Marked Agendas
Approved Minutes
Approved Reports

Ordinance No. 4184

Resolution No. 9952 & 9958

Official /Signed Resolution can be found at:

https://eservices.scottsdaleaz.gov/eServices/ClerkDocs/Default.aspx

Planning Commission 11/12/2014

City Council Hearing 12/02/2014

14-ZN-2014

Bahia Work Live Play Project

Approved Minutes can be found at:
https://eservices.scottsdaleaz.gov/eServices/ClerkDocs/Default.aspx

Planning Commission 11/12/2014

City Council Hearing 12/02/2014

14-ZN-2014

Bahia Work Live Play Project

December 3, 2014

Irene Clary
Catclar Investments
14676 N 100 Pl
Scottsdale, AZ 85260

Re: 618-PA-2014
6-GP-2014 & 14-ZN-2014
Bahia Work Live Play Project

Dear Irene Clary,

This is to advise you that the case referenced above was approved at the December 2, 2014 City Council meeting. The ordinance No. 4184 and resolution no. 9952 & 9958 may be obtained from the City Clerk's office or city website @ https://eservices.scottsdaleaz.gov/eServices/ClerkDocs/Default.aspx.
Please remove the red hearing sign as soon as possible. If you have any questions, please contact me at 480-312-4306.

Sincerely,

Greg Bloemberg
Senior Planner

PLANNING COMMISSION REPORT

Meeting Date: November 12, 2014
General Plan Element: *Land Use*
General Plan Goal: *Create a sense of community through land uses*

ACTION

Bahia Work Live Play Project
6-GP-2014 and 14-ZN-2014

Request to consider the following:

1. Recommend City Council approve a Non-Major Amendment to change the City of Scottsdale 2001 General Plan land use designation from Employment to Mixed-Use Neighborhoods, and a Non-Major General Plan Amendment to change the Greater Airpark Character Area Plan Future Land Use Map from Employment (EMP) to Airpark Mixed Use – Residential (AMU-R).

2. Find that the PCD criteria have been met, and find that the zoning district map amendment is consistent with and conforms to the adopted General Plan, and recommend City Council approve a Zoning District Map Amendment to amend the development standards for case 33-ZN-2000 (Horseman's Park), and amend the Planned Community (P-C) District zoning from the comparable Industrial Park (I-1 PCD) District to Planned Airpark Core Development, Airpark Mixed Use – Residential (PCP AMU-R PCD), including a Development Plan, increasing the allowed Floor Area Ratio (FAR) for commercial parcels in the Horseman's Park PCD (specific to this site) from 0.3 to 1.2, and the allowed building height from 42 feet including mechanical screening, to 65 feet inclusive of rooftop appurtenances, utilizing PCP bonuses for building height and FAR, for a 5.1 +/- gross acre property located at 16576 N. 92nd Street.

Key Items for Consideration

- General Plan Goals and Policies
- Greater Airpark Character Area Plan Goals and Policies
- Proposal would introduce a residential use to a non-residential, employment area
- Approval of this proposal may set a precedent for future consideration of residential in this area
- General Plan Employment land use is the only category that allows light industrial and warehousing, Employment makes up approximately 2% of the total land use in Scottsdale
- Proposal is located within a Type A development type per the Greater Airpark Character Area Plan, yet does not meet the description of this development type in terms of massing
- Proximity of proposed Airpark Mixed Use – Residential designation to the Scottsdale Airport
- Concerns raised by Westworld, Long Range Planning and Transportation staff, specifically related to compatibility, introduction of residential to an employment area, and traffic

Action Taken _____

- Maintains the employment FAR (0.4) currently allowed under the Horseman's Park PCD
- Increase in building height and FAR allowances in PCP district in exchange for $868,837 of special public improvements and Public Art contributions (Refer to Table 2 on Pages 5 and 6 of this report for allocation funds)
- Existing infrastructure sufficient to accommodate the proposed use mix
- Public comment in opposition and support received by staff
- Airport Advisory Commission heard this case on October 8, 2014 and recommended approval with a 4-3 vote

OWNER

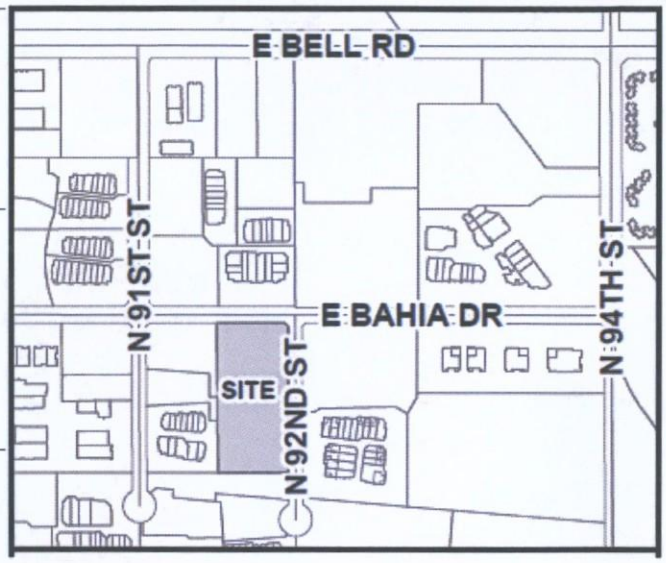
Spensa Arizona VII LLC
952-449-5755

APPLICANT CONTACT

Irene Clary
Catclar Investments
480-473-3700

LOCATION

16576 N 92nd St



BACKGROUND

General Plan

The City of Scottsdale General Plan 2001 Land Use Map designates the subject property as Employment; the Employment land use designation permits a range of employment uses from light manufacturing to light industrial and office uses.

Greater Airpark Character Area Plan

The General Plan establishes Character Area Planning as a means of ensuring that quality of development and consistency of character drive Scottsdale's General Plan within the context of community-wide goals. The subject property is located within the Greater Airpark Character Area Plan (GAPCAP) boundary and according to the plan's Future Land Use Map the subject site is designated as Employment (EMP). The GAPCAP states that Employment includes an array of office, commercial, warehousing, and light industrial land uses and states that residential is not an appropriate use in these areas.

Zoning

The site is currently zoned Industrial Park District, Planned Community District (I-1 PCD), which allows for a variety of light industrial uses, as well as offices and other supporting uses. The project site is part of the Horseman's Park Planned Community (P-C) District which received zoning

approval in 2000 under case 33-ZN-2000. The Horseman's Park PCD establishes specific regulations and amended development standards for all parcels within the PCD district boundary.

Other Related Policies, References:

- 2001 General Plan
- 2010 Greater Airpark Character Area Plan (GAPCAP)
- City Code, Chapter 5 (Aviation)
- Zoning Ordinance
- 8-ZN-2000: Approval of rezone from Single-Family Residential District (R1-35) to Central Business District (C-2) and Industrial Park District (I-1)
- 33-ZN-2000: Approval of Horseman's Park Planned Community District (PCD) with amended development standards
- 4-ZN-2007: Approval of rezone from Central Business District, Planned Community District (C-2 PCD) and Industrial Park District, Planned Community District (I-1 PCD) to Industrial Park District, Planned Community District (I-1 PCD)

Context

The subject property is located at the southwest corner of N. 92nd Street and E. Bahia Drive, east of Loop 101 and south of E. Bell Road, and is surrounded on all sides by office and light industrial uses. Further south on N. 92nd Street is Scottsdale Preparatory Academy, which is a private school. All surrounding properties, including the school site, are zoned Industrial Park District, Planned Community District (I-1 PCD). The property is also located within the Airport Influence Area 1 and is located approximately 500 feet from the Westworld event facility to the south. Please refer to Attachment 4.

APPLICANTS PROPOSAL

Goal/Purpose of Request

The applicant is seeking two Non-Major General Plan Amendments: one to the City of Scottsdale General Plan 2001 to change the land use designation from Employment to Mixed-Use Neighborhoods, and another to change the land use designation on the GAPCAP Future Land Use Map from Employment (EMP) to Airpark Mixed Use-Residential (AMU-R). Concurrently, the applicant seeks approval to rezone the subject site from I-1 PCD to Planned Airpark Core Development District, Airpark Mixed Use – Residential, Planned Community District (PCP AMU-R PCD). As part of the rezoning request, the applicant also seeks to amend the Horseman's Park PCD to allow for additional building height (increase from 42 feet inclusive of mechanical screening to 65 feet inclusive of rooftop appurtenances) and Floor Area Ratio (FAR) (increase from 0.3 to 1.2). In order to qualify for bonus height and FAR in the PCP district, the applicant is required to provide special public improvements, i.e. infrastructure improvements, public art, etc. In this case, based on the proposed building height and FAR, the applicant must contribute $868,836 toward special improvements. Refer to the Project Narrative for the formulas used to determine the contribution and a description of the allocation of funds.

The purpose of the request is to allow for development of a mixed-use "work/live" project. The site plan consists of 64 three and four-story townhomes with first floor employment (office/studio) space and residential units above the employment space, as well as a four-story condominium building with 14 residential units and first floor retail and service uses. It is the applicant's intention to occupy the first floor of the condominium building with a restaurant use and potential meeting or conference space for business owners living on the site. Each townhome includes a garage for resident parking and surface parking is proposed for guests, clients and visitors. Additional "tuck-under" parking is proposed underneath the condominium building, behind the commercial space on the first floor.

Development Information

- Existing Use: Vacant
- Proposed Use: Mixed-Use (work/live)
- Buildings/Description: 11 townhome buildings w/ first floor employment space and one four-level condominium building with first floor retail/service space
- Parcel Size: +/- 222,156 square feet (5.1 gross acres)
- Building Height Allowed: **42 feet inclusive of mechanical screening
- Building Height Proposed: 65 feet inclusive of rooftop appurtenances
- Parking Required: 207 spaces
- Parking Provided: 217 spaces
- Open Space Required: 25% of net lot area (46,830 square feet)
- Open Space Provided: 26.1% of net lot area (48,964 square feet)
- Floor Area Ratio Allowed: **0.3 for commercial parcels, 0.4 for industrial parcels
- Floor Area Ratio Proposed: 1.2 (0.48 FAR for employment, 0.67 FAR for residential, 0.05 FAR for commercial)
- Density Proposed: 18.2 dwelling units per gross acre

** indicates amended development standard approved as part of Horseman's Park PCD (33-ZN-2000)

Amended/Bonus Site Development Standards (ASDS)

As part of a Planned Community District application, or subsequent amendment, an applicant may propose amendments to certain site development standards in an effort to accommodate flexibility in design of a project. The proposed amendments to the Horseman's Park PCD amended site development standards are indicated in **Table 1** on Page 5.

Additionally, to encourage inclusion of broader public benefits and provide flexibility in planning, an application for the PCP zoning district may include a request for bonus building height and/or floor area ratio (FAR). An increase in building height and/or FAR is considered against the applicant's proposal for special public improvements. The applicant is requesting to utilize this provision to allow for a building height increase of 11 feet, inclusive of rooftop appurtenances (54 feet currently allowed

in PCP district, 65 feet proposed), and an overall gross floor area increase of 72,946 square feet (0.8 base FAR allowed in PCP district, up to 1.6 FAR allowed under bonus provisions). Note, the Horseman's Park PCD currently restricts building height for this site to 42 feet inclusive of mechanical screening. Rezoning to PCP would allow for the 54-foot building height, inclusive of rooftop appurtenances, without the need for bonus height provisions. Refer to Table 1 on Page 5 of this report for a summary of proposed bonus building height and FAR. In exchange for the increased building height and FAR, the applicant is proposing a combination of physical improvements and monetary contributions totaling $868,836 to special public improvements, as required by the bonus provisions of the PCP district. The proposed list of special public benefits and corresponding construction costs are indicated in **Table 2** on page 6.

Table 1
Amended Site Development Standards

Horseman's Park ASDS (33-ZN-2000)	Required/Allowed (I-1 zoning)	Required/Allowed (PCP zoning)	Previously Approved (33-ZN-2000)	Proposed Amendment (14-ZN-2014)
Building Height	52 feet (exclusive of rooftop appurtenances)	54 feet (inclusive of rooftop appurtenances, for a Development Plan (DP) area between 2 and 5 acres) Bonus Height available: 92 feet (inclusive of rooftop appurtenances, for a DP area between 4 and 5 gross acres	42 feet (inclusive of mechanical screening)	65 feet (inclusive of rooftop appurtenances)
Floor Area Ratio	0.8	0.8 (for the Development Plan area) Bonus FAR available: 1.6 (for the DP area)	0.3 (for commercial parcels. Applicant is requesting commercial zoning) 0.4 (for industrial parcels)	1.2

Table 2
Special Improvements/Public Benefits

Special Public Improvement (as identified in the PCP district)	Total Construction Cost Estimate	Balance (total required: $868,836)
Public Art on-site and/or within the Greater Airpark boundary, and/or solar panels within the Development Plan area(public shade structures) (Monetary contribution for Public Art. Specific art designs and construction costs to be determined at later date)	$68,000	$800,836
Acoustic wall for Westworld event hall	$300,000	$500,836
Site improvements and landscaping for Tony Nelssen Equestrian Center at Westworld	$250,000	$250,836
Public Infrastructure (sidewalk and lighting along east side of 94th Street leading to Westworld)	$250,000	$836
Electric Car Chargers	$836	0

NON-MAJOR GENERAL PLAN AMENDMENT IMPACT ANALYSIS

General Plan

The applicant is requesting a non-major General Plan amendment to change the City of Scottsdale General Plan 2001 Land Use designation from Employment to Mixed-Use Neighborhoods on the subject site. The applicant's request is recognized as a non-major amendment based upon the four criteria outlined in the City of Scottsdale General Plan 2001. A change in land use within the City of Scottsdale from the Employment land use designation to the Mixed-Use Neighborhoods land use designation is found as keeping within the same "grouping" – Group E – on the Change in Land Use Category Table and does not constitute a major General Plan amendment. The Area of Change Criteria states that any change in land use within this area of the city that includes 15 or more gross acres would constitute a major General Plan amendment. The subject site, comprised of approximately 5.1 +/- gross acres, does not qualify as a major General Plan amendment per this criterion. The Character Area Criteria states that a change in land use that does not clearly comply with the guidelines and standards of an approved Character Area plan would be considered a major

General Plan amendment. Although there are some issues pertaining to this proposal meeting Greater Airpark Character Area Plan (GAPCAP) goals and polices raised within this report, the applicant's narrative describes how the proposal will attempt to resolve these issues. Additionally, the small size of the amount of land use proposed to be changed, 5.1+/- acres, will not dramatically affect the GAPCAP to a large extent as the full GAPCAP is 5,408 +/- acres of land in total, and employment uses are still proposed to remain on site with residential as an added land use proposed. Finally, the Water/Wastewater Infrastructure Criteria states that a change in land use that results in the premature increase in the size of a master planned water transmission or sewer collection facility would constitute a major General Plan amendment. This proposal has not been found to result in a premature increase in the water and sewer and therefore does not qualify as a major General Plan amendment.

The General Plan Land Use Element describes the Mixed-Use Neighborhoods land use designation as *areas with strong access to multiple modes of transportation and major regional access and services, and have a focus on human scale development. These areas could accommodate higher density housing combined with complementary office or retail uses or mixed-use structures with residential above commercial or office.*

Although the proposal conforms to the General Plan description of Mixed-Use Neighborhoods (in terms of mixed-use structures with residential above commercial or office), it is important to note as a key consideration of this case that the subject site is surrounded on all sides by the Employment land use designation. The General Plan Land Use Element describes the Employment land use designation as permitting *a range of employment uses from light manufacturing to light industrial and office uses. Employment areas should have access to adequate mobility systems and provide opportunities for business enterprises. Locations have been identified for employment areas where impacts on residential neighborhoods are limited and access is available to labor pools and transportation facilities. Strict development standards will protect adjacent residential areas.* Allowing a residential use in an employment-based area is counter to the definition of the Employment land use designation, and alters the expected uses (non-residential) identified in the 2010 GAPCAP.

However, the applicant's proposal states that the land uses proposed are "in keeping with the employment core and employment based uses" indicative of the area and that the residential component is secondary to the primary uses of ground-floor office, conference, and retail that are complementary to current developments surrounding it and within Horseman's Park.

Policy Implications and Analysis

The following are goals and policies contained in the City of Scottsdale General Plan 2001, categorized as either being supportive, or unsupportive of the proposal.

<u>Supportive of proposal</u>:

- Land Use Goal 9 – Provide a broad variety of land uses that create a high level of synergy within mixed-use neighborhoods.
- Land Use Goal 9, Policy 2 - Promote residential uses that support the scale and function of retail, commercial and employment uses within these neighborhoods, including the use of

mixed-use structures (retail or office on lower level and residential uses on upper levels).

- Land Use Goal 9, Policy 4 - Encourage compact mixed-use, pedestrian oriented development patterns, at urban densities, that limit the demand for parking and unnecessary automobile trips, and support alternative modes of mobility.
- Housing Goal 4 – Encourage housing development that provides for "live, work and play" relationships as a way to reduce traffic congestion encourage economic expansion and increase overall quality of life for our residents.
- Housing Goal 4, Policy 7 - Explore opportunities for new or redeveloped housing to serve the employment base.

The applicant proposes a mixed-use development, including a mixture of ground-floor office, conference, and retail space, along with residential units on upper floors. The mixed-use structures are proposed as being complementary in height, mass, and scale to the surrounding area. The proposal is intended to include residential for those who work on site and in the immediate area.

<u>Unsupportive of proposal</u>:

- Land Use Goal 3 – Encourage the transition of land uses from more intense regional and citywide activity areas to less intense activity areas within local neighborhoods.
- Land Use Goal 3, Policy 6 - Encourage transitions between different land uses and intensities through the use of gradual land use changes, particularly where natural or manmade buffers are not available.
- Land Use Goal 5, Policy 8 - Encourage that land uses with the highest intensity be located in areas conducive to alternative modes of transportation.
- Land Use Goal 8, Policy 3 - Promote development patterns and standards that are consistent with the surrounding uses and reinforce an area's character.
- Neighborhoods Goal 4, Policy 3 - Guide revitalization, redevelopment, and infill (new development in established areas) development to ensure that such development efforts are context-appropriate to the surrounding neighborhoods.

The applicant states that the current uses found within the immediate area of the proposal aligns more closely to "retail support services and offices versus traditional manufacturing and warehousing." The proposal is intended to integrate into the surrounding development pattern and the applicant states that the proposal will be appropriate and complementary to the surrounding Horseman's Park and the adjacent WestWorld development in terms of mass and scale. The applicant contends that the proposed development will "lend itself to create alternative modes of transportation, such as by foot and bicycle" and that being close to the Loop 101 will ensure regional access to the site. The applicant also states that this work, live, play proposal "increases the efficient movement of people by locating them close to employment and retail services, thereby minimizing vehicular trips." Finally, the applicant states that the proposal is "in keeping with the employment core and employment based uses" indicative of this area and that the residential component is secondary to this primary use.

Growth Area

According to the City of Scottsdale General Plan 2001, the subject site is located within the Greater Airpark Growth Area. In Scottsdale, Growth Areas are areas of the community that accommodate future growth through transportation system and infrastructure improvements. These improvements are utilized to support a planned concentration of a variety of uses such as residential, office, commercial, tourism, and industrial. Growth Areas are intended to discourage sprawl by focusing new development into targeted areas that are most appropriate for integrating open spaces, natural resources, accommodating a variety of land uses, and oriented to multi-modal activity.

The applicant proposes a mixed-use development indicative of the concentration of land uses described in the General Plan's description of Growth Areas, including a mixture of ground-floor office, conference, and retail space, along with residential units on upper floors. The applicant states that multi-modal transportation options will be available to Bahia owners, stating that the GAPCAP shows future transit, pedestrian, and bicycle networks along Bell Road are planned in close proximity to the project site. Furthermore, the applicant states that "the development will create a sustainable, walk-friendly environment for its owners" and will include functional, internal and external pedestrian connections.

Greater Airpark Character Area Plan

The applicant is requesting a non-major General Plan amendment to change the Greater Airpark Character Area Plan Future Land Use Map from Employment (EMP) to Airpark Mixed Use-Residential (AMU-R) on the subject site.

The Greater Airpark Character Area Plan (GAPCAP) defines AMU-R as areas that are *appropriate for the greatest variety of land uses in the Greater Airpark. Appropriate uses may include a combination of personal and business services, employment, office, institutional, cultural amenities, retail, hotel, and higher density residential. Developments in 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.*

Although the proposal conforms to the General Plan description of AMU-R, it must be noted that the subject site is located on the edge of a swath of EMP and is adjacent to a swath of Regional Tourism Land Use (RT). The Greater Airpark Character Area Plan Land Use Chapter describes Employment as *an array of office, commercial, warehousing, and light industrial land uses that provide opportunities for business enterprises, as well as regional and local jobs. These areas should have access to regional multi-modal transportation systems, including access for truck traffic and transit facilities. Residential is not appropriate in employment areas. Employment is appropriate adjacent to the Aviation Land Use area and within the Airport's 55 DNL areas or higher*. Regional Tourism encourages tourism-serving residential in *appropriate and limited locations*. Most occurrences of AMU-R in the GAPCAP are either adjacent to, or surrounded by Airpark Mixed Use (AMU) and not EMP. The subject site is located in a well-established, industrial setting in the GAPCAP – surrounded by I-1 zoning. Contextually, this would mean that a residential use would be located within an area specifically designated for the most intense commercial or industrial uses

found in Scottsdale and thus alter the existing pattern of development.

The requested amendment is outside of the Airport's 55 DNL contour and the applicant states that the integration of residential into this area will support "the employment core of Horseman's Park areas." The applicant also states that although the proposal contains a residential component, it will maintain the existing employment character of the surrounding area. Finally, the applicant proposes to "provide additional regulations regarding the commercial office component and limitation on residential to ensure that the main level is maintained and operated as an employment use" in an effort to preserve the current Employment land use.

As per the GAPCAP, AMU-R designated areas expect developments to be pedestrian-oriented and have access to multiple modes of transportation. The subject site is located in an area of the GAPCAP with block lengths of 1/8 of a mile east to west, and ¼ of a mile north to south, equating to substantially lengthier blocks than areas of the City that are considered 'pedestrian-oriented' (e.g. Downtown). Furthermore, in terms of modes of transportation, this area of the GAPCAP is not served by public transportation, with the closest stop located along Raintree Drive and Northsight Boulevard, being serviced by Valley Metro route 170.

The applicant states that multi-modal transportation options will be available to Bahia owners, stating that the GAPCAP shows future transit, pedestrian, and bicycle networks along Bell Road are planned in close proximity to the project. Furthermore, the applicant states that "the development will create a sustainable, walk-friendly environment for its owners" and will include functional, internal and external pedestrian connections.

Finally, the proposed site does not fall within a Signature Corridor in the GAPCAP. Signature Corridors promote pedestrian activity and allow for the consideration of a greater mix of land uses including support for shops, restaurants, and fitness centers in Employment areas. Since the subject property falls outside of a Signature Corridor, such flexibility of land uses is not anticipated for the site.

<u>Type A – Medium Scale Development Type</u>

The subject site is within the Type A Development Type, the lowest-scale development type in the GAPCAP, where medium-scale developments are appropriate. Type A developments allow for lower-scale residential developments north of the Central Arizona Project Canal. There are a few instances of AMU-R found within the Type A Development Type. The majority of these AMU-R instances in Type A areas occur along Signature Corridors and/or as part of residential entitlements that occurred prior to the adoption of the GAPCAP (2010). Residential and mixed-use land uses have predominantly been aligned with the Type C Development Type in the GAPCAP.

The proposed development provides massing at three to four-stories, (40 to 65 feet inclusive of mechanical). The applicant states that the proposal will be appropriate and complementary to the surrounding Horseman's Park and the adjacent WestWorld development in terms of mass and scale – in the GAPCAP these are Type B Development Types and not Type A as is the subject site.

Goals/Policies Analysis

The following are goals and policies pulled from the GAPCAP, categorized as either being supportive, or unsupportive of the proposal.

Supportive of proposal:

- Policy NH 3.3.3 - Encourage live-work units in Airpark Mixed Use-Residential and Regional Tourism Future Land Use Areas in the Greater Airpark. [Note: A change in General Plan and GAPCAP land use designations would be required in order for this policy to be supportive of the proposal]

The applicant proposes a mixed-use development, including a mixture of ground-floor office, conference, and retail space, along with residential units on upper floors. The mixed-use structures are proposed as being complementary in height, mass, and scale to the surrounding area. The proposal is intended to include residential for those who work on site and in the immediate area.

Unsupportive of proposal:

- GOAL LU 1 – Maintain and expand the Greater Airpark's role as a national and international economic destination through appropriate land uses, development and revitalization.
- Policy LU 1.8 - Prevent erosion of Greater Airpark Employment land uses through land use regulations, such as limiting retail and restaurants in areas designated for employment.
- GOAL LU 4 - Utilize development types to guide the physical and built form of the Greater Airpark
- Policy LU 6.1 - Prioritize employment uses over residential uses in the Greater Airpark.
- 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;

The applicant proposes to create CC&Rs to "provide additional regulations regarding the commercial office component and limitation on residential to ensure that the main level is maintained and operated as an employment use" in an effort to prevent the erosion of Employment land uses. As noted above, the proposed development (found in the Type A Development Type) will provide massing at three to four-stories, (40 to 65 feet inclusive of mechanical) and the applicant states that the proposal will be appropriate and complementary to the surrounding Horseman's Park and the adjacent WestWorld development (Type B) in terms of mass and scale. Finally, the applicant states that the proposal is "in keeping with the employment core and employment based uses" indicative of this area and that the residential component is secondary to this primary use.

2013 Citywide Land Use Assumptions Report

In 2013, the City of Scottsdale completed, and City Council adopted, a Land Use Assumptions Report that illustrates "projections of changes in land uses, densities, intensities and population over a period of at least ten years and pursuant to the General Plan of the municipality". The study examined Scottsdale in three general geographic areas—south, central and north. The Central Sub-Area is generally bounded by Deer Valley Road to the north, Indian Bend Road to the south, and the City's boundary to the east and west.

While the study does not account for mixed use areas, it does contemplate urban residential and

standard office uses. According to the study, the Central Sub-Area is projected to absorb approximately +/- 576 acres of urban residential and approximately +/- 256 acres of standard office land area by 2030.

The full Development Forecast text can be found at:
http://www.scottsdaleaz.gov/Assets/Public+Website/water/Rates+$!26+Fees/LUAR2013.pdf

Land Use Impact Model

Long-Range Planning Services uses a land use impact model to generally assess the impacts of potential changes in General Plan land use designations.

Per the model, a change from Employment to Mixed-Use Neighborhoods on the site would result in an increased resident population estimated at 202 people and an approximate increase of 36 school-aged students across grades K-12. The modeling indicates an increase of 91 potential commercial jobs. Potential labor force as a result of the new residential dwelling units is projected at 83 workers. With the proposed land use change, water usage is anticipated to increase by 5.5 million gallons per year and wastewater generation by approximately 3.9 million gallons per year. The impact this proposal will have on vehicle trips per day is estimated to generate 375 more daily trips than would be anticipated if the site were developed under the current zoning (I-1).

Because the existing and proposed land use designations allow for a considerable range of land use types, the actual increases/decreases in the modeled categories are at best, an estimate, and should not be considered conclusive.

ZONING DISTRICT MAP AMENDMENT IMPACT ANALYSIS

Land Use

The proposal introduces residential to an area occupied almost exclusively by employment-related uses, i.e. offices and light industrial uses. Both the 2001 General Plan and the 2010 GAPCAP call for this site to be occupied by employment uses only. Residential is not contemplated at this location, thus the need for two Non-Major General Plan amendments. The primary concern with regard to this request is the potential for erosion of Scottsdale's employment core. Introducing residential to an area dominated by employment uses carries with it a certain amount of risk from a long-range planning perspective. This proposal has the potential to establish a precedence that could dramatically change the character of the area in the years to come.

The Land Use section of the 2001 General Plan suggests locations identified as employment areas are so designated because "impacts on residential neighborhoods are limited and access is available to labor pools and transportation facilities". The area in question is occupied almost exclusively by light industrial and office uses. In an area where light industrial uses are prominent, there is always the potential for conflicts with residential, primarily as a result of noise generated by the industrial activities or by trucks coming and going at all hours of the day and night. Additionally, the lack of available services and amenities in the area, namely retail and restaurants, would suggest this location is not ideal for a residential community. It should be noted, however, that this request does not *reduce* the amount of employment in the area. Per the Horseman's Park PCD, commercial

parcels are allowed a maximum FAR of 0.3. If applied to this parcel, a 0.3 FAR would result in approximately 56,194 square feet of employment-based floor area. The applicant's proposal calls for a total of 89,900 square feet of employment-based floor area, which calculates out to an FAR of 0.48, exclusive of commercial floor area. The amount of allowable employment floor area actually increases as a result of this request; as such, the argument could be made that even with the introduction of residential, this request still maintains the employment land uses envisioned for the area.

Airport Vicinity

The project site is located approximately 5,200 feet northeast of the nearest Scottsdale Airport runway, putting it within the Airport Influence Area. Per the Scottsdale Airport 14 CFR Part 150 Noise Compatibility Study, the site is situated in the AC-1 area of the Airport Influence Zones, just outside the limits of the AC-2 area. The Airport Influence Zones were established as a guide for assessing the impacts of air traffic noise generated by arrivals and departures on the surrounding community. The AC-3 designation indicates the area immediately around the airport that is most impacted by air traffic noise. The AC-1 designation indicates those areas that are least impacted by air traffic noise, but are still within the Airport Influence Area. The site is also outside the 2009 Noise Contours established by the Noise Compatibility Study. The Noise Contours identify those areas where noise levels are typically 55 DNL or greater. The Federal Aviation Administration ran a flight track study for the Scottsdale Airport on 3/2/14. The study was broken down into two sub-categories: altitude and operation. The results indicate that, although the site is approximately one mile from the nearest airport runway, there is still a significant number of arrival and departure flight paths above the project site (refer to Attachments 11 and 12 for flight track maps). Because the site is within the AC-1 area, the applicant will be required to dedicate an Avigation Easement over the site, provide fair disclosure to any prospective residents and/or tenants that the site is within the Airport Influence Area, and provide sound attenuation.

PCD Findings

Per Section 5.2104 of the Zoning Ordinance, before approval or modified approval of an application for a PCD, certain findings must be demonstrated by the applicant and confirmed by Planning Commission and City Council. The following are the required findings, as well as the applicant's response to the findings and staff analysis.

A. **The development proposed is in substantial harmony with the General Plan, and can be coordinated with existing and planned development of surrounding areas.**

   Concurrent with the zoning district map amendment, the applicant is requesting two Non-Major General Plan amendments in an effort to demonstrate that the project is in substantial harmony with the General Plan. The project site is located approximately 500 feet north of the Westworld campus, which has generated some concerns from Westworld about the potential for noise complaints and general compatibility of the proposed project with the Westworld campus.

   The applicant states in the project narrative that the rezoning and development request is in harmony with the General Plan and GAPCAP, as well as the established Horseman's Park

development plan. The project narrative goes on to state that the development plan is also compatible with the surrounding employment core established in the area. The applicant contends the addition of a "work/live/play" component to the area will further boost the economic stability of the established employment, recreation and commercial services in the area.

B. **The streets and thoroughfares proposed are suitable and adequate to serve the proposed uses and the anticipated traffic which will be generated thereby.**

The applicant states in the project narrative that external roadways adjacent to (or near) the property include the Loop 101 , which is a regional transportation corridor, and Bell Road, which is classified as a Minor Arterial; both of which are more than sufficient to accommodate proposed vehicle trips to and from the project.

The applicant submitted a Traffic Impact Analysis (TIMA), which has been reviewed and accepted in concept by the Transportation Division; however, with the existence of the Scottsdale Preparatory Academy to the south, the Transportation Division still has concerns about introducing residential to an area in such close proximity to a school campus. The Scottsdale Preparatory Academy generates high traffic volumes during certain parts of the day (mainly during student drop-off in the morning and pick-up in the afternoon) that routinely cause vehicle stacking from the school up N. 92nd Street and on to E. Bahia Drive. Introducing residential to this area has the potential to cause conflicts between parents waiting to drop off or pick up students and residents/business owners attempting to enter and exit the project site, as a result of the increased FAR proposed for the site. Additionally, the site is located approximately 500 feet from the City's major event venue (Westworld) and during major events, traffic volumes are typically heavy on both N. 94th Street and E. Bahia Drive. Residents of the proposed project may encounter difficulty getting to and from their residences during these major events. It should be noted, the Scottsdale Preparatory Academy recently implemented a "staggered" start schedule for students, which has resulted in a reduction of vehicle stacking and wait times for parents dropping off students.

C. **The Planning Commission and City Council shall further find that the facts submitted with the application and presented at the hearing establish beyond reasonable doubt that:**

1. **In the case of proposed residential development, that such development will constitute a residential environment of sustained desirability and stability; that it will be in harmony with the character of the surrounding area; and that the sites proposed for public facilities, such as schools, playgrounds and parks are adequate to serve the anticipated population.**

   The applicant cites several characteristics of the proposed development in their project narrative in an effort to demonstrate responsiveness to this criterion. They are as follows:

   - 30-foot landscape buffer and setback along Bahia as required by the Horseman's Park PCD
   - Hierarchy of building massing with stepped three and four-story concept

- Pedestrian connectivity along street frontages and throughout the project
- Connectivity to larger open space network
- Place-making design concept
- Activation of the street frontages with office/retail at the hard corner of 92nd Street and Bahia
- Completely unique rooftop studios and gardens

The proposed location for this project is the underlying concern from a land use perspective. Although many steps appear to have been taken to make this as desirable and stable an environment for residents as possible, the proposal still appears to fall short of meeting this criterion. Taking into consideration the lack of amenities in the vicinity, proximity of the project to light industrial uses, traffic concerns, and noise concerns related to Westworld events and light industrial uses in the vicinity, harmony with the character of the surrounding area is still a question. Public facilities have been accounted for with the original Horseman's Park PCD.

2. **In the case of proposed industrial or research uses, that such development will be appropriate in the area, location and overall planning to the purpose intended; and that the design and development standards are such that an industrial environment of sustained desirability and stability will be created.**

   There are no industrial or research uses proposed as part of this development.

3. **In the case of proposed commercial, institutional, recreational and other non-residential uses, that such development will be appropriate in area, location and overall planning to the purpose intended; and that such development will be in harmony with the character of the surrounding area.**

   The applicant cites several characteristics of the proposed development in their project narrative in an effort to demonstrate responsiveness to this criterion. They are as follows:

   - 30-foot landscape buffer and setback along Bahia as required by the Horseman's Park PCD
   - Hierarchy of building massing with stepped three and four-story concept
   - Pedestrian connectivity along street frontages and throughout the project
   - Connectivity to larger open space network
   - Place-making design concept
   - Activation of the street frontages with office/retail at the hard corner of 92nd Street and Bahia
   - Completely unique rooftop studios and gardens

   The project proposes commercial uses on the first floor of the condominium building, including a restaurant use that has the potential to provide a service that should fill a need for employees working in the area. The proposed first floor commercial uses should be in

harmony with the character of the surrounding area.

Traffic

Per the TIMA, the proposed zoning district map amendment will result in approximately 1,495 trips generated per day to and from the project site. The development is estimated to generate 171 A.M. peak hour trips and 202 P.M. peak hour trips, which represents an increase of 375 daily trips over the existing Industrial Park (I-1) zoning.

With the addition of the proposed site-generated traffic, operations at the intersections in the vicinity of the site will continue to operate at acceptable levels (Level of Service C or better), with the exception of the intersection of N. 92nd Street and E. Bahia Drive during the morning peak hour (Level of Service F) due primarily to existing traffic from adjacent businesses, including the Scottsdale Preparatory Academy private school.

Water/Sewer

The City's Water Resources Division has analyzed the proposed site plan and use mix and determined that existing water and sewer infrastructure is sufficient to serve the proposed development.

Public Safety

The City's public safety divisions have reviewed the proposal and find that there is adequate ability to provide emergency services. The nearest fire station is located at 16701 N. 100th Street, approximately one mile east of the project site; and the nearest police station is located at 9045 E. Via Linda Road, approximately 4.8 miles south of the project site. No impacts to existing service levels are anticipated.

School District Comments/Review

The Scottsdale School District has reviewed the proposed site plan and determined that existing facilities are sufficient to accommodate the proposed residential density.

Open Space

The proposal sets aside 26.1% of the net site area as open space, which is slightly more than the minimum 25% required by the PCP zoning district. Most of the open space is dedicated to the community amenity area, courtyard space between the residential townhome buildings, and a 30-foot building setback/landscape buffer along both street frontages, which is required per the Horseman's Park PCD. Additionally, each of the residential units will include outdoor living space, which is not a requirement of the PCP zoning district.

Community Involvement

Property owners within 750 feet of the project site have been notified via mail of the applicant's request. The mailing included citizens on an Interested Parties list compiled for anyone wishing to receive notice of a pending zoning request. The applicant held an Open House on August 14th, 2014 at Frog's Physical Therapy on 16621 N. 91st Street from 6:00 to 7:00 PM. Per the Citizen Outreach Report provided by the applicant, approximately 7 people attended the Open House.

Community Impact

- Proximity of residential to Scottsdale Airport (approximately one mile from nearest runway)
- Proximity of residential to Westworld campus (approximately 500 feet south of project site)
- Potential traffic impacts caused by increasing overall floor area and introducing residential to an area already congested by vehicular traffic generated by Scottsdale Preparatory Academy and Westworld.
- Maintains the employment FAR (0.4) currently allowed under the Horseman's Park PCD.

Policy Implications

- Introduction of residential to an employment core
- Potential precedence established by introducing 65-foot building height to an area consisting primarily of 2-3 story buildings.
- Precedent for further consideration of residential in this area and potential future erosion of the Employment land use that accounts for only two percent (2%) of the total land use in Scottsdale.

OTHER BOARDS & COMMISSIONS

Airport Advisory Commission (AAC)

The AAC considered this request at their 10/8/14 meeting. The applicant contracted with a noise consulting firm to generate a Noise Study, which was the focus of much of the discussions and questions from the Commissioners. The consultant was asked why the study did not include all three runways at the Scottsdale Airport. As conducted, the study took into consideration noise generated from only one of the airport's runways. The consultant was also asked if noise levels at 5 feet from grade (where the study was conducted) differ from noise levels at 65 feet from grade, which is the building height the applicant is seeking. The consultant indicated that there was not a significant difference between noise levels at 5 feet above grade and 65 feet above grade. Finally, there was concern expressed over the introduction of fee-title residential to an area in such close proximity to the Airport. It was suggested that, if residential is introduced, it should be a rental community, not fee-title ownership. During public comment, several people spoke in support of the proposal (Refer to Attachment 18 for AAC meeting minutes). After discussion and questions, the AAC voted to recommend approval to City Council by a vote of 4-3.

OPTIONS & STAFF RECOMMENDATION

Recommended Approach:

1. Staff recommends that the Planning Commission recommend City Council approve a Non-Major Amendment to change the City of Scottsdale 2001 General Plan land use designation from Employment to Mixed-Use Neighborhoods, and a Non-Major General Plan Amendment to change the Greater Airpark Character Area Plan Future Land Use Map from Employment (EMP) to Airpark Mixed Use – Residential (AMU-R), and

2. Staff recommends that the Planning Commission find that the Planned Community District (P-C) criteria have been met, determine that the proposed zoning district map amendment is consistent and conforms to the adopted General Plan, and make a recommendation to City Council for approval of an amendment to the development standards for case 33-ZN-2000 (Horseman's Park), and to amend the Planned Community (P-C) District zoning from the comparable Industrial Park (I-1 PCD) District to Planned Airpark Core Development, Airpark Mixed Use – Residential (PCP AMU-R PCD), including a Development Plan, increasing the allowed Floor Area Ratio (FAR) for commercial parcels in the Horseman's Park PCD (specific to this site) from 0.3 to 1.2, and the allowed building height from 42 feet including mechanical screening, to 65 feet inclusive of rooftop appurtenances, utilizing PCP bonuses for building height and FAR, per the attached stipulations

RESPONSIBLE DEPARTMENTS

Planning and Development Services
Current Planning Services and Long-Range Planning Services

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ATTACHMENTS

1. Stipulations
2. Additional Information
3. Bahia Work/Live/Play Development Plan
4. Context Aerial

4A. Aerial Close-Up

5. General Plan Land Use Map (existing and proposed)
6. Greater Airpark Character Area Plan Future Land Use Map (existing and proposed)
7. Greater Airpark Character Area Plan Conceptual Development Types Map
8. Zoning Map
9. Part 150 Airport Influence Zones Map
10. Part 150 Noise Contours Map
11. Noise Flight Tracking Map (by altitude)
12. Noise Flight Tracking Map (by operation)
13. Noise Study Summary
14. Market Study Overview
15. Traffic Impact Summary
16. Citizen Involvement
17. City Notification Map
18. 10/8/14 Airport Advisory Commission Meeting Minutes

Stipulations for the Zoning Application: Bahia Work Live Play Project Case Number: 14-ZN-2014

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

GOVERNANCE

1. APPLICABILITY. All stipulations from case 14-ZN-2014 supersede all stipulations from case 4-ZN-2007 for this property. Stipulations from case 33-ZN-2000 continue to apply, except as amended in the Development Plan for this property.

