the mixed-use character of Zocallo consistent with the development patterns in the area.

The surrounding development, including the existing Zocallo Plaza mixed-use development, the adjacent Scottsdale Quarter and Kierland developments, and the nearby Airpark employment core provide regional appeal for future residents. This application is driven by the site's surrounding land uses and a very strong market demand for multi-family residential in this area, housing trends show a fundamental shift away from homeownership due to the housing crisis and an increasing demand for residential rental options. The current generation of young professionals fear job loss and foreclosure and are thereby attracted to luxury rental communities. Additionally, the fluctuation in home values and tightening of available credit has created an upward trend in the rental market,

II. Existing Improvements/History

The Property is part of the 20-acre +/- Zocallo master plan, a mixed-use commercial site zoned C-3, which is bordered by Scottsdale Road on the west, Greenway-Hayden Loop on the south, 73rd Street on the east, and Tierra Buena Lane on the north. Zocallo is governed by CC&R's and has its own internal Design Review Committee. Zocallo has a common perimeter wall design, landscape palette and comprehensive sign package, all approved by the City of Scottsdale.

The 6.42+/- acre redevelopment parcel under this application is currently occupied by the former 19,000 s.f. Barcelona Restaurant/Nightclub and a 2-story, 26,000 s.f. office building on the north end of the Barcelona parking lot (the "Office Building"). The 2-story office/retail building (Barcelona Business Center or "BBC") at the northwest corner of Greenway-Hayden Loop and 73rd Street, which is adjacent to the subject Property, is under separate ownership and will remain in place.

This site was formerly ground leased by Danny's Family Companies or affiliates thereof ("DFC"), all of which entered bankruptcy in March 2010 and remain in bankruptcy. The former Barcelona Restaurant closed in June 2009 and remains vacant.

The ground leases have been terminated, resulting in Scottsdale Place, L.L.C. being the owner of fee simple title to the subject properties.

Surrounding Uses:

- **North:** Immediately north is a 110-room, 3-story Extended Stay America Hotel zoned C-3. Directly north of the hotel is the 25-acre +/- "CrackerJax" amusement park zoned CA.
- **East:** 120,000 s.f. +/- I.C.E. building (formerly Dial Corp. Headquarters) zoned I-1.
- **South:** 26-acre +/- Scottsdale Quarter mixed-use development zoned PRC.
- **West:** Zocallo Shops (26,000sf), Fidelity Financial Services (freestanding building of 8,500 s.f.), Zocallo Furniture Plaza (51,000 s.f.), all zoned C-3, and all in Scottsdale. Immediately across Scottsdale Road to the west are major retail and furniture establishments (City of Phoenix), including the former Robb & Stucky store zoned C-2 PCD.
- **Southwest:** Kierland Commons – a major Phoenix based mixed-use development zoned C-2 PCD.

III. Greater Airpark Character Area Plan / General Plan

The Greater Airpark Character Area Plan ("GACAP") was adopted in October 2010 by Scottsdale's City Council. The purpose of the GACAP is to establish "the vision for the Greater Scottsdale Airpark and provide the basis for Greater Airpark decision-making over a twenty-year timeframe." To achieve this, the City established a series of goals and policies to provide a framework for future development. The GACAP is divided into eight chapters each with its own focus and vision: Land Use, Neighborhood & Housing, Aviation, Community Mobility, Economic Vitality, Environmental Planning, Character & Design, and Public Service & Facilities. The following paragraphs ("responses") will highlight how this application meets the goals and policies of the GACAP.

The request for a Minor GPA on the subject Property from AMU to AMU-R will allow for residential land use in an area that is already designated for mixed-use (business, office, employment, retail, instructional and hotel uses). The addition of residential is consistent with the land use patterns already approved immediately south of the site at Scottsdale Quarter, as well as the substantial attached housing product in Kierland. The Property is located within the Scottsdale Road "shopping/housing" corridor on the Greater Airpark Transit Connections map (see page 10 of the Project Narrative) and is adjacent to major transportation corridors. Additionally, the Property is located well outside the 55 DNL line, which is appropriate for residential land uses. In fact, the proposed residential units under this application are further from the airport runway than the approved residential units for Scottsdale Quarter. The construction of the proposed residential units will feature appropriate noise attenuation through the use of upgraded building materials and insulation.

GACAP Definition (emphasis added):

Airpark Mixed Use Residential areas are appropriate for the greatest variety of personal and business services, employment, office and institutional, cultural amenities, retail, hotel, and higher density residential. Developments in the AMU-R areas should be pedestrian-oriented have access to multiple modes of transportation and should be located outside of the Airport's 55 DNL contour. Residential and other sensitive uses should be a lesser component of development and include adequate sound attenuation. Design of residential uses in the areas south of the Central Arizona Project Aqueduct should support businesses and tourism uses, such as time-shares, multi family rental units and corporate housing.

The Conceptual Development Type Map designates the Property as "Type C Regional Core" which is defined in the GACAP as follows (emphasis added):

Type C development represents medium to higher scale development which supports pedestrian activity in the Greater Airpark. Type C is encouraged in areas with access to multiple modes of transportation, served by regional transportation networks (i.e. freeways or transit corridors), and where the scale will complement the area's character. Type C development is appropriate in areas next to both Types C1 and B development. Type C is not recommended immediately adjacent to the Scottsdale Airport.

The Regional Core designation denotes areas appropriate for the greatest development intensity in the Greater Airpark to support major regional land uses. Regional Core is only appropriate in Type C areas that are or will be served by high-capacity transit or a freeway. Regional Core areas should not be located adjacent to single-family residential areas or within Type A or B development areas.

Land Use

Policy LU 7.1 Maintain and expand the diversity of land uses in the Greater Airpark

Response: The proposal for multi-family on 6.42+/- acres of the overall 20+/- acre Zocallo Plaza provides the missing residential component for this existing mixed-use development in a prime location of Scottsdale. Characteristics of successful mixed-use developments include a range of land uses and promote the "live, work, play" philosophy. The proposed development accomplishes a range of goals including revitalizing an underutilized property (the vacant former Barcelona building and soon to be vacant Office Building), integrating high quality, vibrant architecture and site planning to the area, and creating pedestrian synergy that will complement the existing Zocallo, Scottsdale Quarter and Kierland developments.

Policy LU 1.2 Support a mix of land uses within the Greater Airpark that promote a sense of community and economic efficiency, such as clustering similar/supportive uses and incorporating residential intended for the area's workforce, where appropriate.

Response: The Airpark is predominately an employment core area. The proposed multi-family land use will provide a residential rental opportunity for the residents of Scottsdale in an employment and service core area of the City. The location of the Property not only provides an opportunity for housing in the employment core, but also connectivity to the retail and restaurants established in the nearby developments which will enhance their sustainability. The proposed multi-family will promote an integrated, sustainable character for the area with a very strong live, work, play component.

Policy LU 1.4 Encourage the redevelopment of underutilized land to more productive uses.

Response: The redevelopment parcel currently contains the former Barcelona Restaurant and a 26,000 s.f. 2-story Office Building on the north end of the redevelopment parcel. This site was formerly ground leased by DFC, however, the ground leases have been terminated due to bankruptcy. Therefore, the redevelopment proposed under this application provides revitalization and more productive uses for this core area of Scottsdale.

Policy LU 4.5 Greater visual variety and architectural interest should be considered in the design of the Greater Airpark's tallest buildings (Regional Core), particularly at the pedestrian level,

Response: The applicant intends to utilize the 48' of height allowed by the PUD ordinance to create a luxury 4-story residential rental community with contemporary elevations complementary to the character of the adjacent Scottsdale Quarter and other surrounding properties. The design reflects four separate, interior corridor, wood frame buildings (with four separate 'podium style' concrete parking structures directly under the footprint of each building). This creates much more openness and interest than a one or two building design, and results in approximately 50% of the parking being underground.

The overall concept is to immediately construct a luxury, multi-family residential development within close proximity (walking distance) to abundant retail and office services. The project will create a sustainable, walk-friendly environment that takes advantage of the huge employment and retail base which surrounds the Property. As the site is buffered from Scottsdale Road by the existing Zocallo frontage parcels, it is a natural fit to redevelop the Property with multi-family residential.

Policy LU 4.7 Encourage greater visual variety between employment/commercial land uses and residential neighborhoods, and avoid continuous buildings shapes and mass adjacent to residential neighborhoods.

Response: Expanding upon the statements above, the unique design incorporates one level "podium parking" (partially recessed) under the residential buildings. The street side of buildings will feature entry stairways (stoops) allowing walk-up access to most first floor units. This element screens parts of the parking structure, adds a "brownstone" feel to the structures, and enhances the walkability of the overall design concept. The balance of openings to the parking structures will be covered by "green screen" (vertical cables for security purposes covered with appropriate landscape material). Special attention has been given to the character of the building architecture through a variety of massing, texture and materials complementary to the surrounding context (Zocallo, and Scottsdale Quarter).

Policy LU 5.1 Update and provide greater flexibility in development regulations to achieve the goals of the Greater Airpark Character Area Plan and encourage revitalization in the area

Response: As mentioned above, the proposal to utilize the PUD ordinance is desired because it allows for greater height and flexibility in development standards than the existing C-3 zoning. The PUD zoning will allow the applicant to create a unique, luxury residential community for the residents of Scottsdale and will not only meet but exceed the goals and policies of the GACAP.

Policy LU 7.2 Promote a greater mix of uses along identified Signature Corridors, which complement and are compatible with each respective land use designation.

Response: Signature Corridors are designated on the Greater Airpark Future Land Use Plan and include Greenway-Hayden Loop and 73rd Street, with Scottsdale Road only one block to the west. Integrating multi-family land use in this location broadens the current uses in the area to include the missing residential component.

Policy LU 7.3 Encourage and incentivize revitalization along Signature Corridors, particularly south of the Central Arizona Project Aqueduct.

Response: The redevelopment of the 6.42+/- acre site under this application will provide revitalization along two Signature Corridors, Greenway-Hayden Loop and 73rd Street, both of which are located south of the CAP.

Policy LU 8.1 Recognize and promote the value of usable open space as part of the community's quality of life.

Response: This project promotes the value of usable open space on several levels. The proposed residential community will place emphasis on the pedestrian and create a walkable community and connectivity to the surrounding land uses. Additionally, the project boasts 39.5% on-site open space which includes a pool, BBQ areas, bike racks, perimeter landscape buffers, and meaningful pockets of internal open space to create a visual oasis for the residents and an attractive setting for the buildings.

Neighborhood & Housing

Policy NH 2.1 Encourage developments, in Airpark Mixed Use Future Land Use Areas (AMU and AMU-R), to provide support services for current and future Greater Airpark residents, such as local markets, drugstores, and other essential services.

Response: A wide range of support services can be found nearby in the surrounding commercial developments. The residential component proposed under this application is a natural fit and complements the fabric of existing land uses found within the Zocallo Plaza master plan.

Policy NH 2.2 Encourage a variety of urban dwelling types and mixed-use development in areas designated Airpark Mixed Use-Residential in the Greater Airpark Character Area Future Land Use Plan that are compatible with and support the aviation and employment uses of the Greater Airpark.

Response: The proposed development is particularly adept at satisfying this policy. The Airpark creates a unique opportunity to support a range of land uses that interrelate and balance the live, work, play concept. The integration of the multi-family residential land use on this site does not take away from the overall employment core character of the Airpark. Rather, it provides a much needed land use balance to create a strong sustainable employment and service node essential to the continued success of the Airpark.

Policy NH 3.1 Encourage thoughtful and creative residential development that enhances, supports, and is sensitive to Airport operations and the Greater Airpark's identity as an employment center.

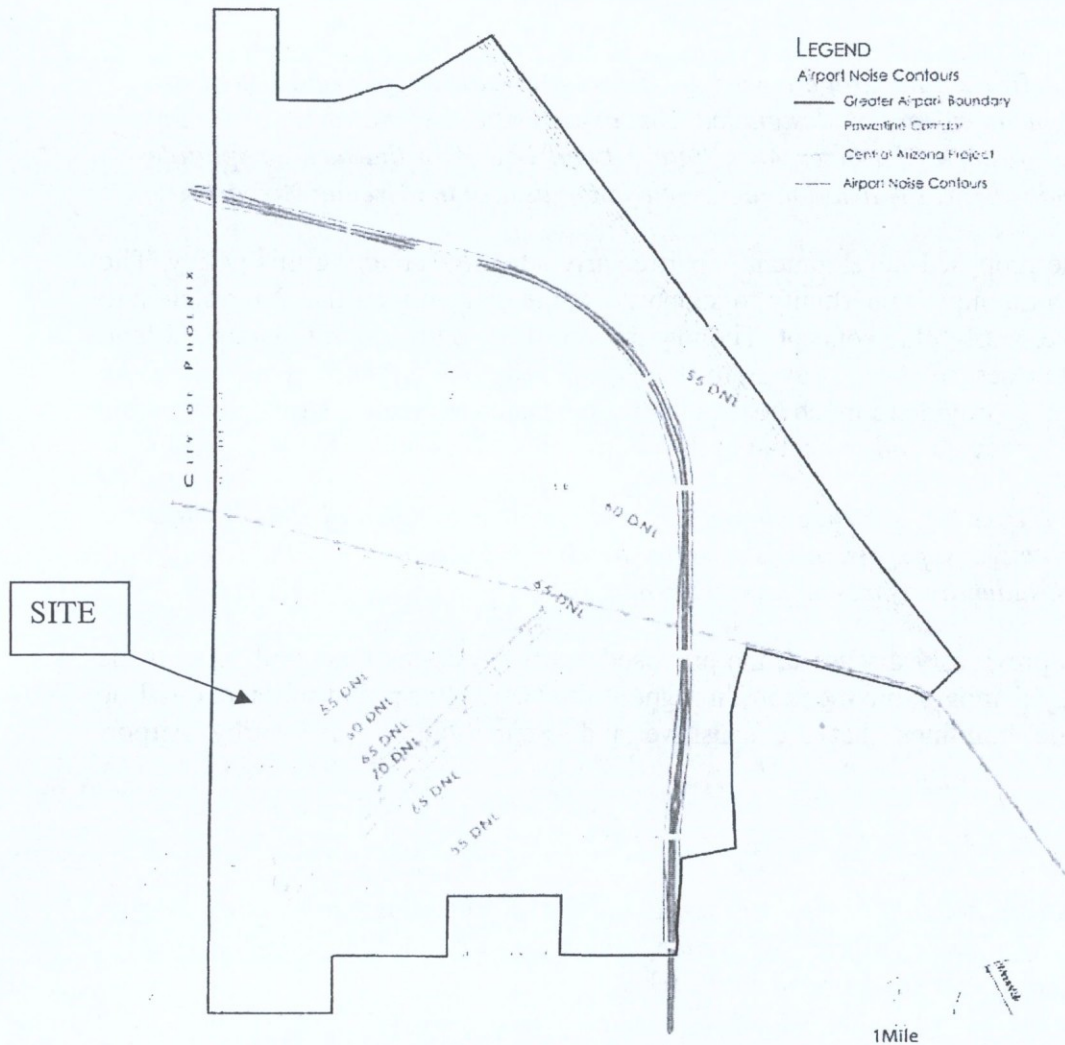
Response: As previously discussed, the proposed multi-family land use will support the live, work, play demographic mention throughout the GACAP. Special measures will be taken to create buildings that are sensitive and compatible to the nearby Airport operations.

Policy NH 3.2

Incorporate residential into Airpark Mixed Use-Residential Future Land Use Areas to reduce traffic congestion, improve air quality; and provide opportunities for workforce housing where:

- *Dwellings will not be adjacent to industrial uses that could be in conflict with residential uses;*
- *Dwellings will not lie within the 55 day-night average noise level (DNL) or higher areas established by the FAA; and*
- *Multi-modal transportation options will be incorporated into residential design.*

Response: The proposed multi-family community will be located on an underutilized, transition parcel (between retail to the west and south and office/employment land uses to the east) ideal for residential development. The proposed dwelling units will be located well outside the 55 DNL line (see the Scottsdale Airport Noise Contours Map below) and designed with upgraded building materials and insulation to provide appropriate sound attenuation. Multi-modal transportation options will be available to the residents including, but not limited to walking, bicycling, driving and public transit.



Noise contours surrounding the Scottsdale Airport denote day-to-night (DNL) average noise levels. Noise sensitive uses are not encouraged in 55 DNL and higher areas. These contours are often updated to reflect new noise levels as a result of new aircraft technologies.

Community Mobility

Policy CM 4.2 Improve pedestrian and bicycle connections from adjacent neighborhoods to Greater Airpark destinations.

Response: The Signature Corridors adjacent to the Property include Greenway-Hayden Loop and 73rd Street. Also, Scottsdale Road is located west of the Zocallo retail. All of these streets provide a framework for pedestrian and bicycle connections in the immediate area. Additionally, the development will create a sustainable, walk-friendly environment for its residents with functional, internal pedestrian connections between all four multifamily buildings, site amenities and other land adjoining land uses.

Policy CM 6.5 Design corridors that accommodate and attract pedestrians and bicyclists, particularly in Airpark Mixed Use Future Land Use Areas and along Signature Corridors.

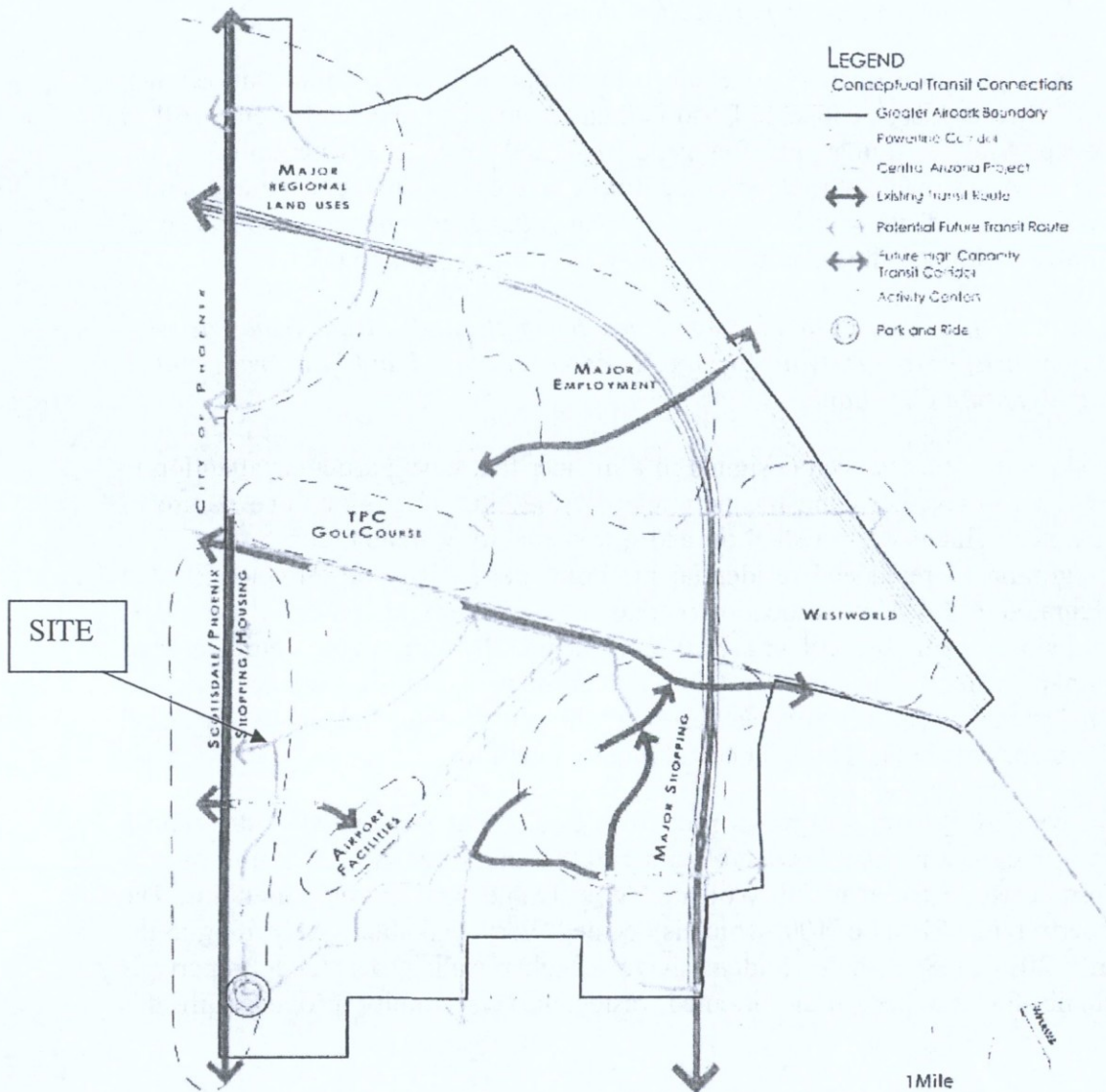
Response: The site plan has been designed in a manner that pays particular attention to the pedestrian and bicyclist along the perimeter of the site. The mixed-use nature of Zocallo promotes vehicular trip reduction and a sustainable, walkable community. The physical integration of retail and residential promotes pedestrian mobility. Residential land use integrated in this Airpark location increases the efficient movement of people by locating them close to employment and retail services, thereby minimizing vehicular trips on the regional transportation network. The Greater Airpark Transit Connections Map (see below) designates this Property as "shopping/housing" along the Scottsdale Road Signature Corridor with adjacent transit corridor classifications.

The website www.walkscore.com ranks properties throughout the United States with a "walk score" which is a number between 0 and 100 that measures the walkability of any given address based on the availability of nearby, walkable services and amenities. The subject Property ranks 71 out of 100, which is deemed "very walkable." According to the website, only 20% of Scottsdale residents have a higher walk score. The Property is highly suitable for the pedestrian oriented residential community proposed in this application.

Policy CM 7.2 Promote more sustainable modes of passenger transportation, such as alternative fuel vehicles, walking, biking, and/or other future technologies.

Response: See CM 6.5.

Greater Airpark Transit Connections
GACAP Page 34



Economic Vitality

Policy EV 1.1 Develop and implement long-term economic development strategies that maintain and enhance city revenue streams in order to balance the area's revenue generation with the cost of services and ensure financial stability now in the future.

Response: The proposed multi-family land use achieves this policy on several levels. The construction of new multi-family on an underutilized, vacated property will generate significant building permit fees and revenue for the City of Scottsdale. Secondly, the integration of 240 +/- residential units in the Scottsdale Airpark area will increase retail sales and sales tax revenue for the City. Lastly, the proposed residential community will provide on-site jobs for management and maintenance. Jobs will be brought to a site with vacated buildings.

In a time of economic hardship, the integration of new residential units will enhance the City's revenue streams and bring financial benefits to Scottsdale businesses that are struggling to keep their doors open. Residents require services, goods, food, and entertainment and draw from local businesses and resources. By creating a walkable residential community that already has plentiful retail and service opportunities nearby, a land use balance will be created which will strengthen the City's long-term economic stability.

Policy EV 2.5 Aggressively market the Greater Scottsdale Airpark as an ideal destination to live, work and play.

Response: The residential component proposed under this application complements the existing mixed-use character of the 20+/- acre Zocallo master plan as well as surrounding uses. The Airpark as a whole creates a unique opportunity to foster interrelated land uses and promote the live, work, play concept. Additionally, surrounding retail development and the nearby employment core provide regional appeal for future residents. This application is driven by the site's surrounding land uses and a very strong market demand for multi-family residential in this area. Housing trends indicate a fundamental shift away from homeownership due to the housing crisis, increased unemployment, fluctuation in home values, and hard-to-come by credit.

Environmental Planning

Policy EP 1.3 Promote landscape design and irrigation methods that contribute to water and energy conservation.

Response: The landscaping for the proposed development will be in accordance with the existing city approved landscape palette on-site (Zocallo Plaza) and with the surrounding developments including Scottsdale Quarter. Low water-use indigenous plants and trees will be used throughout the project. Turf areas will be limited to interior areas for active and passive recreation. Trees and landscaping will be used to provide shade within the parking lot and for the buildings, thereby reducing the heat-island and reducing overall energy consumption for cooling. Low voltage landscape lighting will be used throughout the site as an efficient way to light the pathways and landscape areas while still meeting the dark-sky ordinance.

Policy EP 4.2 Encourage all developments to respect and respond to the Sonoran Desert climate.

Response: Special attention has been given to the site planning and building aesthetic under this development proposal to uphold the distinctive character of Scottsdale and the Airpark area. The design envisioned for the Property will respect and enhance the unique climate and vegetation of the Sonoran Desert to help sustain our community and quality of life. The applicant's approach to the overall design is focused on providing harmony and compatibility with the visions and framework of the Airpark area.

Policy EP 4.8 Building design should respect and enhance the Sonoran Desert context of the Greater Airpark using building orientation, landscape buffers, colors, textures, material and lighting.

Response: To further elaborate on the statements above, the buildings have been designed in a manner to respond to the Sonoran Desert climate through the use of solar shading, landscaping, recessed windows, articulation, material selection, textures, paint colors, scale and massing in balance with the surrounding community. The development proposal promotes a rich desert landscape palette in a contemporary theme that celebrates the unique character and quality of the Sonoran Desert while providing an attractive resort-like setting for the buildings.

Policy EP 5.4 Encourage landscape improvements that limit the amount of turf area and make optimal use of indigenous adapted desert plants.

Response: See response immediately above.

Character & Design

Policy CD 1.1 Promote innovative, high quality design using specific design criteria associated with each Future Land Use Area in the Greater Airpark:

Airpark Mixed Use Future Land Use Areas (AMU & AMU-R)

The character of these areas is pedestrian-oriented, urban, and human-scale and features a variety of open spaces, gathering areas, and multi-modal transportation options. Multi-modal transportation should include bicycle and transit access connected to a pedestrian network to encourage social contact and interaction among the community. Design elements should be oriented toward people, such as the provision of shelter and shade for the pedestrian, active land uses at the ground floor/ street level, and a variety of building forms and facade articulation to visually shorten long distances. A variety of textures and natural materials is encouraged to provide visual interest and richness, particularly at the pedestrian level. Design of this Future Land Use Area should be based on a small city block layout with mid-block connections to promote greater walkability. The public realm may be activated through building and site design, orientation toward

the street, high-activity uses on the street level, and the integration of public art.

Response: The proposed development achieves this policy in the following ways:

- Mixed-use live, work, play philosophy enhanced with proposed multi-family
- Building design includes recessed podium parking for approximately half of the required parking spaces and numerous at-grade carports
- Walk-up access to most first floor units enhances walkability of development
- Special attention given to pedestrian linkages both internal to the site and along the perimeter emphasizes connectivity
- Compatibility with surrounding context
- Site and building design focuses on Sonoran Desert climate through the use of solar shading, recessed windows, articulation, material selection, textures, paint colors, scale and massing
- Open space maximized; development provides 39.5% open space

Policy CD 1.2 Lighting should be designed to minimize glare, conserve energy, and accent the respective Future Land Use Area character.

Response: The on-site lighting will be designed in a manner to minimize glare and conserve energy while respecting and remaining consistent with the surrounding land uses. Lighting from the podium parking garages will be screened by stoops and by "green screen" as noted above. One of the lighting goals will be to provide appropriate low-level pedestrian scale lighting (bollard and foot lighting) for pedestrians walking at night to and from the community. The lighting will be integrated with the abundant desert landscaping proposed with this development.

Policy CD 2.1 Establish a unified streetscape for identified Signature Corridors with unique imagery for each corridor.

Policy CD 2.1.3 Greenway-Hayden Signature Corridor

The Greenway-Hayden Signature Corridor should serve as the "Main Street" of the Greater Airpark, north of the runway, and should reference multi-modal connections from other cities to major area destinations, such as the Tournament Players Club Golf Course and Scottsdale Sports Complex. The public realm should animate the street during all seasons. Design elements could include large window displays, banners, integrated signage, passive cooling elements, covered patios, shade, public art, bicycle pedestrian connections, and gathering areas.

Response: The proposed development will highlight Greenway-Hayden Loop as a Signature Corridor and provide design elements that cater to the pedestrian through the use of building character, signage, connectivity, landscaping, hardscape and lighting.

Policy CD 2.1.7 73rd Signature Corridor

The 73rd Signature Corridor is a major pedestrian corridor in the Greater Airpark. Design elements along this street should include aviation themes and human-scale building orientation. Shade is an important element and may be incorporated through the built environment, as well as natural shading. Hardscape elements could include bollards, foot lighting, and sophisticated fencing that secure taxi lanes from pedestrian activity. Low-lying vegetation, such as vines and shrubs, are important landscape features that should soften the continuous building mass characteristics of land uses on the east side of the corridor.

Response: The proposed development will emphasize 73rd Street as a Signature Corridor and provide design elements that cater to the pedestrian through the use of building character, signage, connectivity, landscaping, hardscape and lighting.

Policy CD 2.2 Signature Corridor streetscapes should provide continuity among adjacent uses through a comprehensive landscape design, including decorative paving, street furniture, public art, and integrated infrastructure improvements.

Response: The streetscape along Greenway-Hayden Loop is well established and any new streetscape design will match the established landscape theme along this frontage. This area will also receive significant pedestrian links not currently in place, as reflected on the submitted site plan. Other elements such as decorative paving for sidewalks and pedestrian crossings will be integrated into the project hardscape. All hardscape elements including paving, site furnishings and public art will match the character currently established in the area. The design for the project will reinforce the strong commitment to link the proposed development with the surrounding commercial developments.

Policy CD 2.3 In designated Signature Corridors, encourage pedestrian- and transit-oriented development, with parking and automobile access in the rear of the development, and short access paths to transit.

Response: The parking for the proposed residential community is provided internally at the podium level (recessed level) below each building as well in surface parking lots integrated throughout the development. The focus of the site and building design is on the pedestrian, and therefore, the location of the buildings and pedestrian connectivity takes precedence. Consistent with PUD requirements, there is no parking between the surrounding streets and driveway and the buildings themselves. The design encourages residents to walk, bike and utilize transit opportunities.

IV. Planned Unit Development (PUD) Ordinance

The purpose of the Planned Unit Development district is to promote the goals of the General Plan, area plans, and design guidelines in areas of the City that are designated by the General Plan for a combination of land uses in a mixed-use development pattern of the either horizontal or vertical design...

...Commercial, employment, hospitality, multi family, residential, and townhouse residential uses are encouraged to be provided with intensities and densities that promote a mix of day and nighttime activities.