SITE DESIGN

2. CONFORMANCE TO DEVELOPMENT PLAN. Development shall conform to the Development Plan, entitled "Bahia Work/Live/Play Development Plan" which is on file with the City Clerk and made a public record by Resolution No. 9958 and incorporated into these stipulations and ordinance by reference as if fully set forth herein. The Development Plan is contingent upon special public improvements, drainage, airport requirements, pedestrian and vehicular circulation improvements, landscaping and other site planning concerns to be addressed at the time of Development Review Board approval. Any proposed significant change to the Development Plan, as determined by the Zoning Administrator, prior to Development Review Board approval, shall be subject to additional public hearings before the Planning Commission and City Council.

3. CONFORMANCE TO AMENDED SITE DEVELOPMENT STANDARDS. Development shall conform to the amended site development standards that are included in the Project Narrative as part of the Development Plan. Any change to the development standards shall be subject to additional public hearings before the Planning Commission and City Council.

4. CONFORMANCE TO DEVELOPMENT AGREEMENT. The Developer shall enter into development agreement no. 2014-188-COS, which sets forth the manner in which gross floor area and building height bonuses can be achieved for the 5.1 +/- acre site can be achieved in exchange for a minimum of $868,836 in special public improvements. Should the development agreement not become effective or if the Developer does not comply with the terms of the development agreement, the bonus gross floor area and building height as set forth in the Development Plan shall become null and void. Any significant change to the Development Plan, as determined by the Zoning Administrator, shall be subject to additional public hearings before the Planning Commission and City Council. Any amendment to the development agreement shall also be subject to City Council approval.

5. LAND USE. The primary land use for this project shall be "live/work". Prior to issuance of any permits for the site, the applicant shall provide a copy of the Covenants, Codes and Restrictions (CC & R's) for the project confirming that each of the town home units will be required to provide employment space on the first floor.

6. MAXIMUM DWELLING UNITS/MAXIMUM DENSITY. Maximum dwelling units and maximum density shall be as indicated on the Land Use Budget Table below.

Parcel	Gross Acres	Zoning	Max DU/AC	Max # of Units
Bahia Work/Live/Play	5.1 +/-	PCP AMU-R PCD	18.2	78

Redistribution of dwelling units is subject to the maximum density in the Land Use Budget Table and subject to city staff approval. The owner's redistribution request shall be submitted with the preliminary plat submittal to the Development Review Board and shall include a revised Master Development Plan and a revised Land Use Budget Table indicating the parcels with the corresponding reductions and increases.

7. BUILDING HEIGHT LIMITATIONS. No building on the site shall exceed 65 feet in height, inclusive of rooftop appurtenances, measured as provided in the applicable section of the Zoning Ordinance.

8. EMPLOYMENT FLOOR AREA. The total gross floor area devoted to employment space, i.e. office or studio, shall not be less than 89,900 square feet and the floor area ratio (FAR) of employment space for the project shall not be less than 0.48. Each of the townhome units shall be restricted to first floor commercial office/studio space open to the general public.

9. COMMERCIAL FLOOR AREA. The first floor of the proposed condominium building shall be devoted to commercial floor area. There shall be no residential floor area on the first floor of the condominium building.

10. PRIVATE OUTDOOR LIVING SPACE. Each of the residential units shall include private outdoor living space, equivalent to a minimum of five percent (5%) of the gross floor area of the unit, in accordance with the Development Plan. For the town home units, the private outdoor living space shall be in the form of balconies or roof decks above the first floor of each unit. Any patio space for the first-floor employment shall not be included as part of the private outdoor living space for the residential units.

11. TOWN HOME ENTRANCES. There shall be two means of entry into each of the town home units. One entrance shall be exclusively for the first-floor employment space, and the other shall be for access to the residential unit above, in accordance with the Development Plan.

12. BAHIA DRIVE LANDSCAPE BUFFER/BUILDING SETBACK. A minimum thirty (30) foot landscape and building setback shall be maintained along the Bahia Drive frontage, measured from the property line.

AIRPORT

13. AIRCRAFT NOISE AND OVERFLIGHT DISCLOSURE. With the final plans submittal, the owner shall provide noise disclosure notice to occupants, potential homeowners, employees and/or students in a form acceptable to the Scottsdale Aviation Director.

14. 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.

15. SOUND ATTENUATION MEASURES. With the final plans submittal, the developer shall provide sound attenuation measures in compliance with the Building Code.

INFRASTRUCTURE AND DEDICATIONS

16. CIRCULATION IMPROVEMENTS. Before any certificate of occupancy is issued for the site, the owner shall make the required dedications and provide the following improvements in conformance with the Design Standards and Policies Manual and all other applicable city codes and policies.

    a. VEHICLE NON-ACCESS EASEMENT. Dedicate a one foot wide vehicular non-access easement on both the N. 92nd Street and E. Bahia Drive frontages, except at the approved street entrances.

17. DRAINAGE REPORT. The case drainage report for this project is pending approval. With the Development Review Board submittal, the applicant shall provide a revised drainage report that addresses the following:

    a. The method of analysis used to determine storm water storage volume is incorrect and shall be revised to comply with accepted design methods. If using the modified rational method for preliminary sizing of detention basins, include the 90-minute storm duration period in the calculations.

    b. Demonstrate conformance with the Master Drainage Report for the Bell Road II Improvement District. Storm water storage is required for this parcel to attenuate the post development flow rates to less than or equal to the predevelopment discharge flow rates.

    c. Underground storm water storage tanks shall be emptied by gravity flow, and shall be installed so the outside of the tank wall is at least five (5) feet from the face of the stem wall footing for any structure.

    d. Demonstrate how on-site runoff will get to the detention basins. Use bold lines to delineate the drainage sub-areas and show the all grade breaks on the grading and drainage plan. Calculate the volume required and volume provided in each drainage sub-area and demonstrate that on-site storm water runoff from each drainage sub-area is accounted for in specified drainage detention basins. Also calculate and show the percentage of runoff that is contributed from each drainage sub-area to the specified drainage detention basins.

    e. The Drainage Report, grading and drainage plan and building plans shall show and label the Highest Adjacent Natural Grade (HAG) for each structurally independent building. As this site is located in the AO-1 flood zone, the lowest floor elevation established by using the 1988 NAVD, shall be elevated above the Regulatory Flood Depth (RFD).

    f. The Drainage Report, grading and drainage plan and building plans shall show the garage floor elevations at the garage door and shall show and label the areas below the RFD that need to be constructed with flood restraint materials. Determine if flood vents are required for any areas below the RFD and show the location and number of flood vents required for each structure. All information shall be provided in table-form in the Drainage Report.

18. STORM WATER STORAGE WAIVER. With the Development Review Board submittal, the applicant shall submit an application for a Storm Water Storage Waiver, on a form

acceptable to the Storm Water Division. The post-development flow rates shall be less than or equal to the pre-development flow rates and the historical runoff locations.

Additional Information for:
Bahia Work Live Play Project
Case: 14-ZN-2014

PLANNING/DEVELOPMENT

1. DEVELOPMENT CONTINGENCIES Each element of this zoning case—including density/intensity, lot/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. building height and massing,
    b. pedestrian circulation in and around project site,
    c. the type, height, design, and intensity of proposed lighting on the site, to ensure that it is compatible with the adjacent uses, and
    d. signage
3. EASEMENTS.
    a. EASEMENTS DEDICATED BY PLAT. The owner shall dedicate to the City on the final plat all easements necessary to serve the site, in conformance with the Scottsdale Revised Code and the Design Standards and Policies Manual.
    b. 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, in conformance with the Design Standards and Policies Manual.
4. DRAINAGE EASEMENT. A Drainage Easement shall be dedicated over any drainage structures conveying 50 cubic feet per second (cfs) or greater.
5. RESPONSIBILITY FOR CONSTRUCTION OF INFRASTRUCTURE. The developer shall be responsible for all improvements associated with the development and/or required for access or service to the development, with the exception of noise mitigation at the Westworld campus. 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.
6. 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.

7. 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 Polices Manual and other applicable standards.

Bahia Work/Live/Play
Development Plan

6-GP-2014 and 14-ZN-2014

ATTACHMENT #3

Bahia Work / Live / Play Development Project

Project Narrative/Development Plan

SWC of 92nd Street & Bahia

Two Non-Major General Plan Amendments

&

Rezoning

Prepared by:
Berry Riddell & Rosensteel
John V. Berry, Esq.
Michele Hammond, Principal Planner

Prepared for:
Catclar Investments

14-ZN-2014 &
6-GP-2014
10/1/2014

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I. Purpose of Request

This request is for a Non-Major General Plan Amendment ("GPA") to the 2001 General Plan from Employment to Mixed Use Neighborhoods, a Non-Major GPA to the Greater Airpark Character Area Plan ("GACAP") from Employment ("EMP") to Airpark Mixed Use - Residential ("AMU-R") and rezoning from Planned Community District – Industrial Park ("PCD I-1") to Planned Community District – Planned Airpark Core Development /Airpark Mixed Use - Residential ("PCD – PCP/AMU-R") on a 4.3 +/- gross acre site located at the southwest corner of 92nd Street and Bahia (the "Property") in the Horseman's Park master plan.

The Bahia Work, Live, Play is envisioned to be a convergence of modern design with an industrial practicality. The site is in the process of being purchased by the applicant, Catclar Investments LLC. After several meetings with City officials, the applicant has diligently worked to implement the feedback from various departments within the City.

The applicant intends to create a mixed-use work, live, play development, by creating a unique development that consists of 64 individual ground level office spaces with loft-style residential above. The work/live units will have variety for the selective Entrepreneur, the target demographic for these unique spaces. There will be units with both 3 and 4 floor options, as well as lofts. The ground floor will include 2 parking spots per unit and approximately 400 to 450 sf. of office workspace. The floors above will feature creative work/live spaces and have the addition of rooftop studios to round out the work/live opportunities. Having rooftop studios is extremely rare in the Valley and will offer stunning views in every direction. There will be atrium courtyard areas spread throughout the site. They are designed as open space with green areas built to incorporate artwork from local artists living on site. The balance of the amenities includes a pool and multiple areas for soft seating. The design will be contemporary with an industrial feel, including elements like roll up garage doors and metal framing.

Additionally, the applicant intends to create an office/retail hub at the corner of 92nd and Bahia which will include business/employment support services such as a coffee shop, FedEx store and/or a lunch and dinner restaurant. There will be 14 additional work/live units above the corner commercial building. The commercial corner will also have office conference space available for the loft owners as well as tenants in the area.

There will be a centralized executive office with Concierge Services that will be an integral component of the development in which all unit owners would be members. The space will be about 1,500 square feet and have a reception area, small conference room and a mailroom complete with FedEx services. The front desk would have a receptionist during business hours who will greet visitors who come to meet with the owners of the Live / Work offices. All activity comes through this area to ensure safety and professionalism. The receptionist will call over to the owner and let the member know they have someone waiting for them. Additional for pay services would include answering calls, booking additional office usage and secretarial work. During non working hours there would be FOB controlled access and all office bookings would be done by way of a website. Outside members may be invited to join for a fee.

The meeting areas are intended for shared work areas, corporate leisure events, small social events, and a reception area. The uniqueness of the plan has been received well by neighbors in the area and its mix of uses serves to supporting the City's vision of developing a high growth area and destination along the 101 Corridor.

With spectacular McDowell Mountain views, seamless yet sophisticated architectural styling, a prestigious location and highly sought after attention to detail, the Bahia Work, Live, Play project is positioned to be one of the premier communities in the Scottsdale Airpark. There has been and continues to be an evolution of land uses in this targeted growth area but this one will demonstrate and infuse practical uses for its location.

The 4.3+/- gross acre Property is currently undeveloped, vacant land which is owned by Spensa, LLC. Spensa intended to build a mini-storage facility on this land (pursuant to case 4-ZN-2007) which would be allowed by right under the PCD I-1 zoning district. The proposed use is more in keeping with the employment core and employment based uses indicative of the GACAP, Horseman's Park master plan and Scottsdale Airpark as a whole.

The Airpark as a whole creates a unique opportunity to foster interrelated land uses and promote the work, live, play concept, which is memorialized numerous times in the GACAP. Additionally, the surrounding employment core and nearby retail development provide regional appeal for future owners. With the ease of accessibility, proximity to education, medical, retail, entertainment, the airport, sports venues and training facilities, this community has it. It's a welcome change and a necessary compliment to its surroundings.

This application is driven by the site's surrounding land uses and a strong market demand for this type of mixed-use found in so many major cities. Business and housing trends indicate a fundamental shift away from traditional homeownership and business operations as a result of the growing tech generation and their desire for a true work/live experience and alternative mixed-use options that fit their lifestyle. A market study has been provided with the application.

Scottsdale, which is known as a progressive, market responsive community has an opportunity to offer a cutting edge mixed-use work/live development for the business owners and residents of Scottsdale. The "Intellectual Class" and/or "Millennial Generation" are knowledge-based workers with advanced degrees that work in a range of fields including, but not limited to, business, research, finance, technology, healthcare, legal, and education, and make up an estimated 30% of the American workforce (and growing), whose economic function is to create new ideas, new technology and/or creative content. The Intellectual Class is also known for its departure from a traditional workplace environment and environmentally aware principals. These workers crave a flexible schedule and independent work/living concept much like the experience proposed for the Bahia development.

As such, the development team intends to integrate a similar concept to "MOD" (located at Central and Thomas in Phoenix), which combines an "executive suite" model with a lounge/café membership group. MOD has done extensive market research and developed their concept for an open work environment with secure WiFi, printing, copying, scanning and full concierge services to serve a specific need and demographic. They have seen the trend of up and coming executives working remotely and in alternative office accommodations vs. the traditional office scenario. Technology has played a large role in allowing individuals to work from any location. As a result, the idea of having a traditional office outside of the home is diminishing and an alternative type of office/gathering space has shifted to concepts like MOD designed for the new Intellectual Class. The Bahia project offers the best of all worlds by providing individual private offices for working, a flexible loft floor plan for living and working, and offering membership areas where private meeting rooms and board rooms are available, which is serviced by the ground level restaurant/coffee bar space below.

About Catclar Investments

Catclar Investments is a local real estate development company with previous experience working with the City of Scottsdale to improve in-fill lots. Out of everywhere in the country, Catclar's President Irene Clary choose to work, live and raise a family in Scottsdale because she believes in the opportunities here. With a focus on building strong relationships with municipal officials and the neighboring communities, Catclar is able to create successful, quality driven, and environmentally friendly development projects that further enhance the communities within which they are situated. With over 25 years of experience in all facets of Development, the team at Catclar knows how to successfully bring a project to fruition, achieving the highest and best use for the property, while also complementing the surrounding community.

Additionally, the project includes H&S International, a renowned Architectural team who has over received awards for its design and execution of its architectural genius.

II. Existing Improvements/History

The Property constitutes 4.3 +/- gross acres and is bordered by Bahia Drive (previously Aire Libre) on the north and 92nd Street on the east. The site is surrounded by PCD I-1 and PCD C-3 zoning with a combination of non-industrial office, recreation and educational uses including, but not limited to, FROGS Physical Therapy, iWired, Plumb Studios, AZ on the Rocks, Aquasafe Swim School, Rebound Gymnastics, Scottsdale Martial Arts, Devstar Realty, Artistic Design Family Dentistry, On-Trac Academy, the Ice Den, Mountainside Fitness, and Phoenix Rise Crossfit. This area is commonly referred to as the "family zone" by families and businesses in the area due to the large amount of support services for the 1600+ students attending the nearby Norte Dame Prep and Scottsdale Prep schools. The uses that have developed in this area of Horseman's Park include uses that are permitted in the I-1 zoning district, but are more closely

aligned with retail support services and offices vs. traditional manufacturing and warehousing.

In April 2000, the City Council approved case 8-ZN-2000 (Horseman's Park-Gentry) which rezoned the subject property from R1-35 to C-2 and I-1 to allow for the development of an office building and retail/restaurant pad which was never constructed. The request was consistent with the underlying General Plan land use designation of Minor Employment with a Regional Use Overlay. Subsequently, in March 2001, the Horseman's Park PCD was approved by City Council for the larger area generally east of the Loop 101, south of Bell Road, north of Westworld and west of McDowell Mountain Ranch (excluding State Land parcels). The PCD addressed the existing zoning by applying a PCD overlay to all the underlying zoning and creating a master development plan for the area. At the same time the City of Scottsdale's General Plan from 2001 designates this area as a "Growth Area" in which to implement mixed uses. To quote the General Plan directly, it aims to "Create techniques that allow for mixed-use activity within designated growth areas". In January 2008, case 4-ZN-2007 was approved by City Council rezoning the C-2 underlying designation at the hard corner back to I-1 under the Horseman's Park PCD for the development of a mini-storage facility; a use that would have generated 2 jobs on the 4.3+/- acre site.

III. 2001 General Plan / Greater Airpark Character Area Plan /

2001 General Plan

The General Plan sets forth a collection of goals and approaches intended to integrate the Guiding Principles into the planning process and provide as a framework for proposed development and the built environment. These goals and approaches are, however, not intended to be static or inflexible and the General Plan clearly recognizes this by stating: **"The General Plan is designed to be a broad, flexible document that changes as the community needs, conditions and direction change."** *(emphasis added)* It is with this inherent flexibility in mind that the proposed non-major GPA not only meets but exceeds the goals and approaches established by the City in the General Plan. Additionally, it is important to recognize that the current General Plan is a 13 year old document and the City must also grow and change to respond to the evolving business world and lifestyle needs of the up and coming Intellectual Class.

General Plan - Six Guiding Principles:

This request is for a non-major General Plan Amendment to the land use category and map contained in the Land Use Element of the General Plan. Per the City's 2001 General Plan, six Guiding Principles articulate how the appropriateness of a land use change to the General Plan is to be qualified. These six Guiding Principles are as follows:

1. *Value Scottsdale's Unique Lifestyle & Character*
2. *Support Economic Vitality*
3. *Enhance Neighborhoods*

4. *Preserve Meaningful Open Space*
5. *Seek Sustainability*
6. *Advance Transportation*

Response:

1. Value Scottsdale's Unique Lifestyle & Character- Scottsdale is world famous for its golf and resort lifestyle. The work/live uses designated here will be hassle free living similar to what is experienced at some of the larger resorts but it also combines the office and employment mix so business owners and workers can enjoy the resort experience from the comfort of their home. The "small-town feel" will be enhanced as a little enclave of entrepreneurial professionals is created on site. Additionally, Scottsdale is known as a home-base for entrepreneurs and self-made business professionals and prides itself as a community where professionals work, reside, recreate and raise their families. The "incubator" aspect of the proposed development will foster the next generation of Scottsdale-made entrepreneurs by establishing a new collaborative and creative environment for the growing Intellectual Class.

2. Support Economic Vitality- Two previous plans to utilize this property were advanced; car storage and sports fields. Neither would have increased the tax or employment base for the City nor the transactions that a restaurant, café, shops and employment base will. Consequently, this project will help decrease vacancies and raise property values in the area.

3. Enhance neighborhoods- The site has long been vacant and underutilized. This is partially due to the current PCD I-1 zoning and restrictive FAR inhibiting a feasible development plan. This project will increase pedestrian traffic and connectivity of the different areas, as well as bring a central meeting place and other support services not currently in existence. It will be a significant benefit to the property owners in the area. Refer to the pedestrian circulation exhibit included with the development plan.

4. Preserve Meaningful Open Space- We are dedicating over one-fourth of the site to meaningful open space, not only to provide the owners of the work/live units with a beautifully landscaped property but also to showcase the surrounding area and the beautiful Sonoran Desert.

5. Seek Sustainability- Many of the design features will speak to the commitment to be more sustainable, for example, North/South orientation to conserve electricity. Other efforts will be with certain green building materials and native landscaping.

6. Advance Transportation- Having mixed uses will lend itself to create alternative modes of transportation, such as by foot and bicycle. We will be placing an emphasis on the use of bicycles to exploit the wonderful trails the City created throughout this entire area that create incredible connections to nearby neighborhoods and commerce centers but are currently underutilized.

Non-Major GPA Determination

The current 2001 General Plan land use designation for the site is Employment with a Regional Use overlay. The requested GPA is a Non-Major GPA based on the criteria set forth in the General Plan (change in Character Area Criteria) which does not trigger a Major GPA. A detailed explanation of how this proposal is consistent with the 2001 General Plan and Greater Airpark Character Area Plan ("GACAP") is provided below.

1. Change in Land Use Category
A change in the land use category on the land use plan that changes the land use character from one type to another as delineated in the land use category table (page 20 of the General Plan).

Response: The current 2001 General Plan designation is Employment land use category with a Regional Use Overlay and the requested GPA is to the Mixed Use land use category with a Regional Use Overlay. Both of these land use categories are in Group E, and therefore, do not trigger a major amendment.

2a. Area of Change Criteria
A change in the land use designation that includes the following gross acreages:
** Planning Zones A1, A2, B 10 acres or more*
** Planning Zones C1, C2, C3, D, E1, E2, and E3 15 acres or more*

Response: The Planning Zone designated for this Property is C1 Zone and is less than 15 acres (4.3 acres), and therefore, does not trigger a major amendment.

3. Character Area Criteria
Character areas have been added to the city's planning process in order to recognize and maintain the unique physical, visual and functional conditions that occur in distinct areas across the community. The city recognizes that these form a context that is important to the lifestyle, economic well-being and long term viability of the community. These areas are identified by a number of parameters including but not limited to building scale, open space types and patterns, age of development and topographic setting.

If a proposal to change the land use category has not been clearly demonstrated by the applicant to comply with the guidelines and standards embodied within an approved character area plan it will be considered a major amendment.

Response: Based on the responses and written justification below regarding the GACAP, the proposed GPA does not trigger a major amendment. The current employment land use designation will be not only maintained but enhanced with the proposed work/live concept.

4. Water/Wastewater Infrastructure Criteria

If a proposal to change the planned land use category results in the premature increase in the size of a master planned water transmission or sewer collection facility, it will qualify as a major amendment.

Response: The proposed change in land use does not result in a premature increase in the water and sewer master plan for Horseman's Park, and therefore, does not trigger a major amendment.

2001 General Plan Goals & Policies

Land Use (LU) Goal 3 *– Encourage the transition of land uses from more intense regional and citywide activity areas to less intense activity areas within local neighborhoods.*

Response: The proposed work/live concept is an ideal transitional land use with respect to the collection of non-industrial uses in the surrounding area including, but not limited to, FROGS Physical Therapy, iWired, Plumb Studios, AZ on the Rocks, Aquasafe Swim School, Rebound Gymnastics, Scottsdale Martial Arts, Devstar Realty, Artistic Design Family Dentistry, On-Trac Academy, the Ice Den, Mountainside Fitness, and Phoenix Rise Crossfit. This area is commonly referred to by parents and businesses in the area as the "family zone" due to the large amount of support services for the 1600+ students attending the nearby Norte Dame Prep and Scottsdale Prep campuses. The uses that have developed in this area of Horseman's Park include uses that are permitted in the I-1 zoning district, but are more closely aligned with retail support services and offices vs. traditional manufacturing and warehousing. This collection of land uses along with the proposed Bahia development provide activities, services and office options for nearby residents in Horseman's Park and Windgate Ranch master planned communities as well as serving Scottsdale on a community-wide basis.

LU Goal 3 Policy 6 *– Encourage the transitions between different land uses and intensities through the use of gradual land use changes, particularly where natural and man-made buffers are not available.*

Response: The Bahia site consists primarily of 40-foot tall structures with the exception of the building at the corner of 92nd and Bahia that reaches up to 65 feet in height to accommodate a range of services including business/employment support services such as a coffee shop, FedEx store and/or a lunch and dinner restaurant. There will be 14 additional work/live units above the corner commercial building. The commercial corner will also have office conference space available for the work/live owners as well as tenants in the area. The work/live units provide a unique building and land use concept that integrates well within the context of the Horseman's Park PCD by providing much

smaller building footprints than many of the larger surrounding office buildings and ample open space/outdoor amenity space for the owners and users.

> ***LU Goal 5 Policy 8*** *– Encourage that land uses with the highest intensity be located in areas conducive to alternative modes of transportation.*

Response: The Property is just east of the Loop 101, which provides regional access. The proposed mixed-use work/live concept will lend itself to create alternative modes of transportation, such as by foot and bicycle. The developer will be placing an emphasis on the use of bicycles to exploit the wonderful trails the City created throughout this entire area that create numerous connections to nearby neighborhoods, schools, support services and commercial centers. See pedestrian circulation exhibit for connectivity to these trail amenities.

> ***LU Goal 8 Policy 3*** *– Promote development patterns and standards that are consistent with the surrounding uses and reinforce an area's character.*

Response: The proposed development pattern for Bahia is compatible and consistent with the established development patterns in the area with respect to scale, height, massing, and building character. The surrounding context of building heights range from 30-55 feet and extend up to 65-80 feet on the Westworld property directly to the south. Buildings in the Horseman's Park master plan are permitted up to 42 feet in the surrounding area and up to 70 feet in height adjacent to the Loop 101 and Bell Road. Just north of Bell the 125-acre Epicenter development plan, which was approved by City Council in 2008, allows building up to 56 feet in height. The proposed maximum building height of 65 feet is only for the corner building and the majority of the site will maintain a maximum building height of 40 feet. Additionally, the scale and building footprints of the proposed structures are far less than the surrounding buildings in the Horseman's Park PCD.

> ***LU Goal 9*** *– Provide a broad variety of land uses that create a high level of synergy within mixed-use neighborhoods.*

Response: Currently the land uses seen between Westworld and Bell road are mostly office condos with little to no variety in form or architecture. There is a great variety of business types, but using descriptive words like "broad" or "high level of synergy" fall very short of what we have today. The proposal for a work, live, play development on the 4.3+/- acre site will maintain the employment/office core land use while bringing a unique residential component to this Horseman's Park/ Airpark location which will create the "synergy" that is severely lacking. The GACAP highlights repeatedly that characteristics of successful mixed-use developments include a range of land uses promoting the work, live, play philosophy. The proposed development accomplishes a range of goals including the integration of high quality, vibrant architecture and innovative site planning, creating pedestrian presence with ground level commercial uses, and providing an employment/living mixed-use concept that reduces trip generation during peak hours in the morning and early afternoon and valuably complements the

surrounding context. Jogging, biking, hiking and other outdoor sports can all be enjoyed within a mile from the project site. There will also be an increase of sidewalk and trail usage as a result of this new connectivity.

> ***LU Goal 9, Policy 2*** *- Promote residential uses that support the scale and function of retail, commercial and employment uses within these neighborhoods, including the use of mixed-use structures (retail or office on lower level and residential uses on upper levels).*

Response: The request for a Non-Major GPA on a 4.3+/- acre site from EMP to AMU-R to allow for a work, live, play development in an area that is already occupied by a mix of uses (ie: office, employment, retail, recreation, instructional/educational land uses). The Bahia Project is a true mixed-use development with a combination of uses in one structure derived from the original work/live concept where old vacated warehouse buildings in urban area were transformed into working and living environments all under one roof. This project is the embodiment of this policy and plays off this concept by providing the same flexible space and collaboration ideal for the knowledge-based worker's lifestyle. While the conference area and specialty shops are an amenity to the owners of the work/live units, in turn, the residential uses on the site will be the driver for the success of the commercial and retail uses on site.

> ***LU Goal 9 Policy 4*** *– Encourage compact mixed-use, pedestrian oriented development patterns, at urban densities, that limit the demand for parking and unnecessary automobile trips, and support alternative modes of mobility.*

Response: Work, live, play 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 and limiting the demand for parking and fitting well within the existing employment context of the Scottsdale Airpark.

> ***Neighborhoods (N) Goal 4*** *– Preserve and enhance the unique sense of neighborhood found in diverse areas of Scottsdale through neighborhood conservation.*

Response: This area of the Horseman's Park PCD is commonly referred to by parents and business owners in the area as the "family zone" due the abundant variety of recreation and academic support services including, but not limited to, AZ on the Rocks, Aquasafe Swim School, Rebound Gymnastics, Scottsdale Martial Arts, On-Trac Academy, the Ice Den, Mountainside Fitness, and Phoenix Rise Crossfit just to name a few.

> ***N Goal 5*** *– Promote and encourage context appropriate new development in established areas of the community.*

Response: The Horseman's Park West PCD area was established through a zoning approval in 2001 and has since grown to include a range of uses that support the regional character of the Airpark and nearby residential communities. The integration of the Bahia work/live concept will maintain the integrity of the employment core by keeping an employment base on site as the primary use with the residential component being secondary.

This application is driven by the site's surrounding land uses and a strong market demand for this type of mixed-use found in so many major cities. Business and housing trends indicate a fundamental shift away from traditional homeownership and business operations as a result of the growing tech generation and their desire for a true work/live experience and alternative mixed-use options that fit their lifestyle.

Community Mobility (CM) Goal 5 *– Relieve traffic congestion.*

Response: As mentioned above, the Property is just east of the Loop 101, which provides regional access. The Bahia work/live concept will lend itself to create alternative modes of transportation, such as by foot and bicycle. The developer will be placing an emphasis on the use of bicycles to exploit the extensive collection of trails the City created throughout this entire area.

H (Housing) Goal 4 *– Encourage housing development that provides for "live, work and play" relationships as a way to reduce traffic congestion, encourage economic expansion and increase overall quality of life for our residents.*

Response: The proposed development implements the City's desire to create this work/live relationship, it will exceed this goal and achieve a level of connection with the area that no other plan for this parcel can attain. This vacant parcel will achieve Housing Goal 4 and create value and a sense of place for the entire area. The project consists of high quality, vibrant architecture and innovative site planning, creating pedestrian synergy with ground level commercial uses, and providing an employment/living mixed-use concept that reduces trip generation and fits well within the existing employment context. The Property is just east of the Loop 101, which provides regional access.

H Goal 4, Policy 7 *- Explore opportunities for new or redeveloped housing to serve the employment base.*

Response: The mix of surrounding businesses creates a unique opportunity for an owner on site to have a personal commercial office and residence in the same area their showroom/warehouse/shop or studio is located. For example, a future owner might be a current office condo tenant who has a media business based out of 2400 sf but could have private meetings in their ground level commercial office or in the restaurant/conference center, before going across the street and filming the commercial. The work/live uses will never replace the industrial warehouse spaces across the street but will instead serve

those areas. The range of land uses proposed under this application complements the existing mixed-use character of the Scottsdale Airpark. The Airpark as a whole creates a unique opportunity to foster interrelated land uses and promote the work, live, play concept, which is memorialized numerous times in the GACAP. Additionally, the surrounding employment core and nearby retail development provide regional appeal for future owners. This application is driven by the site's surrounding land uses and a strong market demand for this type of mixed-use found in so many major cities. Business and housing trends indicate a fundamental shift away from traditional homeownership and business operations as a result of the growing tech generation and their desire for a true work/live experience and alternative mixed-use options that fit their lifestyle.

Scottsdale, which is known as a progressive, market responsive community has an opportunity to offer a cutting edge mixed-use work/live development for the business owners and residents of Scottsdale. As mentioned in the introduction, the Intellectual Class are knowledge-based workers with advanced degrees that work in a range of fields including, but not limited to, business, research, finance, technology, healthcare, legal, design, real estate and education, and make up an estimated 30% of the American workforce (and growing), whose economic function is to create new ideas, new technology and/or creative content. The Intellectual Class is also known for its departure from a traditional workplace environment and environmentally aware principals. These workers crave a flexible schedule and independent work/living concept much like the experience proposed for the Bahia Project.

Greater Airpark Character Area Plan Goals & Policies

The 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."

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 Non-Major GPA on a 4.3+/- acre site from EMP to AMU-R to allow for a work, live, play development in an area that is already designated for a mix of uses (ie: office, employment, retail, recreation, instructional/educational land uses). The Property is just east of the Loop 101, which provides regional access. This Property is located outside the 55 DNL line, which is appropriate for residential land uses, however, new construction will feature appropriate noise attenuation through the use of upgraded building materials and insulation, disclosure to residents and an avigation easement in conformance with the City's requirements.

GACAP Definitions (emphasis added):

> ***Employment*** *includes an array of office, commercial, warehousing, and light industrial land uses that provide opportunities for business enterprises, as well as regional and local jobs. These areas should have access to regional multi-modal transportation systems including access for truck traffic and transit facilities. Residential is not appropriate in employment areas. Employment is appropriate adjacent to the Aviation land use are and within the Airports 55 DNL areas of higher.*

The primary reason for the requested GPA from EMP to AMU-R is to allow for the integration of residential into the existing employment land base while maintaining the employment character as the primary function of the Property. This Property is not located adjacent to the Aviation land use nor is it within the 55 DNL (or higher). Therefore, the integration of residential in a mixed-use work/live setting that supports the employment core of Horseman's Park areas is appropriate pursuant to the specific development plan provided with this application and described in detail throughout this document.

> ***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, multifamily rental units and corporate housing [emphasis added].*

The statement above suggests that uses north of the CAP should include a broader range of businesses with a collection of land uses that have an integrated mixed-use character such as at Bahia. The AMU-R area is approximately 990 acres of the GACAP area and the EMP area is approximately 1185 acres. This change in land use designation is a 0.338% reduction to the EMP designation; a negligible change.

Land Use

> ***Policy LU 1.1*** *Maintain and expand the diversity of land uses in the Greater Airpark*

Response: The proposal for a work, live, play development on the 4.3+/- acre site will maintain the employment/office core land use while bringing a unique residential component to this Horseman's Park/ Airpark location. The GACAP highlights repeatedly that characteristics of successful mixed-use developments include a range of land uses

promoting the work, live, play philosophy. The proposed development accomplishes a range of goals including the integration of high quality, vibrant architecture and innovative site planning, creating pedestrian synergy with ground level commercial uses, and providing an employment/living mixed-use concept that reduces trip generation, supports existing area uses, and complements the surrounding context.

> ***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. Integrating the proposed work, live, play land use concept will provide an opportunity for business owners in Scottsdale to have the unique experience of living and working in this well-established employment and service core area of the City. The project's aim is to create community connections that don't currently exist and likely will not exist without this project. It will offer supporting services and uses to the area, increasing the economic efficiency of the area.. The location of the Property not only provides an opportunity for working and housing in the employment core, but also connectivity to the retail and restaurants established in the nearby developments that will enhance their sustainability. The Bahia Project will promote an integrated, sustainable character for the area contributing towards the work, live, play goals identified in the GACAP.

> ***Policy LU 1.8*** *Prevent erosion of Greater Airpark Employment land uses through land uses regulations, such as limiting retail and restaurants in areas designated for employment.*

Response: The applicant agrees that maintaining the employment core is essential to the viability of the Scottsdale Airpark and it is important to understand that the basis of the proposed project is primarily commercial offices with ancillary residential lofts above. Further, the developer intends to create CC&Rs to provide additional regulations regarding the commercial office component and limitation on residential to ensure that the main level is maintained and operated as an employment use. The idea is to keep the approved I-1/employment-type uses that currently govern this site, but extend the zoning to allow the residential piece to compliment employment on site. The project could build out the I-1, but it will be a greater benefit to the community and the City if residential is supplemented above these uses.

In addition to the comments under Policy LU 1.2 above, the proposed development accomplishes a range of GACAP goals by creating pedestrian synergy that will complement the surrounding employment context. This development is being achieved by utilizing the newly revamped PCP district which was approved by City Council in December 2013. The PCP allows for the flexibility in development standards and encourages mixed-use developments. This ordinance was specifically designed to implement the GACAP and this proposed development is the second application in the Airpark to utilize this zoning district in its newly drafted form. The goal is to provide a unique employment/retail/living concept in the core of the Horseman's Park PCD to help

strengthen the existing collection of uses in the Airpark area including but not limited to a number of office, recreational, and education uses.

The integration of 78 work/live loft units in the Scottsdale Airpark will capture 78 individual offices in one location not including the support conference space and restaurant/retail hub on the ground floor at the corner of the site. Contrary to the belief that adding residential ("live") will erode the employment core, the office ("work") component is the primary basis for the proposed development plan which will bring 78 or more businesses/working professionals together in one cohesive, collaborative development creating an incubator for creative thought, professional interaction, and knowledge-based synergy.

While the EMP land use designation is being modified in this application to allow for the integration of residential land uses, the core use is still employment based providing opportunities for businesses to locate in the heart of the Scottsdale Airpark with close proximity to regional multi-modal transportation via the Loop 101. It is important to note that the employment aspect (the work component) of the proposed work/live concept is the priority of this development. The future owners will be choosing to live where their work dictates. They will be choosing a modern, cutting-edge work space where the motivating factor is based on employment and a convenient lifestyle vs. having a separate home miles away from the office with extensive commute times. Further the GACAP states that "employment is appropriate adjacent to the Aviation Land Use area and within the Airport's 55 DNL areas and higher" [emphasis added]. It is important to note this site is not adjacent to Aviation and is located outside of the 55 DNL.

> ***Goal LU 4*** *Utilized development types to guide the physical and built form of the Greater Airpark (see Development Types Map)*

The Conceptual Development Type Map (see following page) designates the Property as "Type A – Medium Scale" which is defined in the GACAP as follows (emphasis added):

> ***Type A*** *development denotes areas appropriate for medium-scale developments. Type A may represent lower-scale residential developments existing in the area north of the Central Arizona Project Aqueduct and south of the Loop 101 Freeway. In other areas of the Greater Airpark, Type A may represent developments that are of a higher-scale than uses on the outside of the Greater Airpark boundary but of a lower-scale than the Type B or C areas.*

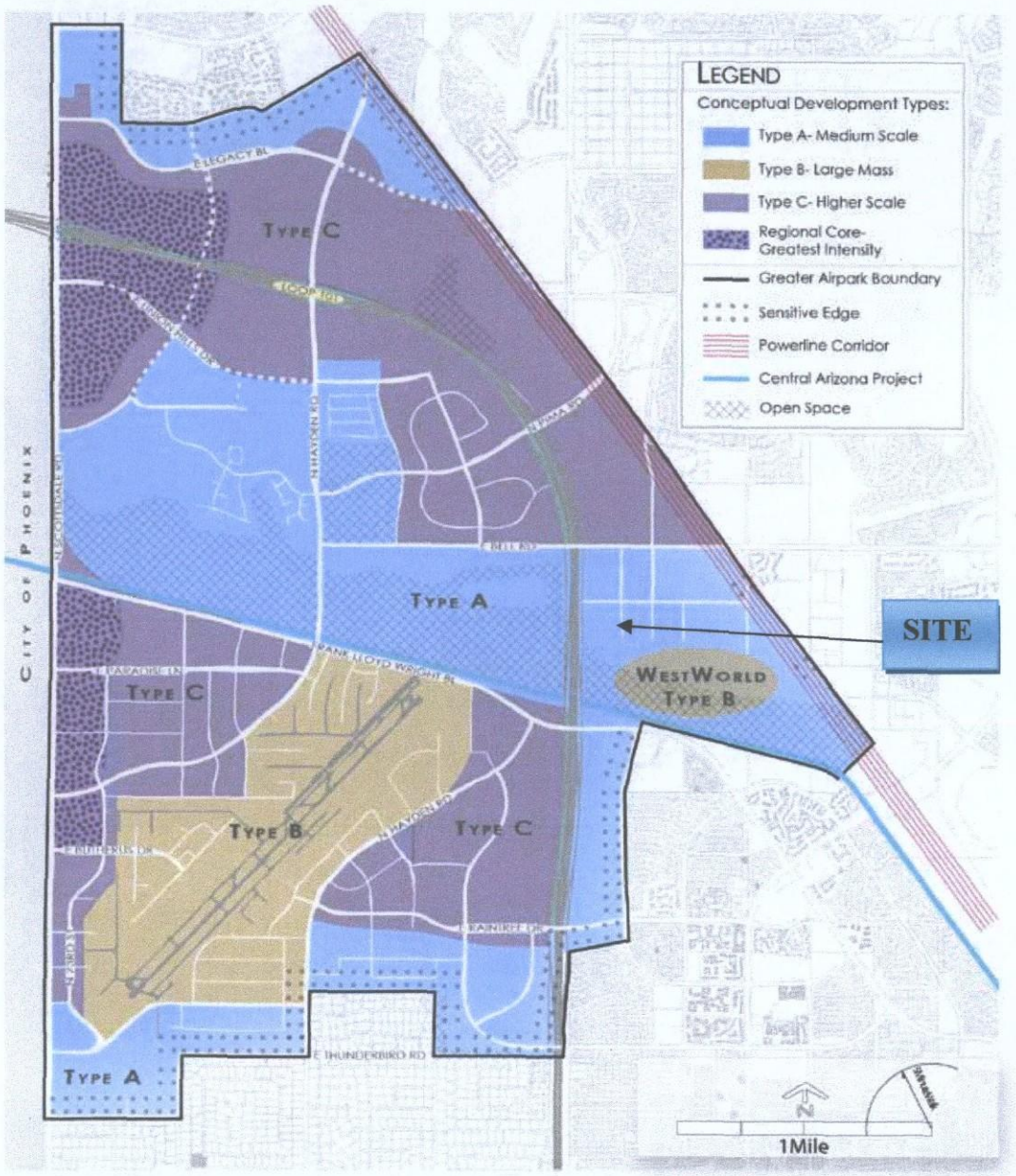
Response: This proposed development, located within the Type A classification, provides appropriate massing with three and four-story building heights 40' and 65' respectively (inclusive of mechanical). The units are split between 12 buildings on site with meaningful, useable open space between. Additionally, this site is adjacent to the Type B Westworld area (see Development Types Map below), which is a large multi-purpose public recreational facility utilized year round with heights reaching up to 65-80 feet. Buildings in the Horseman's Park master plan are permitted up to 42 feet in the surrounding area and up to 70 feet in height adjacent to the Loop 101 and Bell Road. The

building heights in the immediate area range from 30 to 55 feet. Just north of Bell the 125-acre Epicenter development plan, which was approved by City Council in 2008, allows building up to 56 feet in height.