The 6.42+/- acre Property is part of the larger 20+/- acre Zocallo Plaza master plan, which is a mixed-use development that includes a range of commercial and service retail uses. The integration of a luxury residential community on the subject site completes the mixed-use sustainable character of Zocallo and complements the existing urban fabric of the surrounding area.

This application includes a range of exhibits including the site plan, podium parking plan, elevations, landscape plan, and civil engineering information which demonstrate the character and high-level of design proposed for this site. The buildings have been designed in a manner that provides a hierarchy of masses and sensitivity to the pedestrian. Appropriate architectural detailing and materials (including stucco, manufactured stone veneer, metal louvers and guard rails) have been carefully selected to uphold the unique character and context of the Sonoran Desert.

The development encourages alternative modes of transportation by focusing on a pedestrian network that encourages interaction with the surrounding context. The development gives special consideration to the pedestrian by creating inviting access connections through landscape and hardscape design within Zocallo Plaza and to adjacent developments such as Kierland and Scottsdale Quarter.

PUD Criteria

Section 5.5003 of the Zoning Ordinance states that the development proposals shall comply with the following criteria:

A. *PUD Zoning District Approval Criteria,*

1. *As part of the approval or modified approval of an application for a PUD district, the Planning Commission shall recommend and the City Council shall find that the following criteria have been met:*

A. *The proposed development promotes revitalization, the goals, policies and guidelines of the General Plan, Area Plans and Design Guidelines.*

Response: The proposed development accomplishes a range of goals including the revitalization of an underutilized property (with vacant office and restaurant buildings), integrating high quality, vibrant architecture and site planning to the area, and creating pedestrian synergy that will complement the existing Zocallo and Scottsdale Quarter and developments. The proposed development meets the goals and policies of the General Plan and GACAP as outlined in Section III of this project narrative.

- B. *The proposed development's uses, densities, or development standards would not otherwise be permitted by the property's existing zoning.*

Response: The proposed development would not be permitted under the existing C-3 zoning designation.

- C. *The proposed development will be compatible with adjacent land uses and promotes the stability and integrity of abutting or adjacent residential neighborhoods.*

Response: The proposed development is compatible with adjacent land uses and maintains the integrity of the Airpark employment core by provide a balance to the variety of land uses found in the area.

- D. *That there is adequate infrastructure and City services to serve the development.*

Response: There is adequate infrastructure and City services to serve the development.

- E. *That the proposal meets the following location criteria:*

The proposed development is not located within any areas zoned environmentally sensitive lands ordinance (ESL) nor within the boundaries of the Downtown Plan.

Response: The Property is not located within the ESL area or within the boundaries of the Downtown Plan.

The proposed development fronts onto a major or minor arterial and/or major collector street as designated in the City's transportation master plan.

Response: The proposed development fronts Greenway-Hayden Loop, a minor arterial and 73rd Street and minor collector.

V. Conclusion

In summary, the applicant is seeking a Minor GPA and rezoning on a 6.42+/- acre site to create a unique luxury multi-family community with approximately 240+/- residential units. The Property is part of the larger 20+/- acre Zocallo Plaza master plan, which is a mixed-use development in the Airpark Character Area. Integrating a residential land use on this site will complete the mixed-use character of Zocallo Plaza.

Redevelopment of this parcel will revitalize an underutilized property, provide additional housing opportunities for the community and contribute towards the live, work, play land use balance promoted by the GACAP and essential to the success of the Airpark as a true mixed-use employment core.

As housing trends indicate a fundamental shift away from homeownership due to the housing crisis, rise in unemployment, fluctuation in home values, and tightening of available credit, new residential rental opportunities are in high demand. The Property's surrounding retail development and nearby Airpark employment core provide regional appeal for future residents.

Addendum – Zocallo Refuse Plan

The Residences at Zocallo Plaza feature four stories of residences over a partially subterranean parking level, or concrete “podium” garage level.

The project contains four buildings. Each building has a centrally located trash chute room on each floor, with two chutes that descend to a trash room at the garage level. The chutes align with a PTR Baler and Compactor, model number TP-33SP which compacts trash into a three-yard container, at a ratio of approximately 3:1. A spare three-yard container under each building is provided at the time the full container is to be switched.

There are two, three-yard containers under each building. The containers have wheels, and are towed by a maintenance vehicle to the screened and gated refuse collection point at the North end of the site, (within a parking area). The refuse collection point enclosure can hold four containers, as it is calculated that four containers, picked up twice per week will serve the project. If demand is greater, pickup may be increased to three times weekly. Maintenance drives the empty containers back under each building after the truck collection has occurred.

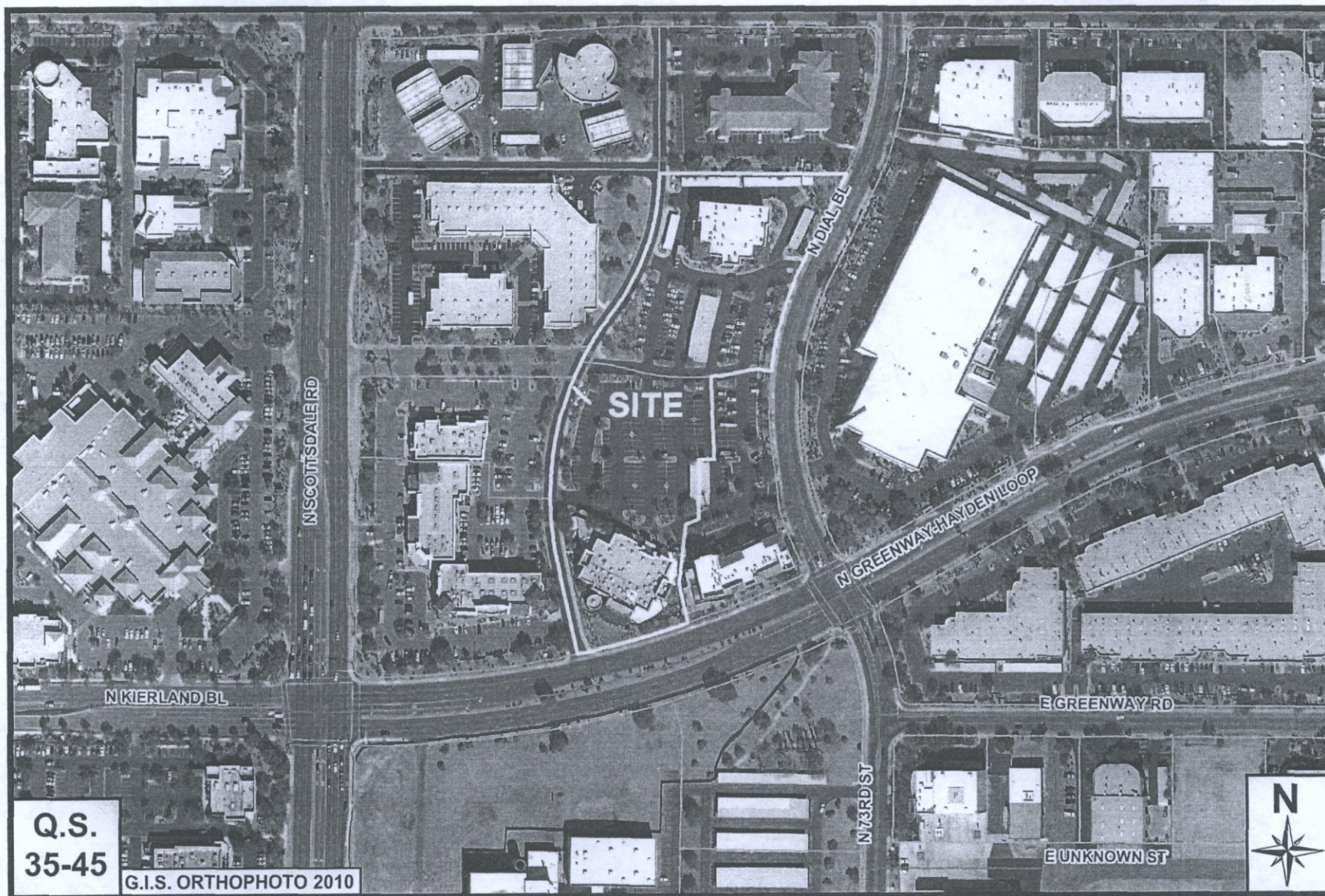
The above has been discussed and recommended by: Bill Brandenburger of Allied Waste services (602)237-2078.



Zocallo Residential

6-GP-2011 / 10-ZN-2011

ATTACHMENT #3



Zocallo Residential

6-GP-2011 / 10-ZN-2011

ATTACHMENT #3A

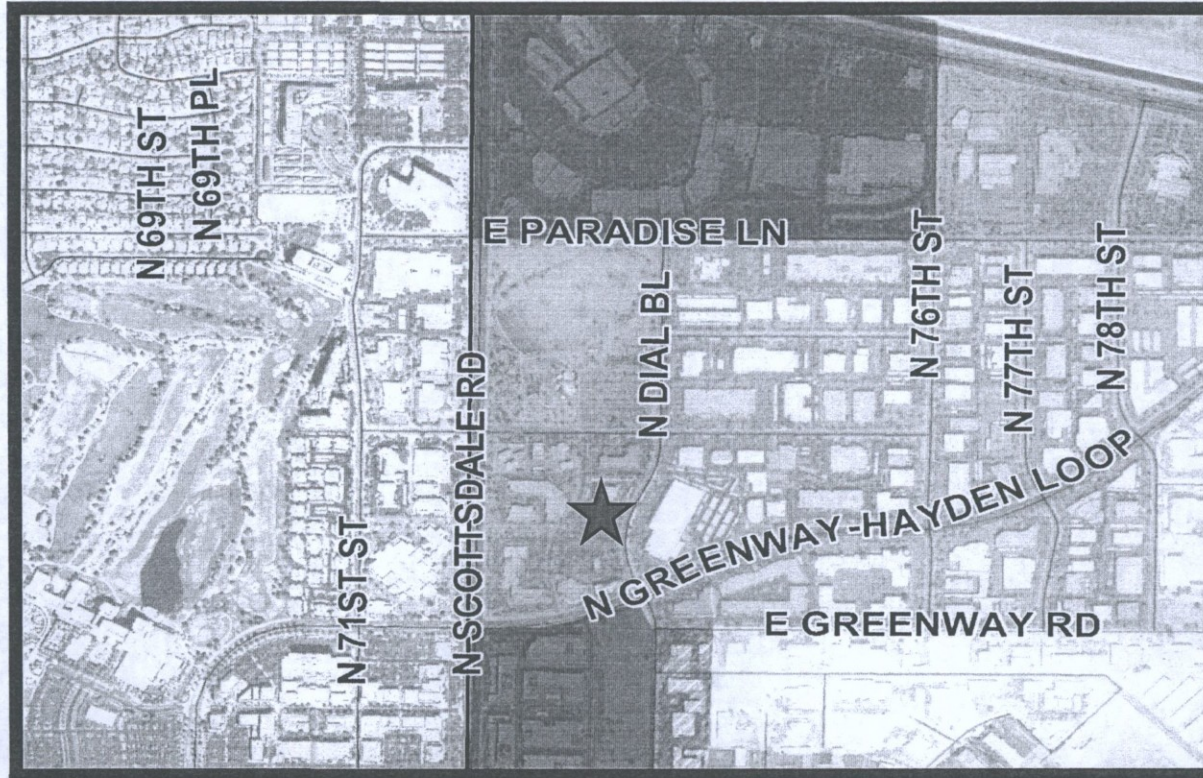


Zocallo Residential

6-GP-2011 / 10-ZN-2011

ATTACHMENT #4

Greater Airpark Character Area Plan - existing



Legend


 Greater Airpark Study Boundary


Future Land Uses:


 Airpark Mixed-Use Residential [AMU-R]

 Airpark Mixed-Use [AMU]

 Regional Tourism [RT]

 Employment [EMP]

 Aviation [AV]

 Open Space [O-S]

 Aviation/Airpark Mixed-Use [AV/AMU]



6-GP-2011
ATTACHMENT #5


Greater Airpark Character Area Plan - proposed





Legend


 Greater Airpark Study Boundary


Future Land Uses:


 Airpark Mixed-Use Residential [AMU-R]

 Airpark Mixed-Use [AMU]

 Regional Tourism [RT]

 Employment [EMP]

 Aviation [AV]

 Open Space [O-S]

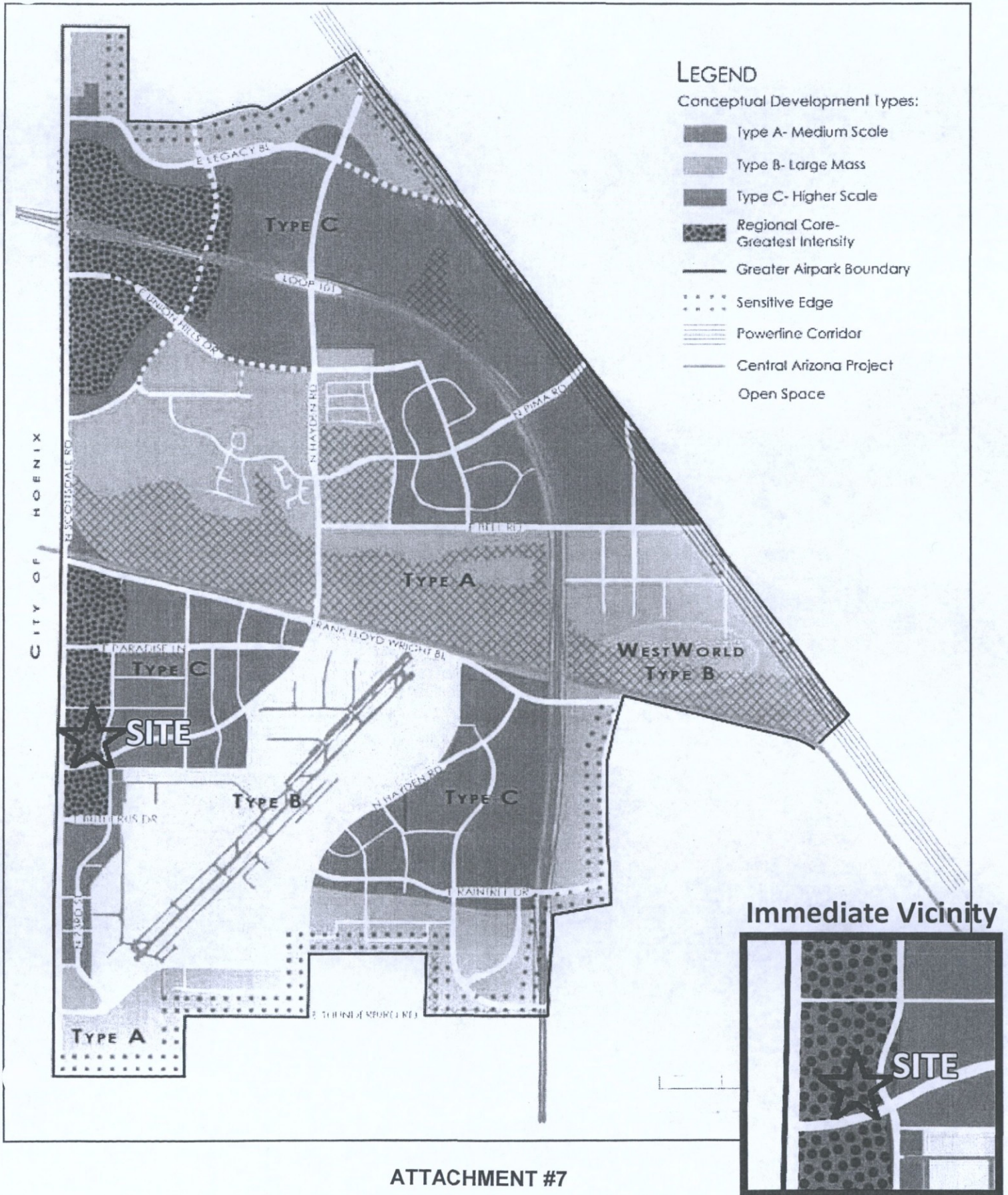
 Aviation/Airpark Mixed-Use [AV/AMU]

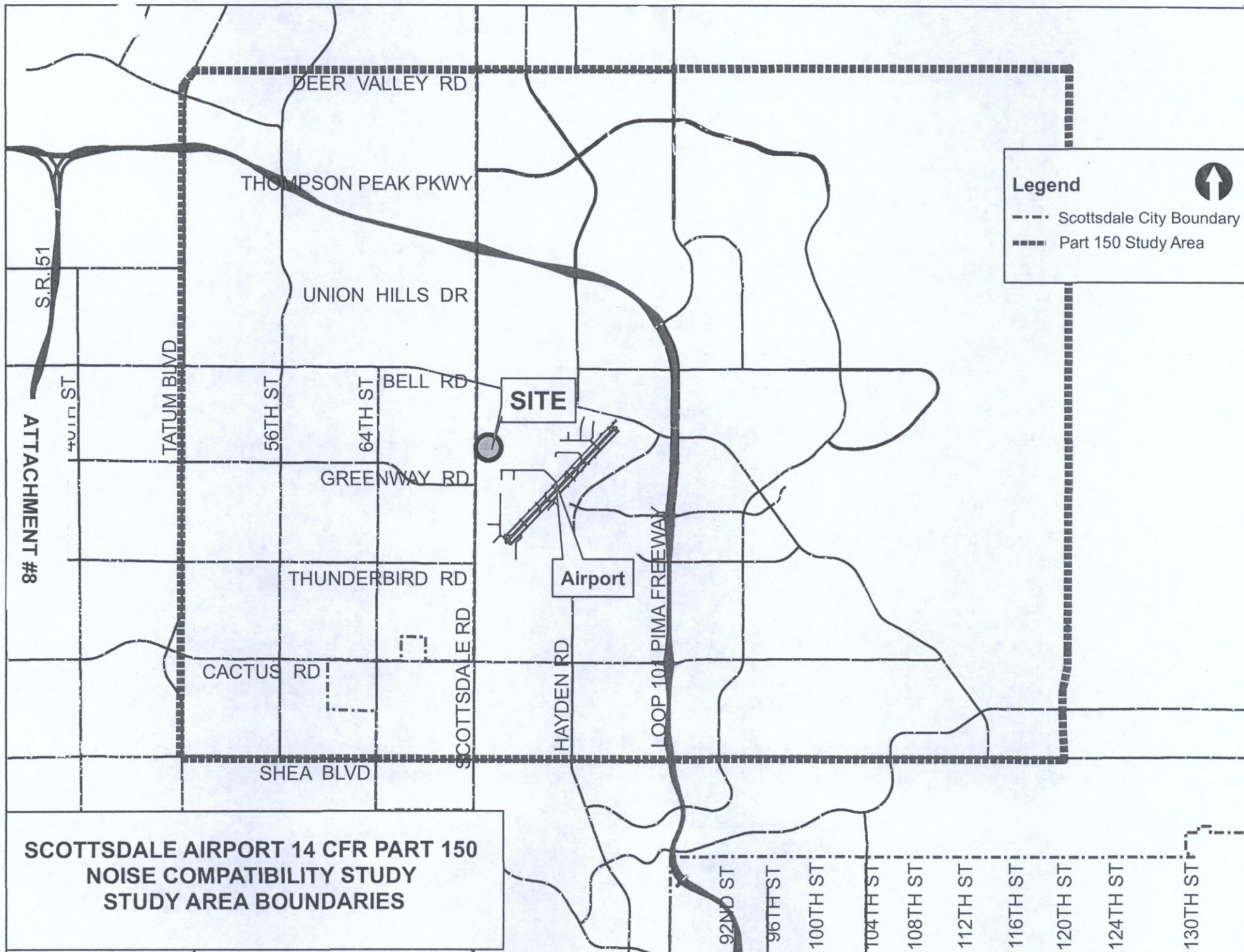


6-GP-2011
ATTACHMENT #6

Greater Airpark Character Area Plan Development Types

Site In Context





**SCOTTSDALE AIRPORT 14 CFR PART 150
NOISE COMPATIBILITY STUDY
2009 NOISE CONTOURS**

Legend



--- Scottsdale City Boundary

2009 Noise Contours

ATTACHMENT #9

56TH ST

64TH ST

UNION HILLS DR

BELL RD

SITE

GREENWAY RD

55 DNL

THUNDERBIRD RD

65 DNL

CACTUS RD

SHEA BLVD

SCOTTSDALE RD

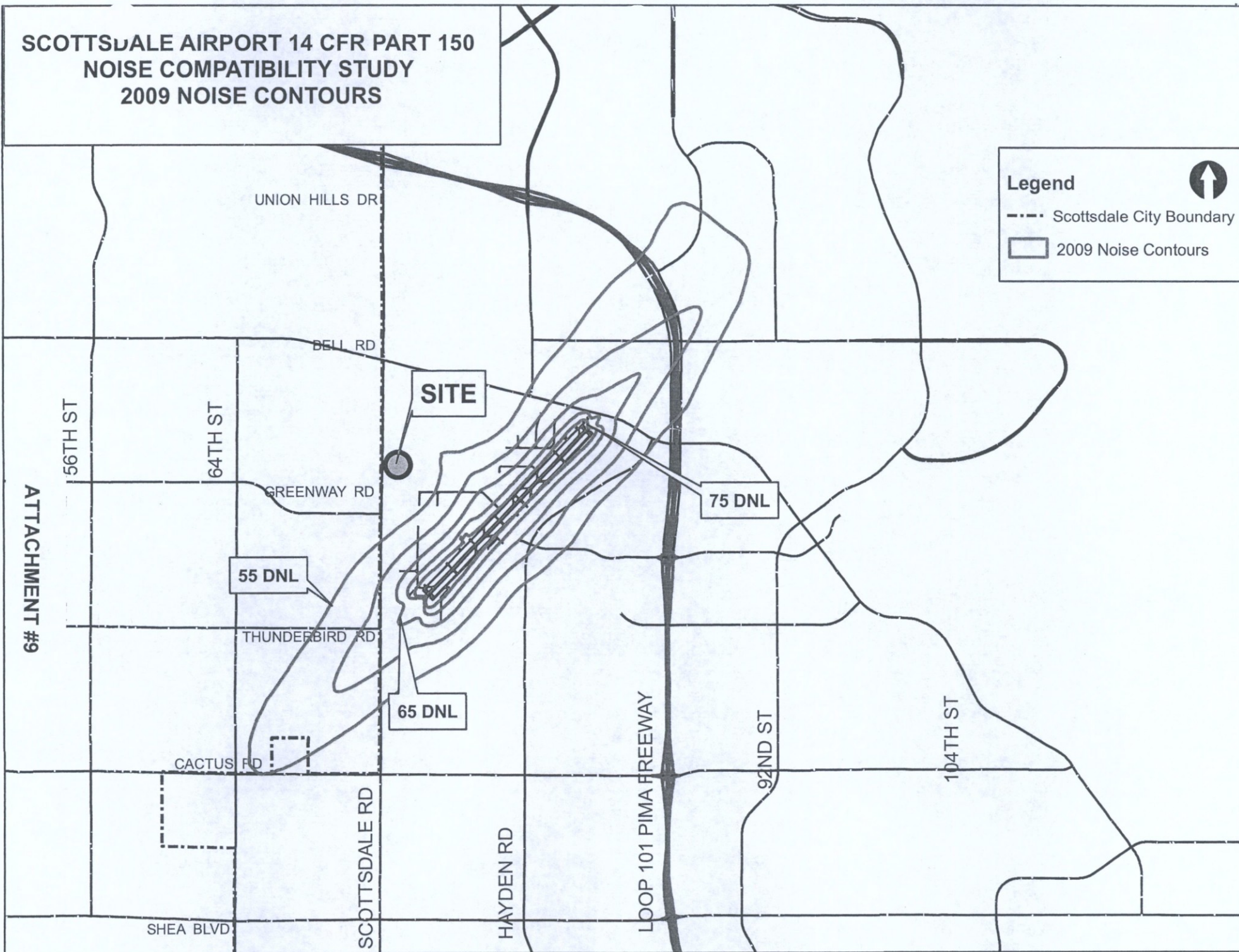
HAYDEN RD

LOOP 101 PIMA FREEWAY

92ND ST

104TH ST

75 DNL



Airport Overlay Zone Matrix Scottsdale Airport				
	Uses Allowed Within Each Zone			
	City of Scottsdale			City of Phoenix
	AC-1	AC-2	AC-3	AC-P
RESIDENTIAL				
Single-family, duplex, multi-family, manufactured housing	Y[1,3]	Y[1,3,4]	N	Y[1]
Recreational vehicle parks	Y[1,3]	Y[1,3]	N	Y[1]
Other residential	Y[1,3]	Y[1,3,4]	N	Y[1]
PUBLIC FACILITIES				
Education facilities	Y[1,3]	Y[1,3,4]	N	Y[1]
Religious facilities, libraries, museums, galleries, clubs and lodges	Y[1,2,3]	Y[1,3,4]	N	Y[1,2]
Outdoor sport events, entertainment and public assembly except amphitheaters	Y[1,2]	Y[1,3]	N	Y[1,2]
Indoor recreation, amusements, athletic clubs, gyms and spectator events	Y[1,2]	Y[1,3]	[1,3]	Y[1,2]
Neighborhood parks	Y[1,2]	Y[1,3]	Y[1,3]	Y[1,2]
Community and regional parks	Y[1,2]	Y[1,3]	Y[1,3]	Y[1,2]
Outdoor recreation: tennis, golf courses, riding trails, etc.	Y[1,2]	Y[1,3]	Y[1,3]	Y[1,2]
Cemeteries	Y[1]	Y[1,3]	Y[1,3]	Y[1]
COMMERCIAL				
Hotels/motels	Y[1,2]	Y[1,2,3,4]	Y[1,2,3,4]	Y[1,2]
Hospitals and other health care services	Y[1,2]	Y[1,2,3,4]	N	Y[1,2]
Services: finance, real estate, insurance, professional and government offices	Y[1,2]	Y[1,2,3]	Y[1,2,3]	Y[1,2]
Retail sales: building materials, farm equipment, automotive, marine, mobile homes, recreational vehicles and accessories	Y[1]	Y[1,3]	Y[1,3]	Y[1]
Restaurants, eating and drinking establishments	Y[1,2]	Y[1,2,3]	Y[1,2,3]	Y[1,2]
Retail sales: general merchandise, food, drugs, apparel, etc.	Y[1]	Y[1,3]	Y[1,3]	Y[1]
Personal services: barber and beauty shops, laundry and dry cleaning, etc.	Y[1]	Y[1,3]	Y[1,3]	Y[1]
Automobile service stations	Y[1,2]	Y[1,2,3]	Y[1,2,3]	Y[1,2]
Repair services	Y[1]	Y[1,3]	Y[1,3]	Y[1]
INDUSTRIAL				
Processing of food, wood and paper products; printing and publishing; warehouses, wholesale and storage activities	Y[1,2]	Y[1,2,3]	Y[1,2,3]	Y[1,2]
Refining, manufacturing and storage of chemicals, petroleum and related products, manufacturing and assembly of electronic components, etc.	Y[1,2]	Y[1,2,3]	Y[1,2,3]	Y[1,2]
Manufacturing of stone, clay, glass, leather, gravel and metal products; construction and salvage yards; natural resource extraction and processing, agricultural, mills and gins	Y[1,2]	Y[1,2,3]	Y[1,2,3]	Y[1,2]
AGRICULTURE				
Animal husbandry, livestock farming, breeding and feeding; plant nurseries (excluding retail sales)	Y[1]	Y[1]	Y[1]	Y[1]
Farming (except livestock)	Y[1]	Y[1,3]	Y[1,3]	Y[1]
MISCELLANEOUS				
Transportation terminals, utility and communication facilities	Y[1]	Y[1,2,3]	Y[1,2,3]	Y[1]
Vehicle parking	Y[1]	Y[1]	Y[1]	Y[1]
Signs	Y[1]	Y[1]	Y[1]	Y[1]
Legend Y Approved land use N Prohibited land use 1 Fair disclosure statement required as a condition of development approval or building permit issuance. 2 Use is permitted as long as it complies with the requirements of the zoning code for height restrictions. 3 Avigation easement required as a condition of development approval or building permit issuance. 4 Sound insulation required to reduce interior to exterior noise levels by at least 25dB.				

CITIZEN REVIEW REPORT
The Residences at Zocallo Plaza
15440 N. Greenway Hayden Loop
401-PA-2011
September 2, 2011

Overview

This citizen review report is being performed in association with a Minor GPA and Rezoning request for the redevelopment of the Barcelona Restaurant and 2-story office building on the 6.42+/- acre site located east of the northeast corner of Scottsdale Road and Greenway-Hayden Loop. As part of the request, this plan has been drafted and will be ongoing throughout the public process.

The entire project team is sensitive to the importance of neighborhood involvement and creating a relationship with property owners, residents, business owners, neighborhood associations, and other interested parties. Communication with these parties will be ongoing throughout the process. Work on compiling stakeholders and preparing for the neighborhood outreach began prior to the application filing and will continue throughout the process. Communication with impacted and interested parties will take place with verbal, written, electronic, and one-on-one contact.

Community Involvement/Response

The Minor GPA and ZN applications were submitted to the City on **August 17th**. Surrounding property owners within 750' were notified via first class mail regarding the project on **August 22nd**. This notification contained information about the project, contact information to receive additional information, the opportunity to give feedback and information regarding the required neighborhood open house meeting which was held on **September 1st** at 15444 N. Greenway-Hayden Loop, 2nd Floor (adjacent to project site). A white "Project Under Consideration" sign was also posted on the property shortly after the submittal and included the open house location, date and time.

Only two property owners (husband and wife) attended the open house to inquire about the project. They own Vesta TR located at 15689 N. Dial Blvd (73rd Street), immediately east of the Extended Stay America hotel and northeast of the subject site. They were both supportive of the proposed use.

Also, we have included a letter of support from Capital Creek Gold, the adjacent property owner of the building located at 15444 N. Greenway-Hayden Loop.

August 22, 2011

Re: The Residences at Zocallo Plaza

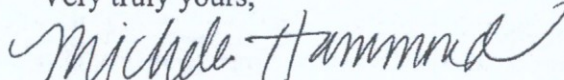
Dear Property Owner(s):

The purpose of this letter is to inform you that we filed an application (401-PA-2011) with the City of Scottsdale on behalf of Scottsdale Place, LLC requesting approval for a minor general plan amendment and rezoning to allow for the redevelopment of the vacant Barcelona Nightclub/Restaurant and Barcelona Offices located on a 6.42+/- acre property at 15440 N. Greenway Hayden Loop and 15509 N. Scottsdale Road. The applicant seeks PUD (Planned Unit Development) zoning to develop a luxury 240+/- unit multi-family residential community on the subject property.