Although this site is designated in a Type A area, the context of Westworld and the surrounding established building heights for this site proves to be compatible with respect to Bahia's proposed massing and height. It's also important to note that the proposed maximum building height of 65 feet is only for the corner building, the vast majority of the site will maintain a maximum building height of 40 feet. Additionally, the scale and building footprints of the proposed structures are far less than the surrounding buildings in the Horseman's Park PCD.

Greater Airpark Development Types (2009)
GACAP Page 17

Development Types guide the physical form of the Greater Airpark, and policies for each type are denoted in the Land Use Chapter.



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 Bahia Project development intends to utilize 65' (permitted 54' in height without bonuses) inclusive of mechanical allowed by the PCP ordinance to create a three and four-story development with Southwestern contemporary elevations complementary to the character of the adjacent Scottsdale Airpark. The aim is to keep the look and feel that has given Scottsdale that small town character by protecting the existing unique character of this mature area and promoting the continuity it has, while blending in newer elements. The pedestrian experience will be strengthened with linkages between the different communities. In addition, there will be a very high quality of architecture that will tie the project together.

The buildings have been designed in a manner that provides a hierarchy of masses and sensitivity to the pedestrian. Appropriate architectural detailing and materials include industrial finishes pulling from the color palette of nearby buildings which have been carefully selected to uphold the unique character and context of the surrounding area and characterize elements of the Sonoran Desert. The project will create a sustainable, walk-friendly environment that takes advantage of the substantial employment and retail base which surrounds the Property.

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: The project is designed for the property's highest and best use, which will have a positive effect on the surrounding businesses and properties. In fact, several property owners in this area that have been shown the plan are very excited about the development because they believe it will revitalize and bring value to the area, as well as uses that are currently lacking such as restaurant, retail and residential. With new office buildings being built at Scottsdale Quarter and other areas, vacancies are already high in this area. This project will create renewed interest and visibility in this area, bring exposure and visibility to the area and surrounding uses. Adding these new uses will help solidify this area as a "Core" and will catalyze positive change and new life into the area. As mentioned above, the proposal to utilize the PCD PCP ordinance is desired because it allows for greater height and flexibility in development standards than the existing PCD I-1 zoning with respect the proposed development. The PCD PCP zoning will allow the applicant to create a unique, work, live, play community for the of Scottsdale community and not only meets but exceeds the goals and policies of the GACAP.

Policy LU 6.1 *Prioritize employment uses over residential uses in the Greater Airpark.*

Response: Although this request is to amend the General Plan, GACAP and zoning map to allow for supporting residential uses on the Property, the primary land use for this Property will remain employment. The integration of 78 work/live units will

capture 78 individual offices in one location not including the support conference space and restaurant/retail space on the ground floor of the commercial hub at the corner of the site. The prioritizing of an employment based work/live land use concept within this established Horseman's Park PCD is evidenced through the proposed development plan. The integration of residential is intended to supplement and serve the existing and growing employment base of the Scottsdale Airpark.

> ***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 development will place emphasis on the pedestrian and create a walkable community and connectivity to the surrounding land uses. Additionally, the project provides abundant open space with slightly over 26.2% of the site (this calculation excludes parking lot landscaping and private outdoor open space). On-site open space includes gathering spaces, common amenities, private outdoor living and work spaces, perimeter landscape buffers, parking lot landscaping and meaningful pockets of internal open space to create privacy for owners, as well as a and a visual oasis and an attractive setting for the buildings. With the community's quality of life in mind, the preliminary plan is to incorporate a community garden and may have a tie in with Scottsdale Preparatory.

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 will be offered through the commercial piece of the development. Essential administrative, convenience, meeting and local markets services will be offered. The mix of land uses proposed under this application are a natural fit and complement the fabric of existing land uses in the Airpark and welcomed by owners in the area.

> ***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 work, live, play concept, which is the fundamental vision for the proposed The Bahia Project development concept. Additionally, the designated commercial area is intended to be compatible and offer support to the employment uses of the Greater Airpark, through specialty shops like a FedEx store, conference space, administrative

services and other essential services. The integration of employment/service and residential land uses on this site does not detract from the overall employment core character of the Airpark. Rather, it provides a land use balance creating a strong sustainable employment and service node essential to the continued success of the Airpark.

> ***Policy NH 2.3*** *Incorporate gathering spaces and recreational opportunities into the design of mixed-use development to support a high quality of life for Greater Airpark residents.*
>
> ***Policy NH 2.4*** *Promote opportunities for parks, open space, and trail connections within new mixed-use development and as a part of the redevelopment of existing property.*

Response: Being centrally located in the neighboring employment center, the project has the unique ability to improve the quality of life, connect the surrounding developments and be a gathering place. It will create a place that will draw visitors from all over the Valley. Living in this area also benefits those who fly regularly in and out of Scottsdale Airport, attend events at Westworld like the Polo matches, Arabian Horse Shows, Barrett Jackson, enjoy golf and attend the annual Waste Management Open, hike the McDowell Mountains or bike the many trails; all of these are within walking distance and bring visitors from around the world here. The development provides design elements that cater to the pedestrian and provide an urban character through the use of building design, signage, connectivity, landscaping, open spaces, hardscape and lighting. Each work/live loft building cluster will occupy six units which open onto a central courtyard space in which to gather, work, share ideas and/or relax. Additionally, the development will provide a separately located common outdoor amenity with pool for the owners. The site plan design includes a network of sidewalks that tie to the perimeter sidewalks along 92nd and Bahia and to the greater pedestrian network as described in NH 3.2. Below are some images of courtyard gathering concepts that inspired the unique The Bahia Project design.

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 uses will support the work, live, play philosophy emphasized 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: Keeping the employment on site will reduce traffic congestion. The type of employment located on site will also be a benefit to the community because the work space is not appropriate for industrial uses, so the site will actually improve air quality versus an industrial use on site. Being environmentally conscious, the project will have more landscaping and gardens on the site than are required which will also improve the

air quality. The amount of industrial waste that goes into the air and the ground will be reduced and offset by having the work/live included in this area.

The Property is located outside the 55 DNL line (see the Scottsdale Airport Noise Contours Map below) and the buildings will be designed with upgraded building materials and insulation to provide appropriate sound attenuation. Multi-modal transportation options will be available to the The Bahia Project owners to include, but not limited to, walking, bicycling, driving and public transit. The Property is located just east of the Loop 101, which provides regional access. Bell Road, which is ¼ mile to the north, is designated as a potential future transit route on the Greater Airpark Transit Connections map in the GACAP. The GACAP Pedestrian/Bicycle Network plan shows planned trail connectivity along the Loop 101, Bell Road and along the Old Verde Canal, all of which are within ¼ mile of the Property. A transit park and ride facility is located at the Scottsdale and Thunderbird Road approximately 2.5 miles away. Lastly, there are no heavy industrial, noisy uses in the Horseman's Park employment core that would be in conflict with the proposed use. The surrounding land uses include a range of non-industrial commercial-type office and support services as opposed to traditional warehouse and manufacturing uses typically found in I-1, Industrial Park settings.

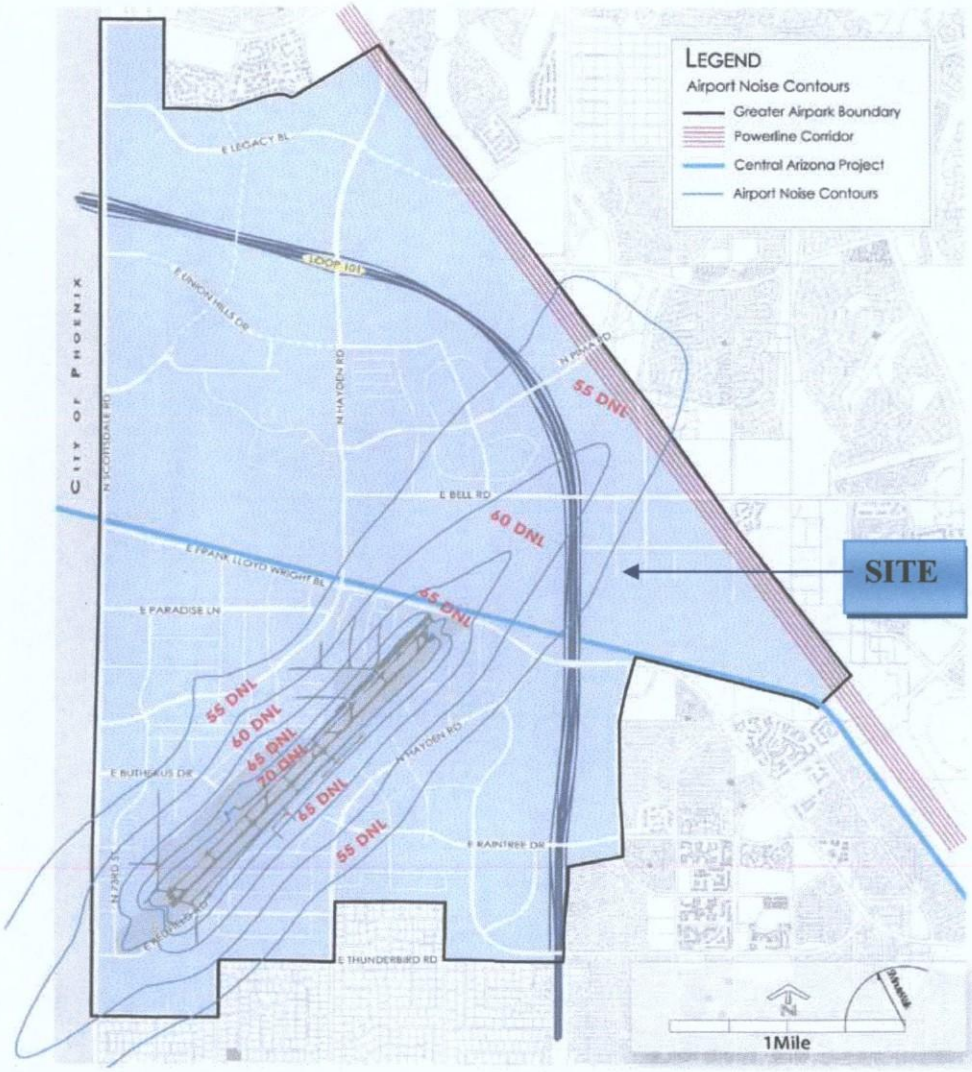
> ***Policy NH 3.3*** *Support the integration of workforce housing and a diversity of dwelling types within the Greater Airpark.*
>
> ***Policy NH 3.3.3*** *Encourage live-work units in the Airpark Mixed Use-Residential and Regional Tourism Future Land Use Areas in the Greater Airpark.*

Response: The proposed development will provide a unique office/residential mixed-use experience for the business owners of Scottsdale. As noted above and throughout the GACAP, the work/live concept is promoted and supported in AMU-R areas. The proposed GPA will maintain the integrity of the employment core by keeping an employment base on site as the primary use with the residential component being secondary.

Airport Information

Scottsdale Airport Noise Contours (2009)
GACAP Page 30

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.



Sound from the highway and airport approaches has been considered and will be included in the CC&R's. Consequently, these concerns have also been incorporated within the design elements of the project. The following graphic is taken from the Scottsdale Airport, the project site is located outside of the Flight path for both incoming and departing aircraft from Scottsdale Airport.

The project site is over 1 mile from the Scottsdale Airport, equally well over 6,000 ft from the end of the runway.

Community Mobility

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

Response: Bell Road (an Airpark Signature Corridor) is approximately ¼ mile north of the Property is designated as a Pedestrian/Bicycle and trail corridor in the GACAP. Additionally, the Loop 101 and Old Verde Canal (both within ¼ mile of the Property) are designated as trail corridors. Frank Lloyd Wright Boulevard, which is approximately ½ mile to the south, is also designated as a Pedestrian/Bicycle trail corridor on the GACAP Pedestrian/Bicycle Network plan. All of these streets provide a framework for pedestrian and bicycle connections in the immediate area. The development will create a sustainable, walk-friendly environment for its owners with functional, internal pedestrian connections between site amenities and other land adjoining land uses. The Horseman's Park PCD has a network of sidewalks that provide connectivity to the surrounding area. Bicycle storage will be provided on site in the individual unit garages and via bike racks near the retail/restaurant use at the hard corner.

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

Response: The site plan has been designed in a manner that pays particular attention to the pedestrian view corridors of the McDowell Mountains as well as connections for the bicyclist along the perimeter of the site. The mixed-use nature of proposed development promotes vehicular trip reduction and a sustainable, walkable community. Work, live, play 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 following page) designates this Property as the "Westworld" activity center. Westworld is a huge benefit to this area and is steps from the development site.

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.*

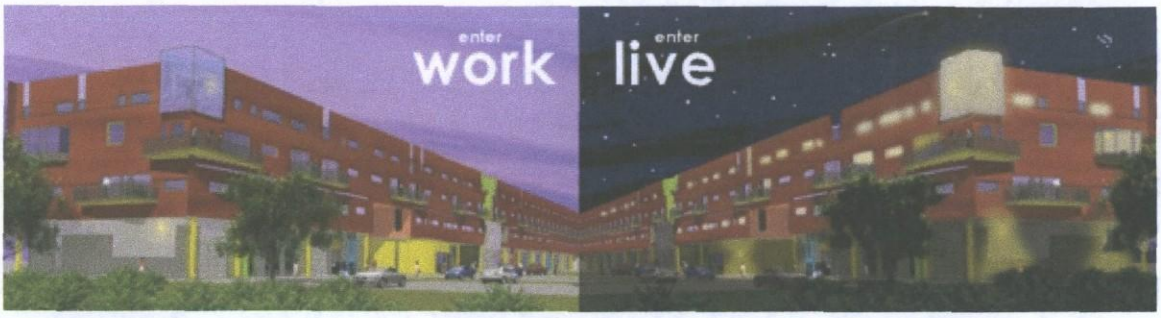
Response: The proposed work, live, Play land use concept achieves this policy on several levels. The construction of new development will generate significant building permit fees and revenue for the City of Scottsdale as well as increased sales tax revenue for the City. Also, the integration of 78 work/live units will capture 78 individual offices in one location not including the support conference space and restaurant/retail space on the ground floor of the commercial hub at the corner of the site. The work/live units are ideal for the small business owner including but not limited to insurance agents, engineers, architect, artists, accountants, computer programmers, graphic designer, web designers, writers, tutoring, college coach/counseling, psychologists, therapist, counselors sports agents, real estate professionals, and healthcare executives.

When compared with other uses that might have gone forward on this site (mini-storage or school fields), this mixed use plan is clearly better for the City and the surrounding property owners. The integration of new development will enhance the City's revenue streams and bring financial benefits to Scottsdale businesses. Business owners/ residents require services, goods, food, and entertainment and draw from local businesses and resources. By creating a walkable environment that already has abundant retail and service opportunities nearby, a land use balance will be created which will strengthen the City's long-term economic stability.

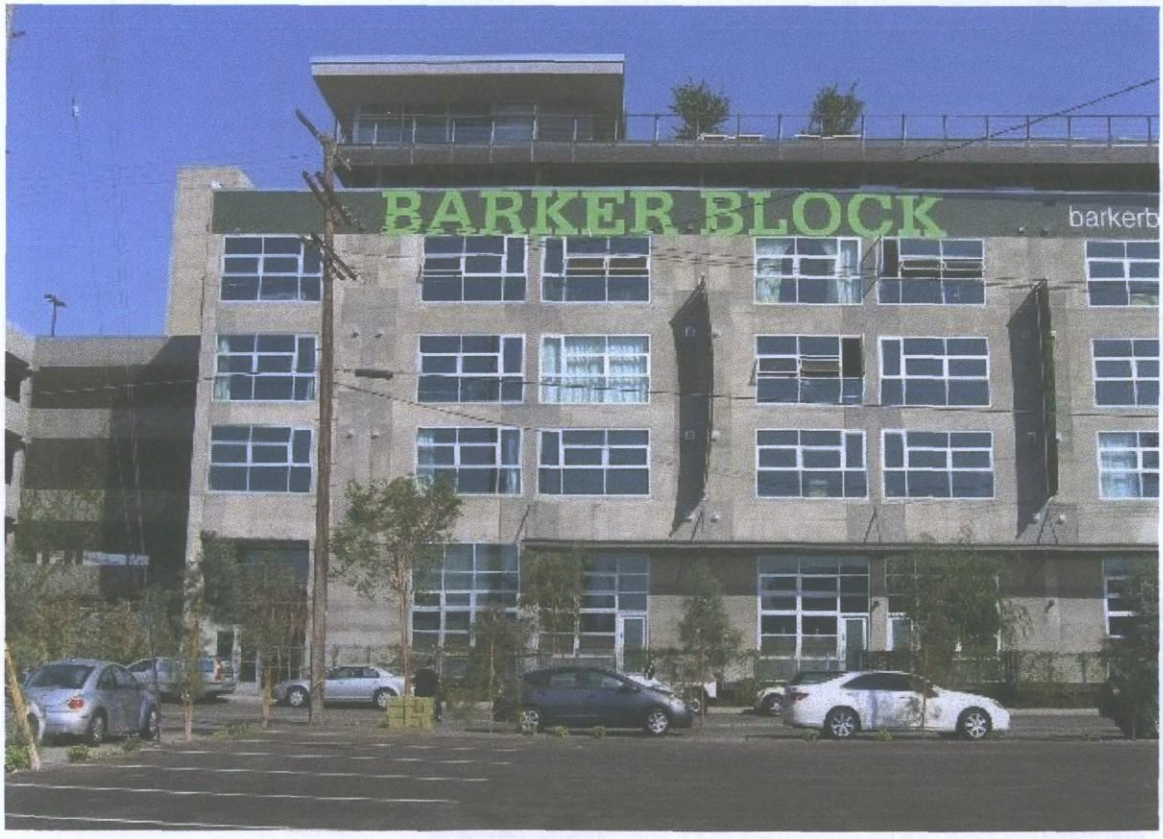
> ***Policy EV 2.5*** *Aggressively market the Greater Scottsdale Airpark as an ideal destination to live, work and play.*

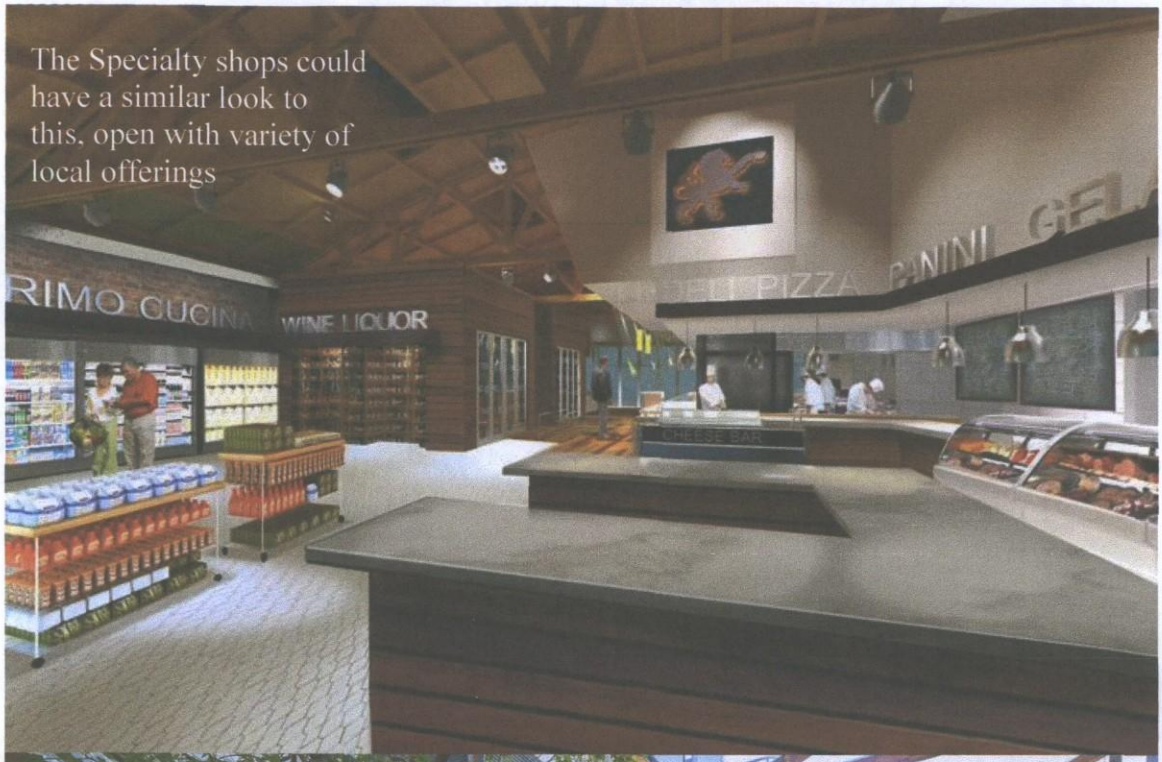
Response: The range of land uses proposed under this application complements the existing mixed-use character of the Scottsdale Airpark. The Airpark as a whole creates a unique opportunity to foster interrelated land uses and promote the work, live, Play concept, which is memorialized numerous times in the GACAP. Additionally, the surrounding employment core and the nearby retail development provide regional appeal for future owners. This application is driven by the site's surrounding land uses and a strong market demand for this type of mixed-use found in so many major cities. Business and housing trends indicate a fundamental shift away from traditional homeownership and business operations as a result of the growing tech generation and their desire for a true work/live experience and alternative mixed-use options that fit their lifestyle. Below are a few successful examples of work, live, Play developments throughout the United States:

Examples of Successful Mixed Use projects that Bahia has analyzed:



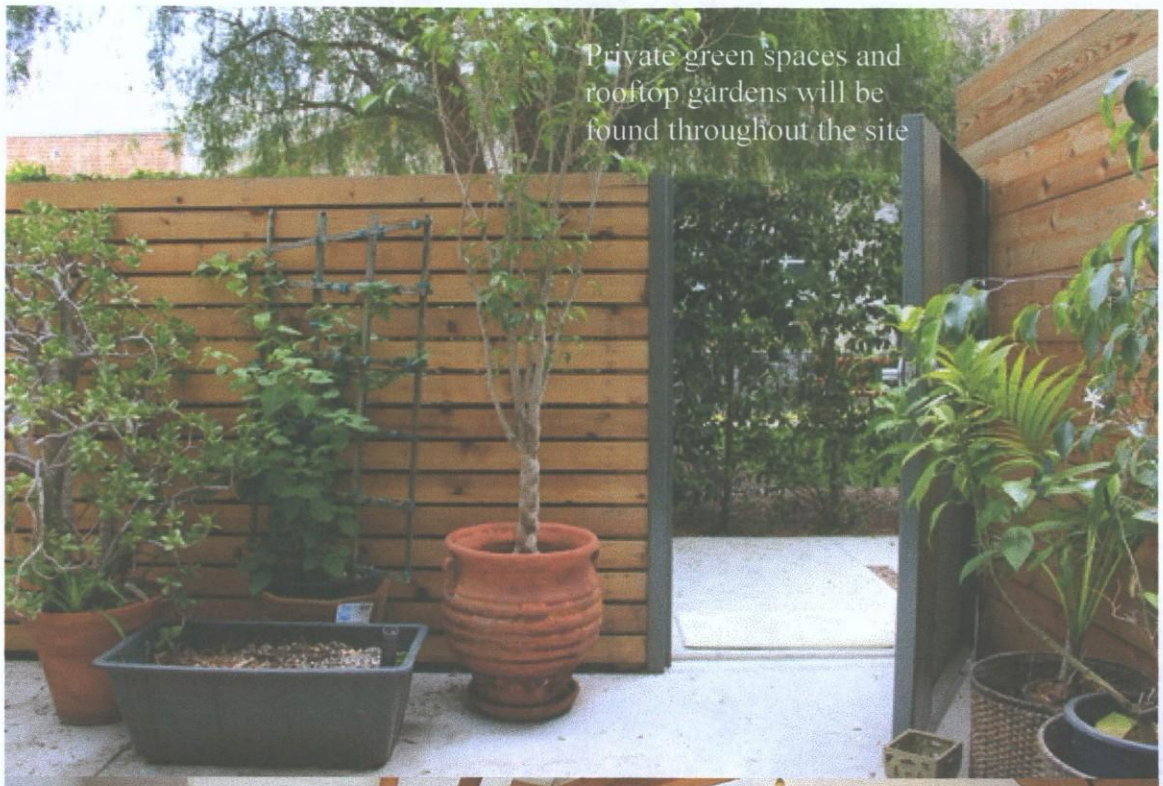
Barker Block in LA – 309 units total, 241 work/live units. Barker Block is an award winning development by the KOR Group to combine the wants and desires of a new generation with the legacy of an older generation. Almost an entirely new build, the KOR Group has reinterpreted the warehouse and industrial yard to include residential housing and foster community. Saving the façade of the old Barker Block furniture factory, the development has succeeded in creating the neighborhood character that millennials are looking for.





The Specialty shops could have a similar look to this, open with variety of local offerings

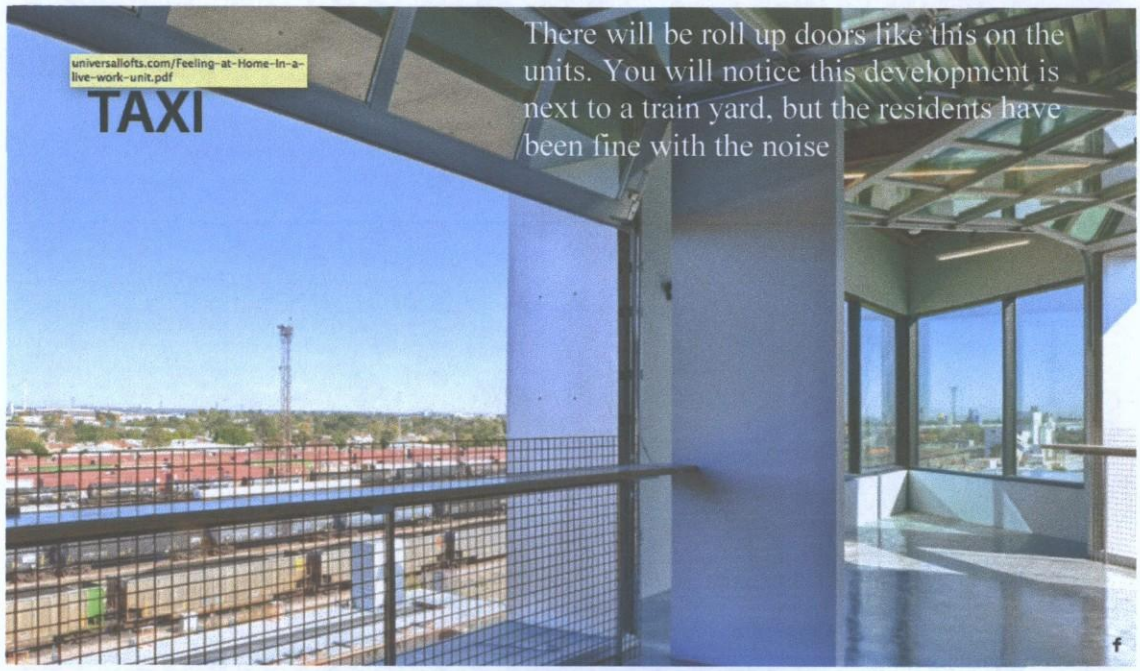
The landscape plan includes lots of green areas and soft seating



TAXI in Colorado - Home to residents and over 80 creative businesses, TAXI is a mixed-use community rife with inspiration. The campus, which is still expanding, is made up of six buildings and amenities, including a fitness center, cafe, coffee shop, salon, early childhood education center, outdoor cinema, one-of-a kind pool and community garden, which are designed to keep the community connected.

Its gritty, urban location may seem off the beaten path, but what was once the heart of Denver's industry has transformed a former industrial site.

TAXI was the brainchild of Mickey Zeppelin and his son Kyle, who saw a need to create a community that fostered the use of creative spaces for the new workforce. The campus has become a catalyst for collaboration and communication amongst businesses, residences and the community, making it more than a place to work or live, but something that is truly unique.



There will be roll up doors like this on the units. You will notice this development is next to a train yard, but the residents have been fine with the noise

The exterior will feel industrial, but have a look more similar to the surrounding area

Environmental Planning

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

Response: In conjunction with H&S International, Greey Pickett has created a landscape design plan that will create a distinct landscape character for this enclave of work/live units that blends the features of the area in a cohesive and coherent manner. With a judicious use of water as a design element, there has been an intentional preference to surround the project with native plants.

The landscaping for the proposed development will be in accordance with the existing City approved landscape palette found in nearby developments including. 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: Sensitive to the evolving context of this area over time, this development will maximize the views of the scenic McDowell mountains and the surrounding desert landscape. With rooftop garden and work spaces, this project will be able to adequately

show off the natural Sonoran beauty and give guests to the area, the ability to appreciate these incredible vistas. The project will proudly showcase the combination of natural shapes, textures and materials from this region and incorporate shade structures.

Special attention has been given to the site planning and building aesthetic for 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.*
>
> ***Policy EP 5.4*** *Encourage landscape improvements that limit the amount of turf area and make optimal use of indigenous adapted desert plants.*

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 context appropriate setting for the buildings.

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 work, live, Play philosophy enhanced with proposed combination of uses
- Building design includes context appropriate massing, architecture and materials
- Special attention given to pedestrian linkages both internal to the site and along the perimeter to emphasize connectivity
- Compatibility with surrounding context
- Site and building design focused 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 abundant open space with 49,200 s.f. or 26.2% of the site (all inclusive).

There will be gathering areas where minds can come together in an environmentally friendly setting. The Rooftop studios will be completely unique in Scottsdale as well and will capitalize on the incredible views of the McDowell Mountains. Also, while the townhouses and condos will have a contemporary look and feel, the undertones will be industrial, with roll up garage doors and metal frames, to keep the look and feel similar to the surrounding area.

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 neighboring land uses. One of the lighting goals will be to provide appropriate low-level pedestrian scale lighting (bollard and foot lighting) for pedestrians walking at night. The lighting will be integrated with the abundant desert landscaping proposed with this development.

IV. Planned Airpark Core Development (PCP)

This application includes a range of exhibits including the site plan, elevations, renderings, solar shade studies, pedestrian/vehicular circulation plan, landscape plan, and civil engineering information which demonstrate the character and high-level of design proposed for this site.

The building is a contemporary, modern, dynamic place with a Scottsdale Airpark identity that will draw people with its strong architectural identity. Using the Sonoran desert environment as the inspiration, there is cohesion in the landscaping and green spaces. The natural washes on the site collect and transfer the waters from all over the

area. The design symbolizes this by pulling from different design features and creating a continuity of textures and aesthetics while adding features like decorative paving, public art, hanging gardens, shared plazas and other civic amenities.

The purpose of the PCP district is to promote, encourage, and accommodate innovatively designed and master-planned mixed-use developments within the GACAP. The PCP district should:

A. *Accommodate mixed-use commerce and employment centers.*

B. *Provide a dynamic complement to the employment cores with support retail, service, tourism, cultural, and residential uses.*

Response: The proposed PCP zoning will allow for the integration of a work, live, Play development on the subject 4.3+/- acre site. This development strongly contributes to the mixed-use sustainable character of the Scottsdale Airpark and complements the existing commerce and employment uses as well as the recreation, retail and service uses of the surrounding area.
The proposed development accomplishes a range of goals including the integration of high quality, vibrant architecture and innovative site planning, creating pedestrian synergy with ground level commercial uses, and providing an employment/living mixed-use concept that reduces trip generation and fits well within the existing employment context.

C. *Promote efficient and safe traffic circulation system through the inclusion of a mix of complementary uses and provisions for multiple modes of travel.*

Response: While being focused on bringing employment to the site, the Work/Live use lends itself to lower traffic than other commercial uses such as office condos. The automobile circulation on site will be kept to minimum as owners will stay and work on site. The incorporation of the restaurant on the site should actually increase pedestrian circulation both on site and from the surrounding site during peak hours for lunch and dinner, complimentary to the times currently being used by Scottsdale Preparatory to drop off and pick up students. We have made great efforts to help Scottsdale Prep improve their traffic circulation and have been spearheading the process of working with the City. Based on the preliminary traffic study data, the work/live concept is the best use to keep employment onsite but decrease traffic from a traditional office use. The restaurant/retail will cause some traffic but will be largely during lunch and dinner, at completely opposite times from the Scottsdale Preparatory pick up and drop off.

The site plan sufficiently addresses the proper circulation plan for both fire and sanitation.

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 proposed development promotes vehicular trip reduction and a sustainable, walkable community. The 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.

D. *Promote architectural excellence and creative design through development standards that create high quality character for structures, site plans, and streetscapes.*

E. *Promote adjacent neighborhoods through strict development standards while encouraging innovative site planning and environmental sensitivity throughout the PCP district.*

Response: The Bahia Project' design embodies an Airpark appropriate building with materials and colors that are compatible to existing fabric of the Airpark character while providing unique detailing and presence. The developer intends to create a three and four-story mixed-use development with Southwestern contemporary elevations in keeping with the surrounding character. The site is designed in a cohesive manner that provides visual and physical connectivity through the architectural styles and the hardscape/landscape design.

F. *Provide an open space framework of enhanced streetscapes, functional pedestrian spaces, enhanced view corridors and other public environmental amenities.*

Response: This project promotes the value of usable open space on several levels. The proposed development will place emphasis on the pedestrian and create a walkable community and connectivity to the surrounding land uses. Additionally, the project provides abundant open space with slightly over 26% of the site (this calculation excludes parking lot landscaping and private outdoor open space). On-site open space includes gathering spaces, common amenities, private outdoor living and work spaces, perimeter landscape buffers, parking lot landscaping and meaningful pockets of internal open space to create privacy for owners, as well as a and a visual oasis and an attractive setting for the buildings.

Promote environmental stewardship and sustainability through the application of recognized and established environmentally responsible building techniques and desert appropriate design approaches.

Response: The Airpark is predominately an employment core area. Integrating the proposed work, live, Play land use will provide an opportunity for Scottsdale business owners to embrace the employment and service core area of the City in a different way. The location of the Property not only provides an opportunity for this unique mixed-use concept in the employment core, but also provides connectivity to the businesses and services established in the nearby area that will enhance their sustainability. The Bahia Project will promote an integrated, sustainable character for the area contributing towards the work, goals and policies identified in the GACAP. The project will create a sustainable, walk-friendly environment that takes advantage of the huge employment and support service base which surrounds the Property.

Bonus for Increase FAR

The applicant intends to utilize the bonus provision for floor area ratio (FAR) by applying the formula provided in Section 5.4008. Bonus Development Standards increasing the base PCP FAR of 0.8 to 1.2 (72,946 s.f.). Application of the formula is outlined below:

TCE / 1.035 X 0.1=SQBA

SQBA=square feet of gross floor area bonus

TCE=total construction cost estimate of the improvement

The developer proposes to allocate $754,987 in the form of a direct monetary contribution to the City of Scottsdale.

$754,987 / 1.035 X 0.1= 72,946 s.f.

Based on the application of the formula the developer will gain an additional 72,946 s.f. of gross building area by providing $754,987 to the City.

Bonus for Increased Building Height

The applicant intends to utilize the bonus provision for Building Height by applying the formula provided in Section 5.4008. Bonus Development Standards increasing the base PCP building height from 54 feet to 65 feet (additional 11 feet) to accommodate additional square footage and mechanical appurtenances. Application of the formula is outlined below:

TCE / 1.035 X 0.0001 = FBH

FBH = Feet of Building Height Bonus

TCE = total construction cost estimate of the improvement

The developer proposes to allocate $113,850 in the form of a direct monetary contribution to the City of Scottsdale.

$113,850 / 1.035 X 0.0001= 11 ft of additional height.

Based on the application of the formula the developer will gain an additional 11 feet of building height by providing $113,850 to the City.

Allocations of these funds will be identified in the Development Agreement.

V. Horseman's Park PCD Findings

Before approval or modified approval of an application for a proposed P-C District, the Planning Commission and the City Council must find:

A. *That the development proposed is in substantial harmony with the General Plan, and can be coordinated with existing and planned development of surrounding areas.*

Response: This application is in harmony with the General Plan and GACAP as outlined in section III above as well has the established Horseman's Park development plan. Further, the proposed development plan is compatible with the surrounding employment core established in the area. Developing a unique work, live, Play project will further bolster the economic stability of the established employment, recreation, and commercial services in the area.

B. *That the streets and thoroughfares proposed are suitable and adequate to serve the proposed uses and the anticipated traffic which will be generated thereby.*

Response: External roadways adjacent (or near) to the property include the Loop 101, a regional transportation corridor to the west and Bell Road, a minor arterial to the north. These transportation corridors maintain more than sufficient capacity to accommodate proposed vehicle trips for the The Bahia Project work, live, Play development. A complete traffic analysis is provided with the application.

C. *The Planning Commission and City Council shall further find that the facts submitted with the application and presented at the hearing establish beyond reasonable doubt that:*

1. *In the case of proposed residential development, that such development will constitute a residential environment of sustained desirability and stability; that it will be in harmony with the character of the surrounding area; and that the sites proposed for public facilities, such as schools, playgrounds and parks, are adequate to serve the anticipated population. The Planning Commission and City Council shall be presented written acknowledgment of this from the appropriate school district, the Scottsdale Parks and Recreation Commission and any other responsible agency.*

2. *In the case of proposed industrial or research uses, that such development will be appropriate in area, location and overall planning to the purpose intended; and that the design and development standards are such as to create an industrial environment of sustained desirability and stability.*

3. *In the case of proposed commercial, institutional, recreational and other non-residential uses, that such development will be appropriate in area, location and overall planning to the purpose intended; and that such development will be in harmony with the character of the surrounding areas.*

Response: Bahia complements these sensitive design principles in the following ways:

- 30' landscape buffer and setback along Bahia per the Horseman's Park development plan
- Hierarchy of building massing with stepped three and four-story concept
- Pedestrian connectivity along the street frontages and throughout the project
- Connectivity to larger open space network
- Place-making design concepts
- Activation of the street frontages with office/retail at the hard corner of 92nd and Bahia
- Completely unique rooftop studios and gardens

Horseman's Park Amended Development Standards

Pursuant to the height and FAR bonuses requested under the PCP district (see section IV above), the City has requested that we amend the Horseman's Park PCD for this 4.3 acres site accordingly. The amendments are as follows.

- **Height**
  Current maximum building height: 42 feet inclusive of mechanical
  Proposed maximum building height: 65 feet inclusive of mechanical

- **Floor Area Ratio**
  Current maximum FAR: 0.4
  Proposed maximum FAR: 1.2

33-ZN-2000 Stipulation Modifications

1. Maximum Building Height. Unless otherwise stipulated, the maximum building height shall be ~~thirty-six (36) feet and a maximum of forty-two (42) feet~~ **65 FEET INCLUSIVE OF** ~~for~~ mechanical **EQUIPMENT AND** screening **FOR THE PROPERTY LOCATED AT THE SOUTHWEST CORNER OF 92ND AND BAHIA.**

2. Floor Area Ratio. Maximum floor area ratio shall be ~~0.40~~ **1.2 FOR THE 4.3+/- ACRE PROPERTY LOCATED AT THE SOUTHWEST CORNER OF 92ND AND BAHIA.**

VI. Conclusion

In summary, the applicant is seeking a Non-Major GPA to the 2001 General Plan from Employment to Mixed-Use Neighborhoods, a Non-Major GPA to the GACAP from EMP to AMU-R and rezoning from PCD I-1 to PCD – PCP/AMU-R on a 4.3 +/- gross acre site located at the southwest corner of 92nd Street and Bahia in the Horseman's Park master plan.