We have included a conceptual site plan and context aerial identifying the location the proposed multi-family development. We are also sending this letter to notify you of a public open house meeting that has been scheduled regarding this project on September 1, 2011 from 4:30-5:30 p.m. to be held at the 15444 N. Greenway-Hayden Loop, 2nd Floor (2 blocks east of Scottsdale Road on the north side of Greenway-Hayden Loop, enter the parking lot from 73rd Street).

Public hearings before the Planning Commission and City Council are anticipated to be scheduled this fall. The City will mail notifications to all of the property owners within 750 feet of the project site and interested parties when the public hearings are scheduled. In the meantime, please feel free to contact me if you have any questions or concerns at 480-385-2753. You may also contact Brad Carr at 480-312-7713 with the City of Scottsdale Planning Department and reference case number 401-PA-2011.

Very truly yours,



Michele Hammond
Principal Planner

Enclosures



Affidavit of Posting

Required: Signed, Notarized originals.

Recommended: E-mail copy to your project coordinator.

☒ Project Under Consideration Sign (White)

☐ Public Hearing Notice Sign (Red)

Case Number: 401-PA-2-11

Project Name: The Residences at Zocalla Plaza

Location: 15440 N. Greenway-Hayden Loop

Site Posting Date: 8-24-11

Applicant Name: John Berry, Berry & Damore

Sign Company Name: Dynamite Signs, Inc.

Phone Number: 480-585-3031

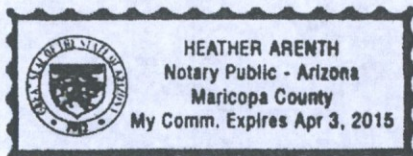
I confirm that the site has been posted as indicated by the Project Manager for the case as listed above.

Pamela Swartz
Applicant Signature

8-24-11
Date

Return completed original notarized affidavit AND pictures to the Current Planning Office no later than 14 days after your application submittal.

Acknowledged before me this the 21 day of Aug 2011



Heather Arenth
Notary Public

My commission expires: APR. 3 2015

City of Scottsdale -- Current Planning Division

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 • Phone: 480-312-7000 • Fax: 480-312-7088

Early Notification of Project Under Consideration

Neighborhood Open House Meeting:

Date: September 1, 2011
Time: 4:30 - 5:30 pm
Location: 15444 N. Greenway-Hayden Loop,
2nd Floor

**Site Address: 15440 N. Greenway-Hayden Loop,
Scottsdale, AZ**

Project Overview:

- Description of Request: Minor GPA from AMU to AMU-R; Rezoning from C-3 to PUD
- Description of Project and Proposed Use: Multi-family development
- Site Acreage: 6.42 +/- acres
- Site Zoning: C-3

Applicant Contact:

Berry & Damore, LLC
John Berry 602-385-2727
jb@berrydamore.com

City Contact:

Brad Carr 480-312-7713
bcarr@scottsdaleaz.gov

Pre-Application #: 401-PA-2011 Available at City of Scottsdale: 480-312-7000

After submittal, project information is available at:

www.scottsdaleaz.gov/projects/ProjectsInProcess

Posting Date: 8/24/11

-Penalty for removing or defacing sign prior to date of last hearing
-Applicant Responsible for Sign Removal

Capital Creek Gold
9375 E. Shea Blvd, Suite 100
Scottsdale, AZ 85260

September 1, 2011

Attn: Brad Carr
City of Scottsdale
Planning Department
Planning Commission
Mayor & City Council
7447 E. Indian School Road, Suite 100
Scottsdale, AZ 85251

Re: The Residences at Zocallo Plaza/15440 N. Greenway-Hayden Loop &
15509 N. Scottsdale Road

To Whom It May Concern:

We own the property immediately adjacent to the east of the subject property, which is a two story retail/office building known as 15444 North Greenway-Hayden Loop. As such, our property is part of Zocallo Plaza, as is the subject property (common CC&R's, etc.).

We understand the applicant wishes to construct a luxury multi-family residential community at 48' feet in height on the 6+ acre property. We have met with the applicant several times and reviewed the design material (site plan, parking layouts, elevations, etc.). We are in full support of this proposed rezoning and development per the submitted site plan. It is our opinion that the high-quality development proposed in this application will enhance the area, the value of our property and provide desirable redevelopment on an otherwise underutilized parcel.

Sincerely,

Capital Creek Gold, LLC

By: 

Ronald Finkel

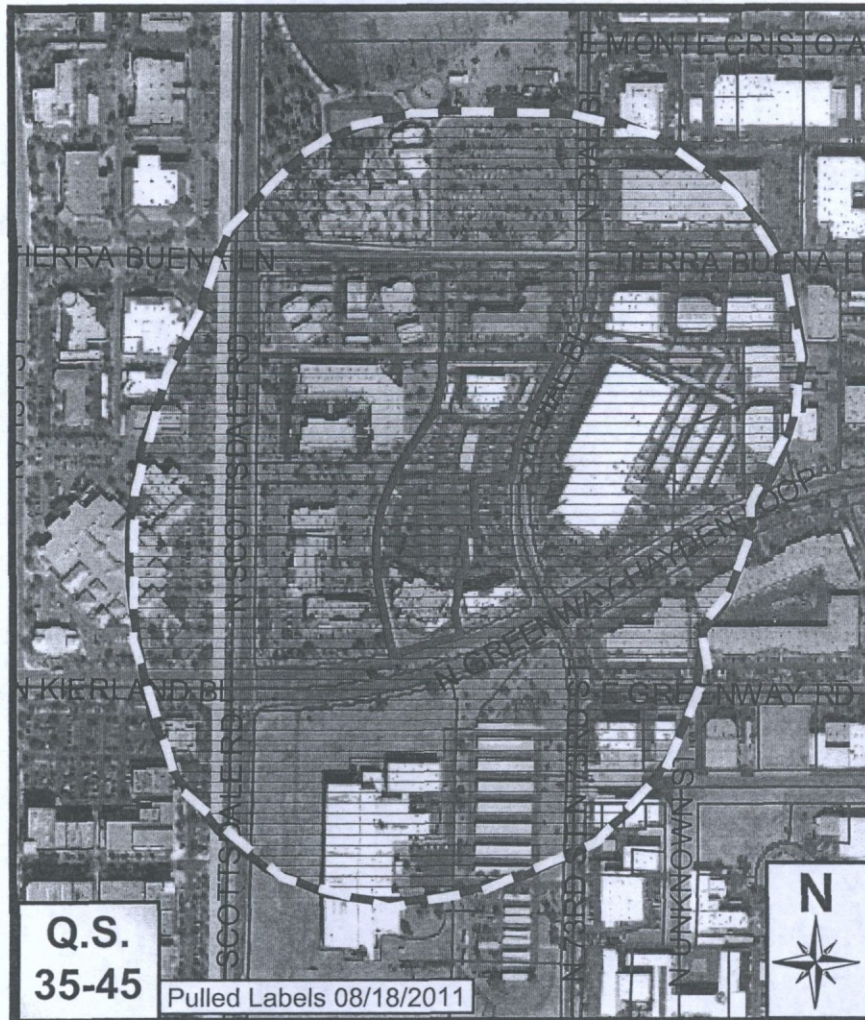
Its: 

The Residences at Zocallo – Neighborhood Meeting

Date: September 1, 2011

[illegible]

City Notifications – Mailing List Selection Map



Map Legend:



Site Boundary

Properties within 750-feet

Additional Notifications:

- Interested Parties List
- Adjacent HOA's
- P&Z E-Newsletter
- Facebook
- Twitter
- City Website-Projects in the hearing process

Zocallo Residential

6-GP-2011 & 10-ZN-2011

DEVELOPMENT REVIEW BOARD REPORT



Meeting Date: September 1, 2011 Item No. 6
General Plan Element: *Character and Design*
General Plan Goal: *Foster quality design that enhances Scottsdale as a unique southwestern desert community.*

ACTION

10-ZN-2011 Zocallo Residential

Location: 15440 N. Greenway-Hayden Loop

Request: Review the Development Plan elements and make a recommendation to the Planning Commission regarding design compatibility, environmental responsiveness, solar shading, connectivity and open spaces and a Major Amendment to the Average Setback requirement, for a proposed Planned Unit Development comprised of four buildings with 389,195 square feet of building area containing 240 residential units on 5.82 net acres.

OWNER

Scottsdale Place, LLC
602-778-0400

ARCHITECT/DESIGNER

Skip Niemiec
L.R. Niemiec Architects, Inc.
480-998-7576

ENGINEER

Ron Hilgart
Hilgart Wilson
602-490-0535

APPLICANT CONTACT

John Berry
Berry & Damore, LLC
480-385-2727

BACKGROUND

Zoning

The site is currently zoned Highway Commercial District (C-3), which is intended to permit most types of commercial activities and includes the sale of commodities and performances of services for a larger segment of population than the average neighborhood.

The City Council, in June 2009, approved the creation of the Planned Unit Development (PUD) zoning district which promotes a mixed-use development pattern along major/minor arterial/collector streets for small- to medium-sized infill sites which are located outside of the Environmentally Sensitive Lands Overlay and the Downtown Plan boundary.

The purpose of the request for a zoning map amendment from S-R to PUD is to take advantage of development opportunities, afforded by the PUD zoning district, that are not provided in the C-3 district. For example, the existing C-3 zoning designation allows most commercial, retail and service uses, but prohibits any non-resort-based residential uses. The requested PUD zoning designation allows all the uses that are allowed in the Commercial Office (C-O) and Planned Regional Center (PRC) zoning district, provides a maximum building height of 48 feet, and requires less open space than the C-3 district.

Context

Located near the northwest corner of the intersection of N. Greenway-Hayden Loop and N. 73rd Street, the site is surrounded by numerous developments including office, retail, restaurant, service, industrial, and hotel uses.

Adjacent Uses and Zoning

- North An existing hotel is located north of the site in the Highway Commercial District (C-3) zoning district.
- South N. Greenway-Hayden Loop abuts the site to the south. The existing Scottsdale Quarter development is located farther south in the Planned Regional Center (PRC) zoning district.
- East N. 73rd Street abuts the property to the east. An existing office building is located farther east in the Industrial Park District (I-1) zoning district.
- West The existing Zocallo Shops and an office building are located west of the site in the Highway Commercial District (C-3) zoning district.

Key Items for Consideration

- Major Amendment request for Average Setback requirement
- Site design, access and circulation

DEVELOPMENT PROPOSAL

Goal/Purpose of Request

The owner proposes to demolish the two existing structures on the site, which include a former restaurant and a two-story office building, to construct a new multi-family residential complex on the site comprised of 389,195 square feet of building area for 240 units. Main vehicular access will be provided through an entry point near the center of the site, with direct access to N. Scottsdale

Road, west of the site. Secondary access will also be provided through an existing circulator drive that runs north and south through the larger Zocallo site. Pedestrian access is provided to several areas of the site through a combination of new and existing sidewalks, with some units having direct access from front stoops. A large portion of the site's parking will be provided in parking structures located beneath each building. Additional parking will be provided at grade, with a large portion of that being covered.

Approximately 28 percent of the site is landscaped with a design appropriate for the Sonoran Desert and compatible with the surrounding area. Low water use, drought tolerant trees, shrubs and groundcovers flank all sides of the property and the buildings. Buildings have been placed on the site to provide ample landscape buffers to adjacent roadways, while providing pedestrian connections to adjacent retail, restaurant and office uses. Stormwater detention will be provided underground, with areas that are shared between several properties in the Zocallo site. The proposed architecture combines stucco, glass and steel in a contemporary style.

Neighborhood Communication

The applicant has sent notice to all property owners within 750 feet of the site and will be hosting an open house meeting on September 1, 2011 to seek input regarding the proposed project. At this point, staff has not received any public comments regarding this project.

DEVELOPMENT REVIEW BOARD CRITERIA ANALYSIS

An application for the PUD District must be accompanied by a Development Plan (DP), the elements of which shall include the following:

1. Character statements, including environmental response, design principles, architectural character, site development character, and landscape character;
 2. A master site plan, with a land use budget tabulation, showing the location of development components, the intensity of development, residential density, and building heights;
 3. An open space plan;
 4. An architectural concepts and design standards plan;
 5. Basis of design reports for storm water drainage, water service, and waste water disposal; and
 6. Any additional information as necessary to process the DP such as:
 - a. A view shed analysis plan;
 - b. A pedestrian circulation plan;
 - c. A hardscape plan;
 - d. A landscape plan;
 - e. A lighting plan; and/or
 - f. A signage plan.
- The applicant's submittal includes a DP which contains all the required elements.

The Development Review Board shall review the DP elements and make a recommendation to the Planning Commission, based on the following considerations:

1. The design contained in the DP is compatible with development in the area that it may

directly affect and the DP provides a benefit to the city and adjacent neighborhoods.

- The proposed site design uses existing access points, including a main entrance that is accessed from N. Scottsdale Road, and includes the movement of one existing driveway along N. 73rd Street to accommodate access to the existing building at the northwest corner of N. Greenway-Hayden Loop and N. 73rd Street. To minimize traffic congestion to the surrounding area, access to the site will be primarily from the existing private circulator road that runs through the middle of the larger Zocallo site. Further, pedestrian connections are being provided and enhanced from the proposed site to existing properties adjacent to the site as a direct benefit to the city and adjacent neighborhoods.
 - The buildings on the site have been situated to provide large setbacks from public roadways and other existing buildings, while still encouraging pedestrian interaction with existing retail, restaurant, and office buildings near the site.
 - A large portion of the project's parking is located partially below grade to limit impervious area and reduce the visual impact of parking on the site and surrounding properties. Other parking areas are provided internal to the site to again reduce the visibility of parking from adjacent properties.
 - Proposed building materials and design are similar to existing buildings on neighboring properties, with colors that match those of the existing shopping center to the west of the site. Demolishing the existing, unused buildings and constructing new, attractive buildings provides the opportunity for improved property values in the neighborhood.
 - The proposed landscape design incorporates large building setbacks along both the N. Greenway-Hayden Loop and N. 73rd Street frontages, and matches existing building setbacks along both roads. In addition, the applicant has agreed to enhance the landscaping of existing, adjacent roadway medians to improve pedestrian circulation and safety in the surrounding neighborhood. The proposed streetscape designs, together with pedestrian walkways and outdoor recreation area, contribute to a pedestrian-friendly environment.
 - The proposed stormwater management plan will result in comparable volume of stormwater runoff to that which exist today.
2. The DP is environmentally responsive, incorporates green building principles, contributes to the city's design guidelines and design objectives, and that any deviations from the design guidelines must be justified by compensating benefits of the DP.
- The site is designed to maximize efficient use of space by vertically stacking floor area, rather than spreading it horizontally across the property, which leaves room for additional landscaping. Approximately 28 percent of the site is proposed to be landscaped.
 - A large portion of the provided parking for the site has been provided underground to minimize impervious surfaces and reduce the heat-island effect. Solar shading will be provided for nearly three-fourths of the above grade parking spaces, further reducing the heat island effect.
 - Site landscaping has been designed with low water use, indigenous plants and trees throughout the site. In addition, turf areas will be used sparingly and limited to interior

-
- The design of proposed buildings on the site uses effective building techniques, such as solar shading, landscaping, recessed windows, building articulation, material selection and paint colors, to effectively integrate the site with the surrounding area and promote the unique character of the Sonoran Desert. Shade elements are proposed for all windows.
3. The DP will not significantly increase solar shading of adjacent land in comparison with a development that could be developed under the existing zoning district.
 - The proposed development includes a building which is taller than buildings on adjacent properties, but its location and proximity to other buildings on adjacent properties avoids solar shading of adjacent land.
 4. The DP promotes connectivity between adjacent and abutting parcels, and provides open spaces that are visible from the public right-of-way and useful to the development.
 - The proposed development provides pedestrian connection to the public sidewalk along N. Greenway-Hayden Loop and to the existing adjacent shopping center, as well as provides landscaped open space along the street frontages.

The Development Review Board shall review the any proposed amendments to the DP and provide a recommendation to the Planning Commission on the proposed amendments. Any proposed amendments are divided into two types: Minor or Major Amendments. The applicant is requesting the following Major Amendments for consideration:

1. Average Setback – N. Greenway-Hayden Loop. The applicant is requesting an amendment to increase the average setback requirement from 40 feet to 49'-6". The resulting change qualifies as a Major Amendment because it is amending the requirement by more than ten (10) percent.
 - The proposed amendment would allow the building fronting N. Greenway-Hayden Loop to be located further back from the planned curb line of the roadway, which would more closely mimic the existing two-story building located east of the site. In addition, the increased setback would allow the building to fit better contextually with existing buildings in the surrounding area. Finally, the increased setback will allow additional landscaping between the proposed building and the road.
2. Average Setback – N. 73rd Street. The applicant is requesting an amendment to increase the average setback requirement from 30 feet to 44 feet. The resulting change qualifies as a Major Amendment because it is amending the requirement by more than ten (10) percent.
 - Similar to N. Greenway-Hayden Loop, the proposed amendment would allow the building fronting N. 73rd Street to be located further back from the planned curb line of the roadway. The increased setback would allow the building to fit better contextually with existing buildings in the surrounding area. In addition, the increased setback will allow additional landscaping between the proposed building and the road.

Development Information

- Existing Use: Restaurant and office uses
- Proposed Use: Multi-family residential
- Parcel Size: 5.82 net acres (6.43 gross acres)
- Building Size: 389,195 square feet
- Floor Area Ratio Allowed: 0.8 FAR (for commercial uses)
- Floor Area Ratio Proposed: None
- Building Height Allowed: 48 feet
- Building Height Proposed: Varies – no more than 48 feet plus allowable mechanical equipment screening
- Parking Required: 360 spaces
- Parking Provided: 411 spaces
- Open Space Required: 27,992 square feet / 0.64 acres
- Open Space Provided: 54,734 square feet / 1.26 acres
- Density Allowed: Density determined by DP
- Density Proposed: 37.35 dwelling units per gross acre

STAFF RECOMMENDATION

Recommended Approach:

Staff recommends that the Development Review Board recommend to the Planning Commission that the proposed Development Plan is acceptable with regard to design compatibility, environmental responsiveness, solar shading, connectivity and open spaces and recommend approval of the proposed Major Amendment to the Average Setback requirement.

Proposed Next Steps:

After the Planning Commission and City Council review and make a determination on the requested zoning district map amendment, the Development Review Board will consider a development review application, which has more detailed information concerning building elevations, materials and colors and landscape design.

RESPONSIBLE DEPARTMENT


Planning, Neighborhood and Transportation

Current Planning Services

STAFF CONTACT

Brad Carr, AICP, LEED-AP Senior Planner 480-312-7713 E-mail: bcarr@scottsdaleaz.gov

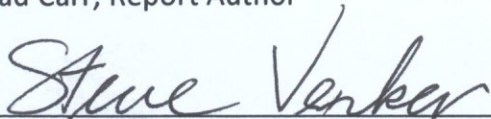
APPROVED BY



Brad Carr, Report Author

8.25.2011

Date



Steve Venker, Development Review Board Coordinator

8/25/11

Date

Phone: 480-312-2831 E-mail: svenker@ScottsdaleAZ.gov

ATTACHMENTS

1. Applicant's Narrative
2. Context Aerial
- 2A. Aerial Close-Up
3. Zoning Map
4. Site Plan
5. Landscape Plan
6. Building Elevations

Project Narrative/Development Plan

Minor General Plan Amendment

Rezoning

for

The Residences at Zocallo Plaza

Location: East of the Northeast Corner of Scottsdale Road & North Greenway-Hayden Loop

Request for a Minor General Plan Amendment
from Airpark Mixed Use (AMU) to Airpark Mixed Use Residential (AMU R)

Rezoning from Highway Commercial (C-3) to Planned Unit Development (PUD))

Prepared for:

Scottsdale Place, L.L.C. (site owner)

Prepared by:

Berry & Damore, LLC

John V. Berry, Esq.

Michele Hammond, Principal Planner

6750 E. Camelback Road, Suite 100
Scottsdale, AZ 85251

Date: August 14, 2011

I. Purpose of Request

This request is for a Minor General Plan Amendment ("GPA") from Airpark Mixed Use (AMU) to Airpark Mixed Use – Residential (AMU-R) and a rezoning from Highway Commercial (C-3) to Planned Unit Development (PUD) on a 6.42+/- gross acre site located east of the northeast corner of Scottsdale Road and Greenway-Hayden Loop (the "Property"); commonly referred to as Lots 2A and 3 of Zocallo Plaza ("Zocallo"). Within the PUD district, the applicant intends to create a unique luxury multi-family community of approximately 240+/- residential units, which will serve as the residential land use component of the larger (20+/- acre) Zocallo mixed-use master plan. Zocallo currently includes a range of uses consisting of retail, office, restaurants, and hotel. The proposed residential development enhances the mixed-use character of Zocallo consistent with the development patterns in the area.

The surrounding development, including the existing Zocallo Plaza mixed-use development, the adjacent Scottsdale Quarter and Kierland developments, and the nearby Airpark employment core provide regional appeal for future residents. This application is driven by the site's surrounding land uses and a very strong market demand for multi-family residential in this area, housing trends show a fundamental shift away from homeownership due to the housing crisis and an increasing demand for residential rental options. The current generation of young professionals fear job loss and foreclosure and are thereby attracted to luxury rental communities. Additionally, the fluctuation in home values and tightening of available credit has created an upward trend in the rental market,

II. Existing Improvements/History

The Property is part of the 20-acre +/- Zocallo master plan, a mixed-use commercial site zoned C-3, which is bordered by Scottsdale Road on the west, Greenway-Hayden Loop on the south, 73rd Street on the east, and Tierra Buena Lane on the north. Zocallo is governed by CC&R's and has its own internal Design Review Committee. Zocallo has a common perimeter wall design, landscape palette and comprehensive sign package, all approved by the City of Scottsdale.

The 6.42+/- acre redevelopment parcel under this application is currently occupied by the former 19,000 s.f. Barcelona Restaurant/Nightclub and a 2-story, 26,000 s.f. office building on the north end of the Barcelona parking lot (the "Office Building"). The 2-story office/retail building (Barcelona Business Center or "BBC") at the northwest corner of Greenway-Hayden Loop and 73rd Street, which is adjacent to the subject Property, is under separate ownership and will remain in place.

This site was formerly ground leased by Danny's Family Companies or affiliates thereof ("DFC"), all of which entered bankruptcy in March 2010 and remain in bankruptcy. The former Barcelona Restaurant closed in June 2009 and remains vacant.

The ground leases have been terminated, resulting in Scottsdale Place, L.L.C. being the owner of fee simple title to the subject properties.

Surrounding Uses:

- **North:** Immediately north is a 110-room, 3-story Extended Stay America Hotel zoned C-3. Directly north of the hotel is the 25-acre +/- "CrackerJax" amusement park zoned CA.
- **East:** 120,000 s.f. +/- I.C.E. building (formerly Dial Corp. Headquarters) zoned I-1.
- **South:** 26-acre +/- Scottsdale Quarter mixed-use development zoned PRC.
- **West:** Zocallo Shops (26,000sf), Fidelity Financial Services (freestanding building of 8,500 s.f.), Zocallo Furniture Plaza (51,000 s.f.), all zoned C-3, and all in Scottsdale. Immediately across Scottsdale Road to the west are major retail and furniture establishments (City of Phoenix), including the former Robb & Stucky store zoned C-2 PCD.
- **Southwest:** Kierland Commons – a major Phoenix based mixed-use development zoned C-2 PCD.

III. Greater Airpark Character Area Plan / General Plan

The Greater Airpark Character Area Plan ("GACAP") was adopted in October 2010 by Scottsdale's City Council. The purpose of the GACAP is to establish "the vision for the Greater Scottsdale Airpark and provide the basis for Greater Airpark decision-making over a twenty-year timeframe." To achieve this, the City established a series of goals and policies to provide a framework for future development. The GACAP is divided into eight chapters each with its own focus and vision: Land Use, Neighborhood & Housing, Aviation, Community Mobility, Economic Vitality, Environmental Planning, Character & Design, and Public Service & Facilities. The following paragraphs ("responses") will highlight how this application meets the goals and policies of the GACAP.

The request for a Minor GPA on the subject Property from AMU to AMU-R will allow for residential land use in an area that is already designated for mixed-use (business, office, employment, retail, instructional and hotel uses). The addition of residential is consistent with the land use patterns already approved immediately south of the site at Scottsdale Quarter, as well as the substantial attached housing product in Kierland. The Property is located within the Scottsdale Road "shopping/housing" corridor on the Greater Airpark Transit Connections map (see page 10 of the Project Narrative) and is adjacent to major transportation corridors. Additionally, the Property is located well outside the 55 DNL line, which is appropriate for residential land uses. In fact, the proposed residential units under this application are further from the airport runway than the approved residential units for Scottsdale Quarter. The construction of the proposed residential units will feature appropriate noise attenuation through the use of upgraded building materials and insulation.

GACAP Definition (emphasis added):

Airpark Mixed Use Residential areas are appropriate for the greatest variety of personal and business services, employment, office and institutional, cultural amenities, retail, hotel, and higher density residential. Developments in the AMU-R areas should be pedestrian-oriented have access to multiple modes of transportation and should be located outside of the Airport's 55 DNL contour. Residential and other sensitive uses should be a lesser component of development and include adequate sound attenuation. Design of residential uses in the areas south of the Central Arizona Project Aqueduct should support businesses and tourism uses, such as time-shares, multi family rental units and corporate housing.

The Conceptual Development Type Map designates the Property as "Type C Regional Core" which is defined in the GACAP as follows (emphasis added):

Type C development represents medium to higher scale development which supports pedestrian activity in the Greater Airpark. Type C is encouraged in areas with access to multiple modes of transportation, served by regional transportation networks (i.e. freeways or transit corridors), and where the scale will complement the area's character. Type C development is appropriate in areas next to both Types C1 and B development. Type C is not recommended immediately adjacent to the Scottsdale Airport.

The Regional Core designation denotes areas appropriate for the greatest development intensity in the Greater Airpark to support major regional land uses. Regional Core is only appropriate in Type C areas that are or will be served by high-capacity transit or a freeway. Regional Core areas should not be located adjacent to single-family residential areas or within Type A or B development areas.

Land Use

Policy LU 7.1 Maintain and expand the diversity of land uses in the Greater Airpark

Response: The proposal for multi-family on 6.42+/- acres of the overall 20+/- acre Zocallo Plaza provides the missing residential component for this existing mixed-use development in a prime location of Scottsdale. Characteristics of successful mixed-use developments include a range of land uses and promote the "live, work, play" philosophy. The proposed development accomplishes a range of goals including revitalizing an underutilized property (the vacant former Barcelona building and soon to be vacant Office Building), integrating high quality, vibrant architecture and site planning to the area, and creating pedestrian synergy that will complement the existing Zocallo, Scottsdale Quarter and Kierland developments.

Policy LU 1.2 Support a mix of land uses within the Greater Airpark that promote a sense of community and economic efficiency, such as clustering similar/supportive uses and incorporating residential intended for the area's workforce, where appropriate.

Response: The Airpark is predominately an employment core area. The proposed multi-family land use will provide a residential rental opportunity for the residents of Scottsdale in an employment and service core area of the City. The location of the Property not only provides an opportunity for housing in the employment core, but also connectivity to the retail and restaurants established in the nearby developments which will enhance their sustainability. The proposed multi-family will promote an integrated, sustainable character for the area with a very strong live, work, play component.

Policy LU 1.4 Encourage the redevelopment of underutilized land to more productive uses.

Response: The redevelopment parcel currently contains the former Barcelona Restaurant and a 26,000 s.f. 2-story Office Building on the north end of the redevelopment parcel. This site was formerly ground leased by DFC, however, the ground leases have been terminated due to bankruptcy. Therefore, the redevelopment proposed under this application provides revitalization and more productive uses for this core area of Scottsdale.

Policy LU 4.5 Greater visual variety and architectural interest should be considered in the design of the Greater Airpark's tallest buildings (Regional Core), particularly at the pedestrian level,

Response: The applicant intends to utilize the 48' of height allowed by the PUD ordinance to create a luxury 4-story residential rental community with contemporary elevations complementary to the character of the adjacent Scottsdale Quarter and other surrounding properties. The design reflects four separate, interior corridor, wood frame buildings (with four separate 'podium style' concrete parking structures directly under the footprint of each building). This creates much more openness and interest than a one or two building design, and results in approximately 50% of the parking being underground.

The overall concept is to immediately construct a luxury, multi-family residential development within close proximity (walking distance) to abundant retail and office services. The project will create a sustainable, walk-friendly environment that takes advantage of the huge employment and retail base which surrounds the Property. As the site is buffered from Scottsdale Road by the existing Zocallo frontage parcels, it is a natural fit to redevelop the Property with multi-family residential.

Policy LU 4.7 Encourage greater visual variety between employment/commercial land uses and residential neighborhoods, and avoid continuous buildings shapes and mass adjacent to residential neighborhoods.

Response: Expanding upon the statements above, the unique design incorporates one level "podium parking" (partially recessed) under the residential buildings. The street side of buildings will feature entry stairways (stoops) allowing walk-up access to most first floor units. This element screens parts of the parking structure, adds a "brownstone" feel to the structures, and enhances the walkability of the overall design concept. The balance of openings to the parking structures will be covered by "green screen" (vertical cables for security purposes covered with appropriate landscape material). Special attention has been given to the character of the building architecture through a variety of massing, texture and materials complementary to the surrounding context (Zocallo, and Scottsdale Quarter).

Policy LU 5.1 Update and provide greater flexibility in development regulations to achieve the goals of the Greater Airpark Character Area Plan and encourage revitalization in the area

Response: As mentioned above, the proposal to utilize the PUD ordinance is desired because it allows for greater height and flexibility in development standards than the existing C-3 zoning. The PUD zoning will allow the applicant to create a unique, luxury residential community for the residents of Scottsdale and will not only meet but exceed the goals and policies of the GACAP.

Policy LU 7.2 Promote a greater mix of uses along identified Signature Corridors, which complement and are compatible with each respective land use designation.

Response: Signature Corridors are designated on the Greater Airpark Future Land Use Plan and include Greenway-Hayden Loop and 73rd Street, with Scottsdale Road only one block to the west. Integrating multi-family land use in this location broadens the current uses in the area to include the missing residential component.

Policy LU 7.3 Encourage and incentivize revitalization along Signature Corridors, particularly south of the Central Arizona Project Aqueduct.