The applicant intends to create a mixed-use work, live, Play development, the The Bahia Project by creating a unique development that consists of 64 individual ground level office spaces with loft-style residential above. Additionally the applicant intends to create an office/retail hub at the corner of 92nd and Bahia which will include business/employment support services such as a coffee shop and/or a lunch and dinner restaurant. The commercial corner will also have office conference space available for the loft owners as well as tenants in the area. Fourteen additional work/live units will be provided above the corner building.

As mentioned above, the knowledge-based worker makes up an estimated 30% of the American workforce (and growing), and are known for their contribution towards creating new ideas and new technology. These workers crave a work/live option that is different than the traditional workplace and household environment. One that affords them a flexible schedule and independent loft concept like the cutting edge experience proposed for The Bahia Project work, live, Play development; a development that promotes sustainability, reduced trip generation, environment responsibility and professional synergy.

The proposed mix of uses will enhance the local and regional economic base. The Property is surrounded by a variety of employment, recreational, office, instructional/education and service related business in the Scottsdale Airpark and there is a strong demand for this unique work/live concept.

This is a very unique and exciting project, support from potential patrons of the restaurant. Based on data provided by 3rd party experts, this project will be not only a commercial success but will exemplify the vision that the City hopes to achieve in the area.

The project meets and exceeds the expectations of the City:

- Located within the General Plan targeted "Growth Area", a Mixed Use Commercial designation will allow for the best use of the site.

- The granting of the proposed zoning will be positive for the public welfare and will enhance the character of the neighborhood.

- It will benefit the existing tenants in the area and the general public. The commercial operations will not disturb nor be detrimental to the public in its

normal operation and instead will add to the livelihood of the surrounding area bringing jobs and revenue.

- The commercial and residential mix will increase the visibility of this site and bring attention to the existing retail and attractions.

- The granting of the requested rezoning will not be contrary to the objectives of the General Plan.

- There are positive traffic impacts from the property uses.

- The project fits with the commercial owners already in place; it fits within the General Plan and will strengthen the community.

Site

Existing GP Use

H&S International LLC.
Bing Hu Architect
P.O. BOX 13720
Scottsdale, Arizona 85267-372
602-585-6898
602-585-2398 (FAX)

Kona Office
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Kailua-Kona, Hawaii 96740
(808) 331-8870
(808) 331-8870 (FAX)

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BAHIA WORK LIVE PLAY

SCOTTSDALE, ARIZONA

GIO LOT 21 - BAHIA DRIVE AND 92ND STREET

REVISION
REVISION
REVISION

DATE 09-30-2014
DRAWN BY BING HU
PROJECT MANAGER
PROJECT NUMBER 1470
SCALE AS NOTED
DRAWN BY
CHECKED BY BH
SHEET TITLE

618-PA-2014

BAHIA WORK LIVE PLAY

Site

Proposed GP Use

H&S International LLC.

Bing Hu Architect
P.O. BOX 13720
Scottsdale, Arizona 85267-372
602-585-6598
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BAHIA WORK LIVE PLAY

SCOTTSDALE, ARIZONA

GID LOT 21 - BAHIA DRIVE AND 92ND STREET

REVISION
REVISION
REVISION

DATE 09.30.2014
DRAWN BY BING HU
PROJECT MANAGER
PROJECT NUMBER 1418
SCALE AS NOTED
DESIGNED BY
DRAWN BY BH
SHEET TITLE

618-PA-2014

BAHIA WORK LIVE PLAY

Family Zone Narrative

History:
With the arrival of Westworld, the entire area north of the Canal, west of 94th st and east of the 101 freeway became zoned I-1 Industrial and a targeted Employment area under the Horseman's Park zoning case (33-ZN-2000). In the 14 years that has elapsed since that rezoning, big changes have happened. With proximity to the 101 highway, the Greater Airpark Area has been a magnet for offices and services, especially within the west side of the 101 freeway.

While the City designated the east side of the 101 freeway to be an industrial area, it instead has turned into a recreational area to serve the nearby residents. In the 14 years since the I-1 zoning was put into place (changing from the original R-35 zoning), large residential developments have been built all around Westworld in every direction. The Market determined that this would be a place where people wanted to live. The only problem was that there weren't any amenities for these growing households. A solution presented itself; The Family Zone sprung up organically to fill a void in the market. With high office vacancies across the Phoenix Valley, the market determined that it could make this area work best if it moved toward offering services to families. Spaces reserved for Industrial offices were converted to activity and recreational centers.

Family & Student Zone:
The Bahia Work + Live + Play project is located in what most commonly is called "The Family Zone" due to the abundance of activity centers for children and families. While the City may still consider the vision of this area being an industrial zone, the

reality today is that there are more students and parents that drive to this site everyday than employees. Based on demographics shared with us from a broker in the business park and the architect that designed most of the, its estimated that there are around 500 employees that work in this area that is south of Bell Rd. and north of Westworld.

In contrast there are over 1500 students and that is just between Scottsdale Preparatory and Notre Dame, this does not include On-Trac Academy, the U of A Eller campus nor Driving MBA. The amount of students in this immediate area far outweighs the amount of employees, at least 3 to 1. In addition, children and adults come to this area through out the day to participate in sports, weight lifting, martial arts, language learning, swimming lesson, physical therapy, skating lessons, educational activities, rock climbing, conditioning, biking, dental care and tutoring just to name a few. Students from other public and private school make use of the offering here in "the Family Zone", which offers almost every service a family could need, except for living space.

The Family Zone contains the following 33 businesses, to name a few:

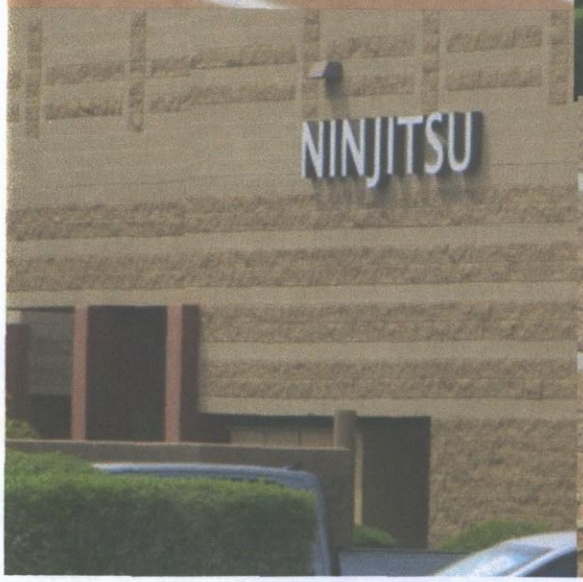
Ambiant Dance Studio
Arizona Outback Adventures
Optimum Performance Training
FROGS Physical Therapy
Pump It Up Parties
Plumb Performing Arts
American Elite Gymnastics
Phoenix Rise Professional GL
Rebound Gymnastics West
Convenant Community Church
Charity Benefits Unlimited
Fitness 5
A+ Nannies
Ice Den
Mint Conditioning
Aqua Safe Swim
Ninjitsu
Scribble to Script
Voices
Oxford Learning
Faster
Endurance Rehab
Little Bohemian
The Rise Scottsdale
On-Trac Academy
Or Chadesh
AZ on the Rocks
Scottsdale Martial Arts
Velocity
Scottsdale Education Center
Young Champions of America
Active Body Worx
iLearn & Succeed

ENDURANCE
REHAB

FITNESS 5
THE PERSONAL TRAINING REVOLUTION
#107

AquaBabb
Swim School

AZ
YOGA


NINJITSU

Mint Condition

GAME

Driving MBA
ENTRANCE

CONGREGATION
OR CHADASH

AMBIANT
DANCE

INDOOR CLIMBING

AZ ON THE ROCKS

SCOTTSDALE, AZ

WWW.AZONTHEROCKS.COM

ICE DEN

SCOTTSDALE

480-585-7465

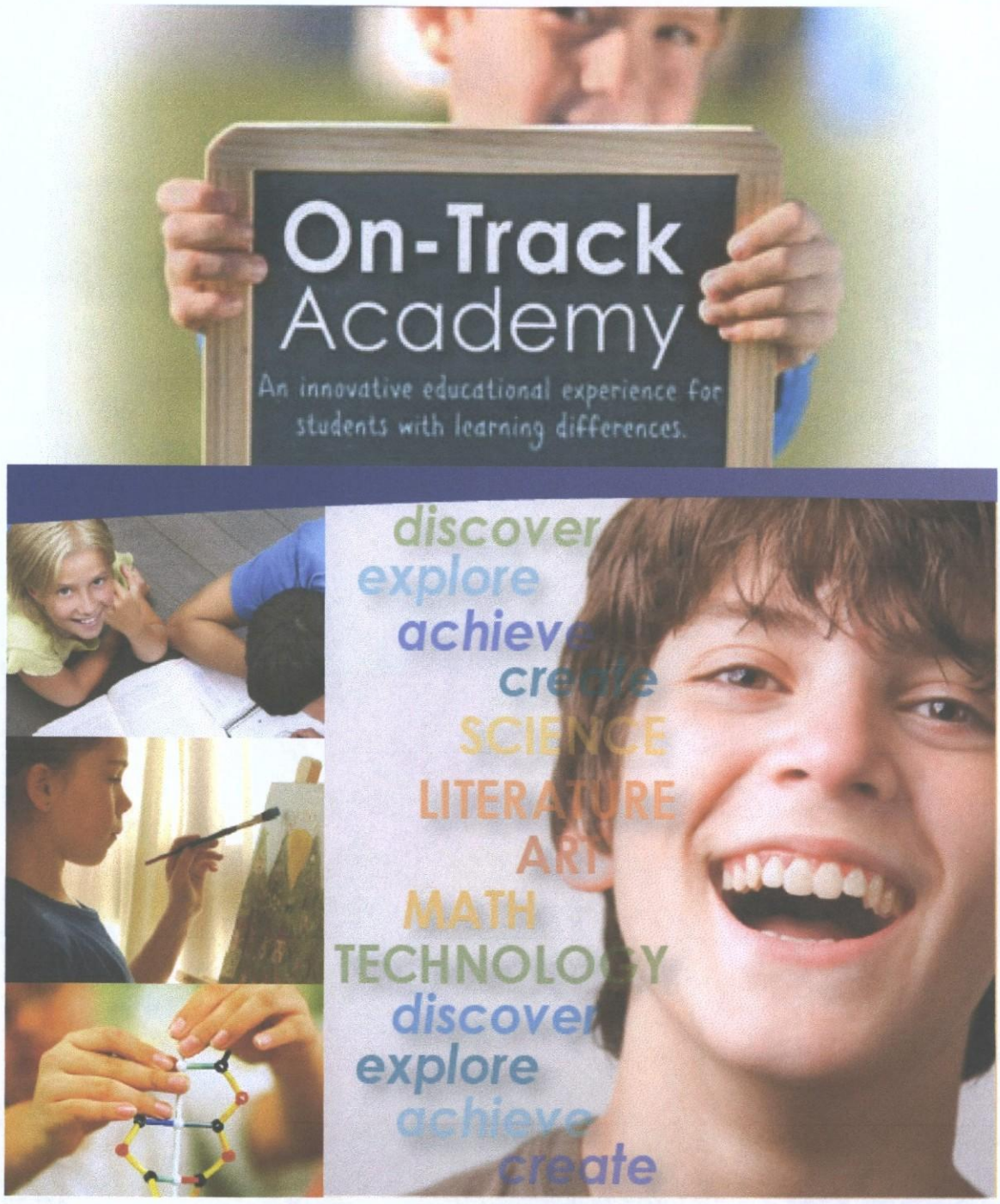
Plumb

Performing Arts Center

Teen and Senior Company

PPAC is very proud of our Teen and Senior Company. They are comprised of young dancers ages 13 through17. This is an elite group that takes over 20 hours of dance classes per week and performs and competes locally, regionally, and nationally. Members of this line have been asked to dance at the prestigeous " Joyce Theater " in New York City the past three years. They have also won many national awards and titles.

Rebound Gymnastics WesT


On-Track
Academy
An innovative educational experience for
students with learning differences.
discover
explore
achieve
create
SCIENCE
LITERATURE
ART
MATH
TECHNOLOGY
discover
explore
achieve
create

Your Destination For Family Fun!

FAMILY ZONE

at McDowell Mountain

The Family Zone at McDowell Mountain is a unique complex of family-oriented businesses offering world class recreation, entertainment and practical instruction. There is something for everyone - a distinct and convenient destination for lifestyle enrichment. Nowhere else but the Family Zone can you find the year-round schedules and amenities of the things that interest you and your family - sports, training, performing arts and more.

AquaSafe

AZ

Driving MBA

Plumb

MARTIAL ARTS

Scribble 2 Script

Velocity

VOICES

a music & arts studio

Conveniently located off the 101 Loop.

www.thefamilyzone.com

To: City of Scottsdale

From: Catclar Investments LLC.

Date: October 13, 2014

Allocation of Bonus FAR Contributions

By Catclar Investments LLC

Re: Bahia Work, Live, Play Project

Based on the PCP Zoning, in order to achieve greater density and taller building heights, a developer can make contributions to the City of Scottsdale to benefit the Public. The Bahia Work Live Play project will be making contributions of $754,986.60 to pick up an additional 72,945.6 square feet and $113,850.00 to add an extra 11 feet in height for the project. This brings Catclar Investments total contribution amount to the City of Scottsdale, for public benefit, to $868,836.60.

Under the PCP Zoning and Sec. 5.4008 Statutes there are approved uses to which these funds can be allocated. These "Bonus development standards" must be selected by the developer, approved by the City, and included in the Development Agreement. Additionally, these improvements are required to be located within the Greater Airport Character Area. Exhibit A, attached hereto, illustrates examples of each requested allocation. Exhibit B demonstrates the calculations utilized to arrive at the amount of funds allocated for the bonuses.

After diligent research Catclar Investments LLC is hereby requesting that our contribution to the City of Scottsdale, for the benefit of the public, be allocated in the following manner:

CATCLAR INVESTMENTS LLC
16621 N 91ST STREET #101 SCOTTSDALE, AZ 85260

EXHIBIT A
Examples of Uses proposed for Allocation of Funds

Section 5.4008

5. Public art. (Shown on Site Plan Below on pg. 9 as #5)

   i. Public art shall be located in an area accessible by and visible to the public and exterior to any building.

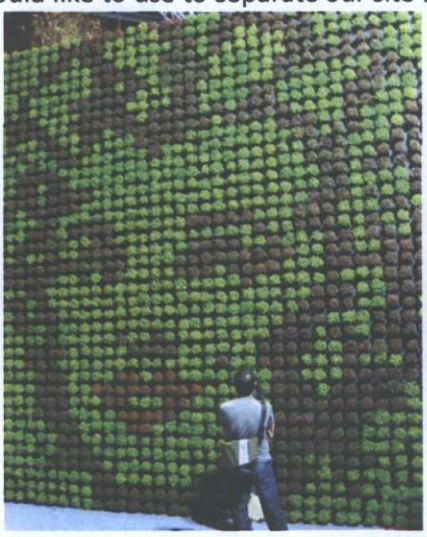
   ii. Public art shall be placed within the Greater Airpark Character Area.

Explanation by Developer – The idea is to incorporate "Green" Public art that can accentuate unique spaces. Catclar has many idea as to the possible form of said art within the community. Some of these suggestions are listed below as examples.

*Additionally, we are proposing a contest with ASU design/landscape and architecture students to design an environmentally friendly, community compatible form of art to be located in Scottsdale within the project community. Students will be instructed to contemplate "crowd sourcing" design ideas. The winner of this contest will work with the Developer to achieve environmentally friendly Art that will complement the site. **The break out of fees will be determined based on the selected items from this design competition but they will not exceed the budget or will be at owners expense.*

Examples of Possible "Green" Public Art

Wall will be located on the east end of the project along 92nd and provide a unique art piece while also providing privacy to the units behind it. The second picture shows examples of green walls which we would like to use to separate our site from surrounding developments.



CATCLAR INVESTMENTS LLC
16621 N 91ST STREET #101 SCOTTSDALE, AZ 85260

This Art doubles as soft seating for the public and will be found in our Amenity Area on the South east side. Would say BAHIA WLP or something similar.

These Art features will be located around the site to reflect the sky and the surrounding beauty.

CATCLAR INVESTMENTS LLC
16621 N 91ST STREET #101 SCOTTSDALE, AZ 85260

These Green pillars could serve to decorate the entrance to the site and bring a unique design element to the site while adding to the quality of the air.

This is an example of other structure types we could incorporate. They will bring the green design element higher up than just the bushes and desert trees and create shade on the site as well in public areas.

Section 5.4008

8. Solar energy collection systems within the Development Plan. (Shown on Site Plan Below on pg. 9 as #8)

   i. These shall either be screened from view off-site of the Development Plan or integrated into the architectural character of the buildings.

   ii. The property owner shall maintain these in good working condition for a minimum of 15 years.

Examples:

This would be for the Public parking onsite at Bahia Work Live Play

CATCLAR INVESTMENTS LLC
16621 N 91ST STREET #101 SCOTTSDALE, AZ 85260

Section 5.4008

10. Electric vehicle charging stations. (Shown on Site Plan Below on pg. 9 as #10)

    i. Minimum number of stations: 5 stations or 5% of the total number of required spaces within the Development Plan, whichever is greater.

Examples:

We can have two double chargers like this and one singular charging station

CATCLAR INVESTMENTS LLC
16621 N 91ST STREET #101 SCOTTSDALE, AZ 85260

Section 5.4008

2. Major infrastructure improvements not included in the Development Plan. (Shown on Site Plan Below on pg. 9 as #2)

   i. These may include additions, new extensions or upsizing of streets, water systems, sewer systems, drainage systems, transit facilities, pedestrian facilities, trail facilities, bicycling facilities, streetscaping facilities or other such infrastructure improvements as approved by the Zoning Administrator and City Engineer.

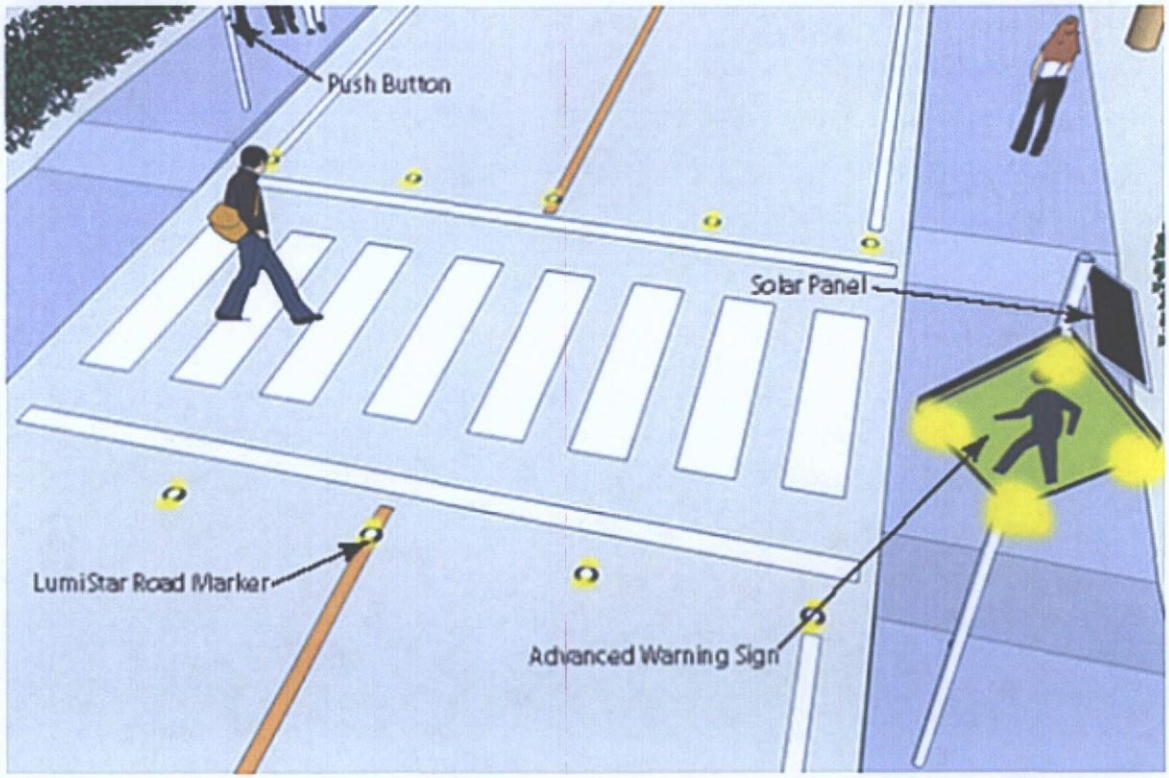
   ii. These improvements shall be located in or abutting the Greater Airpark Character Area.

   iii. These improvements shall be consistent in type and scope with the City's approved infrastructure master plans, if applicable.

   iv. In-lieu contributions may be accepted as approved by the Zoning Administrator and City Engineer.

Examples:

Cross walk at 92nd and Bahia



CATCLAR INVESTMENTS LLC
16621 N 91ST STREET #101 SCOTTSDALE, AZ 85260

Site Plan demonstrating Special Improvements

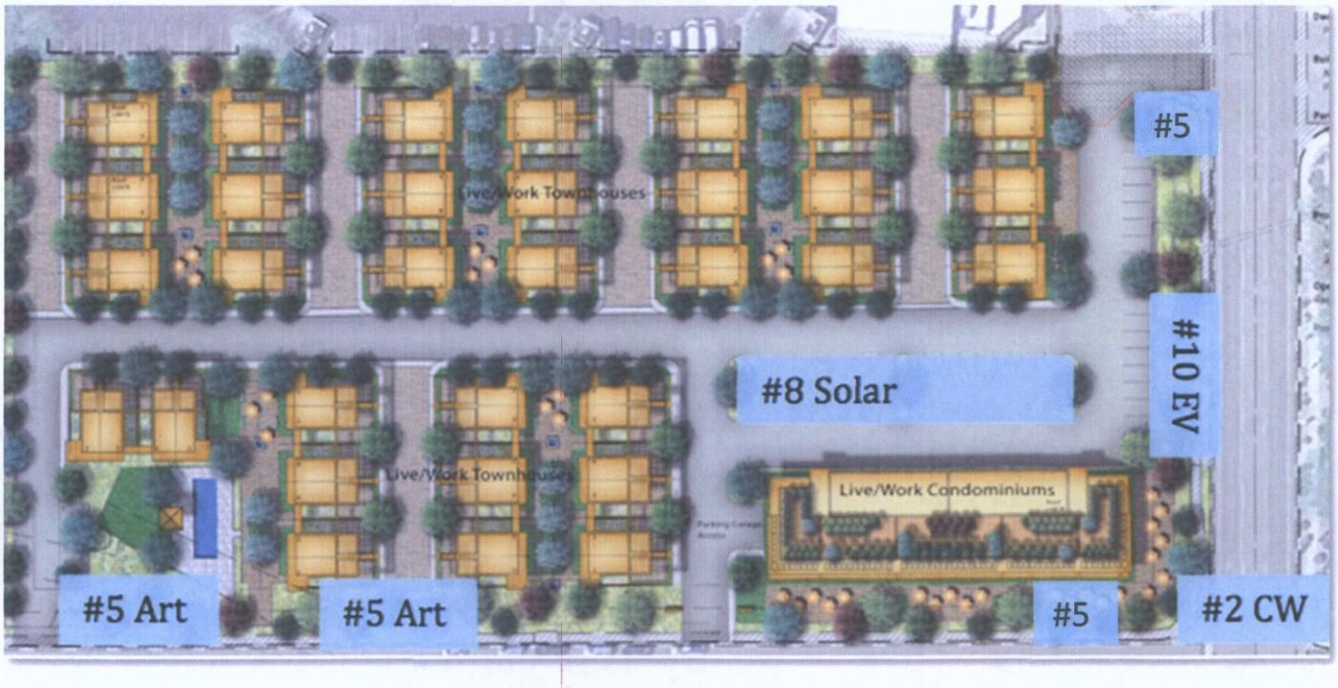
The Site Plan below demonstrates the location where the above proposed special improvements are planned to be.

#5 Public Art – These Green Public Arts pieces will add value to the community and be able to be viewed from the street and open to the public use.

#8 Solar Energy Collection – Solar shade structures will provide covered parking for the public parking on site and allow for the collection and promotion of solar power on the site.

#10 – Electric Charging Stations – There will be 5 charging stations located along Bahia or under the solar structure. This promotes the use of electric cars by clients and customers coming to the site.

#2 – Infrastructure – Catclar will include a crosswalk along the Northeast corner of Bahia and 92nd street to promote pedestrian traffic and safety along Bahia. This will directly benefit the business community in the area at large and the student body at Scottsdale Preparatory Academy.



CATCLAR INVESTMENTS LLC
16621 N 91ST STREET #101 SCOTTSDALE, AZ 85260

EXHIBIT B
Calculation of Bonuses for added FAR and Building Height

Bonus for Increase FAR

The applicant intends to utilize the bonus provision for floor area ratio (FAR) by applying the formula provided in Section 5.4008. Bonus Development Standards. Application of the formula is outlined below:

TCE / 1.035 X 0.1=SQBA

SQBA=square feet of gross floor area bonus

TCE=total construction cost estimate of the improvement

The developer proposes to allocate $754,986.60 in the form of a direct monetary contribution to the City of Scottsdale.

$754,986.60 / 1.035 X 0.1= 72,945.6 s.f.

Based on the application of the formula the developer will gain an additional 72,945.6 s.f. of gross building area by providing $754,986.60 to the City.

Bonus for Increased Building Height

The applicant intends to utilize the bonus provision for Building Height by applying the formula provided in Section 5.4008. Bonus Development Standards. Application of the formula is outlined below:

TCE / 1.035 X 0.0001 = FBH

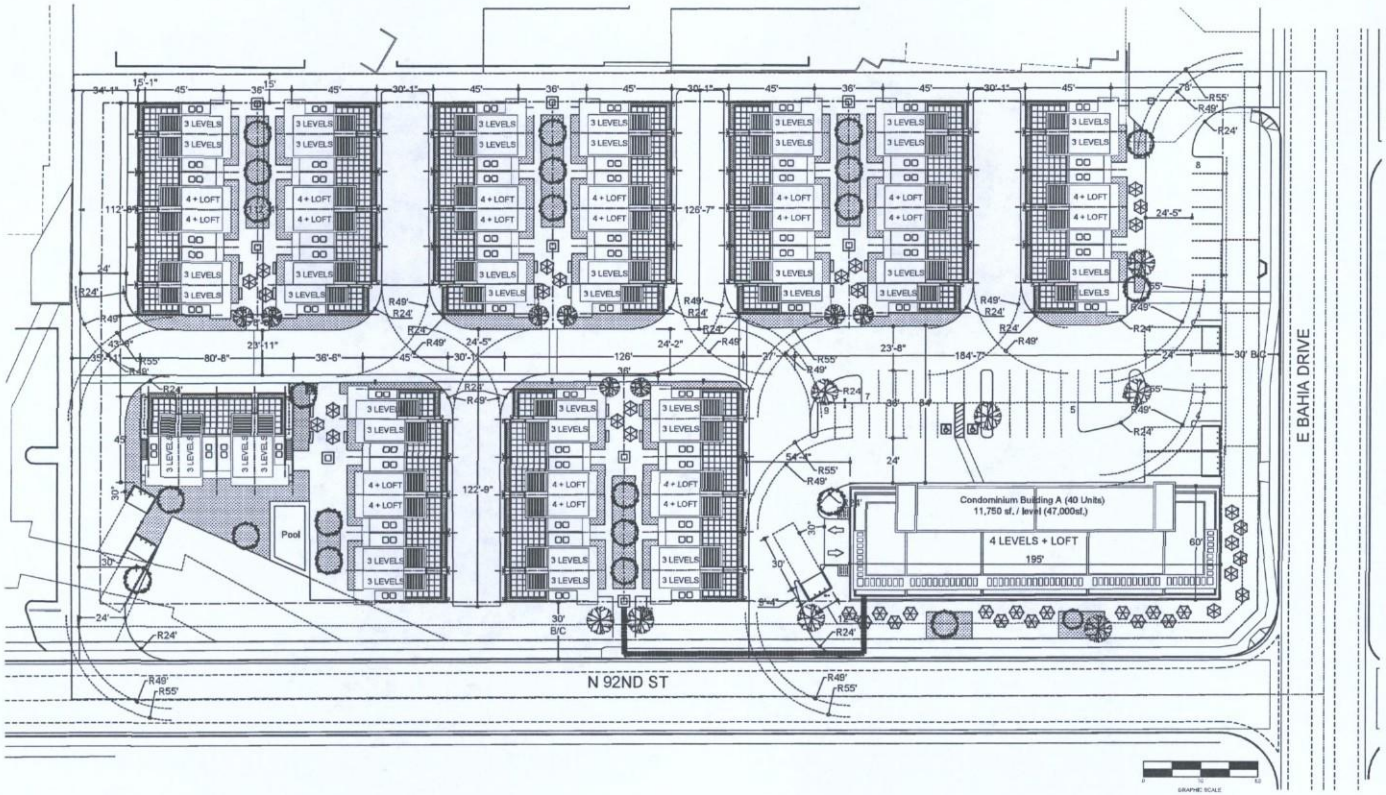
FBH = Feet of Building Height Bonus

TCE = total construction cost estimate of the improvement

The developer proposes to allocate $113,850 in the form of a direct monetary contribution to the City of Scottsdale.

$113,850 / 1.035 X 0.0001= 11 ft of additional height.

Based on the application of the formula the developer will gain an additional 11 feet of building height by providing $113,850 to the City.



1 ROOF SITE PLAN
SCALE: 1" = 30'-0"

Bahia Airpark Project Information

Site Area: 187,318 s.f. (or approx.. 4.3 acs)
Current Zoning: I-1, PCD
Proposed Zoning: PCP with PCD overlay

Building Area and Unit Counts:

Retail/Restaurant:	10,000 sf	
Townhouses:	171,800 sf	64 units
Condominiums:	36,000 sf	14 units
Total	222,800 sf	78 units

FAR:
Allowed (base): 0.8 (plus bonus up to 1.6)
Proposed: 1.2

Dwelling units per Acre:
Proposed: 18.2 DU/A

Building Height:
Allowed: Up to 92 ft with bonus (base height 54 ft)
Proposed: 65 ft. (roof at 60 ft)

Parking:
Required:

Townhouses:	64 units @ 2 per unit	128 spaces
Condominiums:	14 units @ 1.8 average	26 spaces
Restaurant:	2,500 sf @ 1/120 public	21 spaces
Commercial:	7,500 sf @ 1/300	25 spaces
		200 spaces

Provided:

Townhouses:	128 spaces
Underground Parking:	34 spaces
Surface Parking:	42 spaces
	220 spaces

Open Space:
Required: 25% of net site area
187,318 sf x 25% = 46,830 sf of Open Space
Provided: 49,200 sf

EMPLOYMENT FLOOR AREA CALCULATION:

Original I-1 Zoning FAR: site area, 187,318 sf x 0.4 FAR = 74,927 sf of potential "employment floor area"

Proposed:
Townhomes:
Ground floor area: 64 units x 400 average "employment floor area" = 25,600 sf
(does not include the private garages)
Second floor "flex space": 64 units x 800 = 51,200 sf

Condo building:
Ground floor "employment floor area": 7,500 sf
14 units x 400 average commercial space = 5,600 sf
89,900 sf

89,900 sf 187,318 sf = 0.48 FAR which is greater than 0.4

NOTE:
The Site Plan is conceptual and subject to change depending on the Unit Owner's/ User's specific floor plan requirements.

H&S International LLC.
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P.O. BOX 13720
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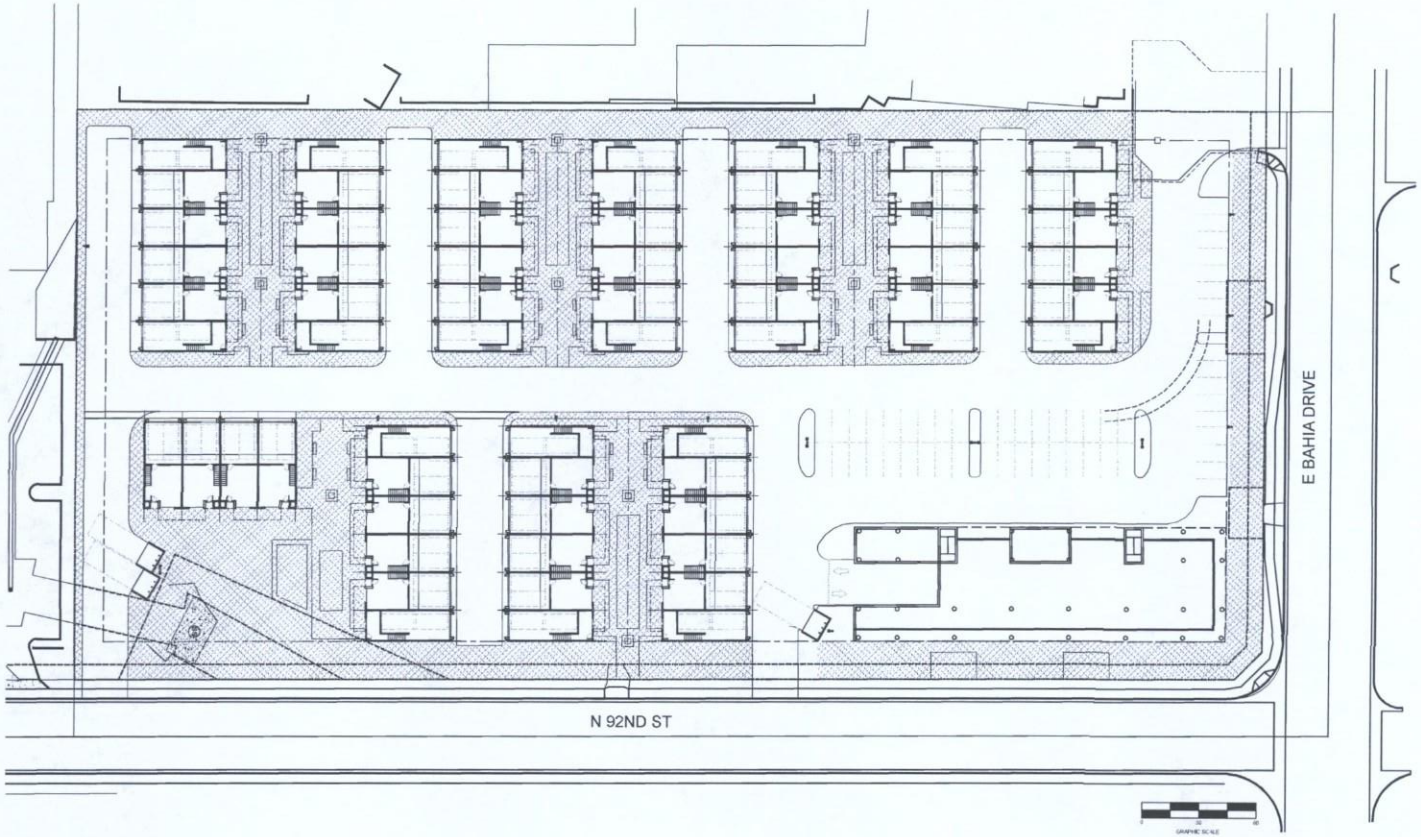
BAHIA WORK LIVE PLAY

SCOTTSDALE, ARIZONA

6.0 LOT 21 - BAHIA DRIVE AND 92ND STREET

REVISION	10/27/2014
REVISION	
REVISION	
DATE	10-01-2014
ARCHITECT	BING HU
PROJECT MANAGER	
PROJECT NUMBER	14.10
SCALE	AS NOTED
DRAWN BY	
CHECKED BY	BH
SHEET TITLE	

618-PA-2014



OPEN SPACE PLAN

SCALE: 1" = 30'-0"

OPEN AREA

ILLUSTRATES CALCULATED AREAS

ENTIRE SITE:	187,424.97 S.F.
OPEN AREA:	49,200 S.F.
PERCENT COVERAGE:	26.2 %

H&S International LLC.

Bing Hu Architect
P.O. BOX 13720
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602-585-6898
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BAHIA WORK LIVE PLAY

SCOTTSDALE, ARIZONA

GLO LOT 21 - BAHIA DRIVE AND 92ND STREET

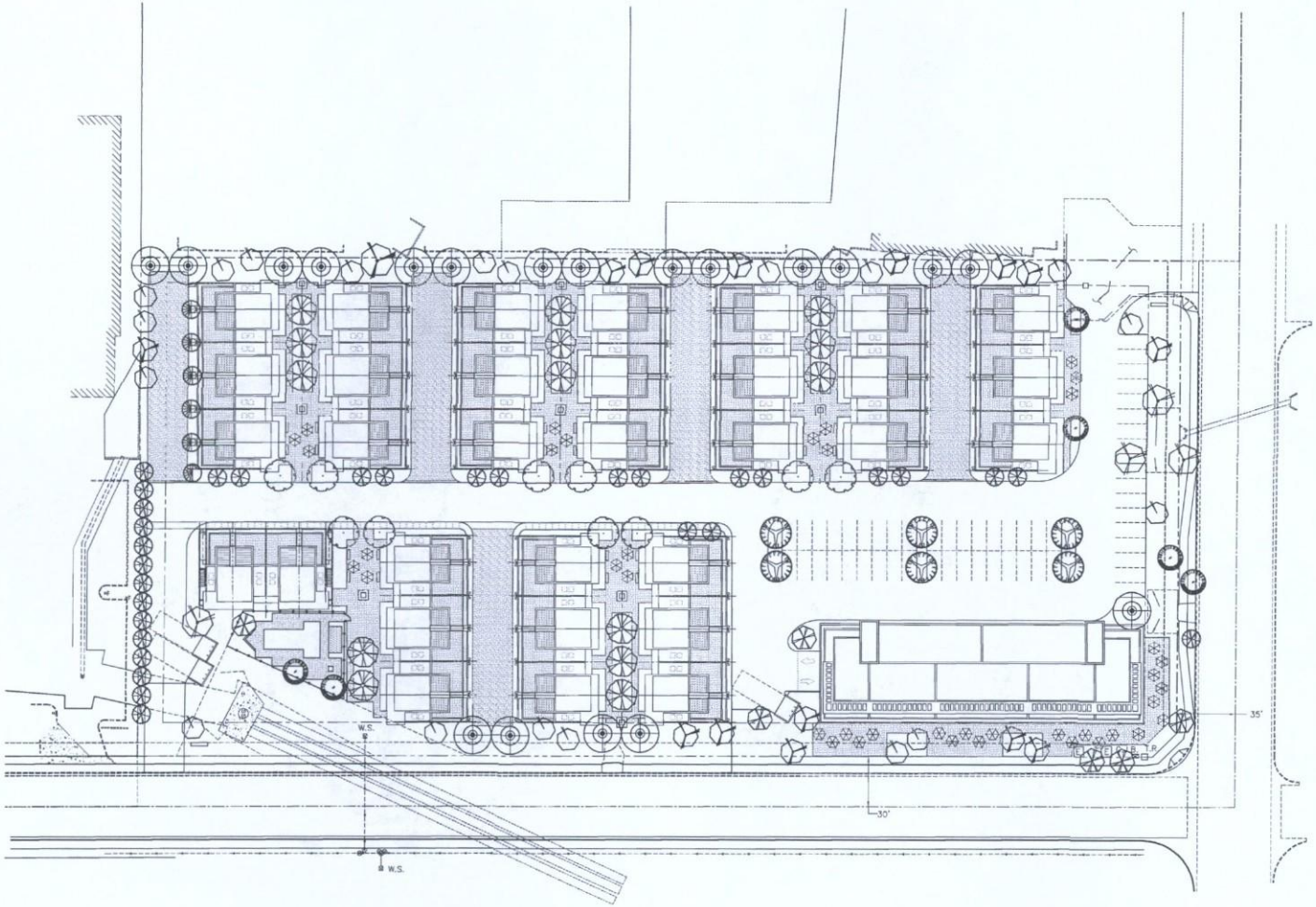
REVISION	
REVISION	
REVISION	
DATE	08-28-2014
ARCHITECT	BING HU
PROJECT MANAGER	
PROJECT NUMBER	1410
SCALE	AS NOTED
DRAWN BY	
CHECKED BY	BH
SHEET TITLE	OPEN SPACE PLAN

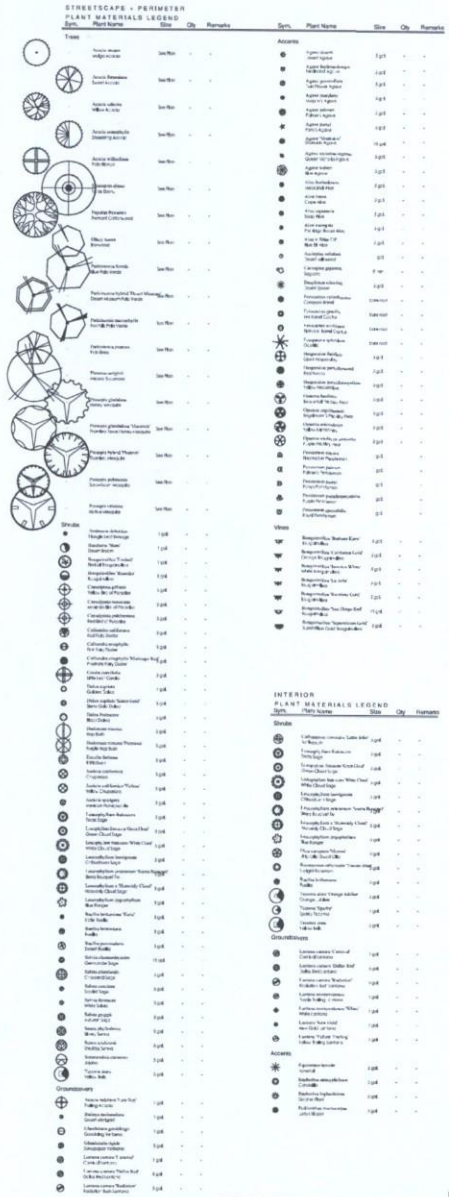
AS-1.7

BAHIA WORK LIVE PLAY

618-PA-2014

14-ZN-2014
8/28/2014





Bahia Work, Live, Play

Scottsdale, Arizona

Landscape Master Plan

14-ZN-2014
8/28/2014

0' 32' 64' 96'

August 26, 2014

GREEY | PICKETT
landscape architecture | community design

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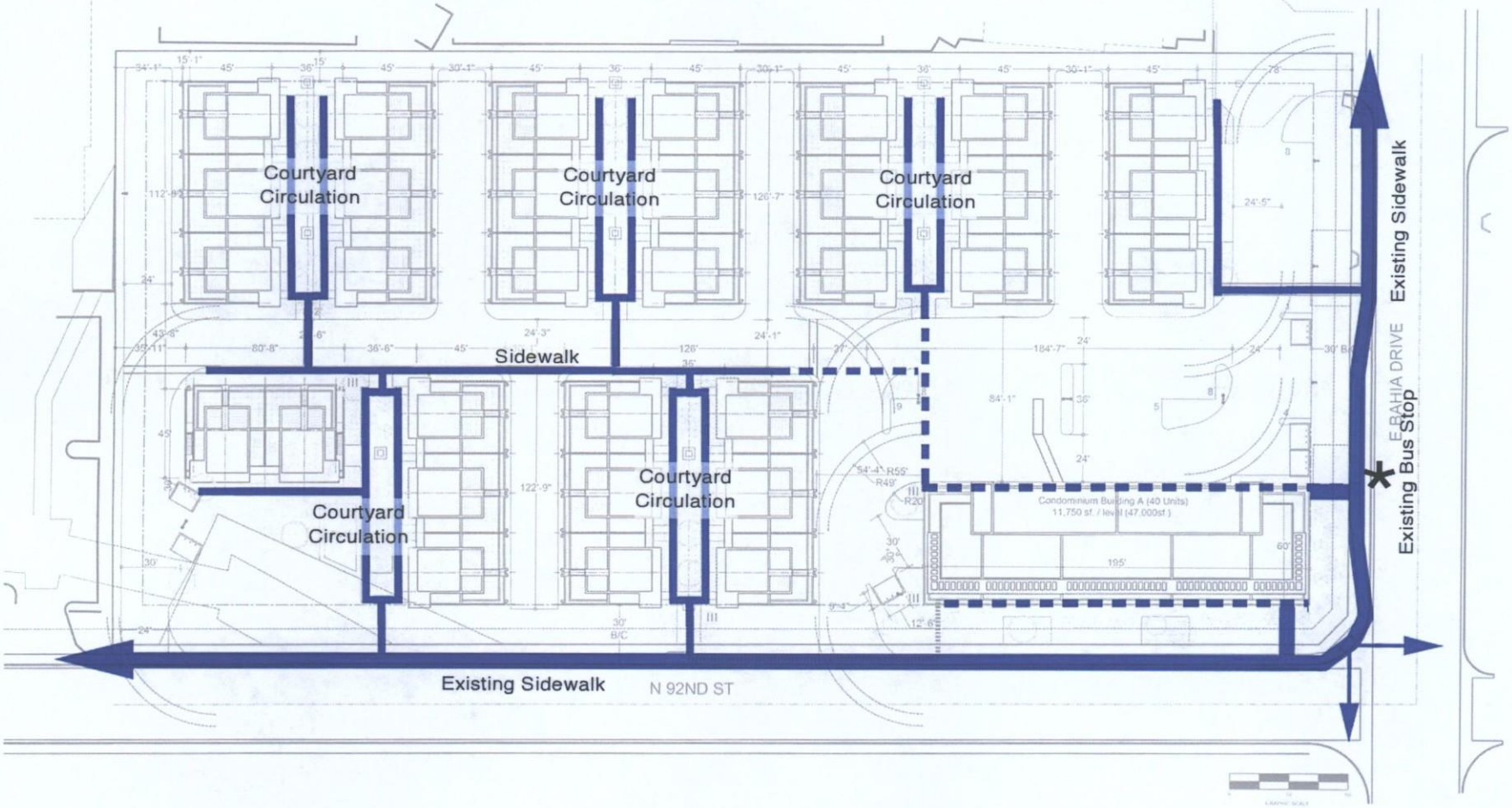

Indicates Pedestrian Circulation Path/Sidewalk

Pedestrian Circulation Plan

HRS International LLC.

Bing Hu Architect
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Scottsdale, Arizona 85267-372
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BAHIA WORK LIVE PLAY
SCOTTSDALE, ARIZONA
GLO LOT 21 - BAHIA DRIVE AND 92ND STREET

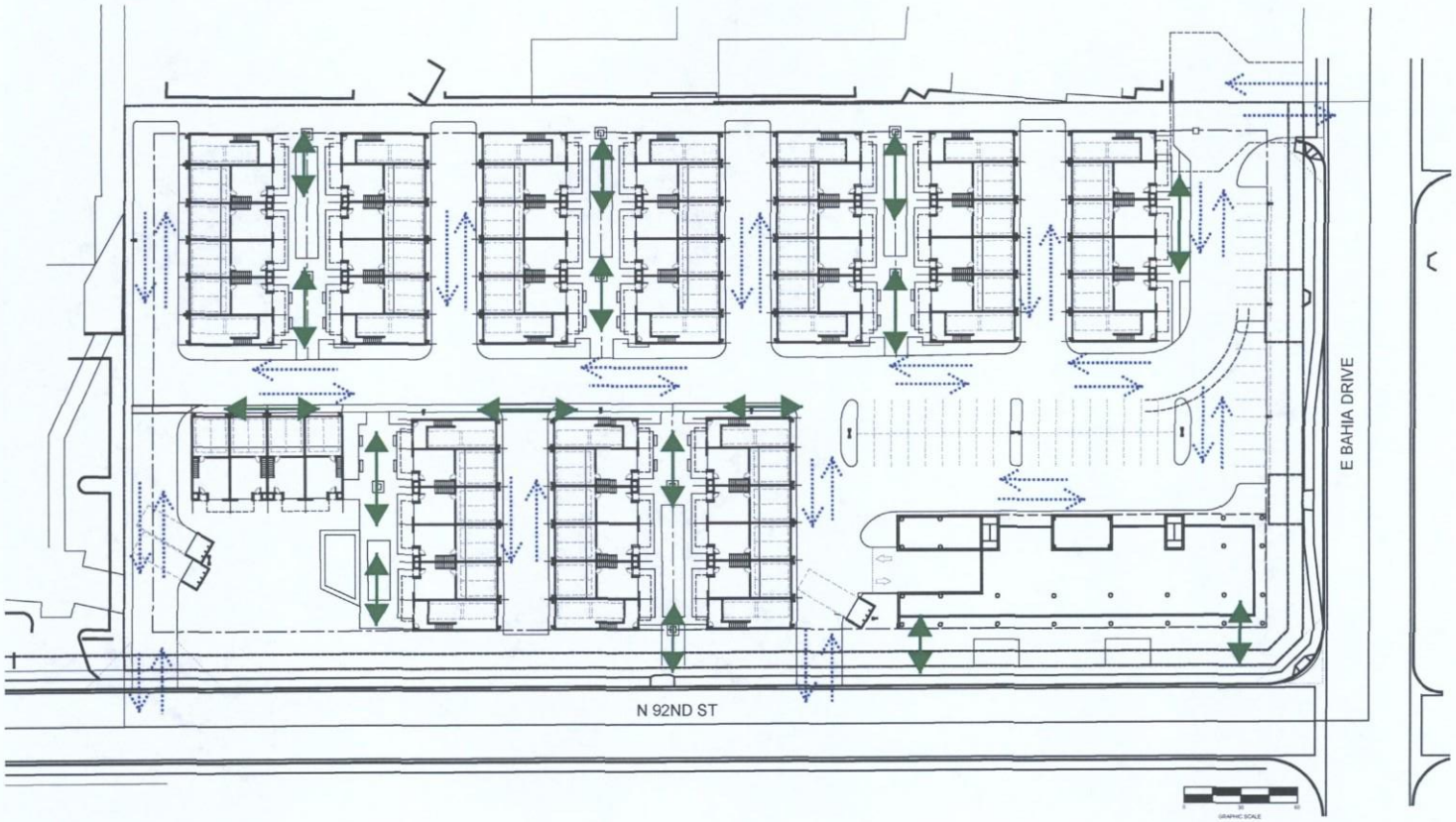
REVISION	
REVISION	
REVISION	
DATE	05-30-2014
DRAWN BY	BING HU
PROJECT MANAGER	
PROJECT NUMBER	14-18
SCALE	AS NOTED
DRAWN BY	
CHECKED BY	BH
SHEET TITLE	

AS-1.1

BAHIA WORK LIVE PLAY

618-PA-2014

14-ZN-2014 &
6-GP-2014
10/1/2014



1 CIRCULATION PLAN
SCALE: 1" = 30'-0"

CIRCULATION SYMBOLS

ILLUSTRATES VEHICULAR TRAFFIC

ILLUSTRATES PEDESTRIAN TRAFFIC

H&S International LLC.

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BAHIA WORK LIVE PLAY

SCOTTSDALE, ARIZONA

GLO LOT 21 - BAHIA DRIVE AND 92ND STREET

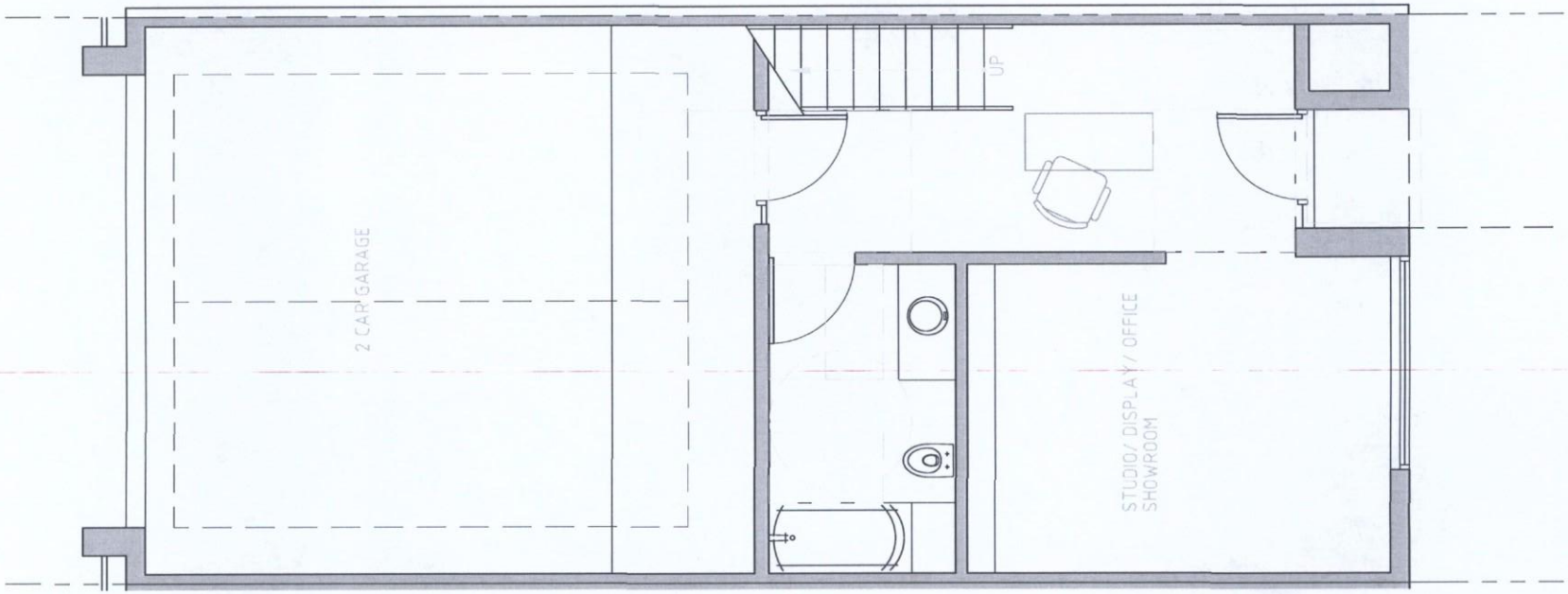
REVISION	
REVISION	
REVISION	
DATE	08-28-2014
ARCHITECT	BING HU
PROJECT MANAGER	
PROJECT NUMBER	14.10
SCALE	AS NOTED
DRAWN BY	
CHECKED BY	BH
SHEET TITLE	CIRCULATION PLAN

AS-1.5

BAHIA WORK LIVE PLAY

618-PA-2014

14-ZN-2014
8/28/2014



1 U1.0 **1ST FLOOR PLAN** SCALE: 1/4" = 1'-0"

H&S International LLC.
Bing Hu Architect
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BAHIA WORK LIVE PLAY

SCOTTSDALE, ARIZONA

GLO LOT 21 - BAHIA DRIVE AND 92ND STREET

REVISION	
REVISION	
REVISION	
DATE	10-01-2014
ARCHITECT	BING HU
PROJECT MANAGER	
PROJECT NUMBER	14-10
SCALE	
DRAWN BY	
CHECKED BY	BH
SHEET TITLE	

618-PA-2014

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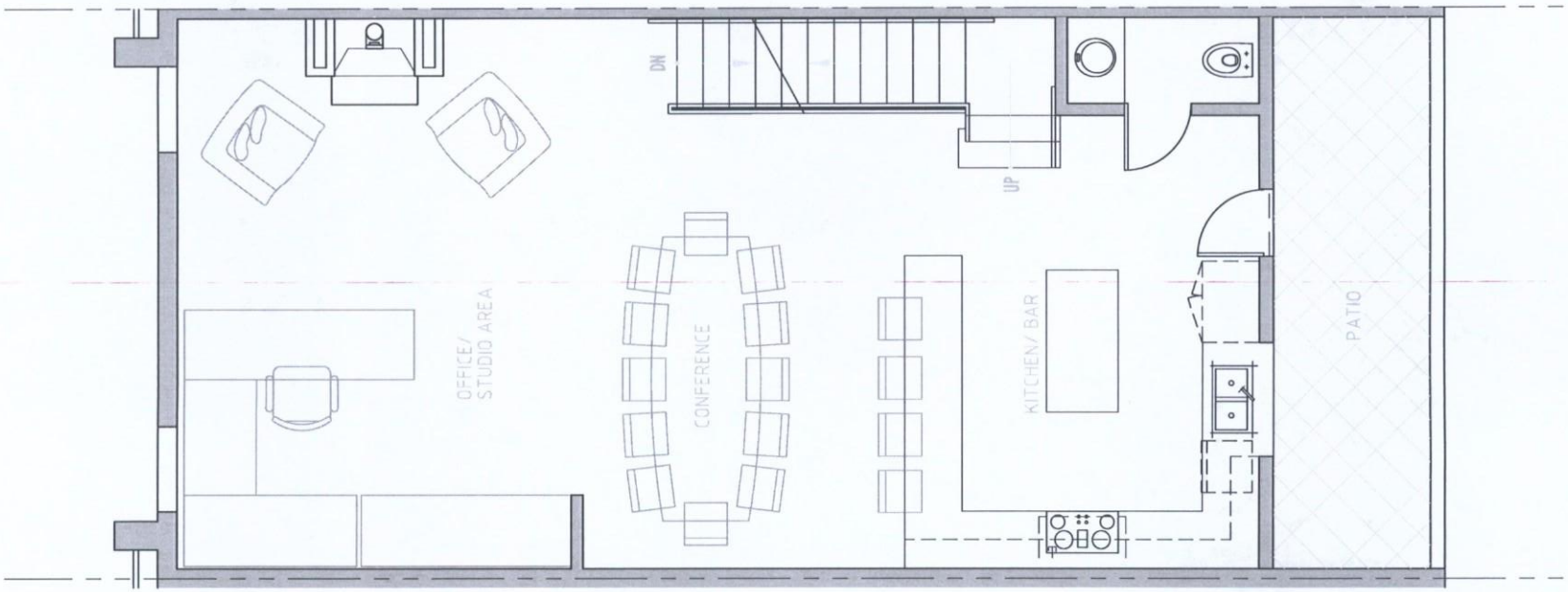
BAHIA WORK LIVE PLAY



1 U1.0 **2ND FLOOR PLAN** SCALE: 1/4" = 1'-0"

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P.O. BOX 13720
Scottsdale, Arizona 85267-3720
602-385-6258
602-385-2398 (FAX)

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BAHIA WORK LIVE PLAY

SCOTTSDALE, ARIZONA

610 LOT 21 - BAHIA DRIVE AND 92ND STREET

REVISION
REVISION
REVISION
REVISION

DATE 10-01-2014
ARCHITECT BING HU
PROJECT MANAGER
PROJECT NUMBER 14.10
SCALE
DRAWN BY
CHECKED BY BH
SHEET TITLE

618-PA-2014

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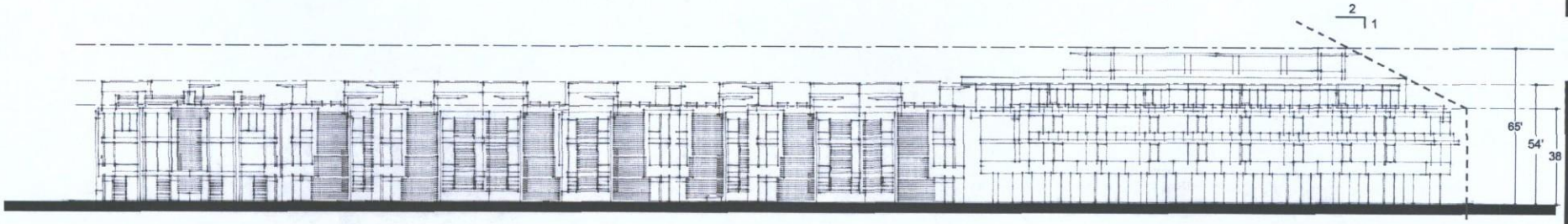
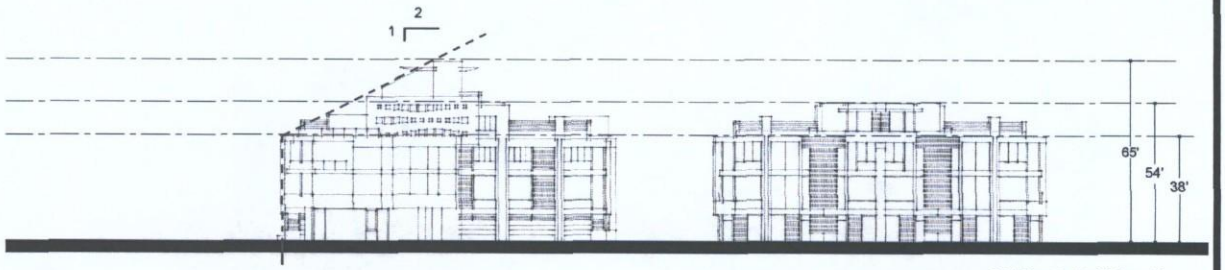
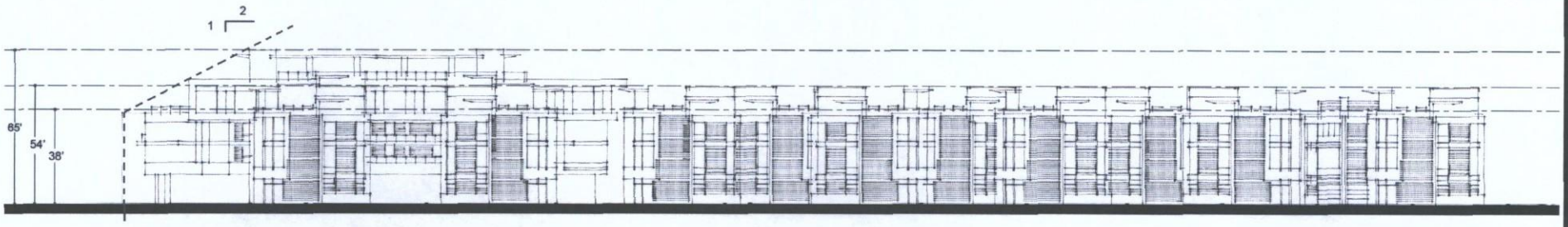
BAHIA WORK LIVE PLAY



Bahia Drive - East Elevation
esc 1" = 20' - 0"



92nd Street - North Elevation
esc 1" = 20' - 0"



Rear West Elevation
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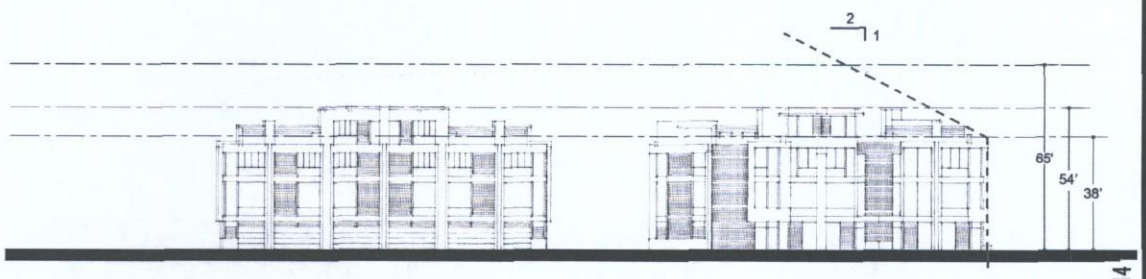

Rear South Elevation
esc 1" = 20' - 0"

618-PA-2014

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BAHIA WORK LIVE PLAY

SCOTTSDALE, ARIZONA

GLO LOT 21 - BAHIA DRIVE AND 92ND STREET

REVISION	
REVISION	
REVISION	
DATE	
ARCHITECT	BING HU
PROJECT MANAGER	
PROJECT NUMBER	1610
SCALE	
DRAWN BY	
CHECKED BY	BH
SHEET TITLE	

胡冰

BAHIA WORK LIVE PLAY

14-ZN-2014 &
6-GP-2014
10/1/2014

Bahia Drive - East Elevation
esc 1" = 20' - 0"

92nd Street - North Elevation
esc 1" = 20' - 0"

Rear West Elevation
esc 1" = 20' - 0"

Rear South Elevation
esc 1" = 20' - 0"

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BAHIA WORK LIVE PLAY

SCOTTSDALE, ARIZONA

GLO LOT 21 - BAHIA DRIVE AND 92ND STREET

REVISION
REVISION
REVISION
DATE
ARCHITECT BING HU
PROJECT MANAGER
PROJECT NUMBER 14.10
SCALE
DRAWN BY
CHECKED BY BH
SHEET TITLE

618-PA-2014

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BAHIA WORK LIVE PLAY

14-ZN-2014 &
6-GP-2014
10/1/2014

BAHIA - WORK LIVE PLAY

catclar INVESTMENTS

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ARCHITECTURE | PLANNING | ENGINEERING | INTERIORS

14-ZN-2014 &
6-GP-2014
10/1/2014

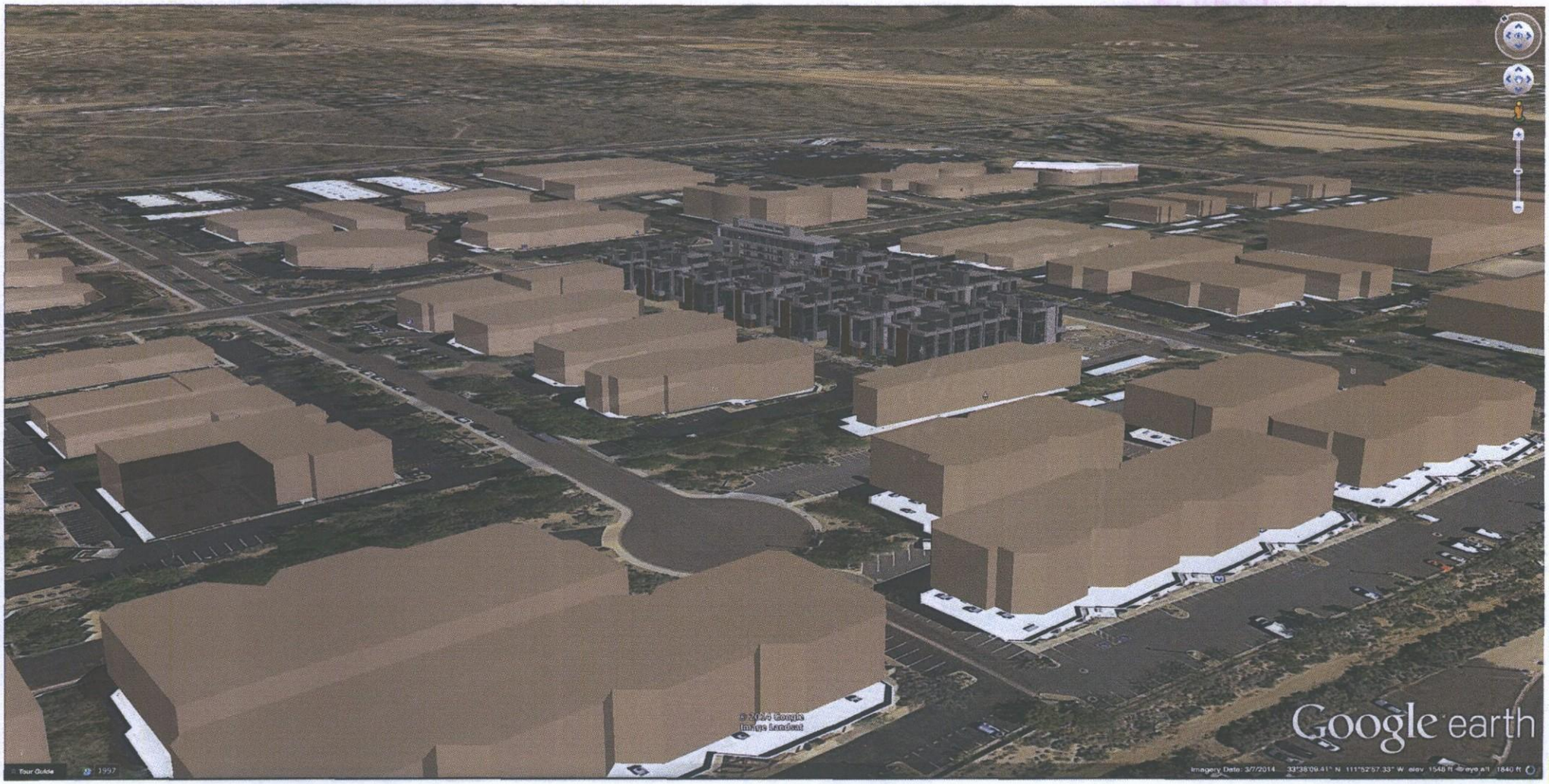
14-ZN-2014 &
6-GP-2014
10/1/2014

BAHAI - WORK LIVE PLAY

catclar INVESTMENTS

H&S INTERNATIONAL
ARCHITECTURE | PLANNING | ENGINEERING | INTERIORS

14-ZN-2014 &
6-GP-2014
10/1/2014



Looking Northeast

BAHAI - WORK LIVE PLAY

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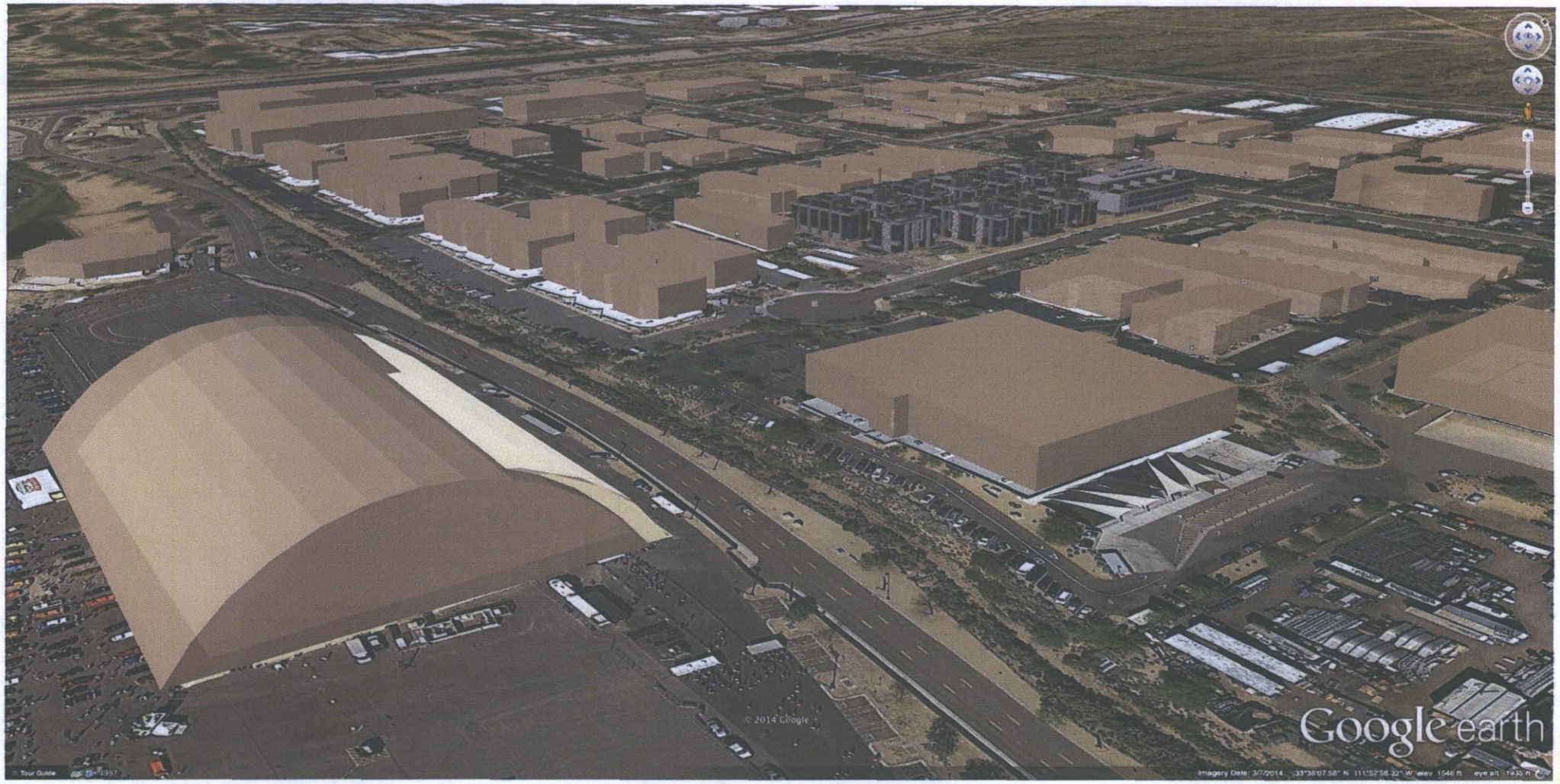

Looking Northwest

BAHAI - WORK LIVE PLAY

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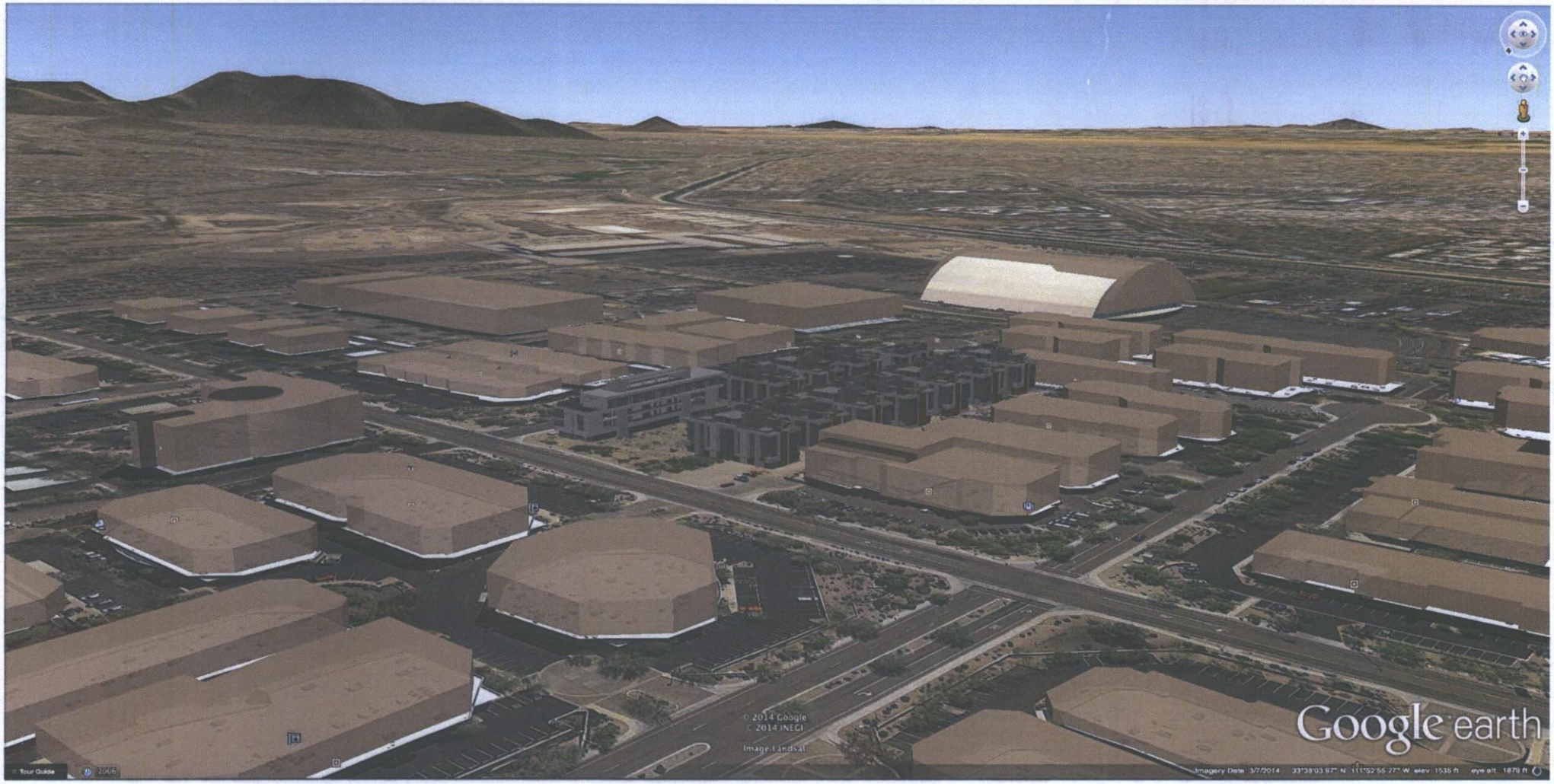

Looking Southeast

BAHAI - WORK LIVE PLAY

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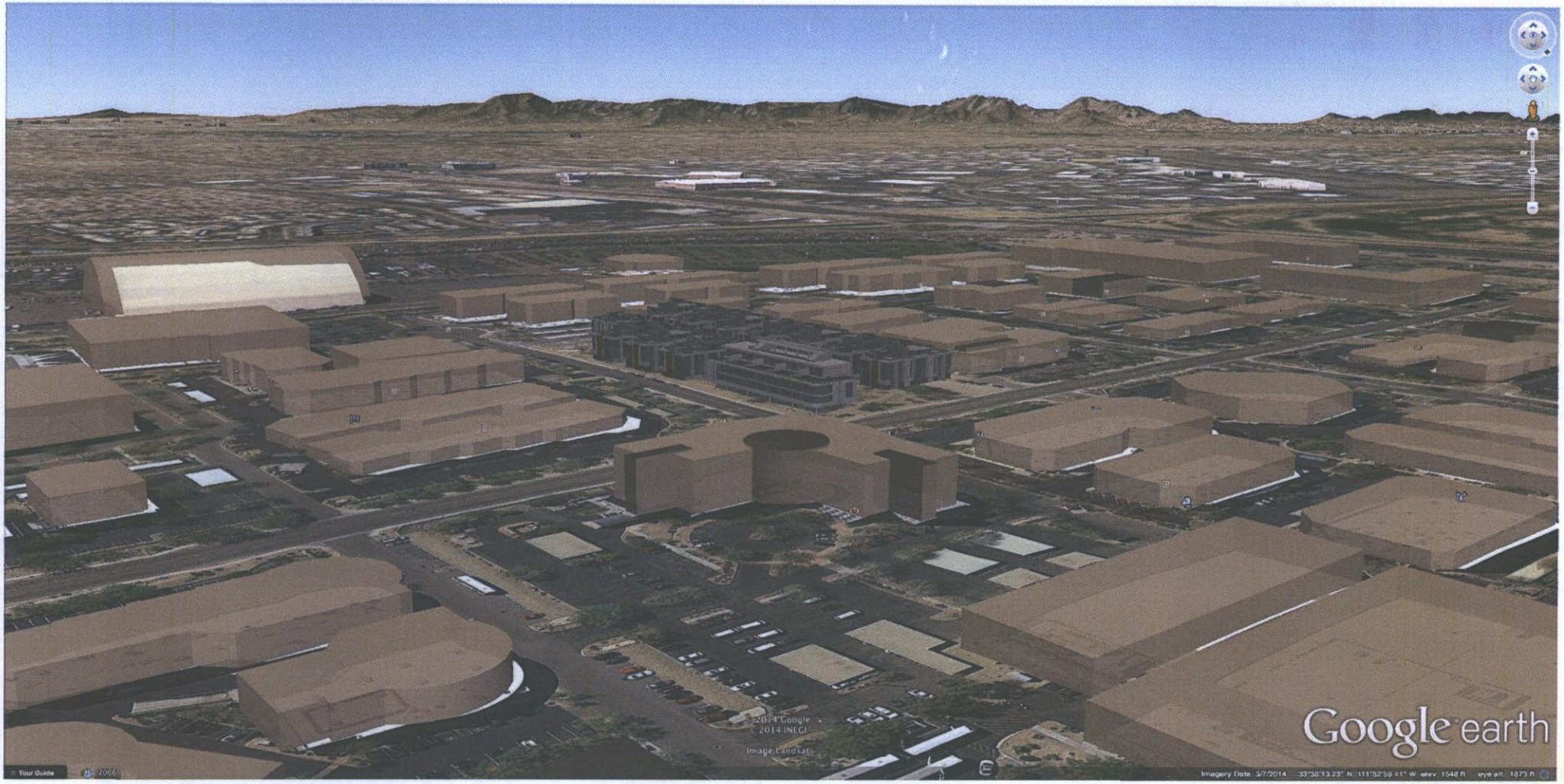