Response: The redevelopment of the 6.42+/- acre site under this application will provide revitalization along two Signature Corridors, Greenway-Hayden Loop and 73rd Street, both of which are located south of the CAP.

Policy LU 8.1 Recognize and promote the value of usable open space as part of the community's quality of life.

Response: This project promotes the value of usable open space on several levels. The proposed residential community will place emphasis on the pedestrian and create a walkable community and connectivity to the surrounding land uses. Additionally, the project boasts 39.5% on-site open space which includes a pool, BBQ areas, bike racks, perimeter landscape buffers, and meaningful pockets of internal open space to create a visual oasis for the residents and an attractive setting for the buildings.

Neighborhood & Housing

Policy NH 2.1 Encourage developments, in Airpark Mixed Use Future Land Use Areas (AMU and AMU-R), to provide support services for current and future Greater Airpark residents, such as local markets, drugstores, and other essential services.

Response: A wide range of support services can be found nearby in the surrounding commercial developments. The residential component proposed under this application is a natural fit and complements the fabric of existing land uses found within the Zocallo Plaza master plan.

Policy NH 2.2 Encourage a variety of urban dwelling types and mixed-use development in areas designated Airpark Mixed Use-Residential in the Greater Airpark Character Area Future Land Use Plan that are compatible with and support the aviation and employment uses of the Greater Airpark.

Response: The proposed development is particularly adept at satisfying this policy. The Airpark creates a unique opportunity to support a range of land uses that interrelate and balance the live, work, play concept. The integration of the multi-family residential land use on this site does not take away from the overall employment core character of the Airpark. Rather, it provides a much needed land use balance to create a strong sustainable employment and service node essential to the continued success of the Airpark.

Policy NH 3.1 Encourage thoughtful and creative residential development that enhances, supports, and is sensitive to Airport operations and the Greater Airpark's identity as an employment center.

Response: As previously discussed, the proposed multi-family land use will support the live, work, play demographic mention throughout the GACAP. Special measures will be taken to create buildings that are sensitive and compatible to the nearby Airport operations.

Policy NH 3.2

Incorporate residential into Airpark Mixed Use-Residential Future Land Use Areas to reduce traffic congestion, improve air quality; and provide opportunities for workforce housing where:

- *Dwellings will not be adjacent to industrial uses that could be in conflict with residential uses;*
- *Dwellings will not lie within the 55 day-night average noise level (DNL) or higher areas established by the FAA; and*
- *Multi-modal transportation options will be incorporated into residential design.*

Response: The proposed multi-family community will be located on an underutilized, transition parcel (between retail to the west and south and office/employment land uses to the east) ideal for residential development. The proposed dwelling units will be located well outside the 55 DNL line (see the Scottsdale Airport Noise Contours Map below) and designed with upgraded building materials and insulation to provide appropriate sound attenuation. Multi-modal transportation options will be available to the residents including, but not limited to walking, bicycling, driving and public transit.



Noise contours surrounding the Scottsdale Airport denote day-to-night (DNL) average noise levels. Noise sensitive uses are not encouraged in 55 DNL and higher areas. These contours are often updated to reflect new noise levels as a result of new aircraft technologies.

Community Mobility

Policy CM 4.2 Improve pedestrian and bicycle connections from adjacent neighborhoods to Greater Airpark destinations.

Response: The Signature Corridors adjacent to the Property include Greenway-Hayden Loop and 73rd Street. Also, Scottsdale Road is located west of the Zocallo retail. All of these streets provide a framework for pedestrian and bicycle connections in the immediate area. Additionally, the development will create a sustainable, walk-friendly environment for its residents with functional, internal pedestrian connections between all four multifamily buildings, site amenities and other land adjoining land uses.

Policy CM 6.5 Design corridors that accommodate and attract pedestrians and bicyclists, particularly in Airpark Mixed Use Future Land Use Areas and along Signature Corridors.

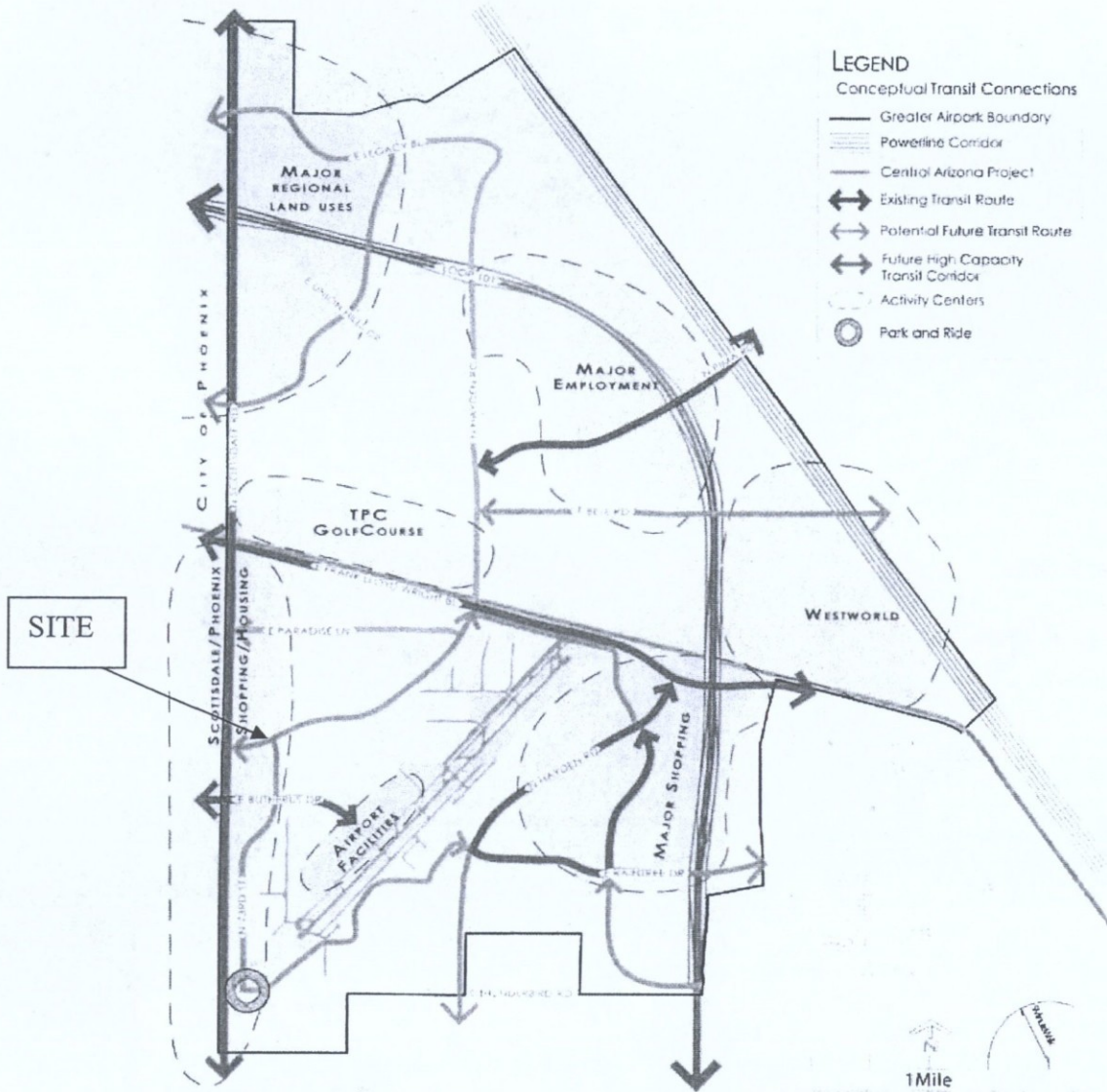
Response: The site plan has been designed in a manner that pays particular attention to the pedestrian and bicyclist along the perimeter of the site. The mixed-use nature of Zocallo promotes vehicular trip reduction and a sustainable, walkable community. The physical integration of retail and residential promotes pedestrian mobility. Residential land use integrated in this Airpark location increases the efficient movement of people by locating them close to employment and retail services, thereby minimizing vehicular trips on the regional transportation network. The Greater Airpark Transit Connections Map (see below) designates this Property as "shopping/housing" along the Scottsdale Road Signature Corridor with adjacent transit corridor classifications.

The website www.walkscore.com ranks properties throughout the United States with a "walk score" which is a number between 0 and 100 that measures the walkability of any given address based on the availability of nearby, walkable services and amenities. The subject Property ranks 71 out of 100, which is deemed "very walkable." According to the website, only 20% of Scottsdale residents have a higher walk score. The Property is highly suitable for the pedestrian oriented residential community proposed in this application.

Policy CM 7.2 Promote more sustainable modes of passenger transportation, such as alternative fuel vehicles, walking, biking, and/or other future technologies.

Response: See CM 6.5.

Greater Airport Transit Connections
GACAP Page 34



Economic Vitality

Policy EV 1.1 Develop and implement long-term economic development strategies that maintain and enhance city revenue streams in order to balance the area's revenue generation with the cost of services and ensure financial stability now in the future.

Response: The proposed multi-family land use achieves this policy on several levels. The construction of new multi-family on an underutilized, vacated property will generate significant building permit fees and revenue for the City of Scottsdale. Secondly, the integration of 240 +/- residential units in the Scottsdale Airpark area will increase retail sales and sales tax revenue for the City. Lastly, the proposed residential community will provide on-site jobs for management and maintenance. Jobs will be brought to a site with vacated buildings.

In a time of economic hardship, the integration of new residential units will enhance the City's revenue streams and bring financial benefits to Scottsdale businesses that are struggling to keep their doors open. Residents require services, goods, food, and entertainment and draw from local businesses and resources. By creating a walkable residential community that already has plentiful retail and service opportunities nearby, a land use balance will be created which will strengthen the City's long-term economic stability.

***Policy EV 2.5** Aggressively market the Greater Scottsdale Airpark as an ideal destination to live, work and play.*

Response: The residential component proposed under this application complements the existing mixed-use character of the 20+/- acre Zocallo master plan as well as surrounding uses. The Airpark as a whole creates a unique opportunity to foster interrelated land uses and promote the live, work, play concept. Additionally, surrounding retail development and the nearby employment core provide regional appeal for future residents. This application is driven by the site's surrounding land uses and a very strong market demand for multi-family residential in this area. Housing trends indicate a fundamental shift away from homeownership due to the housing crisis, increased unemployment, fluctuation in home values, and hard-to-come by credit.

Environmental Planning

***Policy EP 1.3** Promote landscape design and irrigation methods that contribute to water and energy conservation.*

Response: The landscaping for the proposed development will be in accordance with the existing city approved landscape palette on-site (Zocallo Plaza) and with the surrounding developments including Scottsdale Quarter. Low water-use indigenous plants and trees will be used throughout the project. Turf areas will be limited to interior areas for active and passive recreation. Trees and landscaping will be used to provide shade within the parking lot and for the buildings, thereby reducing the heat-island and reducing overall energy consumption for cooling. Low voltage landscape lighting will be used throughout the site as an efficient way to light the pathways and landscape areas while still meeting the dark-sky ordinance.

Policy EP 4.2 Encourage all developments to respect and respond to the Sonoran Desert climate.

Response: Special attention has been given to the site planning and building aesthetic under this development proposal to uphold the distinctive character of Scottsdale and the Airpark area. The design envisioned for the Property will respect and enhance the unique climate and vegetation of the Sonoran Desert to help sustain our community and quality of life. The applicant's approach to the overall design is focused on providing harmony and compatibility with the visions and framework of the Airpark area.

Policy EP 4.8 Building design should respect and enhance the Sonoran Desert context of the Greater Airpark using building orientation, landscape buffers, colors, textures, material and lighting.

Response: To further elaborate on the statements above, the buildings have been designed in a manner to respond to the Sonoran Desert climate through the use of solar shading, landscaping, recessed windows, articulation, material selection, textures, paint colors, scale and massing in balance with the surrounding community. The development proposal promotes a rich desert landscape palette in a contemporary theme that celebrates the unique character and quality of the Sonoran Desert while providing an attractive resort-like setting for the buildings.

Policy EP 5.4 Encourage landscape improvements that limit the amount of turf area and make optimal use of indigenous adapted desert plants.

Response: See response immediately above.

Character & Design

Policy CD 1.1 Promote innovative, high quality design using specific design criteria associated with each Future Land Use Area in the Greater Airpark:

Airpark Mixed Use Future Land Use Areas (AMU & AMU-R)

The character of these areas is pedestrian-oriented, urban, and human-scale and features a variety of open spaces, gathering areas, and multi-modal transportation options. Multi-modal transportation should include bicycle and transit access connected to a pedestrian network to encourage social contact and interaction among the community. Design elements should be oriented toward people, such as the provision of shelter and shade for the pedestrian, active land uses at the ground floor/ street level, and a variety of building forms and facade articulation to visually shorten long distances. A variety of textures and natural materials is encouraged to provide visual interest and richness, particularly at the pedestrian level. Design of this Future Land Use Area should be based on a small city block layout with mid-block connections to promote greater walkability. The public realm may be activated through building and site design, orientation toward

the street, high-activity uses on the street level, and the integration of public art.

Response: The proposed development achieves this policy in the following ways:

- Mixed-use live, work, play philosophy enhanced with proposed multi-family
- Building design includes recessed podium parking for approximately half of the required parking spaces and numerous at-grade carports
- Walk-up access to most first floor units enhances walkability of development
- Special attention given to pedestrian linkages both internal to the site and along the perimeter emphasizes connectivity
- Compatibility with surrounding context
- Site and building design focuses on Sonoran Desert climate through the use of solar shading, recessed windows, articulation, material selection, textures, paint colors, scale and massing
- Open space maximized; development provides 39.5% open space

Policy CD 1.2 Lighting should be designed to minimize glare, conserve energy, and accent the respective Future Land Use Area character.

Response: The on-site lighting will be designed in a manner to minimize glare and conserve energy while respecting and remaining consistent with the surrounding land uses. Lighting from the podium parking garages will be screened by stoops and by "green screen" as noted above. One of the lighting goals will be to provide appropriate low-level pedestrian scale lighting (bollard and foot lighting) for pedestrians walking at night to and from the community. The lighting will be integrated with the abundant desert landscaping proposed with this development.

Policy CD 2.1 Establish a unified streetscape for identified Signature Corridors with unique imagery for each corridor.

Policy CD 2.1.3 Greenway-Hayden Signature Corridor

The Greenway-Hayden Signature Corridor should serve as the "Main Street" of the Greater Airpark, north of the runway, and should reference multi-modal connections from other cities to major area destinations, such as the Tournament Players Club Golf Course and Scottsdale Sports Complex. The public realm should animate the street during all seasons. Design elements could include large window displays, banners, integrated signage, passive cooling elements, covered patios, shade, public art, bicycle pedestrian connections, and gathering areas.

Response: The proposed development will highlight Greenway-Hayden Loop as a Signature Corridor and provide design elements that cater to the pedestrian through the use of building character, signage, connectivity, landscaping, hardscape and lighting.

Policy CD 2.1.7 73rd Signature Corridor

The 73rd Signature Corridor is a major pedestrian corridor in the Greater Airpark. Design elements along this street should include aviation themes and human-scale building orientation. Shade is an important element and may be incorporated through the built environment, as well as natural shading. Hardscape elements could include bollards, foot lighting, and sophisticated fencing that secure taxi lanes from pedestrian activity. Low-lying vegetation, such as vines and shrubs, are important landscape features that should soften the continuous building mass characteristics of land uses on the east side of the corridor.