Looking Southwest

BAHAI - WORK LIVE PLAY

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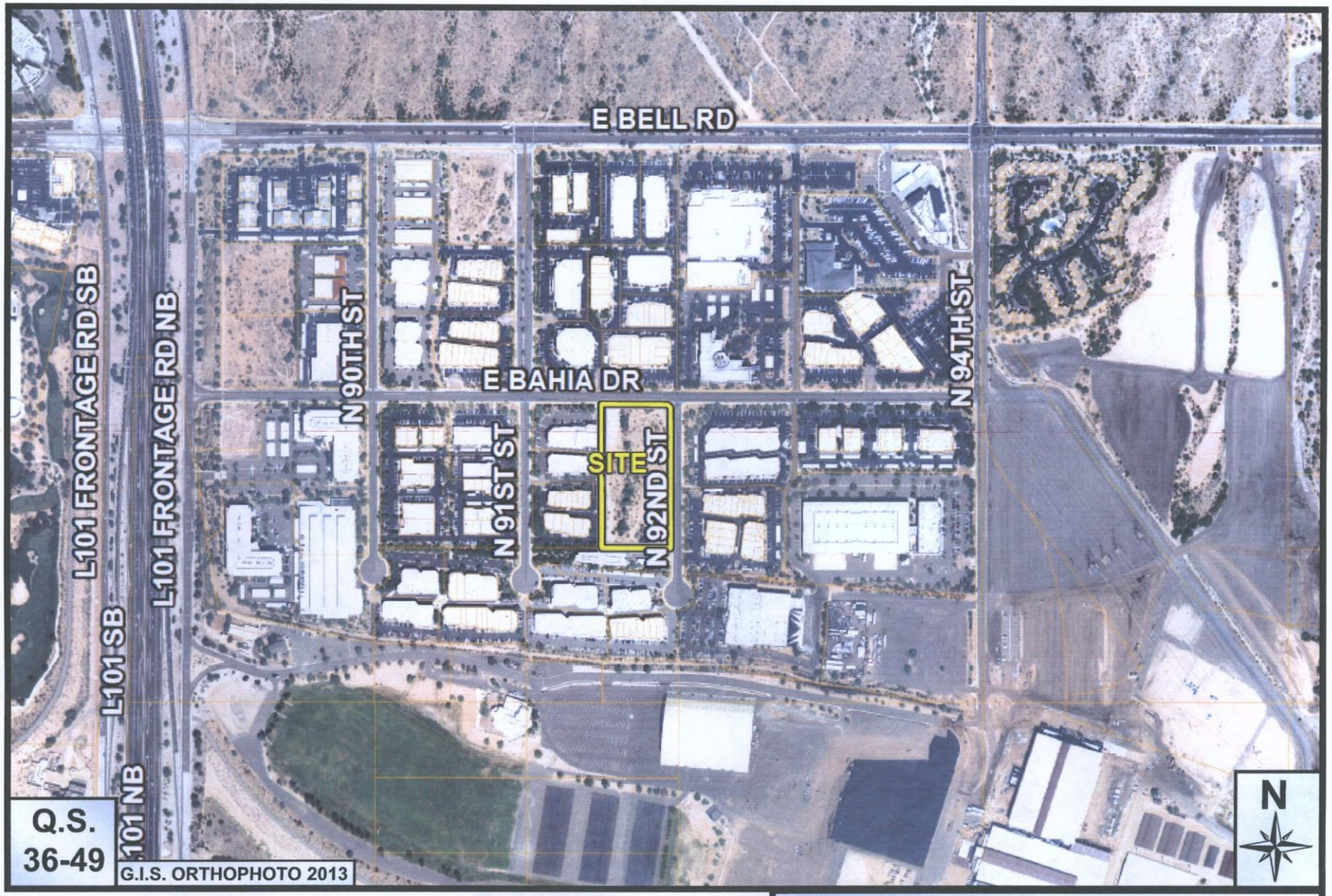
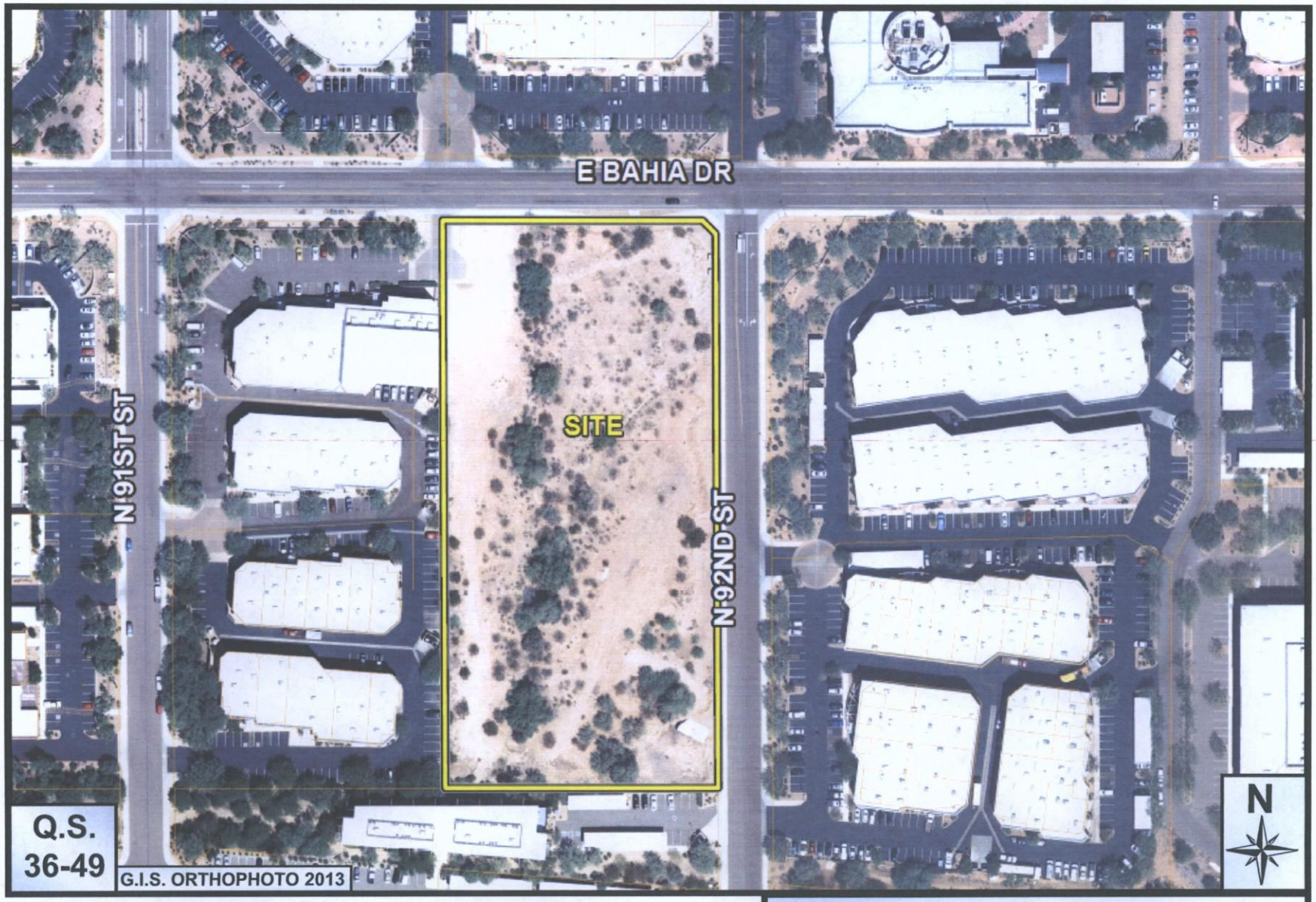


Bahia Work Live Play Project

6-GP-2014 and 14-ZN-2014

ATTACHMENT #4



Bahia Work Live Play Project

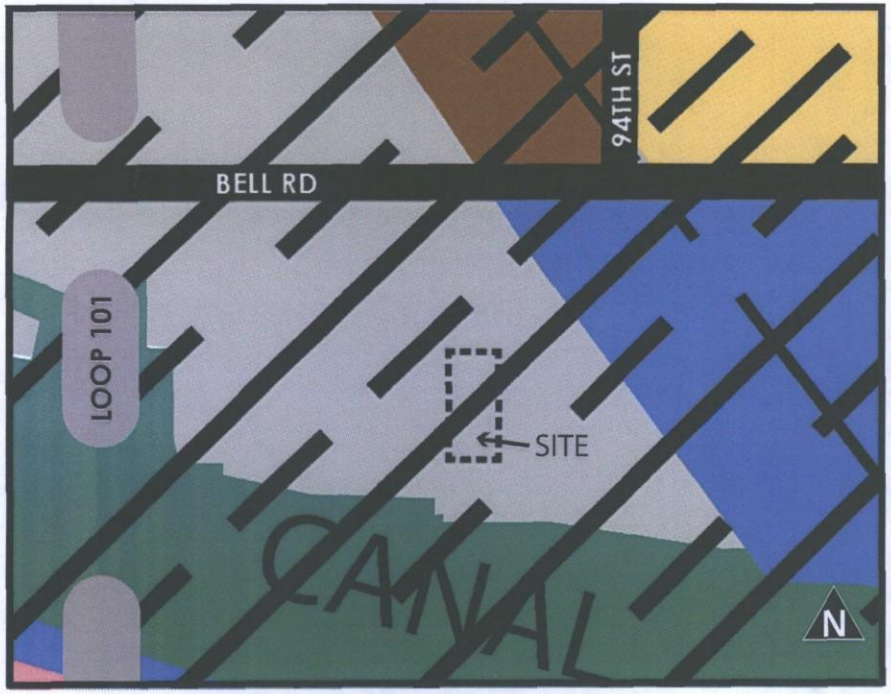
6-GP-2014 and 14-ZN-2014

ATTACHMENT #4A

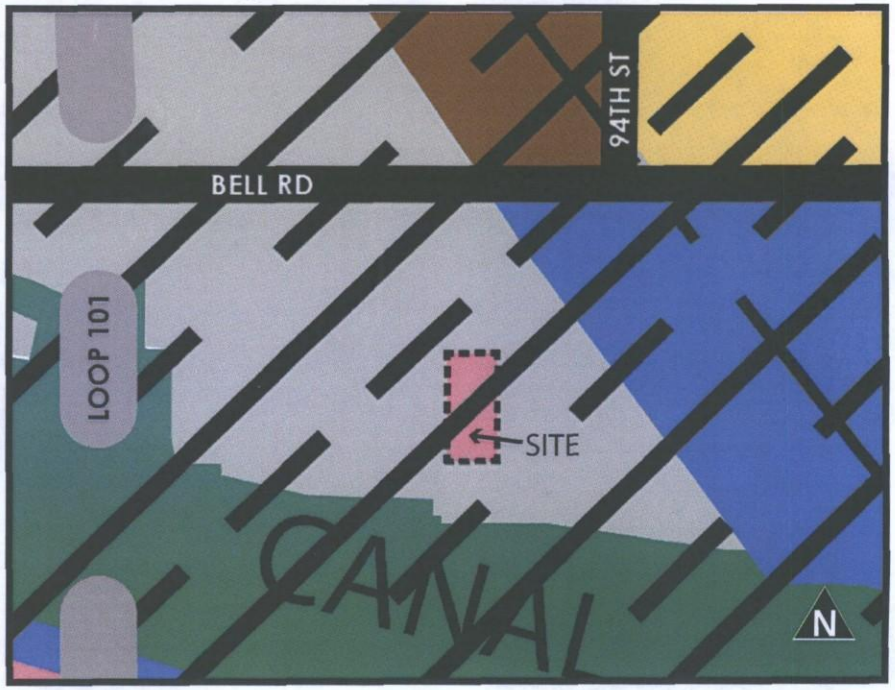
Case: 6-GP-2014 - City of Scottsdale General Plan 2001 Land Use Map

Bahia Live Work Play Project

Existing Land Use Designation:
Employment



Proposed Land Use Designation:
Mixed-Use Neighborhoods



Land Use Map Legend

- Rural Neighborhoods
- Suburban Neighborhoods
- Urban Neighborhoods
- Mixed-Use Neighborhoods
- Resorts/Tourism
- Commercial
- Office
- Employment
- Natural Open Space
- Developed Open Space (Parks)
- Developed Open Space (Golf Courses)
- Cultural/Institutional or Public Use

Applicant's Request:

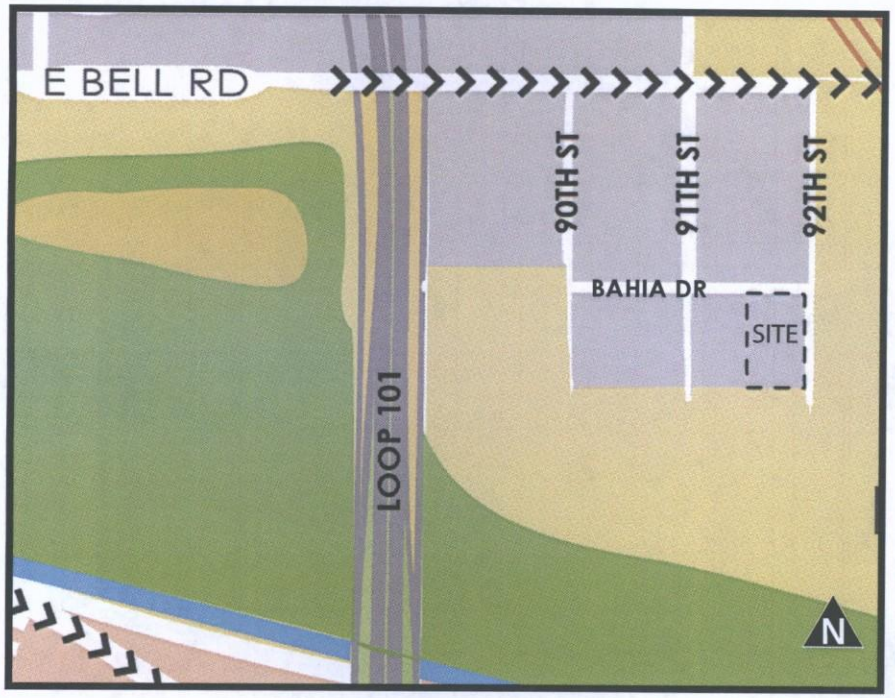
A proposal for a non-major General Plan amendment to the City of Scottsdale General Plan 2001 from the Employment land use designation to the Mixed-Use Neighborhoods land use designation on an approximate 5.1 +/- acre site.

ATTACHMENT #5

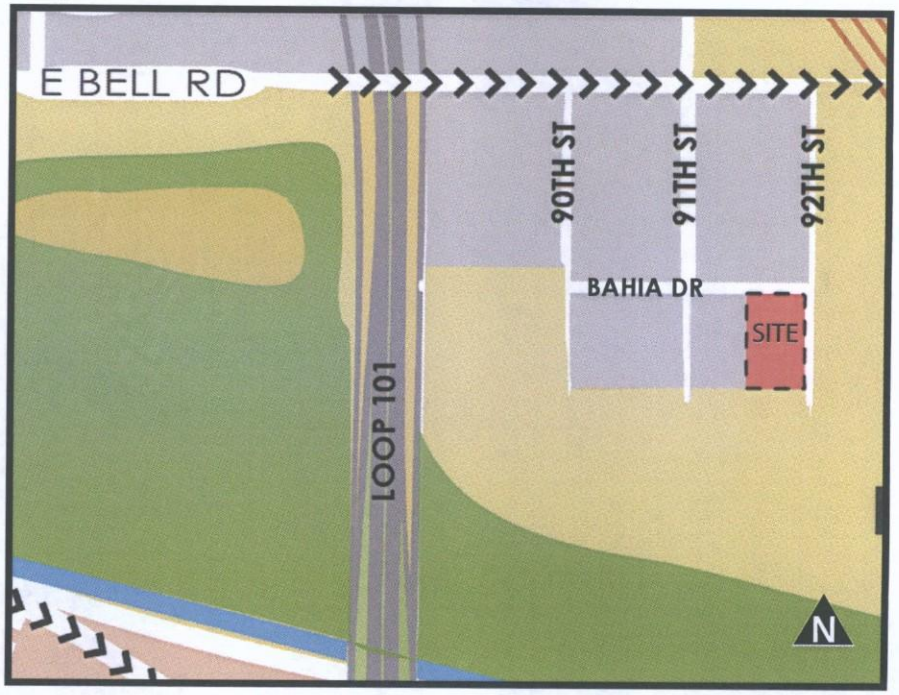
Case: 6-GP-2014 - Greater Airpark Character Area Plan Land Use Plan Map

Bahia Live Work Play Project

Existing Land Use Designation:
Employment (EMP)



Proposed Land Use Designation:
Airpark Mixed Use-Residential (AMU-R)



LEGEND

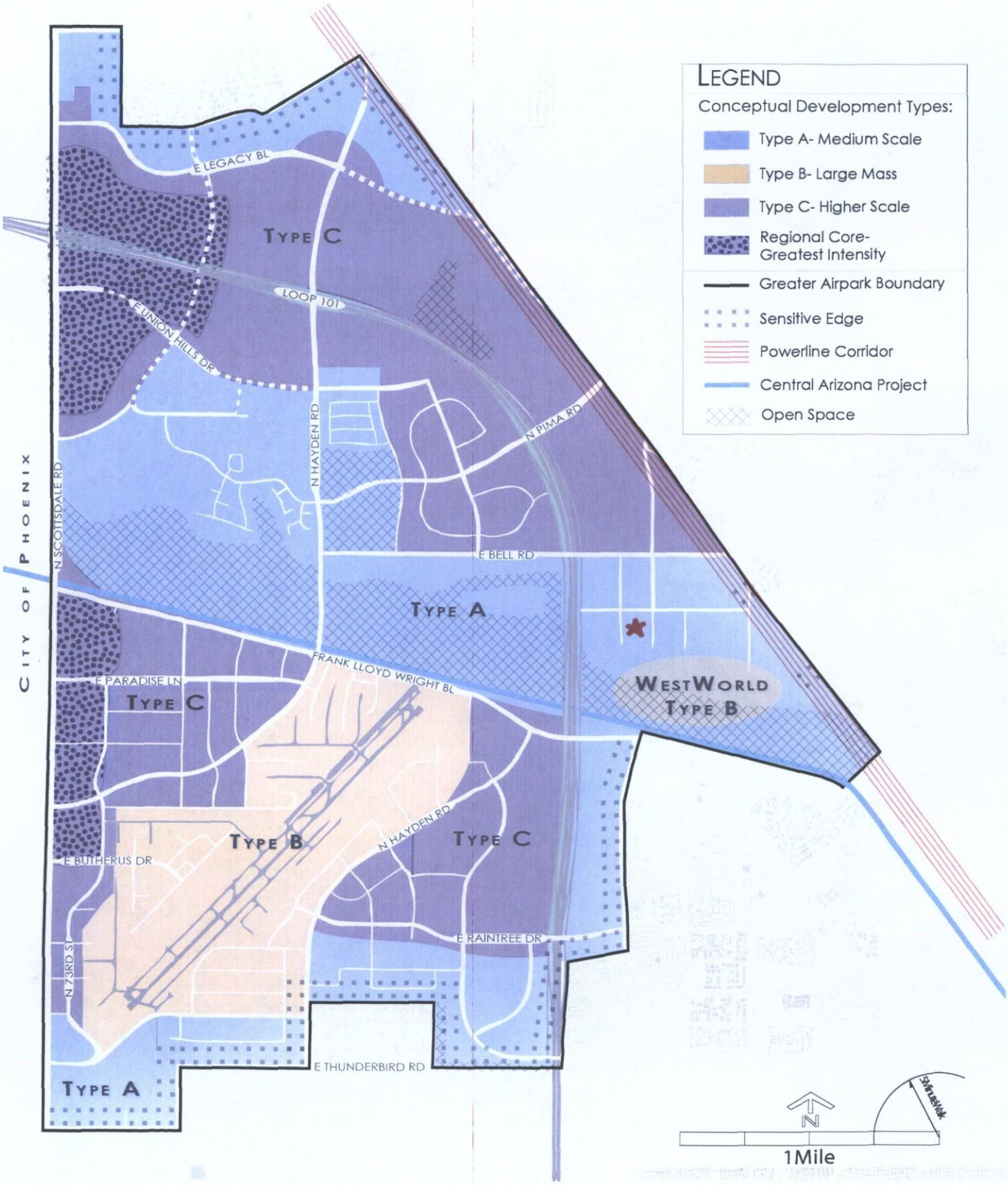
Land Use Plan:

- Airpark Mixed Use-Residential (AMU-R)
- Airpark Mixed Use (AMU)
- Regional Tourism (RT)
- Employment (EMP)
- Aviation (AV)
- Open Space (OS)
- AV or AMU
- Greater Airpark Boundary
- Signature Corridor
- Powerline Corridor
- Central Arizona Project

Applicant's Request:

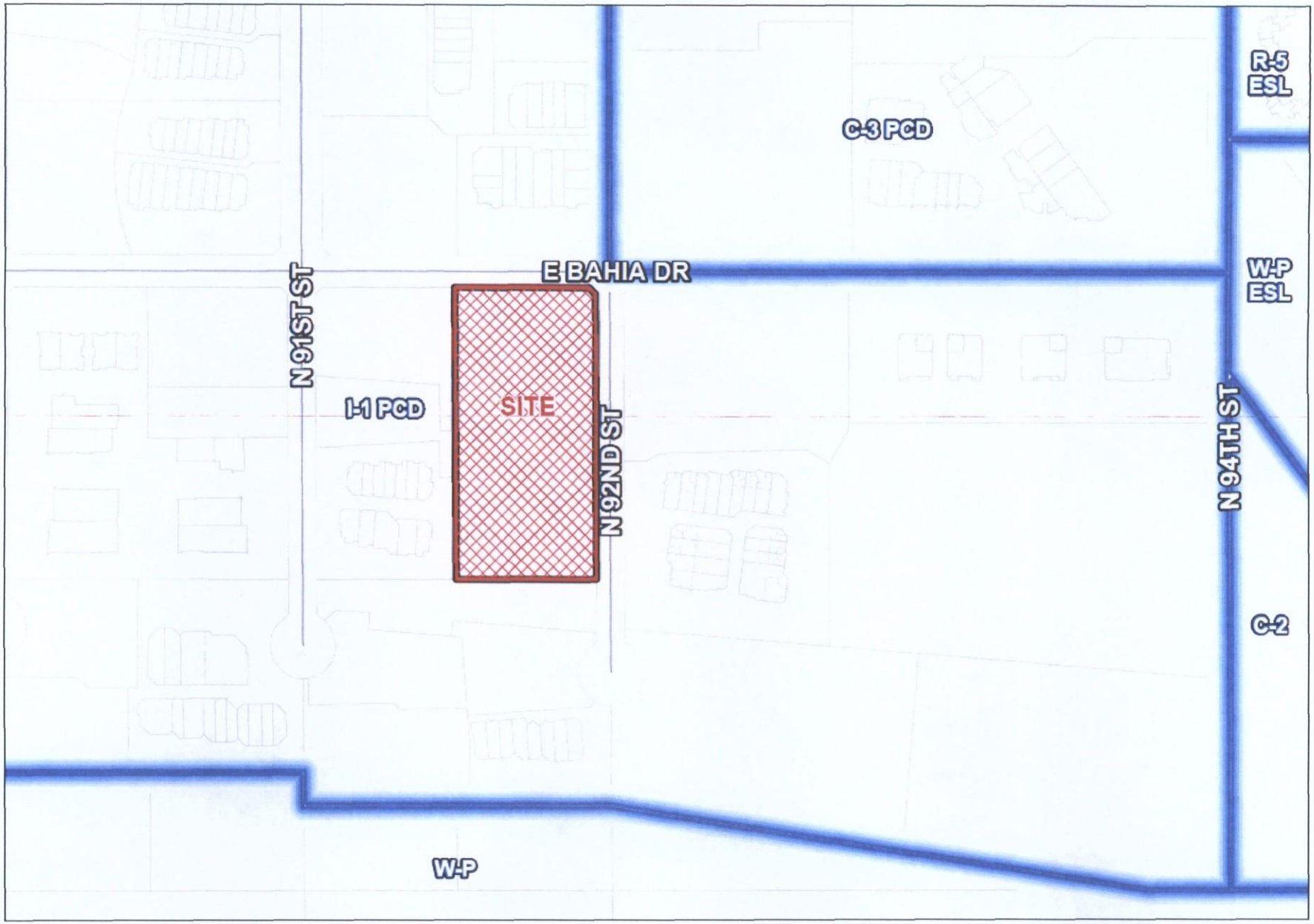
A proposal for a non-major General Plan amendment to the Greater Airpark Character Area Plan from the Employment (EMP) land use designation to the Airpark Mixed Use-Residential (AMU-R) land use designation on an approximate 5.1 +/- acre site.

ATTACHMENT #6



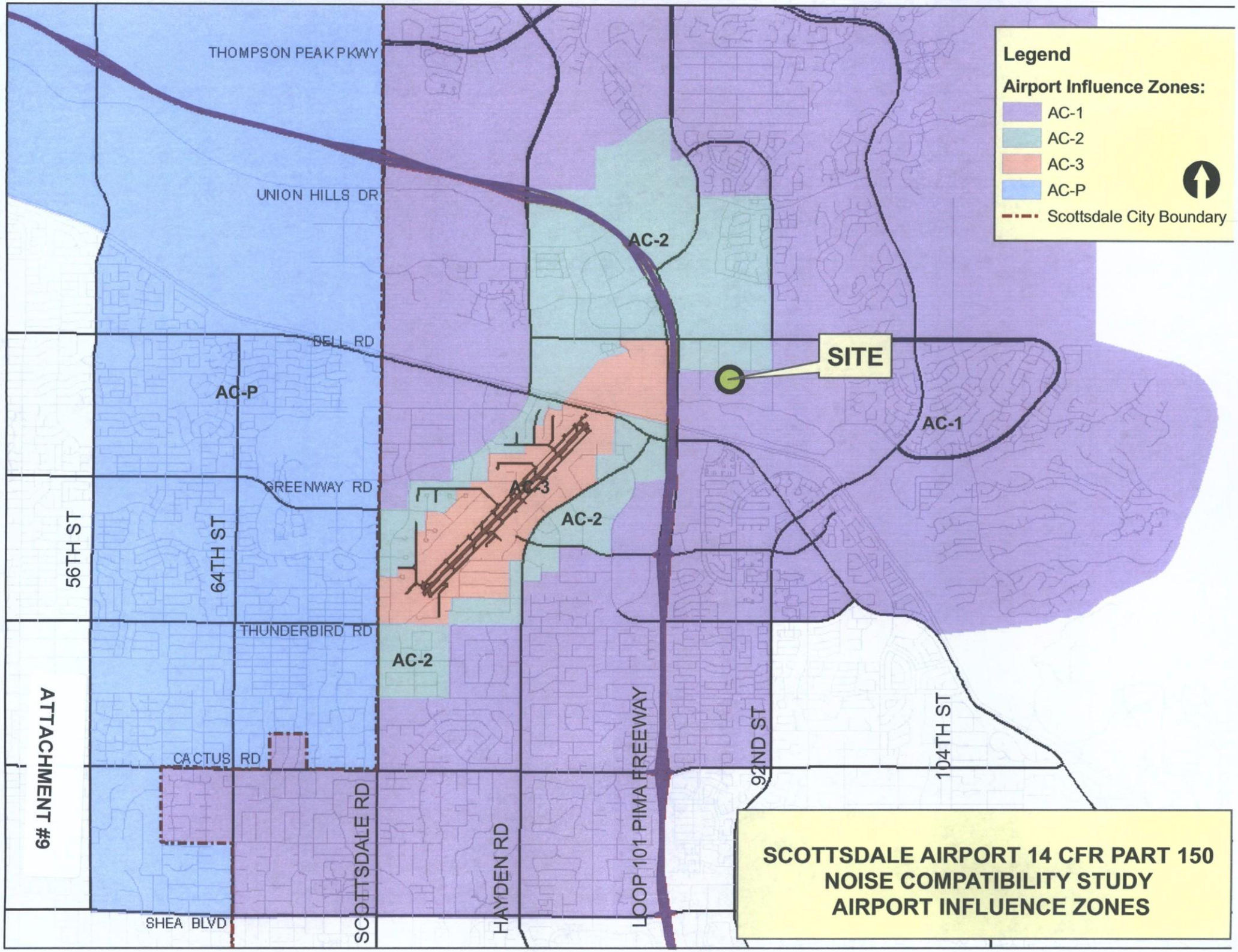
ATTACHMENT #7

Zoning Map



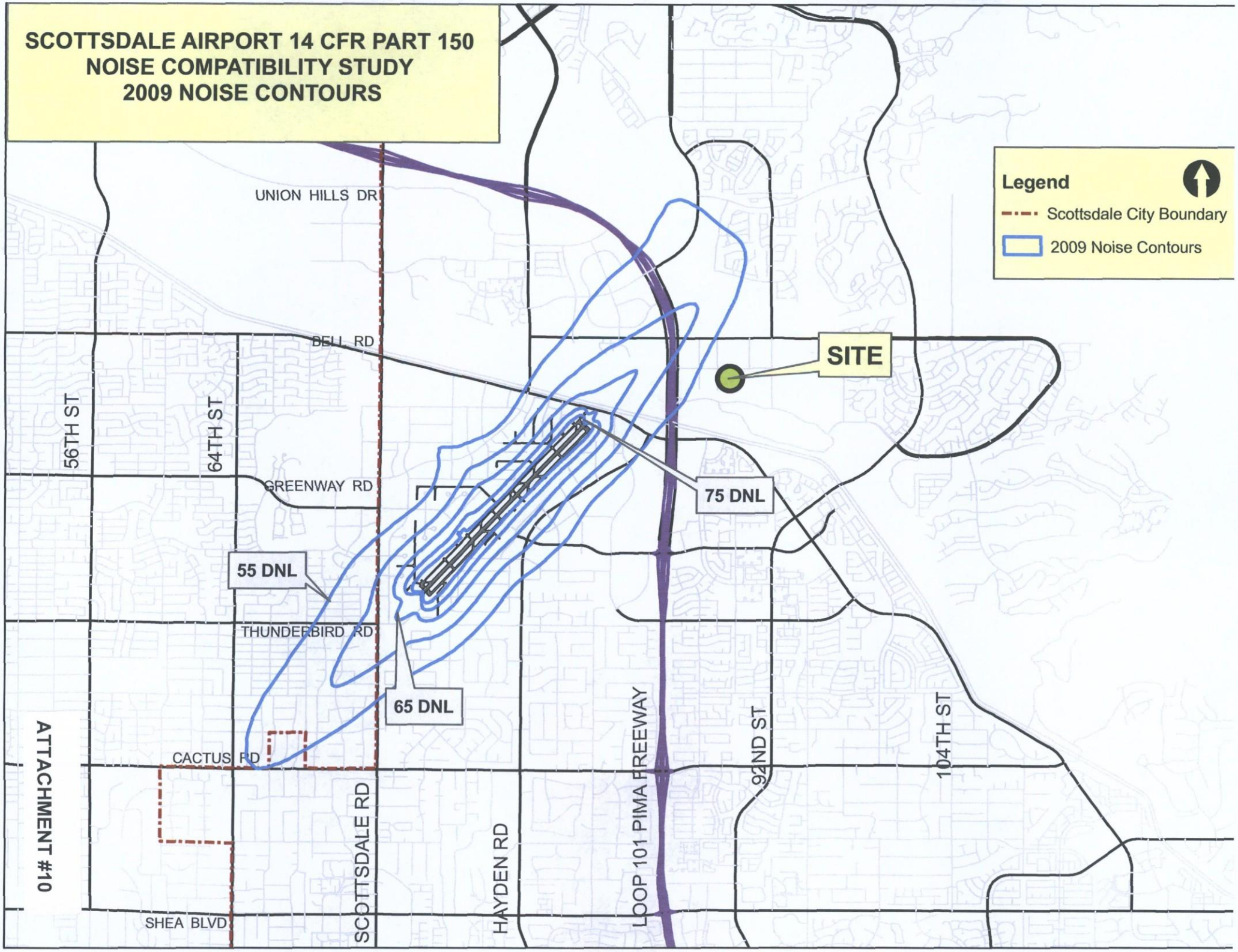
ATTACHMENT #8

6-GP-2014 and 14-ZN-2014

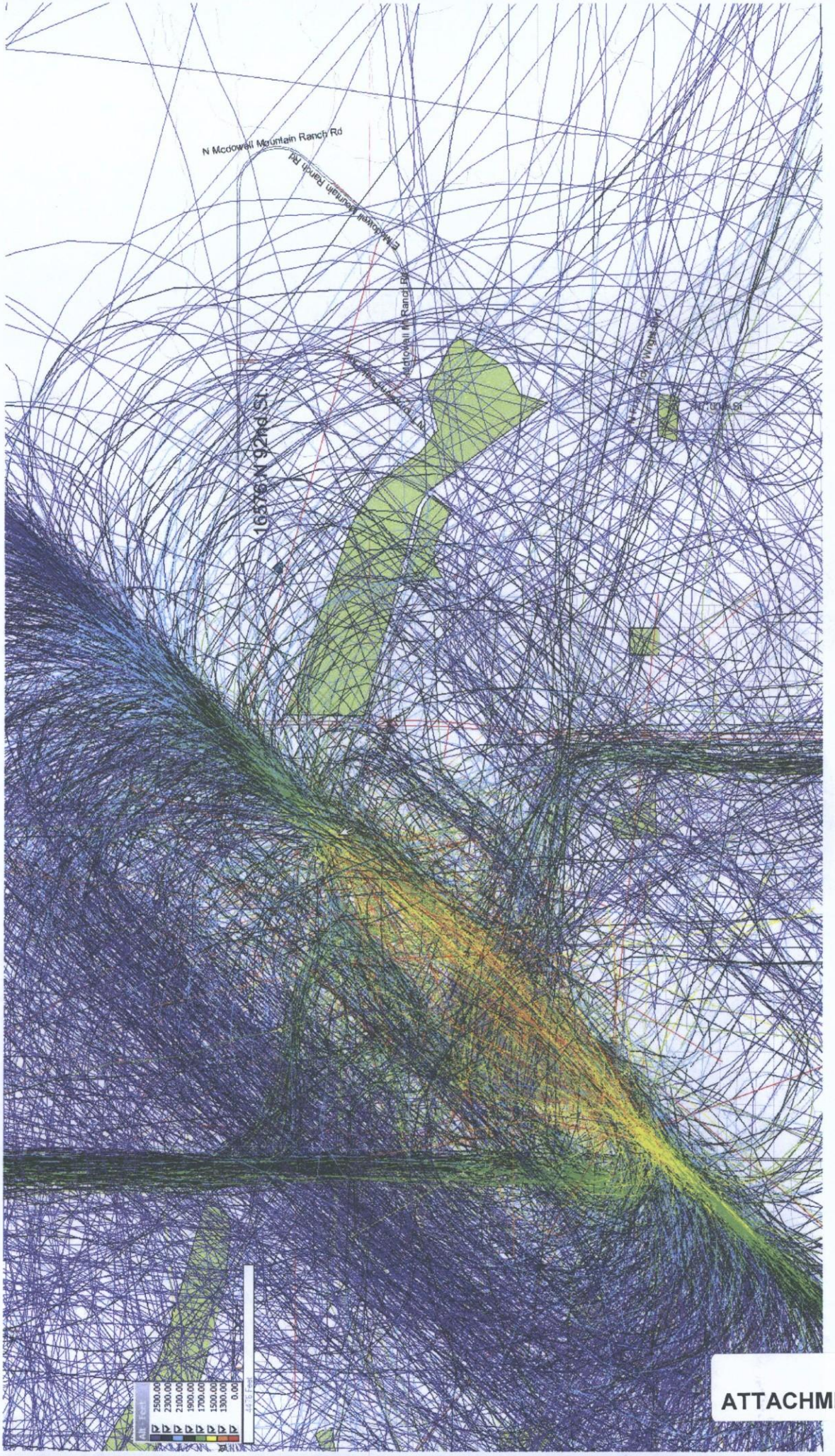


ATTACHMENT #9

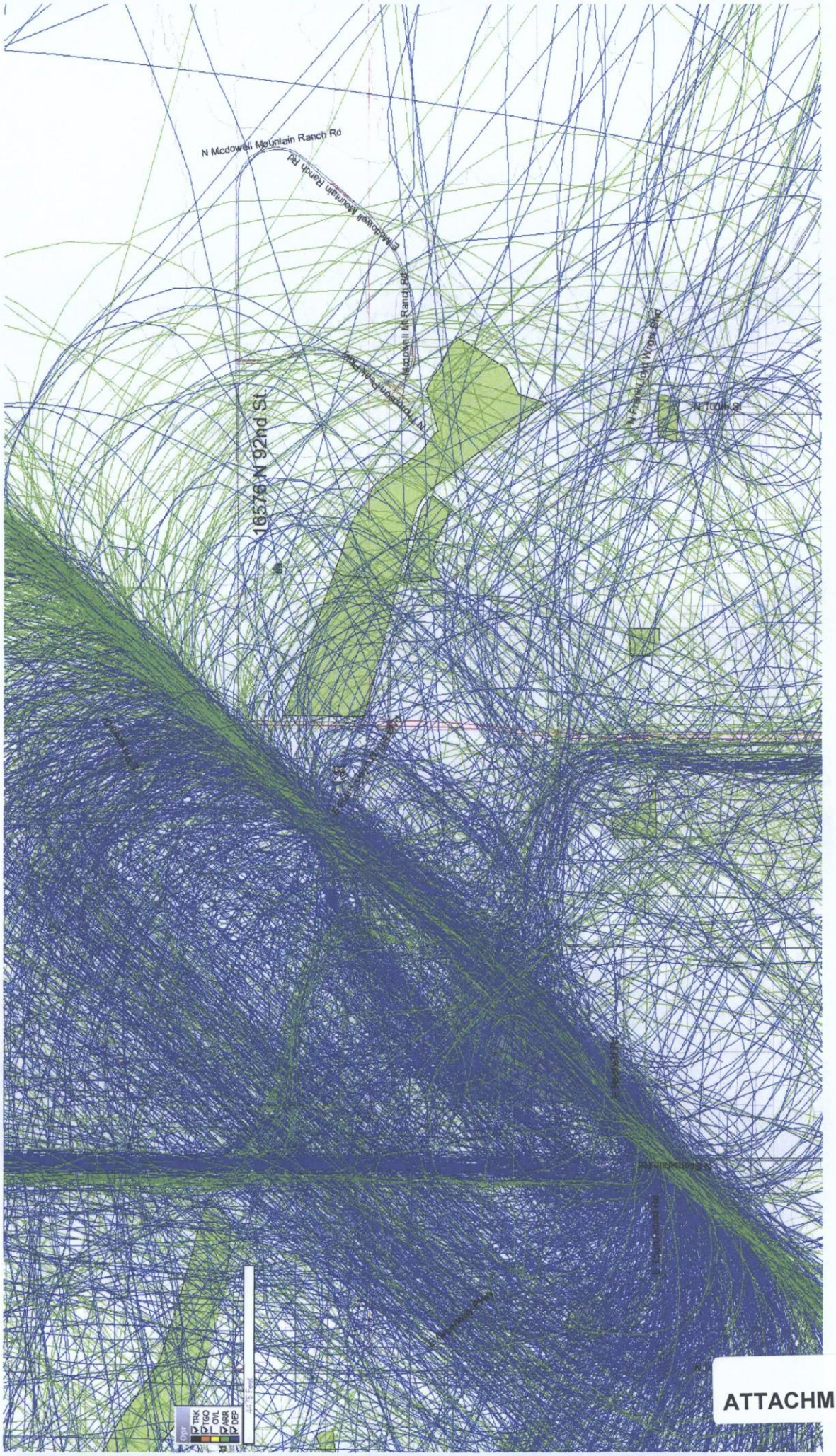
SCOTTSDALE AIRPORT 14 CFR PART 150 NOISE COMPATIBILITY STUDY 2009 NOISE CONTOURS



ATTACHMENT #10



ATTACHMENT #11



ATTACHMENT #12

Noise Expert
Acoustical Consulting

2850 E Laurel St
Mesa, AZ 85213
480-332-9325

info@noiseexpert.com
www.noiseexpert.com

September 24, 2014

Prepared For:
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michaelz@catlar.com

Prepared By:
Beth Ann Holliday

Beth Holliday
Acoustical Consultant

RE: Catclar Investments Noise Study – Scottsdale Airpark Report (NE 14081)

1.0 Summary

At your request, Noise Expert conducted noise measurements throughout a 24-hour period to determine if the site at 92nd and Bahia, near the Scottsdale Airpark is appropriate for residential living spaces.

The HUD regulation considers properties acceptable where the day-night average sound level (DNL) does not exceed 65 dBA, normally unacceptable where the DNL is above 65 dBA and not exceeding 75 dBA, and unacceptable where the DNL is above 75 dBA.

Noise levels were measured to be DNL 49 to 54 dBA. The primary noise source at the site was traffic on Bahia Drive and to a lesser degree aircraft noise associated with the Scottsdale Airpark. During the measurement period local traffic included cars, delivery trucks, and an occasional motor cycle. The observed traffic averaged 59 dBA. The observed overhead traffic from the planes averaged 54 dBA.

For the benefit of the reader, an Acoustic Terminology section is provided in Section 5.0.

ATTACHMENT #13

14-ZN-2014 &
6-GP-2014
10/1/2014

2.0 HUD Regulations

The U.S. Department of Housing and Urban Development (HUD) uses the day-night average sound level, abbreviated DNL, to evaluate external noise environments at a site. The DNL descriptor is a 24-hour descriptor computed by averaging (on an energy basis) the hourly equivalent sound level (L_{eq}) measured in each hour during a 24-hour period after 10 dB is added to the levels measured between 10 PM and 7 AM.

As stated in Title 24, Code of Federal Regulations 51.103(c), the degree of acceptability of the noise environment is determined by the sound levels at a location two meters (6.5 feet) from the building housing noise sensitive activities in the direction of the predominant noise source. The site acceptability standards are shown in Table 1.

Table 1
HUD Site Acceptable Standards

Acceptability	DNL (dBA)	Special approvals and requirements
Acceptable	Not exceeding 65[1]	None
Normally Unacceptable	Above 65 but not exceeding 75	Special approvals, environmental review, attenuation[2]
Unacceptable	Above 75	Special approvals, environmental review, attenuation[3]

Note 1 Acceptable threshold may be shifted to 70 dBA in special circumstances.
Note 2 5 dB additional attenuation required for sites above 65 dBA but not exceeding 70 dBA and 10 dBA additional attenuation required for sites above 70 dBA but not exceeding 75 dBA.
Note 3 Attenuation measures to be submitted to the Assistant Secretary for Community Planning and Development for approval on a case-by-case basis.
Source: 24 CFR 51.103

3.0 Description of Site

The site is located at the southwest corner of 92nd Street and Bahia Drive, Scottsdale, Arizona. This location is a vacant lot surrounded by industrial office warehouse spaces buildings. The vacant lot has scrub brush and is relatively flat.

The site is bounded on the north by Bahia drive, on the east by 92nd Street, on the south and west by Industrial Park businesses. The Scottsdale Airpark runway is located approximately one mile southwest of the site. The site is located outside of the extrapolated DNL 50 contour of the Scottsdale Airpark. The site is shown in Figure 2.

According to Air Traffic Activity System (ATADS) on Monday September 15, 2014, the air traffic at the Scottsdale Airport was reported to have had 308 operations (which could be a plane taking off or landing). The planes consisted of Air Taxi, General Aviation, and Civil and it was an average flight day. From the site the planes observed were landing and coming from the north

east. Planes departing that day flew out to the southwest and were not audible. In general planes are louder departing from the acceleration of the engine.

Sixty-four units each are proposed on this site as well as one larger building to include 14 condominiums on floors 2-6. The site is shown in Figure 1 along with the measurement locations.

4.0 Noise Measurements

4.1 Measurement Procedure

Noise levels were measured using two Larson Davis Model 820 sound level meters that meet the American National Standard Institute (ANSI) requirements for Type 1 sound level meters. The meters' detectors were set at "slow" response. The microphones were located approximately five feet above the ground. The meters have a built-in microprocessor and memory capability that allow calculations and storage of a variety of statistical data. The sound level meters were field-calibrated prior to, and checked immediately after, the noise measurements.

Noise measurements were started at 5 AM on Monday, September 15, 2014 and completed at 11 PM on the same day. Observations were made during the measurement periods.

4.2 Measurement Locations

Noise levels were measured at the center of the site, shown in Figure 1 and described below. Noise measurement samples were made around the perimeter of the site with an additional sound level meter.

Location 1 - at the center of the proposed Bahia Work, Live, Play Complex.

Location 2 – at the southwest end of the proposed Bahia Work, Live, Play Complex. Measurements were made approximately 40 feet from the west property line and approximately 80 feet from the south property line with office warehouse spaces to the west and to the south.

Location 3 – at the northwest end of the proposed Bahia Work, Live, Play Complex. Measurements were made approximately 75 feet from the west property line and approximately 100 feet from the north property line with office warehouse spaces to the west and Bahia drive to the north.

Location 4 – at the southeast end of the proposed Bahia Work, Live, Play Complex. Measurements were made approximately 75 feet from the east property line and approximately 100 feet from the south property line with covered parking spaces to the south and 92nd Street to the east.

Location 5 – at the northeast end of the proposed Bahia Work, Live, Play Complex. Measurements were made approximately 60 feet from the east property line and approximately 90 feet from the north property line with 92nd Street to the east and Bahia Drive to the north.

4.3 Measurement Results

The hourly measured results are shown in Table 2. The DNL at Location 1 was 54 dBA. The DNL at the other 4 locations were between 49 and 54 dBA. These are below the HUD site acceptability standard of 65 dBA.

Table 2 Measured Hourly L_{eq} and Estimated DNL Sound Level (dBA)						
Date	**Hour**	**Location 1**	**Location 2**	**Location 3**	**Location 4**	**Location 5**
Monday Sept. 15, 2014	5 AM – 6 AM	47	42	46	43	43
	6 AM – 7 AM	52	46	50	45	53
	11AM– noon	54	46	53	46	56
	noon – 1 PM	52	46	52	47	55
	5 PM – 6 PM	50	45	52	44	53
	6 PM – 7 PM	50	47	51	43	51
	10PM –11 PM	43	40	41	39	41
Day Night Level		**54**	**49**	**53**	**49**	**54**

4.4 Measurement Observations

The primary noise sources in the vicinity of the site include: traffic on Bahia Drive, traffic and pedestrians walking on 92nd Street, activities in the adjacent lot to the west, and to a lesser extent aircraft at the Scottsdale Airpark (taking off, landing, helicopters)

Morning (5 AM – 7 AM)

The primary noise source during early morning hours was traffic Bahia Drive and 92nd Street. Traffic was periodic levels generally around 55dBA. Vehicular traffic would occasionally produce levels of 60 to 65 dBA when they passed the site.

There was occasional airplane landing at the Scottsdale Airpark. The site is north east of the airpark so only planes arriving were observed from the site. Departures head south and are not audible from the site. Birds were audible at times.

The atmospheric conditions were warm and clear. Temperature was approximately 88°F with relative humidity of 55%. There was no wind, it was calm.

Afternoon (11 AM – 1 PM)

The afternoon period was similar to the morning except traffic volumes reduced later in this period. The primary noise source during mid-day hours was traffic on Bahia Drive and 92nd Street.

As with the previous period, there was occasional airplane landing at the Scottsdale Airpark. Birds were audible at times.

The atmospheric conditions were hot and clear. Temperature was approximately 97°F with relative humidity of 25%. There was a slight breeze from the southeast (3 mph).

Evening (5 PM – 7 PM)

The evening period was similar to the morning and afternoon. The primary noise source during evening hours was traffic on Bahia Drive and 92nd Street.

As with the previous period, there was occasional airplane landing at the Scottsdale Airpark. Birds were audible at times.

The atmospheric conditions were hot and clear. Temperature was 100°F with relative humidity of 24%. There was a slight breeze from the southwest (5 mph).

Late Night (10 PM – 11 PM)
During the late night there was almost no traffic and no nearby aircraft activity. Distant traffic on the 101 and insects were the primary noise sources.

The atmospheric conditions were warm and clear. Temperature was 94°F with relative humidity of 29%. There was no measurable wind.

5.0 Acoustic Terminology

Sound Pressure Level
Sound, or noise, is the term given to variations in air pressure that are capable of being detected by the human ear. Small fluctuations in atmospheric pressure (sound pressure) constitute the physical property measured with a sound pressure level meter. Because the human ear can detect variations in atmospheric pressure over such a large range of magnitudes, sound pressure is expressed on a logarithmic scale in units called decibels (dB). Noise is defined as "unwanted" sound.

Technically, sound pressure level (SPL) is defined as:

$$SPL = 20 \log (P/P_{ref}) \text{ dB}$$

where P is the sound pressure fluctuation (above or below atmospheric pressure) and P_{ref} is the reference pressure, 20 μPa, which is approximately the lowest sound pressure that can be detected by the human ear.

The sound pressure level that results from a combination of noise sources is not the arithmetic sum of the individual sound sources, but rather the logarithmic sum. For example, two sound levels of 50 dB produce a combined sound level of 53 dB, not 100 dB. Two sound levels of 40 and 50 dB produce a combined level of 50.4 dB.

Human sensitivity to changes in sound pressure level is highly individualized. Sensitivity to sound depends on frequency content, background noise, time of occurrence, duration, and psychological factors such as emotions and expectations. However, in general, a change of 1 or 2 dB in the level of sound is difficult for most people to detect. A 3 dB change is commonly taken as the smallest perceptible change and a 6 dB change corresponds to a noticeable change in loudness. A 10 dB increase or decrease in sound level corresponds to an approximate doubling or halving of loudness, respectively.

A-Weighted Sound Level

Studies have shown conclusively that at equal sound pressure levels, people are generally more sensitive to certain higher frequency sounds (such as made by speech, horns, and whistles) than most lower frequency sounds (such as made by motors and engines)[1] at the same level. To address this preferential response to frequency, the A-weighted scale was developed. The A-weighted scale adjusts the sound level in each frequency band in much the same manner that the human auditory system does. Thus the A-weighted sound level (read as "dBA") becomes a single number that defines the level of a sound and has some correlation with the sensitivity of the human ear to that sound. Different sounds with the same A-weighted sound level are perceived as being equally loud. The A-weighted noise level is commonly used today in environmental noise analysis and in noise regulations. Typical values of the A-weighted sound level of various noise sources are shown in Table 3.

Equivalent Sound Level

The Equivalent Sound Level (L_{eq}) is a type of average which represents the steady level that, integrated over a time period, would produce the same energy as the actual signal. The actual *instantaneous* noise levels typically fluctuate above and below the measured L_{eq} during the measurement period. The A-weighted L_{eq} is a common index for measuring environmental noise.

Day-Night Average Sound Level

The day-night average sound level (DNL) descriptor is a 24-hour descriptor computed by averaging (on an energy basis) the hourly equivalent sound level (L_{eq}) measured in each hour during a 24-hour period after 10 dB is added to the levels measured between 10 PM and 7 AM.

---

1 D.W. Robinson and R.S. Dadson, "A Re-Determination of the Equal-Loudness Relations for Pure Tones," *British Journal of Applied Physics*, vol. 7, pp. 166 - 181, 1956. (Adopted by the International Standards Organization as Recommendation R-226).

Market Survey: Work/Live Development

Bahia Work – Live - Play Survey Phase I

Overview:

This report is Phase one (I) of a two part Survey. Phase I determines community and consumer trends and interest in regards to Work/Live development. Phase II, to follow, shall explore in depth responses to the features of the Project itself.

Work/Live is a dynamic mixed-use zoning class that allows the resident/occupant to combine a commercial use with residency. It is an old concept that is increasing in interest and demand both regionally and nationally. Work/Live mixed use is an appropriate way to weave an essential thread of occupancy into the urban setting.

Our firm reached out to the community at large to gain responses to key questions regarding use, location and consumer viability, especially in regards to the proposed Subject development. The results are significant.

Of those surveyed, 69 persons responded to key questions regarding Work/Live uses, applications, location and trends. The group included a wide mix of individuals designers, real estate agents, sole proprietors and business persons as well as past real estate clients among the demographic. Residents of a variety of Valley Cities were included as were a small portion of residents outside the state representing second home and seasonal visitors. The typical age demographic would lean heavily to 30-55 year old individuals.

Without question, the group supports the concept as both customer and occupant. The responses indicate an open mind as to location and show that they would support a mixed-use Work/Live development in a variety of settings, most appropriately as a "buffer" between zoning class; as an "in-fill" use for existing parcels.

Two-thirds would like to see Work/Live in Scottsdale and a like amount would consider ownership. A clear majority consider Work/Live development to offer a "green" and eco-friendly alternative to traditional development. There is a clear sense of typical business use, all of which is desirable.

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ATTACHMENT #14

TRAFFIC IMPACT ANALYSIS SUMMARY
Bahia Work-Live-Play
92nd Street and Bahia Drive
14-ZN-2014, 6-GP-2014

Summary Prepared by Andrew Merkley, COS Traffic Engineering
Traffic Impact Study Prepared by Eric Maceyko, Bryan Martin, ECS Group

Existing Conditions:

Site Location – The southwest corner of the intersection of 92nd Street and Bahia Drive.

Existing Development – Site is currently undeveloped; previously approved zoning is I-1 PCD.

Street Classifications –

- Bahia Drive is classified as a Suburban Minor Collector.
- 92nd Street is classified as a Local Street.

Existing Street Conditions –

- Bahia Drive between one the Loop 101 frontage road and 94th Street travel lane provides one travel lane and one bike lane in each direction. A two-way center lane is also provided. Curb gutter and sidewalk are provided along Bahia Drive. The posted speed limit is 35 miles per hour.
- 92nd Street provides one travel lane in each direction, and curb and gutter on both sides of the. 92nd Street does not provide pavement markings. The posted speed limit is 32 miles per hour.

Existing Intersection Conditions –

- The intersection of Bahia Drive and 92nd Street is 2-way stop-controlled, with the north-south approaches having to stop. The northbound approach provides one general purpose lane. The southbound approach provides 1 exclusive left-turn lane and 1 exclusive right-turn lane. The eastbound and westbound approaches provide 1 through lane in each direction and 1 shared center two-way lane.

Existing Volumes –

- There are 1,897 daily vehicles on Bahia Drive east of 92nd Street.
- There are 2,358 daily vehicles on 92nd Street south of Bahia Drive.

Existing Speed Limits –

- Bahia Drive has a posted speed limit of 35 miles per hour.
- 92nd Street has a posted speed limit of 25 miles per hour.

Collision Information –

No collisions were reported at or near the intersection of 92nd Street and Bahia Drive between 2009 and 2012.

Proposed Development:

Description - The proposed development plan consists of a live/work development consisting of townhouses and condominiums with retail/restaurant uses.

Site Access – The applicant is proposing to have main site access from one driveway intersection on Bahia Drive west of 92nd Street and from two driveway intersections on 92nd Street south of Bahia Drive.

ATTACHMENT #15

TRIP GENERATION COMPARISON TABLE:

	Daily Total	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Proposed - Mixed Use 78 DU, 25,600 SF Office, 2,000 SF Specialty Retail, 2,000 SF Restaurant, 5,000 SF Office	1,495	111	60	171	65	137	202
Previously Approved - Industrial Park 75,000 SF	1,120	68	15	83	21	79	100
Increase/Decrease	+375	+43	+45	+88	+44	+58	+102

Traffic Analysis:

Intersection Level of Service – Using a 2015 horizon year with traffic generated by the build out of the proposed development, the site access intersections are anticipated to operate a level of service C or better for both peak hours. The intersection of 92nd Street and Bahia Drive is anticipated to operate at LOS F during peak hours, due to traffic and queuing generated by adjacent businesses.

Additional Traffic Volumes – With the additional site generated traffic and the proposed site access, development of the site is estimated to increase daily traffic volumes along Bahia Drive west of 92nd Street by 300 vehicles, east of 92nd Street by 75 vehicles, and 92nd Street south of Bahia Drive by 188 vehicles.

Additional Information:

Currently, traffic from the surrounding businesses, primarily the nearby Scottsdale Preparatory Academy, creates traffic queues in the morning and early afternoon that extend the length of 92nd Street and onto Bahia Drive. These queues will potentially block site access for periods up to twenty minutes. The school is working to improve their student drop-off and pickup processes to reduce the congestion on the adjacent streets, but it is likely that this will be an area with traffic congestion as long as the school is located on 92nd Street.

Summary:

The approval of the zoning district change for the proposed Bahia Work-Live-Play will result in an estimated 1,495 trips generated per day to and from the project site. The development is estimated to generate 171 a.m. peak hour trips, and 202 p.m. peak hour trips. This represents an increase of 375 daily trips over the existing approved industrial park zoning.

With the addition of the proposed site generated traffic, operations at the intersections in the vicinity of the site will continue to operate at acceptable levels (LOS C or better), with the exception of the intersection of 92nd Street and Bahia Drive during the morning peak hour (LOS F), due primarily to existing traffic from adjacent businesses including Scottsdale Preparatory Academy private school.

Comments/Concerns:

- Transportation staff has concerns about adding a residential land use into an area where there is existing traffic congestion. Residents may be frustrated about the difficulty in getting to and from their residences during the periods that 92nd Street and Bahia Drive are congested.
- The site is also located near the City's main event venue, WestWorld, and during major events traffic volumes can be heavy and impact both 94th Street and Bahia Drive. Residents may also be frustrated about the difficulty in getting to and from their residences during these major events.

NEIGHBORHOOD MEETING

SCOTTSDALE APPLICATION NUMBER 618-PA-2014
Catclar Investments, LLC
SW CORNER OF BAHIA DR AND 92nd ST IN THE CITY OF SCOTTSDALE
BAHIA LIVE, WORK, PLAY PROJECT

Thursday, August 14th, 2014 6:00pm – 7:00pm
FROGS Physical Therapy 16621 N. 91st ST., SUITE #101, Scottsdale, AZ 85260

I SUPPORT	Y
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS:

Please make sure parking isn't taken by complex on 92nd st - my only concern
Otherwise sounds like a great plan!

NAME: Leighanne Fitzgerald
ADDRESS: #135, 16573 N 92 st. Scottsdale 85260
TELEPHONE: 480-699-3045
EMAIL: leighanne@optexperience.com

PLEASE FILL OUT AND TURN IN OR MAIL TO:

Catclar Investments, LLC
16621 N 91st St.
Suite #101
Scottsdale, AZ 85260

OR EMAIL: tnacius@cox.net

ATTACHMENT #16

October 8, 2014

Ms. Irene Catsibris Clary
Catclar Investments, LLC
16621 N 91st. Street, Suite 101,
Scottsdale, Arizona 85260

Re: Airplane Noise

Ms. Clary,

I own two business condo units directly across the street from your intended project and was one of the original people to move into the complex. We have an office staff of 13 people who work in our building from 6AM to 6PM. We have never been bothered by noise from the planes (both jet and prop) that utilize the Scottsdale airport. It seems about once per year a couple of fighter jets fly in and they are loud but it is 15 seconds of a good loud that should make you proud and thankful for your blessings of freedom.

I am also on the board for the condominium association and have never heard of a noise complaint regarding the airport.

Having seen renderings of the project I think it would be a great addition to the area and certainly much better than another mini storage or the weed patch that now exists.

Please don't hesitate to contact me should you have any further questions.

Tom George
*i*WIred Inc.
16573 North 92nd Street, Ste. C-101
Scottsdale, AZ 85260
480-922-2500
tom@iwired.com

Bloemberg, Greg

From: Brett Bennett <brett@ptpos.com>
Sent: Thursday, August 07, 2014 3:02 PM
To: icatsibrisclary@catclar.com; Bloemberg, Greg
Subject: Bahia Live, Work, Play Project

Hello Irene and Greg,

I am in receipt of the notification letter dated August 4, 2014 concerning the new Bahia Live, Work, Play project in our office/industrial complex. Thank you for the opportunity to review the project, and provide feedback.

I purchased our building (16561 N 92nd Street) in 2006, and have seen the progress and changes in the area since that time. I would like to express my concern about the traffic and parking issues we are currently experiencing, and could expect to worsen as this project is completed.

In 2012 the Scottsdale Preparatory Academy, located at 16537 N 92nd Street, moved in and the traffic and parking issues immediately commenced. Granted, the Headmaster of the school has been very nice, and has truly worked to resolve the issues, but progress has been minimal. If you are trying to get to or from the office during the drop off, or pick up times, it is nearly impossible. There are cars backed up all the way up 92nd Street, and part way down Bahia to the West for a good hour, twice each day.

Compounding the problem with traffic is the growing problem with parking. There are several owners and tenants in the McDowell Mountain complex who have a severe lack of parking for their customers, so they have told them to park along 92nd Street. In addition, we have seen an increase in parking on the street by parents and teachers (and some students) related to the Scottsdale Prep Academy. Right now (2:45pm) there are 24 cars parked on 92nd street, taking up both sides of the street from the circle up to within 100 feet of Bahia. This has presented a visibility problem when entering or exiting our parking lot, and basically turns 92nd street into a one lane road.

I am concerned that if the current traffic and parking situation is not addressed, it will present a problem for the residents of the new project, as well as become a greater problem for us and other unit owners in the area, by adding more traffic to the area with the addition of the project residents.

I certainly welcome the new opportunities that this project will bring, and look forward to the potential of strolling across the street for lunch, but I think the current traffic and parking situation needs to be addressed before any work begins. I would also like to understand better how you plan to handle parking for the Retail/Restaurant space proposed for the corner. I don't see adequate parking in the plan.

Thank you!

Brett Bennett | Principal/CEO | POSitive Technology
office: 480-295-4259 | efax: 480-295-4275 | brett@ptpos.com | www.ptpos.com
16561 N. 92nd Street, Suite 105, Scottsdale, AZ 85260

Connect with me on LinkedIn

View our LinkedIn Company Page

Taking Retail to the Next Level!

"Our lives are not determined by what happens to us, but by how we react to what happens; not by what life brings to us, but by the attitude we bring to life. A POSitive attitude causes a chain reaction of POSitive thoughts, events, and outcomes. It is a catalyst... a spark that creates extraordinary results."

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Bloemberg, Greg

From: Dygert, Brian
Sent: Wednesday, September 24, 2014 1:49 PM
To: Bloemberg, Greg
Cc: Reardon, Michael - 543; Grant, Randy; Curtis, Tim; Katsenes, Paul
Subject: RE: new residential just north of WestWorld (rezoning request)

Hello Greg,
The official response that Paul K and I discussed, we completely agree with Sgt Reardon's assessment.
WestWorld would want any potential clients, tenants, etc to know that they will be this close to a major event facility.
A major event facility means that we do different events every week may have negative impacts to the development.
It would be an individual opinion as to whether the impact would be negative or positive.

Have a great day,
Brian

From: Bloemberg, Greg
Sent: Wednesday, September 24, 2014 11:11 AM
To: Dygert, Brian
Cc: Reardon, Michael - 543; Grant, Randy; Curtis, Tim
Subject: FW: new residential just north of WestWorld (rezoning request)

Hello Brian,

I am putting together first review comments for the applicant on this case, and just wanted to clarify Westworld's position on the proposal, being that your facility is in such close proximity to project site.

I'm a bit confused because the impression we got from the applicant, Irene Clary, was that you were generally supportive of the project. If that is not the case, I want to make sure your concerns are reflected in my comments letter. Based on the e-mail below, it would appear that Westworld actually does have some concerns. I am happy to add the comments below to my letter if they reflect your official position, but wanted to check in with you first for clarification/confirmation.

Please advise at your earliest convenience.

Thanks!!

Greg Bloemberg
Senior Planner
Current Planning
City of Scottsdale
e-mail: gbloemberg@scottsdaleaz.gov
phone: 480-312-4306

From: Reardon, Michael - 543
Sent: Tuesday, September 23, 2014 10:37 AM

To: Dygert, Brian; Katsenes, Paul
Cc: Bloemberg, Greg; Bayne, Ronald - 559; Brodzinski, Walt; Jones, Ernest; Keagy, Raun
Subject: new residential just north of WestWorld (rezoning request)

Brian and Paul,

FYI on a rezoning request in order to add multifamily residential just north of WestWorld. This is on the southwest corner of Bahia and 92nd Street (scroll down for map, picture, and file). For whatever it is worth, here are my thoughts (and I've copied the staff coordinator and others as a FYI too):

1. The existing residential condo complex on the southeast corner of 94th Street and Bell Road is too close to WestWorld. They complain about the concert events, the motorcycle noise from Arizona Bike Week, and they have access difficulties during Goodguys and other large events. In past meetings with the residents, they have expressed a desire for the city to buy out the community because it is incompatible with the adjacent use and it has had a negative impact on their property values.

2. For concert events on the polo field, the proposed location is very close and will generate noise complaints. For the Haunted Hip Hop concert on the polo field this past Saturday night, the bass would have likely vibrated the windows to this proposed building. For both the Rob Zombie concert on Friday night and hip hop concert on Saturday night, we had numerous noise complaints. Several from the McDowell Mountain Marriott on Perimeter south of Bell Road, and from residential areas south of Frank Lloyd Wright and east of 90th Street. There are numerous other events, not just concerts on the polo field, that will generate noise complaints from a residential development this close to the heart of WestWorld (even the ground floor level of this building will be visible from standing on WestWorld Drive next to the big tent).

3. Traffic from large events will inconvenience residents. Bahia ends up being a major ingress and egress route for large events at WestWorld even though we direct traffic to use Bell to 94th Street. This past Friday night, traffic was gridlocked on Bahia for over an hour from 94th Street to Pima (and Pima to Frank Lloyd Wright).

4. Not a WestWorld issue, but they will have access issues with Scottsdale Preparatory Academy and the large amount of traffic they generate in the morning for drop-off and in the afternoon for pick-up. I have had to coordinate traffic control with them in the past when large events overlap their school days (Barrett-Jackson, Goodguys).

It looks like an awesome project, but not for that location. The industrial area north of WestWorld allows for a lot of programming flexibility for WestWorld. Putting a residential development in the heart of that industrial area will strip away a much needed buffer.

Mike

Site:
<< OLE Object: Picture (Device Independent Bitmap) >>

Rendering:
<< OLE Object: Picture (Device Independent Bitmap) >>
Full file:
<< OLE Object: Picture (Device Independent Bitmap) >>

Sgt. Mike Reardon Scottsdale PD Special Events Unit Supervisor
Office 480.312.4390 | Mobile 602.510.5396 | Fax 480.312.9090 | 8401 E. Indian School Road, Scottsdale, AZ 85251
Excellence Initiative Integrity since 1992

<< File: ProjInfo_14_ZN_2014.pdf >>

Bloemberg, Greg

From: Jim Hartsock <jim@swwildlife.com>
Sent: Wednesday, October 15, 2014 11:16 AM
To: Projectinput
Cc: Bloemberg, Greg
Subject: bahia live work play

Scottsdale Planning and Zoning Commision; "Bahia live work play"

I own a property directly adjacent to the "Bahia Live Work Play Project" that is being considered for a zoning cha lieve that the zoning on this property should not be granted. When you look at the overall picture, there are very few Scottsdale that have industrial zoning. The city needs light industrial areas. The area north of Westworld was perfe ıt light industrial zones. The power lines come thru this area, Westworld is here, parking areas for large eve estworld and the Waste Management Open, Flight patterns of the airport. So this was the best area for the light indu ning.

This is the last piece of vacant land. Why change the zoning to residential when it is surrounded by industrial? C ; arguments to allowing this change is that the school is right across the street, and Norte Dame is around the corner. I ɔk at either of those schools you will see that they are both private and very expensive. No one living in an apartment ghrise will be sending their kids to school at either of those schools.

ıave seen the presentation that the developer has put on. They said there will be outside patios, green belt areas for re enjoy the outside. Why would a resident want to enjoy the outside of an industrial area? There are sights, sound ıells that are unique to industrial zones that residents will complain about. That is why these zones are set up in th ıce. So why change the zoning and put someone in a place where he could complain to the city about his neighborhoo

The area business owners, myself included, have located our business' within this zoning because we are followir les you have set. I have been told the target resident is an architect, online business, advertising type, realtor. All ɔes of business' could be run out of ANY existing residence under the "home office" rules. So once again I ask ange the zoning on this isolated piece of property.

They have also said they want to put in a corner commercial building with a Fedex express and lunch diner. Tha ;ate more traffic problems. Since the Scottsdale Prepatory Academy went in at the end of a cul de sac, traffi ghtmare 2 times a day. By adding a restaurant on that corner, traffic may become a nightmare 3 times a day. Sc ange the zoning and allow for possibly more traffic concerns.

In the industrial zoning there are no quiet times like in residential zoning. I have seen delivery trucks at almost all ;luding weekends. By allowing residences, you are opening the city up to the possibility of numerous complaints ise, traffic, smells, and sights (this is a 4 story with balconies and roof top oasis).

I don't know who would buy a residence surrounded by industrial buildings. My concern is that it would soon be w income housing or apartments which would create a more transient resident which in turn would create se ɔblems for the neighboring business'.

In closing, when we purchased our property in the area, we fell in love with the fact that the area was predomi fice/warehouse spaces. There is a variety of business' and sizes of spaces. The area catered to the small to mediun siness' that needed similar things; office/warehouse and they couldn't work from home. If there was a live work ɔject we would not have purchased next to it. This is not like Kierland or Old Town Scottsdale. Those were comm ;as not industrial areas.

;gards
n Hartsock
443 N. 91st Street C-105
.CS Properties LLC

Bloemberg, Greg

From: Jim Hartsock <jim@swwildlife.com>
Sent: Monday, October 20, 2014 11:58 AM
To: dbrantner@scottsdaleaz.gov; mcody@scottsdaleaz.gov; medwards@scottsdaleaz.gov; afakih@scottsdaleaz.gov; egrant@scottsdaleaz.gov; lkush@scottsdaleaz.gov; mminnaugh@scottsdaleaz.gov; Bloemberg, Greg; Phillips, Guy; Robbins, Dennis E; Littlefield, Robert; Korte, Virginia; Klapp, Suzanne; Lane, Jim; Milhaven, Linda
Attachments: Scottsdale Planning and Zoning Commision.doc

Commissioners,

I have emailed the attached letter to Greg Bloemberg and I wanted to make sure you received my concerns to the "Bahia Work Live Play" project. I have met twice with the developer, once with Irene Clary and her Associate and once with her Associate alone. After the recent update of the project, my original concerns discussed in the attached letter still hold and Ms. Cleary has pointed out some new concerns.

The project will be 3 and 4 story buildings with covered rooftop patios; when completed, that will occupy all of 4 and 5 stories. I was under the impression that the height restriction on the new zoning for a 3 acre parcel is 42 feet but they are pushing for 60+ feet that is allowed in 5 acre parcels not for 3 acres. Once again, this stretches the original zoned plans beyond their intended use.

The target buyer will be urbanite, families, professional types ie; architect, .com, IT people, universities; All a very white collar environment surrounded by light industry. This area will never be what the Urbanite wants. One bagel and pizza shop or one restaurant added to this area is not what that type of person is seeking. He needs an area like Kierland or City North/High Street.

The concept is creative – Live, Work, Play. It's not new. There are similar areas with City North and Kierland. Those other areas are huge developments with expansion opportunities. They offer large, self sufficient communities. The property for Bahia Live Work Play project is a land locked project. The area does not offer to the individual the non-commuting opportunities or a life within walking distance for the living conditions projected. This is not a family friendly area – it is an industrial zoned district with delivery trucks of all sizes that travel our streets and parking areas frequently. There are large dumpsters all over the area that present hazards for any curious child. These are attractive nuisances for livable conditions but not unexpected in our current zoning. This is a predominantly industrial zoned area. It is Not suitable for families or livable properties.

This area is thriving as it is currently zoned and intended. This is not a blighted area that requires revitalizing by means of re-zoning. If you begin the process of re-zoning to include livable units, you are pushing the entire area into restructuring. This will

put many small to medium size businesses Out of Business much due to the need and costs to relocate.

This light industrial area in Scottsdale is needed for the small to medium size business owner. It's a nice area. We feel safe working here. We raised our family in Scottsdale and have followed the City's zoning laws by locating our business legally. When you mix zoning and allow livable properties next to industrial properties, you are asking too much of the people and neighboring businesses.

Scottsdale "The West's Most Western Town". When people come to Arizona and think of Scottsdale, they do not think of industrial Live, Work, Play communities. They think of golf courses, resorts, Old Town Scottsdale, art galleries, maximum 2-3 story buildings, wide open spaces/N.A.O.S., desert wildlife and vegetation. They don't think about recreating Los Angeles, Toronto, New York or other busy city lifestyles. The average median age in Scottsdale is 45. Let Tempe have the young adults in their 20's. Our concern is not only for our own preferences and use but also for the integrity of the City of Scottsdale.

Ms. Cleary had used Baker Block in Los Angeles as an example to us as to how good this concept is. We didn't have to look too far to find a link that reported that the residents of Baker Block are now complaining about the industrial use in the neighboring properties. This is my point exactly, once the residents move in, they will complain about allowed uses around them. Industry does not mesh with living spaces. Living spaces may mesh with other types of commercial zones but not industrial activity. Here is a link
http://la.curbed.com/archives/2010/02/_theres_more_exciting_drama.php

Jim Hartsock
JACS Properties LLC
16443 N. 91st Street
Scottsdale, Arizona. 85260
(480) 661-0372

James P. Keeley, SIOR, CCIM
Founding Partner Scottsdale Office

14080 N. Northsight Blvd.
Scottsdale, AZ 85260
jim.keeley@colliers.com

MAIN +1 480 596 9000
FAX +1 480 655 3344
MOB +1 602 721 6540

Colliers INTERNATIONAL

November 4, 2014

The Honorable W. J. "Jim" Lane
Mayor of Scottsdale
Councilwoman Suzanne Klapp
Councilmember Virginia Korte
Councilman Robert Littlefield
Councilwoman Linda Milhaven
Councilman Guy Phillips
Councilman Dennis Robbins
City of Scottsdale
3939 N. Drinkwater Blvd.
Scottsdale, AZ 85251

RE: The Bahia Work, Live, Play Project at the Southwest Corner of Bahia Drive and 92nd Street

Dear Mayor and City Council Members,

As you may be aware, I have been involved in the Scottsdale Airpark since 1981as a Commercial Real Estate Broker, Developer and Historian and have seen it grow from 400,000 square feet to over 30 million square feet today. During that time I have had the opportunity to tour other Employment/Business Parks in cities like Irvine, in California, Las Calinas, in Texas, the Denver Tech Center, in Colorado, The Research Triangle Park in North Carolina and others. These mixed-use employment bases have thrived utilizing the MXD (Mixed Use Development) concepts of mixing office, residential, entertainment, Flex and Hi Tech space into cluster developments. The MXD Concept reduces traffic and lures more of today's millennial workforce.

I was involved in the original PCP Zoning Overlay Committee overlay from1987 to 1989. I was pleasantly surprised to see the updated PCP Overlay District implementing and encouraging mixed-use projects like the Bahia Project.

It is apparent there has been a lot of careful thought put into this project at every level, from the principals, architects and engineers. It also appears that the City has offered some valuable input and the developer has put forward a plan to achieve the highest and best use for the site. Over the more recent years, I have had individuals approach me looking for this type of product and I feel this will be a trend we'll see in the future.

I'm happy to see a project like this get developed as it will benefit the community at large and it has my support.

Please let me know if I may answer any questions you may have.

Sincerely,

James P. Keeley

James P. Keeley, SIOR, CCIM
Founding Partner Scottsdale Office

S:\Investments\keeleyj\2014 Correspondence\mayor council 11-4-14.doc

To: City of Scottsdale
Planning, Neighborhood & Transportation Division
7447 E Indian School Road Suite 105, Scottsdale, AZ 85251

From: Catclar Investments LLC.

Date: 8.21.2014

Re: Bahia Work, Live, Play Project

Citizen and Neighborhood Involvement Process regarding Bahia Work, Live, Play

SW Corner of Bahia Dr. and 92nd St., Scottsdale, AZ 85260

Catclar Investments LLC

The project team has made a concerted effort to reach out to the neighboring community and has gone above and beyond to have meaningful conversations. We have and will continue to address any questions and/or comments that may arise throughout the application process.

Posting & Notification

Pursuant to the City of Scottsdale requirements, on August 4th 2014, the Applicant sent first class letters to all property owners within 750 feet of the project site and chairpersons of registered neighborhood associations and home owners associations, and notifying interested parties of the proposed development and of a neighborhood meeting scheduled for Thursday, August 14th. The respective dates, locations and time for the neighborhood meeting and Applicants contact information were posted on the project site on August 4th 2014 as well. Copies of the mailing notice, notification list, as well as photos of the neighborhood meeting notice sign posted on the site, are enclosed with this summary.

Phone Calls, Letters, Emails and faxes:

Prior to the neighborhood meeting, the Applicant reached out to several neighbors to share the development plan with them in advance and invite them to the meeting. After explaining the project to these property owners, they have been very supportive of the project. The Applicant was able to answer all of their questions.

14-ZN-2014
8/28/2014

CATCLAR INVESTMENTS LLC
16621 N 91ST STREET #101 SCOTTSDALE, AZ 85260

Neighborhood Meeting of August 14th 2014.

The project's official neighborhood meeting was held at FROGS Physical Therapy, which also houses the Catclar Investments team, at 16621 N 91st St #101 Scottsdale, AZ 85260. This office is nearly across the street from the project site and demonstrates the Applicants investment in the local community. The meeting was scheduled to be from 6-7pm, however our first guests arrived at 5:30. The Applicant representative Irene Clary, was in attendance, as well as members of the project team including, Larry Heiny with H&S International and Michele Hammond with Berry, Riddell & Rosensteel. In addition to the Applicant and the project team, approximately 7 people from the public attended the meeting, one of them being Airport Commissioner Bill Bergdoll. The Applicant set up presentation boards around the room and the project team was available to discuss the project individually with members of the public. We have attached the support cards and the signup sheet to this report.

The members of the public in attendance were very supportive. Additional public comments are supportive of the project's mix of uses and offering of work /live in this location. The public meeting adjourned approximately at 7pm.

We are very excited about what this project brings to the general area. We've received support from potential patrons of the restaurant and possible owners of the townhomes. Brett Bennett, is the president of the adjacent HOA and he is strongly supporting the project. Additionally, from data provided by 3rd party experts, we feel this project will be not only a commercial success but a total win for the community.

We thank you for your consideration and hope to see a favorable outcome to this application.

Enclosures:

August 4th 2014 mailing notice

August 4th 2014 mailing notification list

August 4th 2014 affidavit of sign posting and photo of posted sign

August 14th 2014 neighborhood meeting sign-in sheet

Support letters from the local community

Please contact us with any questions,

Michael Zajas, MRED Director of Development
michaelz@catclar.com 480-473-3700 x 105

CATCLAR INVESTMENTS LLC
16621 N 91ST STREET #101 SCOTTSDALE, AZ 85260

catclar
INVESTMENTS

August 4, 2014

VANCAT INVESTMENTS LLC
16621 N 91ST STE 101
SCOTTSDALE, AZ 85260

Re: Bahia Live, Work, Play Project / Southwest Corner of 92nd Street & Bahia (618-PA-2014)

Dear Neighbor/Property Owner:

We are sending you this letter regarding an exciting new development opportunity in the Scottsdale Airpark. Catclar Investments LLC is proposing a new live/work development, the "Bahia Live, Work, Play Project", on the southwest corner of 92nd Street and Bahia which will consist of approximately 200,000 s.f. of residential live/work space including approximately 90 live/work units. The existing site is undeveloped and surrounded by existing medical office, service related, and recreation uses. Per the enclosed conceptual site plan, the buildings will be placed along the street frontages and western property line allowing for a meaningful, usable open space amenity in the center of the site. The proposed development plan will also provide a two-story retail/restaurant use for the benefit of both the residents and surrounding community.

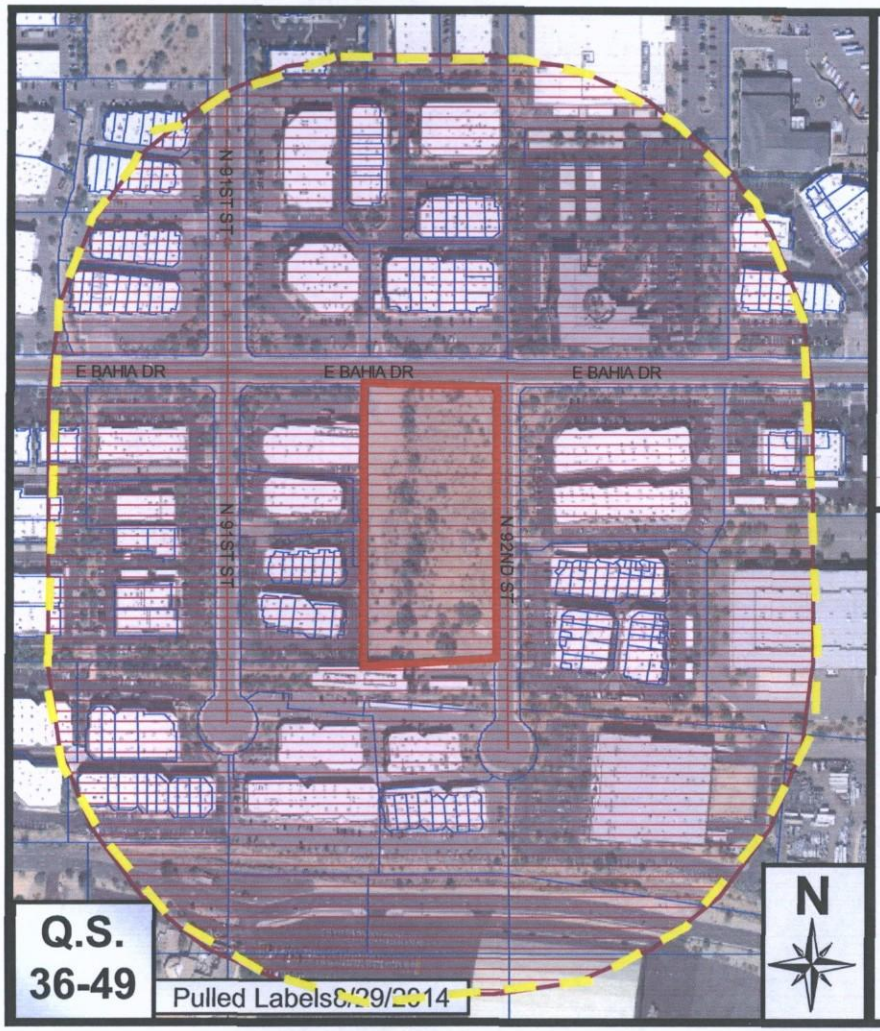
This proposal requires a change to the land use designation (minor General Plan Amendment) identified in the Greater Airpark Character Area Plan from Employment to Airpark Mixed Use Residential. Additionally, the request will include a change in the zoning designation from I-1 PCD (Industrial Park - Planned Community District) to PCP PCD (Planned Airpark Core Development – Planned Community District) to allow for the mixed use live/work loft concept. We are currently preparing our application to the City of Scottsdale regarding the land use and zoning change.