Response: The proposed development will emphasize 73rd Street as a Signature Corridor and provide design elements that cater to the pedestrian through the use of building character, signage, connectivity, landscaping, hardscape and lighting.

Policy CD 2.2 Signature Corridor streetscapes should provide continuity among adjacent uses through a comprehensive landscape design, including decorative paving, street furniture, public art, and integrated infrastructure improvements.

Response: The streetscape along Greenway-Hayden Loop is well established and any new streetscape design will match the established landscape theme along this frontage. This area will also receive significant pedestrian links not currently in place, as reflected on the submitted site plan. Other elements such as decorative paving for sidewalks and pedestrian crossings will be integrated into the project hardscape. All hardscape elements including paving, site furnishings and public art will match the character currently established in the area. The design for the project will reinforce the strong commitment to link the proposed development with the surrounding commercial developments.

Policy CD 2.3 In designated Signature Corridors, encourage pedestrian- and transit-oriented development, with parking and automobile access in the rear of the development, and short access paths to transit.

Response: The parking for the proposed residential community is provided internally at the podium level (recessed level) below each building as well in surface parking lots integrated throughout the development. The focus of the site and building design is on the pedestrian, and therefore, the location of the buildings and pedestrian connectivity takes precedence. Consistent with PUD requirements, there is no parking between the surrounding streets and driveway and the buildings themselves. The design encourages residents to walk, bike and utilize transit opportunities.

IV. Planned Unit Development (PUD) Ordinance

The purpose of the Planned Unit Development district is to promote the goals of the General Plan, area plans, and design guidelines in areas of the City that are designated by the General Plan for a combination of land uses in a mixed-use development pattern of the either horizontal or vertical design...

...Commercial, employment, hospitality, multi family, residential, and townhouse residential uses are encouraged to be provided with intensities and densities that promote a mix of day and nighttime activities.

The 6.42+/- acre Property is part of the larger 20+/- acre Zocallo Plaza master plan, which is a mixed-use development that includes a range of commercial and service retail uses. The integration of a luxury residential community on the subject site completes the mixed-use sustainable character of Zocallo and complements the existing urban fabric of the surrounding area.

This application includes a range of exhibits including the site plan, podium parking plan, elevations, landscape plan, and civil engineering information which demonstrate the character and high-level of design proposed for this site. The buildings have been designed in a manner that provides a hierarchy of masses and sensitivity to the pedestrian. Appropriate architectural detailing and materials (including stucco, manufactured stone veneer, metal louvers and guard rails) have been carefully selected to uphold the unique character and context of the Sonoran Desert.

The development encourages alternative modes of transportation by focusing on a pedestrian network that encourages interaction with the surrounding context. The development gives special consideration to the pedestrian by creating inviting access connections through landscape and hardscape design within Zocallo Plaza and to adjacent developments such as Kierland and Scottsdale Quarter.

PUD Criteria

Section 5.5003 of the Zoning Ordinance states that the development proposals shall comply with the following criteria:

- A. *PUD Zoning District Approval Criteria,*
 - 1. *As part of the approval or modified approval of an application for a PUD district, the Planning Commission shall recommend and the City Council shall find that the following criteria have been met:*
 - A. *The proposed development promotes revitalization, the goals, policies and guidelines of the General Plan, Area Plans and Design Guidelines.*

Response: The proposed development accomplishes a range of goals including the revitalization of an underutilized property (with vacant office and restaurant buildings), integrating high quality, vibrant architecture and site planning to the area, and creating pedestrian synergy that will complement the existing Zocallo and Scottsdale Quarter and developments. The proposed development meets the goals and policies of the General Plan and GACAP as outlined in Section III of this project narrative.

B. *The proposed development's uses, densities, or development standards would not otherwise be permitted by the property's existing zoning.*

Response: The proposed development would not be permitted under the existing C-3 zoning designation.

C. *The proposed development will be compatible with adjacent land uses and promotes the stability and integrity of abutting or adjacent residential neighborhoods.*

Response: The proposed development is compatible with adjacent land uses and maintains the integrity of the Airpark employment core by provide a balance to the variety of land uses found in the area.

D. *That there is adequate infrastructure and City services to serve the development.*

Response: There is adequate infrastructure and City services to serve the development.

E. *That the proposal meets the following location criteria:*

The proposed development is not located within any areas zoned environmentally sensitive lands ordinance (ESL) nor within the boundaries of the Downtown Plan.

Response: The Property is not located within the ESL area or within the boundaries of the Downtown Plan.

The proposed development fronts onto a major or minor arterial and/or major collector street as designated in the City's transportation master plan.

Response: The proposed development fronts Greenway-Hayden Loop, a minor arterial and 73rd Street and minor collector.

V. Conclusion

In summary, the applicant is seeking a Minor GPA and rezoning on a 6.42+/- acre site to create a unique luxury multi-family community with approximately 240+/- residential units. The Property is part of the larger 20+/- acre Zocallo Plaza master plan, which is a mixed-use development in the Airpark Character Area. Integrating a residential land use on this site will complete the mixed-use character of Zocallo Plaza.

Redevelopment of this parcel will revitalize an underutilized property, provide additional housing opportunities for the community and contribute towards the live, work, play land use balance promoted by the GACAP and essential to the success of the Airpark as a true mixed-use employment core.

As housing trends indicate a fundamental shift away from homeownership due to the housing crisis, rise in unemployment, fluctuation in home values, and tightening of available credit, new residential rental opportunities are in high demand. The Property's surrounding retail development and nearby Airpark employment core provide regional appeal for future residents.

Addendum – Zocallo Refuse Plan

The Residences at Zocallo Plaza feature four stories of residences over a partially subterranean parking level, or concrete “podium” garage level.

The project contains four buildings. Each building has a centrally located trash chute room on each floor, with two chutes that descend to a trash room at the garage level. The chutes align with a PTR Baler and Compactor, model number TP-33SP which compacts trash into a three-yard container, at a ratio of approximately 3:1. A spare three-yard container under each building is provided at the time the full container is to be switched.

There are two, three-yard containers under each building. The containers have wheels, and are towed by a maintenance vehicle to the screened and gated refuse collection point at the North end of the site, (within a parking area). The refuse collection point enclosure can hold four containers, as it is calculated that four containers, picked up twice per week will serve the project. If demand is greater, pickup may be increased to three times weekly. Maintenance drives the empty containers back under each building after the truck collection has occurred.

The above has been discussed and recommended by: Bill Brandenburger of Allied Waste services (602)237-2078.



Zocallo Residential

10-ZN-2011

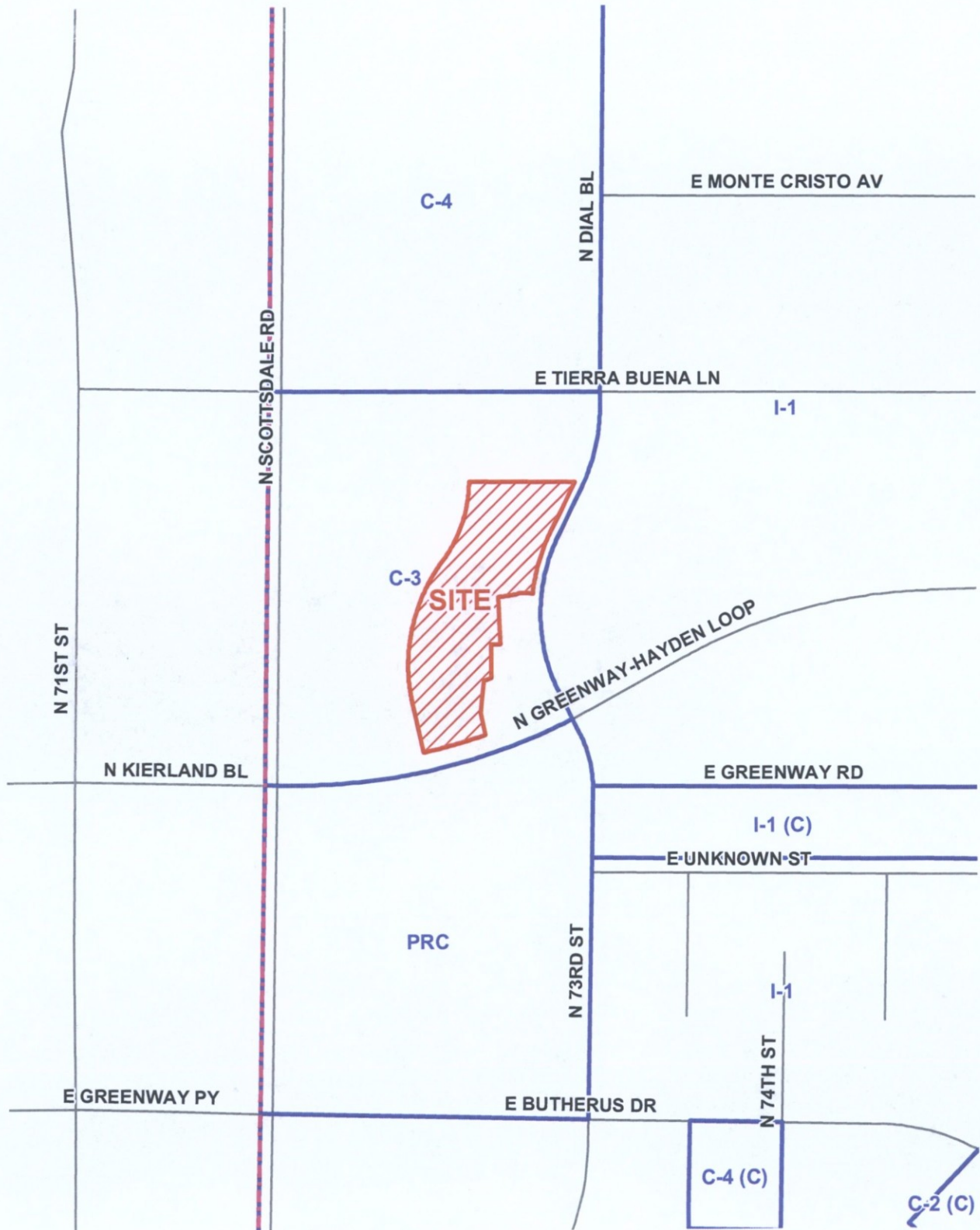
ATTACHMENT #2



Zocallo Residential

10-ZN-2011

ATTACHMENT #2A



10-ZN-2011

ATTACHMENT #3

ATTACHMENT #4



SCALE: 1"=40'0"

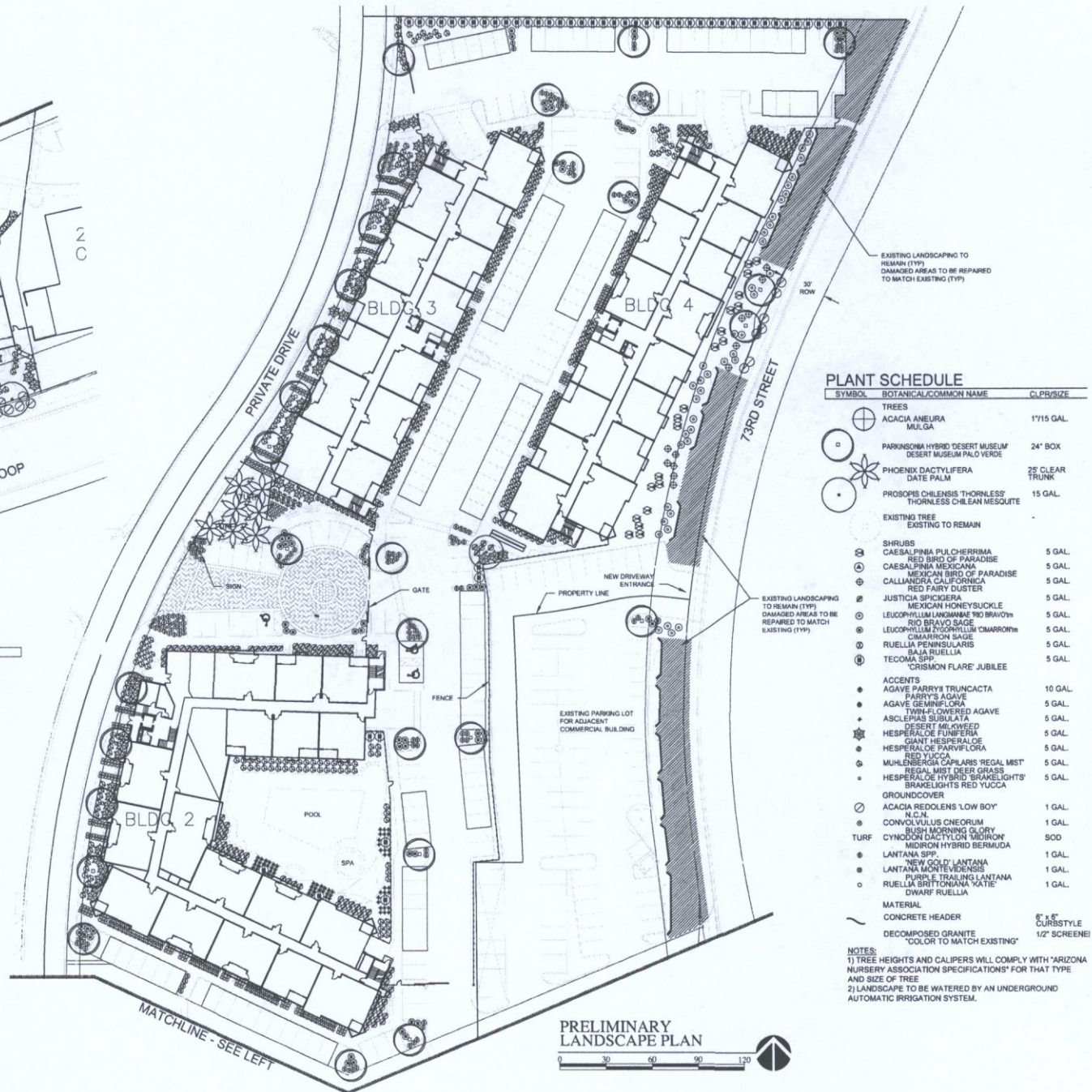
AS 1

L.R. NIEMIEC ARCHITECTS/PLANNERS, INC. • 8585 EAST HARTFORD DRIVE, SUITE 155 • SCOTTSDALE, ARIZONA 85255 • (480) 998-7576



LANDSCAPE CALCULATIONS

	AREA	PERCENT OF TOTAL SITE
TOTAL SITE:	263,422 S.F.	100%
BUILDING & AMENITY AREA:	102,356 S.F.	39%
PARKING:	109,812 S.F.	42%
LANDSCAPE:	51,254 S.F.	22%
	AREA	PERCENT OF LANDSCAPE
TURF: (40% MAXIMUM)	4,843 S.F.	9%
DECOMPOSED GRANITE	49,810 S.F.	97%
SHRUBS/GROUNDCOVERS	32,400 S.F.	MIN. 50%



ATTACHMENT #6

BUILDING 1 SOUTH ELEVATION
Scale: 1/8" = 1'-0"



BUILDING 1 WEST ELEVATION
Scale: 1/8" = 1'-0"



Elevations
Scale: 1/8" = 1'-0"

The Residences At Zocallo Plaza
15440 N. Greenway-Hayden Loop
Scottsdale, AZ. 85260

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