As part of this process, we are holding a neighborhood open house meeting and inviting surrounding property owners and interested parties to attend. The open house meeting will be held on August 14th at Frogs Physical Therapy located at 16621 N 91st Street #101, Scottsdale AZ 85260 from 6-7 PM. Please feel free to attend this meeting to review the development plan in person or contact me with any comments you may have regarding the proposal. I can be reached at 480-473-3700 or via email at icatsibrisclary@catclar.com. Also, feel free to contact Greg Bloemberg at the City of Scottsdale Planning Department with any comments or questions. Greg can be reached at 480-312-4306 or via email at gbloemberg@scottsdaleaz.gov.

Sincerely,

Irene Catsibris Clary
Catclar Investments, LLC

City Notifications – Mailing List Selection Map



Map Legend:

Site Boundary

Properties within 750-feet
Postcards – 169 HUP
Postcards – 169 PC

Additional Notifications:

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

Bahia Live Work Play Project

6-GP-2014 & 14-ZN-2014

ATTACHMENT #17

DRAFT

SCOTTSDALE AIRPORT ADVISORY COMMISSION
PUBLIC MEETING
Scottsdale Airport Terminal Lobby
15000 N. Airport Drive, Scottsdale, AZ

October 8, 2014

MINUTES

PRESENT: Steve Ziomek, Chairman
Ken Casey, Vice Chairman
Brad Berry
John Celigoy
Michael Goode
Bob Hobbi
William Schuckert

STAFF: Sarah Ferrara, Aviation Planning & Outreach Coordinator
Shannon Johnson, Management Analyst
Gary Mascaro, Aviation Director
Chris Read, Airport Operations Manager
Greg Bloemberg, Senior Planner

GUESTS: Irene Clary, Catclar Investments
Tom George
Jim Harris, Coffman Associates, Inc.
Beth Holliday, Noise Expert
Eddie Ochoa
Wendy Riddell, Berry, Riddell, Rosensteel
Fred Taylor
Michael Wareing, Decca Builders
Michael Zajas, Catclar Investments

CALL TO ORDER

Chairman Ziomek called the meeting to order at 6:00 p.m.

ATTACHMENT #18

ROLL CALL

A formal roll call confirmed the presence of all Commissioners, as noted above.

At the invitation of Chairman Ziomek, Commissioner Berry introduced himself. He has lived in Scottsdale for 38 years and learned to fly about six years ago.

PLEDGE OF ALLEGIANCE

Chairman Ziomek led the meeting in the pledge of allegiance.

AVIATION DIRECTOR'S REPORT

Mr. Gary Mascaro, Aviation Director, said there was no report this month.

APPROVAL OF MINUTES

1. Approval of Minutes

   Regular Meeting: September 10, 2014

Vice-Chairman Casey made a motion to approve the minutes of the September 10, 2014 regular meeting. Commissioner Goode seconded the motion, which carried by a unanimous vote of seven (7) to zero (0).

PUBLIC COMMENT

No members of the public wished to address the Commission.

REGULAR AGENDA ITEMS 1 - 5

1. Discussion and Possible Action to Recommend Approval of Cases 6-GP-2014 and 14-ZN-2014 (Bahia Work/Live)

Aviation Planning & Outreach Coordinator Ms. Sarah Ferrara explained that this is before the Commission because Chapter 5 of the Scottsdale Revised Code regulates development in the vicinity of the Airport. The Commission is to review the project and make a recommendation to the Planning Commission and City Council.

Senior Planner Mr. Greg Bloemberg noted that there is both a zoning and a General Plan case. Two non major General Plan amendments are requested: One is to the 2001 General Plan, the other is to the Greater Airpark Character Area Plan. An amendment is also needed to the Horseman's Park Planned Community District zoning case. Finally, a zoning district map amendment is also requested to rezone from industrial park I-1 PCD to Planned Airpark Core Development District, Airpark mixed use residential. He noted that the Applicant has revised their height request, which is now at 65 feet including rooftop appurtenances.

Ms. Irene Clary of Catclar Investments presented the application. They propose 78 units comprising townhomes which will be zoned commercial with ancillary residential and a four story loft commercial building which will have some retail on the main floor. She explained that work live commercial is a use with ancillary residential use. The commercial use may have employees and may generate pedestrian and vehicular traffic. She distributed information on the avigation easement and the CC&Rs for the project to the Commissioners.

Ms. Beth Holliday of Noise Expert Acoustical Consulting, discussed the noise study she conducted.

Commissioner Celigoy commented that the noise study was done at five feet above ground level and inquired if that is typical. Ms. Holliday said that is the standard, although some residents will be living 40 feet above ground level (AGL). Commissioner Celigoy asked whether noise levels would be greater at 40 feet AGL. Ms. Holliday agreed that they probably would.

Commissioner Hobbi asked about the timing of the sample. Ms. Holliday said they took at 24-hour sample on September 15. They had spoken with Ms. Ferrara, who told them this was a typical day.

Chairman Ziomek commented that the rooftop patios at 60 feet AGL may be much noisier. Ms. Holliday said she could calculate the potential noise levels. Mr. Michael Zajas of Catclar Investments interjected that the noise study showed that motor traffic was the loudest noise, which is louder at ground level than higher up. The residential units will be at 30 to 40 feet AGL. The rooftop patios will not be at 65 feet.

Chairman Ziomek noted that the air traffic during the noise study was mostly using runway 2-1. However runway 3 is closer to the site. Commissioner Goode pointed out that departures are louder than arrivals and opined there would be noise issues.

Ms. Clary clarified that they plan a number of noise attenuation measures in the construction so the inside of the development will be quiet at every level. This is a commercial development that will attract younger urban people who are less concerned about noise.

Chairman Ziomek asked Mr. Bloemberg about the zoning. Mr. Bloemberg said that the Applicant is requesting Airpark Core Zoning, which is mixed use.

Chairman Ziomek opened the public commentary.

Mr. Michael Wareing, owner of Decca Builders, is working with the development team. They have increased the STC ratings which will help attenuate the noise for this project.

Mr. Fred Taylor who works for Jet Pros said he supports the project. Departures from runway 3 going south would fly over the project, but he said that particular traffic is minimal.

Mr. Eddie Ochoa, who works for Jet Pros, is a retired FAA aviation safety inspection with 22 years' experience. He has looked at this project and sees no safety issues associated with it.

Mr. Tom George has 8800 square feet of condominium space directly across from the project and he feels this will be a great addition to the area, providing full-time residents in an area that

is otherwise vacated at night. Additionally it will provide lunch at a convenient location and overall should enhance property values.

Commissioner Celigoy said he was curious as to why both runways were not observed, opining that about half of the data might be missing from the study. Ms. Holliday said if more needs to be done they can look at doing that.

Ms. Wendy Riddell of Berry, Riddell and Rosensteel clarified that the study was conducted at the proposed development site. Commissioner Hobbi explained that the data from one of the runways is missing. Departures from runway 3 are louder at the site than arrivals to runway 2-1. Ms. Riddell replied that they understood the flight traffic to be a typical busy Monday in September. Commissioner Hobbi argued that they cannot have a complete data set without studying both runways.

Commissioner Goode added that traffic in September is still in the low season. Activity increases in October and November and is at its peak in December through March. He concurred with the other Commissioners that takeoffs from runway 3 generate more noise. He asked Mr. Mascaro whether flight paths could change to a right turn out to avoid the mountains. Mr. Mascaro confirmed that flight paths could not be changed.

Commissioner Goode pointed out that Barcelona and the Impact Church apartments are all rental properties and were approved with a stipulation that they could never be converted to condominiums. He questioned whether young people could afford $300,000 to $400,000 for a condo and suggested making this project rental. When people own property they are more likely to complain about noise. When they are just renting they are able to move easily if the noise is unacceptable.

Ms. Riddell said there is a glut of apartments in Scottsdale, which is concerning. She said the younger demographic is less interested in traditional single family home ownership. However this product will appeal to them as there will be no yard maintenance and they will be living in an active vibrant area with many possibilities for entertainment and outdoor living. She emphasized that this is not a typical home for sale.

Mr. Zajas said that the sound attenuation will be of such a high standard that the risk of noise complaints will be minimized. In the past six months there have been no noise complaints from 1100 condominium units in this neighborhood. In the square mile of land where the project is located, no noise complaints had been logged in the last three years, which was the period they had checked. He agreed there is an oversupply of apartments, but this project is ahead of the cycle with an out of the box residential work/live development. Mr. Zajas stressed that the major source of noise during the noise study was cars. Inside the completed projected noise levels will be far lower.

Chairman Ziomek said this case is tough for him personally. He has lived a mile from the end of runway 2-1 for almost 40 years. The Commission's foremost role is to protect the Airport. He noted recent airport noise complaints featured in the Arizona Republic. This month's Smithsonian Air and Space Magazine has an eight-page article on Santa Monica Airport, which is in danger of being closed due to complaints about noise, jet fuel contamination, et cetera. He noted that from 1911 through 2006 there had been a total of 85 airports in Maricopa County. Although some were military airfields that were decommissioned, many closed due to complaints from the public.

Commissioner Schuckert said the Airport Advisory Commission's job is to protect the Airport and make recommendations to City Council that they can act upon. They should not exceed the authority or direction which they have been given. He noted that this project is outside of the 55 DNL. It appears to meet all of the City standards including the Greater Airpark Plan. The sound attenuation appears to exceed other projects. The avigation easement and the CC&Rs are in place to minimize the effects. Most runway 3 departures make a left turn away from the site. He agreed it is a tough question. However, he feels the application fulfills the requirements and he can support it.

Agreeing that this case is difficult, Commissioner Hobbi said he joined the Commission to protect the Airport. In his career in the aerospace industry he has seen encroachment on airports, leading in many cases to their eventual closure. However his concern is not because he is working in this industry. It is important to recognize that aviation is a pillar of the American economy. He understands the Applicant's vision of bringing businesses to the neighborhood and said the Commission must ensure that this economic activity does not eventually harm the Airport. The Commissioners are not anti-growth or anti-capitalism. The fundamental point is that today's decision may or may not have an impact on the Airport immediately, but when the Airport is entirely surrounded by development, people may decide that the Airport should be closed, which would harm the whole community. He appreciates everyone coming to the meeting and the amount of work that has gone into this project. He urged the Applicant to understand the Commission's perspective. For the future they must ensure the viability of the Airport. Apart from the people whose livelihood depends directly on the Airport, many others benefit from what the Airport does for the community. This is why the Commission is so challenged by this case.

Chairman Ziomek stated that emotionally he is opposed to this project for the same reasons as Commissioner Hobbi outlined. However because from the technical point of view everything the Applicant has done is within the requirements and they have met every regulation, he cannot say no.

Commissioner Schuckert made a motion to recommend approval of cases 6-GP-2014 and 14-ZN-2014, the Bahia Work/Live project. Chairman Ziomek seconded the motion.

Commissioner Goode commented that he agreed with Commissioner Schuckert and the Chairman. He feels torn but agreed that the Applicant has done everything possible to ensure that the future residents will not complain.

Vice Chair Casey thanked the Applicant for the diligent presentation and the time they had spent with the Commission. The project looks beautiful. He does have concerns about the residential condominium portion of the project. He cautioned that should the FAA at some point in the future change flight paths for eastbound VFR departures from runway 3, the project would be smack underneath the flight path. For that reason he cannot support this project.

Chairman Ziomek called for the vote. The vote carried by a vote of four (4) to three (3). Vice Chair Casey and Commissioners Celigoy and Hobbi dissented.

2. Discussion and Possible Action to Recommend to City Council Adoption of Resolution No. 9918, Authorizing Construction Bid Award No. 14PB038 to Danson Construction, LLC., the Lowest Responsive Bidder, in the Amount of $3,968,000 for the Construction of the Airport Operations Center Building and Increase the Budget Authority for Aviation Capital Improvement Program Center No. A1201 from $3,000,000 to $4,900,000

Airport Operations Manager Mr. Chris Read described the building. The project will be entirely funded by Aviation Enterprise funds since this facility is not grant eligible. The current available cash balance in the Aviation Enterprise fund is approximately $10.4 million. The building will be built to LEED Silver standards. Construction will take about ten months. The budget authority increase is being requested to account for additional construction costs and to fund all the aspects of the building including design, one percent public art contribution, ten percent for construction contingencies, construction administration, testing and utility installation. Design of the facility began in 2011. Construction costs have risen since that time as the economy recovered.

Mr. Read explained that once the building is completed, one hangar currently being used by maintenance staff for equipment storage will become available for rental. Mr. Mascaro added that the new facility is primarily for operations and maintenance. The Airport administrative staff will keep their offices in the Terminal Building.

Commissioner Goode made a motion to recommend approval of Resolution No. 9918, authorizing construction bid award No. 14PB038 to Danson Construction, LLC., the lowest responsive bidder, in the amount of $3,968,000 for the construction of the Airport Operations Center Building and increase the budget authority for Aviation Capital Improvement Program Center No. A1201 from $3,000,000 to $4,900,000. Vice Chairman Casey seconded the motion, which carried by a vote of seven (7) to zero (0).

3. Discussion and Input Regarding Quarterly Noise Complaint Summary Report

Ms. Ferrara reported a 30 percent decrease in the total number of complaints received in the past quarter ended September 30. She confirmed that there were no complaints received from the area of La Bahia.

4. Discussion and Input Regarding the Update to the Airport Master Plan: Alternative Section

Mr. Mascaro said Airport staff had hosted a meeting of the Planning Advisory Committee the day before. They are working in coordination with the FAA. He thanked Commissioner Schuckert for participating in the Planning Advisory Committee.

Mr. Jim Harris and Mr. Matt Quick of Coffman Associates gave a presentation on the alternatives section for the updated Airport Master Plan. Mr. Harris noted that the Master Plan was last updated in 1997. The FAA recommendation is that master plans should be updated every five to ten years.

Mr. Quick reviewed the alternatives section. Based on operations he explained that aircraft in the D3 class are the critical design aircraft that operate at Scottsdale. These currently include Gulfstream II and Gulfstream IV, and some Learjets. The FAA classifications are based on the aircraft's approach speed as it comes in to land.

Mr. Quick discussed the design considerations, including the runway design code, the aircraft design group, the airport reference code and the approach and departure reference code. The approach and departure reference code is important because it deals with the current operational capabilities of the runway associated with the parallel taxiway system. Scottsdale's two parallel taxiways, Alpha and Bravo, are located 250 feet from the runway center line. This falls into the reference code B2 category. This information will be included on the Airport layout plan (ALP). As a D2 airport, Scottsdale's runway safety area (RSA) is 400 feet wide, 200 feet on either side of the runway center line. To meet the D3 standard, the RSA would be 500 feet wide, meaning the parallel taxiways would fall within the RSA, which the FAA will not permit.

Mr. Quick said the consultants did a detailed evaluation and analysis on the D3 standard and what it would take for the Airport to meet it. He displayed tables showing infrastructure to be relocated if the Airport were to go to the DC standard, including apron area, tie-downs, hangars, the wash rack, and the bypass taxiways. Adjacent property would have to be acquired.

In response to a question from Chairman Ziomek, Mr. Quick said that the alternatives chapter is a required part of the Master Plan. They are tasked with looking at the ramifications of meeting the D3 standard.

Vice Chairman Casey inquired about the procedure for when a G650 lands. Mr. Mascaro said there are currently no operational restrictions at the Airport. Commissioner Berry asked what the benefit would be to the Airport if they were to go to the D3 standard.

Mr. Quick stressed that Coffman Associates is not advocating for any position. He summarized that the separation for D3 is 400 feet. The separation for D2 is 300 feet. To achieve that standard some Airport infrastructure would have to be relocated. The Airport is currently listed as a D2 on the ALP, although they do not meet the 300-foot separation.

Mr. Quick said they can pursue a modification to standard with the FAA. Mr. Mascaro explained that the City placed a request for these modifications in 2000 but has never received an answer. This triggers a liability issue. One of the primary benefits of doing the Master Plan is to obtain an answer from the FAA. They have been discussing this issue with the FAA for a year.

Mr. Quick elaborated that in the most recent update to the advisory circular, the FAA now allows for a 400-foot wide RSA for the D2 standard, whereas in the past it was 500 feet wide. This means that the Airport has no RSA deficiencies. They are preparing proposed modifications to standards and working with the FAA. Mr. Harris added that the Master Plan has to provide the background as to why this can be done and also demonstrate how aircraft can operate safely.

Commissioner Celigoy asked about insurance. Mr. Mascaro said the Airport carries a $300 million insurance policy. They want an answer from the FAA because if the answer were no, that would significantly change the Airport operations. Nonetheless the FAA did approve the ALP as a D2. Since 1999 the Airport has been asking for approval for the modifications, but the FAA has never replied. The FAA has approved the ALP on the condition that the Airport try to address the deficiencies.

Chairman Ziomek asked why keep pushing this question if the FAA has designated the Airport as a D2 and they have insurance. Mr. Harris said that when the FAA approved Scottsdale as a D2 airport, they approved the ALP but sent a list of standards deficiencies. The standard procedure would be for the Airport to then request a modification to the standards and for the FAA to sign off on that request.

Commissioner Celigoy commented that no airport is perfect. He opined that many airports must be in a similar situation. Mr. Quick agreed and said that the phrase "correct if practicable" is the key. At many airports the infrastructure is being outpaced by the size of aircraft using the facility. They are moving forward with the Master Plan, calling Scottsdale Airport a runway design code D2.

Runway pavement strength is tied into the discussions they have been having with the FAA over the past year. It is not practicable to meet the D3 standard of runway pavement strength. If the runway is strengthened to 100,000 pounds the FAA has said that the Airport must then meet the D3 standard. Given the infrastructure that would have to be relocated, and the low number of PPR requests that have been received, the Master Plan is moving forward with the concept of maintaining runway 321 at 75,000 pounds dual wheel load with the PPR program still in place.

In response to a query from Commissioner Goode, Mr. Mascaro said that the pavement is rated to 75,000 pounds. An overlay was done in 2010. Commissioner Goode said that the Airport must make sure that the pavement does not crumble under 100,000 pound aircraft. Mr. Mascaro pointed out that the runway is due for rehabilitation regardless. The engineers believe there is a need to completely remove and replace all layers of the runway pavement since this has never been done in the entire history of the Airport. The FAA has verbally stated that they will continue to help fund and maintain the pavement to the standard for 75,000 pound aircraft. The FAA also understands that there will be heavier activity through the PPR that could potentially deteriorate the pavement sooner than its life span of 20 years. His current best estimate of when the complete runway replacement might take place is in about three years' time. Working around the clock it would take about 30 days.

Commissioner Celigoy asked how much the PPR program shortens the life span of the runway pavement and how this is measured. Mr. Mascaro said the engineers did a pavement study and provided a formula. He noted that the heaviest aircraft arriving weigh a maximum of 75,000, so the 100,000 pound weight only applies to aircraft taking off fully fueled. Once a certain number of PPR operations have occurred, the staff is to visually inspect the pavement for signs of damage. They have not yet reached that threshold.

Mr. Quick discussed alternative changes to the taxiway geometry to improve safety according to the latest thinking of the FAA. The aim is to limit taxiways crossing runways at right angles. In discussions with the personnel at the control tower, the taxiways in question are key to Airport operations and efficiency, so the Airport will not necessarily eliminate these crossings. More information will be gathered before any proposals are made.

Vice Chair Casey suggested that the most critical area might be where planes touch down. Mr. Quick said those are important areas, but the FAA is most concerned about the high energy areas where aircraft are moving at maximum speed.

Mr. Quick outlined the new FAA standards which mean that potentially the displaced thresholds could be moved back to the physical end of the runway pavement and still meet the RSA standards. This would give additional landing distance for the aircraft. The Airport is a long way away from implementing any such change, but they looked at this question anyway.

Commissioner Celigoy pointed out that the berm by the Central Arizona Canal is a deficiency that would be impossible to correct. Mr. Quick said the FAA does grandfather some things into runway protection zones.

Mr. Quick stated that with respect to the runway protection zones, they had looked at improving the instrument approach procedures to the runway. The FAA is putting increased emphasis on keeping RPZs as clear as possible from incompatible uses such as churches, residences, and schools. He displayed information about different scenarios. In reply to a question from Commissioner Celigoy he confirmed that the FAA makes a distinction between precision based navigation procedures and ground based approach systems.

Turning to landside considerations, Mr. Quick said that they focused on predicting growth for the next 20 years. They predict continued growth in all aviation categories. They believe the Airport needs to cater to large aircraft while maintaining facilities to accommodate smaller aircraft. He outlined three development options, paying particular attention to the west side of the Airport.

Mr. Quick briefly discussed land acquisition possibilities to enlarge the footprint of the Airport. There is a little land east of the Airport that is vacant, but most of the other parcels have some commercial or industrial development in place. Mr. Mascaro added that two vacant parcels totaling approximately 11 acres have recently been bought by the same company.

At the Planning Advisory Committee meeting the previous day, Mr. Quick said that the discussion was lively and thoughtful. Some of the comments were about potential improvements to the taxiway geometry. The FBOs and staff from the control tower were in attendance and came up with suggestions to improve the geometry without relocating the taxiways. Pilots had input on the potential removal of the displaced thresholds and the improved instrument approach procedures. Committee members were interested in implementing a self-serve fuel facility. Additional hangar facilities for small aircraft by Kilo ramp were another topic of interest. Another PAC meeting is planned as they move into the final phase.

Chairman Ziomek thanked Mr. Quick and Mr. Harris for their presentation. Mr. Quick noted that all the information about the Master Plan is on the Airport website. He undertook to send the PowerPoint presentation to staff for distribution to the Commission. If they have questions he said the Commissioners should either send them through staff or contact Coffman Associates directly.

Vice Chairman Casey suggested devoting an entire special meeting to this topic in future. Mr. Mascaro said that is the purpose of the PAC. He added that the entire draft Master Plan will be brought to the Commission as the next step. Anyone who wishes is welcome to attend PAC meetings.

Commissioner Celigoy asked the consultants if they could comment on noise studies in general and give the Commission any guidance for dealing with future applications. Mr. Harris said he

Current Planning Services

One Civic Center
7447 E Indian School Road, Suite 105
Scottsdale, AZ 85251

MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Greg Bloemberg, Senior Planner

THROUGH: Tim Curtis, AICP, Current Planning Director

DATE: 11/21/2014

SUBJECT: **Bahia Work Live Play Project (6-GP-2014 & 14-ZN-2014)**

Please find Resolution No. 9969, Development Agreement No. 2014-188-COS and Ordinance No. 4184 for the above referenced cases. These items were not included in the original report.

RESOLUTION NO. 9969

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE MAYOR TO EXECUTE DEVELOPMENT AGREEMENT NO. 2014-188-COS WITH BAHIA LIVE WORK LOFTS AND TOWNHOMES, LLC, FOR PROPERTY LOCATED AT 16597 NORTH 92ND STREET, SCOTTSDALE, ARIZONA.

WHEREAS, A.R.S. § 9-500.05 authorizes the City to enter into development agreements with persons having an interest in real property located in the City; and

WHEREAS, it is in the best interests of the City and Developer to enter into Development Agreement No. 2014-188-COS for establishing the terms by which the Developer will make monetary contributions totaling $868,836.60 to be used by the City for the construction of Special Improvements in the Greater Airpark Character Area that achieve public benefits;

WHEREAS, Development Agreement No. 2014-188-COS is consistent with the portions of the City's General Plan applicable to the Property on the date this Agreement is executed.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. That Mayor W.J. "Jim" Lane, is authorized and directed to execute Development Agreement No. 2014-188-COS.

Section 2. That the City Manager or his designee is authorized to accept from the Developer monetary contributions totaling $868,836.60 for use by the City for the construction of Special Improvements in the Greater Airpark Character Area that achieve public benefits.

Section 3. Authorization is given to the City Manager, City Treasure or their designees for a FY 2014/15 General Fund Capital Contingency Budget Appropriation Transfer in the amount of $868,836.60 to three (3) newly created Capital Projects to be entitled: (1) Westworld Site Improvements, in the amount of $239,612.20; (2) 94th Street Improvements, in the amount of $339,612.20; and (3) North Hall Improvements, in the amount of $289,612.20; to be funded by the Developer's contributions as set forth in Agreement No. 2014-188-COS.

Section 4. That the City Clerk is hereby directed to record Development Agreement No. 2014-188-COS with the Maricopa County, Arizona, Recorder, within 10 days after its effective date.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this _____ day of _____, 2014.

ATTEST:

CITY OF SCOTTSDALE, an
Arizona municipal corporation

By:_____
Carolyn Jagger, City Clerk

By:_____
W. J. "Jim" Lane, Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

_____
Bruce Washburn, City Attorney
By: Joe Padilla, Senior Assistant City Attorney

12845203v2

When Recorded Return to:
City of Scottsdale
Current Planning Services
7447 E. Indian School Rd., Suite 105
Scottsdale, AZ 85251

Agreement No. 2014-188-COS

DEVELOPMENT AGREEMENT

This Agreement (the "Agreement") is entered into this _____ day of _____, 2014, by Bahia Live/Work Lofts and Townhomes, LLC, an Arizona limited liability company ("Developer"), and the City of Scottsdale, Arizona, an Arizona municipal corporation ("City"), collectively referred to as "the Parties".

RECITALS

A. Arizona Revised Statutes § 9-500.05 authorizes the City to enter into a Development Agreement related to real property located inside the incorporated area of the City with a person having an interest in the real property.

B. The property that is the subject of this Agreement consists of approximately 5.1 gross acres located at 16597 North 92nd Street, Scottsdale, Arizona (the "Property"). The Property is situated within the incorporated boundaries of the City and is more particularly described on **Exhibit "A"** attached hereto and incorporated herein by reference.

C. The Property is owned by Spensa Arizona VI, LLC, a foreign limited liability corporation.

D. Developer has entered into an agreement with Spensa Arizona VI, LLC, to purchase the Property and the transaction is currently in escrow which is anticipated to close within 90 days of approval by the Scottsdale City Council of Developer's Application for two (2) Non-Major General Plan Amendments in case number 6-GP-2014 and Zoning District Map Amendment in case number 14-ZN-2014.

E. Developer plans to develop the Property by building a multiuse project on the Property called Bahia Live Work Play which will consist of approximately 78 residential units, 10,000 square feet of retail/restaurant space and 89,900 square feet of office/studio space ("The Development").

F. Developer desires to utilize an available bonus provision under Scottsdale City Ordinance Section 5.4008. Bonus Development Standards to increase the gross floor area of The Development by 72,956.6 sf ("FAR Increase") and obtain an additional 11 feet of Building Height making monetary contributions totaling Eight Hundred Sixty Eight Thousand Eight Hundred Thirty Six Dollars and sixty cents ($868,836.60) to the City to be used for the construction of special improvements in the Greater Airpark Character Area that achieve public benefits.

G. In order to complete The Development, Developer has made application to the City for two (2) non-major general plan amendments, case number 6-GP-2014 and a zoning district map amendment case number 14-ZN-2014.

H. The Parties understand that following the conclusion of the required public hearings the Scottsdale City Council may vote to deny or approve the Developer's request for the non-major general plan amendments and application for zoning district map amendment. This Agreement does not require the City Council to vote in any particular way.

I. Developer and City acknowledge and agree that the development of the Bahia Live Work Play project on the Property and the monetary contributions to the City for the construction of special improvements will benefit the City's residents and the Property.

J. This Agreement is consistent with the portions of the City's general plan applicable to the Property on the date of this Agreement.

K. The City's governing body has authorized execution of this Agreement by Resolution No. 9969.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing Recitals and representations and the mutual covenants and conditions in this Agreement, The Parties agree as follows:

1. Recitals. The recitals set forth above are hereby incorporated into this Agreement by this reference.

2. Effective Date and Term. The "Effective Date" of this Agreement shall be the date both of the following conditions have been fully satisfied":

a. The successful closing of escrow and purchase of the Property, by the Developer and the recording of all necessary deeds to transfer ownership of the Property to the Developer; and

b. The date that the approval by the Scottsdale City Council of the developer's application for two Non-Major General Plan Amendments in case number

6-GP-20124 and developer's rezoning request in Ordinance number 4184 and resolution number 9958 all become effective.

When these two conditions have been met, the Agreement will be effective and binding upon the parties hereto and will only terminate pursuant to Paragraph 6 below.

3. Interest of Developer. Developer warrants that it has the Property under contract to purchase and will close escrow within ninety (90) days after approval by the Scottsdale City Council of Developer's Application for two (2) Non-Major General Plan Amendments in case number 6-GP-2014 and Zoning District Map Amendment in case number 14-ZN-2014, and that the Property is located within the incorporated boundaries of the City and subject to the zoning and development requirements of the City.

3.1 Bonus Development Standards. The property is currently zoned I-1 and is part of the Horseman's Park Planned Community District (PCD). Developer is applying for two separate zoning actions: 1.) to amend the Horseman's park Planned Community District (PCD) which currently restricts Floor Area Ratio (FAR) on the site to 0.3 for commercial parcels, and building height to 42 feet inclusive of mechanical screening, and 2.) rezoning the Property from I-1 PCD to PCP AMU-R PCD. The PCP District allows Developer to request Bonus FAR and building height. Developer is requesting a FAR of 1.2 and a max building height of 65 feet inclusive of rooftop appurtenances. Developer agrees that the Bonus FAR and height allowed under the PCP cannot be obtained without also amending the PCD.

4. Special Improvements.

4.1 WestWorld Site Improvements. As a public benefit, Developer shall pay to the City Two Hundred Thirty Nine Thousand Six Hundred Twelve Dollars and twenty cents ($239,612.20) toward the cost of constructing site improvements and landscaping for WestWorld. The improvements shall be constructed and installed as described on **Exhibit "B"** attached hereto and incorporated herein by reference. The Improvements shall be maintained by the City at the City's expense.

4.2 94th Street Improvements. As a public benefit, Developer shall pay to the City Three Hundred Thirty Nine Thousand Six Hundred Twelve Dollars and twenty cents ($339,612.20) toward the cost of constructing streetlights, curbs, gutters and sidewalks along the east side of 94th Street from Westworld Drive to Bahia Drive. The street improvements shall be constructed and installed as described on **Exhibit "C"** attached hereto and incorporated herein by reference. The Improvements shall be maintained by the City at the City's expense.

4.3 North Hall Improvements. As a public benefit, Developer shall pay to the City Two Hundred Eighty Nine Thousand Six Hundred Twelve Dollars and twenty cents ($289,612.20) toward the cost of installing sound absorption material in the North Hall Building of the Westworld Facility. The sound absorption material shall be constructed and installed as described in **Exhibit "D"** attached hereto and incorporated

herein by reference. The Improvements shall be maintained by the City at the City's expense.

5. Schedule of Payments for Special Improvements. Developer shall pay to the City the Special Improvements amounts on the following :

a. Two Hundred Eighty Nine Thousand Six Hundred Twelve Dollars and twenty cents ($289,612.20) for the Westworld sound absorption material improvements not later than the issuance of any building permit for any work to be done on the Property; however, all amounts are due by December 31, 2017, whichever comes first, any unpaid amount is subject to increase as set forth in paragraph 5.1.

b. Two Hundred Thirty Nine Thousand Six Hundred Twelve Dollars and twenty cents ($239,612.20) for Wesworld site and landscape Improvements not later than the issuance of any building permit for any work to be done on the Property; however, all amounts are due by December 31, 2017, whichever comes first, any unpaid amount is subject to increase as set forth in paragraph 5.1;

c. Three Hundred Thirty Nine Thousand Six Hundred Twelve Dollars and twenty cents ($339,612.20) for the 94th street improvements to be paid not later than the issuance of any building permit for any work to be done on the Property; however, all amounts are due by December 31, 2017, whichever comes first, any unpaid amount is subject to increase as set forth in paragraph 5.1 ;

5.1 Increases in Payment Amounts. Any amounts that remain outstanding starting on January 1, 2016, shall increase by an escalator factor of 3.5% beginning on January 1, 2016, and the first day of each year thereafter and compounded in accordance with the following formula:

$$A = P(1 + 0.035)^{CY-2015}$$

Where:
A = Dollar amount to be paid
P= Dollar amount to be paid specified in paragraph 4 of this Agreement
CY = Current year

5.2 Failure to Pay. All amounts set forth in the Schedule of Payments in paragraph 5 of this Agreement shall be paid no later than 12:00 noon on December 31, 2017. If Developer has not made full payment of all amounts, the City shall issue a written notice by regular U.S. Mail to Developer containing a calculation of all outstanding amounts due, including any increases as a result of escalation and Developer shall pay in full the outstanding amounts to the City by cashier check no later than thirty (30) days from the date of the letter. If this payment has not been received by the City in accordance with the demand for payment set forth in the letter, Developer will be notified that a public hearing will be scheduled to take action in the form of a

rezoning of the Property to cause the Development Plan to be amended.

5.3. The City shall not issue permits for any work, including grading or building of any structure to be constructed on the Property, until full payment has been made in accordance with paragraph 5 of this Agreement.

6. Termination or Amendment. This Agreement shall terminate without further action by either party upon the occurrence of the Developer's full payment to the City for the Special Improvements as described in paragraphs 4 and 5 of this Agreement and the issuance of the final Certificate of Occupancy for The Development. Upon termination, the City's Zoning Administrator shall have the authority to record a document to provide notice of termination of this Agreement in the land records of Maricopa County, Arizona. This Agreement may also be terminated or amended by written mutual consent of the Parties. The City's obligation to maintain the Special Improvements shall survive termination of this Agreement.

7. Compliance with all Laws. Developer shall develop the Property in compliance with all Federal, State, County and local laws, ordinances, rules, regulations, permit requirements, or any other requirements of the City, which are in effect at the time of the development of all or any part of the Property.

8. General Provisions.

a. Notices. All notices, filings, consents, approvals, and other communications provided for herein or given in connection herewith ("notices") shall be validly given, filed, made, delivered, or served if in writing and delivered personally or sent by registered or certified United States Postal Service mail, return receipt requested, postage prepaid to:

If to the City:	THE CITY OF SCOTTSDALE Attention: City Attorney 3939 North Drinkwater Boulevard Scottsdale, Arizona 85251
Copy to:	City of Scottsdale Attention: Planning Director Development Services Department 7447 E. Indian School Rd., Suite 105 Scottsdale, AZ 85251
If to Developer:	Bahia Live/Work Lofts and Townhomes, LLC 16621 North 91st Street, Suite 101 Scottsdale, AZ 85260
Copy to:	Berry Riddell and Rosensteel LLC 6750 East Camelback Road, Suite 100

Scottsdale, AZ 85251

b. Mailing Effective. Notices given by registered or certified mail shall be deemed delivered 72 hours following deposit in the U.S. Postal Service in the manner set forth above.

c. Waiver. No delay in exercising any right or remedy shall constitute a waiver thereof and no waiver by the parties of the breach of any provision of this Agreement shall be construed as a waiver of any preceding or succeeding breach of the same or of any other provision of this Agreement

d. Headings. The descriptive headings of the paragraphs of the Agreement are inserted for convenience only, and shall not control or affect the meaning or construction of any of the provisions of the Agreement.

e. Authority. The parties to this Agreement represent to each other that they have full power and authority to enter into this Agreement, and that all necessary actions have been taken to give full force and effect to this Agreement.

f. Entire Agreement. The Agreement, including exhibits, constitutes the entire Agreement between the parties.

g. Severability. If any provision of this Agreement limiting the uses of the Property is declared void or unenforceable, then the entire Agreement shall be void. If any other provision of this Agreement is declared void or unenforceable, such provision shall be severed from this Agreement, which shall otherwise remain in full force and effect, provided that the fundamental purposes of this Agreement are not defeated by such severability.

h. Governing Law. The laws of the State of Arizona shall govern the interpretation and enforcement of this Agreement. The Parties agree that venue for any action commenced in connection with this Agreement shall be proper only in a court of competent jurisdiction located in Maricopa County, Arizona, and the Parties hereby waive any right to object to such venue.

i. Recordation. This Agreement, and any amendment or cancellation of this Agreement, shall be recorded, in its entirety, in the official records the county recorder's office in Maricopa County, Arizona, no later than ten (10) days after the effective date of this Agreement, amendment, or cancellation, as required by A.R.S. § 9-500.05.

j. Remedies. If any party to this Agreement breaches any provision of the Agreement, the non-defaulting party shall be entitled to all remedies available at both law and in equity, including specific performance.

k. Attorneys' Fees and Costs. If any party brings a legal action either

because of a breach of the Agreement or to enforce a provision of this Agreement, the prevailing party will be entitled to reasonable attorneys' fees and court costs.

l. Binding Effect. The benefits and burdens of this Agreement shall run with the Property and be binding upon and shall inure to the benefit of the parties hereto and their respective heirs, legal representatives, successors in interest, and assigns. This Agreement shall be incorporated by reference in any instrument purporting to convey an interest in the Property.

m. Third Parties. There are no third party beneficiaries to this Agreement, and no person or entity not a party hereto shall have any right or cause of action hereunder.

n. No Agency Created. Nothing contained in this Agreement shall create any partnership, joint venture, or agency relationship between the parties.

o. Contract Administrator. The City's contract administrator for this Agreement shall be Greg Bloemberg, Senior Planner for the City of Scottsdale, or designee.

SIGNATURES ON SEPARATE PAGE

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the day and year first above written.

THE CITY OF SCOTTSDALE:
an Arizona municipal corporation

ATTEST:

By:_____
Carolyn Jagger, City Clerk

By:_____
W. J. "Jim" Lane, Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By:_____
Bruce Washburn, City Attorney
By: Joe Padilla, Senior Assistant City Attorney

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this _____ day of _____, 2014, by W. J. "Jim" Lane, Mayor of the City of Scottsdale, Arizona, a municipal corporation.

_____
Notary Public

My Commission Expires:

DEVELOPER:

Bahia Live/Work Lofts and Townhomes, LLC,
an Arizona Limited Liability Company

By: Huclar Investments, LLC, an Arizona limited liability company
Its: Manager

By: Catclar Investments, LLc, an Arizona limited liability company
Its: Manager

By: The Clary Family Trust
Its: Member

By: _____
Irene Catsibris Clary
Its: Trustee

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this 21st day of November 2014, by Irene Catsibris Clary, the Trustee of the Clary Family Trust, signing as the Member of Catclar Investments, LLC, who is the Manager of Huclar Investments, LLC, signing as the Manager of Bahia Live/Work Lofts and Townhomes, LLC.

_____
Notary Public

My Commission Expires:

OFFICIAL SEAL
ELAINE GOETZE
Notary Public - State of Arizona
MARICOPA COUNTY
My Comm. Expires March 27 2015

EXHIBIT A

Legal Description

Lot 21 (sometimes described as the East of the Northeast quarter of the Southeast quarter of the Northwest quarter) of Section 6, Township 3 North, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

EXCEPT all coal, oil, gas and other mineral deposits and together with all uranium, thorium or any other materials which is or may be determined by law of the United States or of this State, or decisions of courts to be peculiarly essential to the production of fissionable materials, whether or not of commercial value and the exclusive right thereto, on, in or under the above described lands, shall be and remain and are hereby reserved in and retained in Patent recorded June 30, 1954 in Docket 1382, page 441, records of Maricopa County, Arizona.

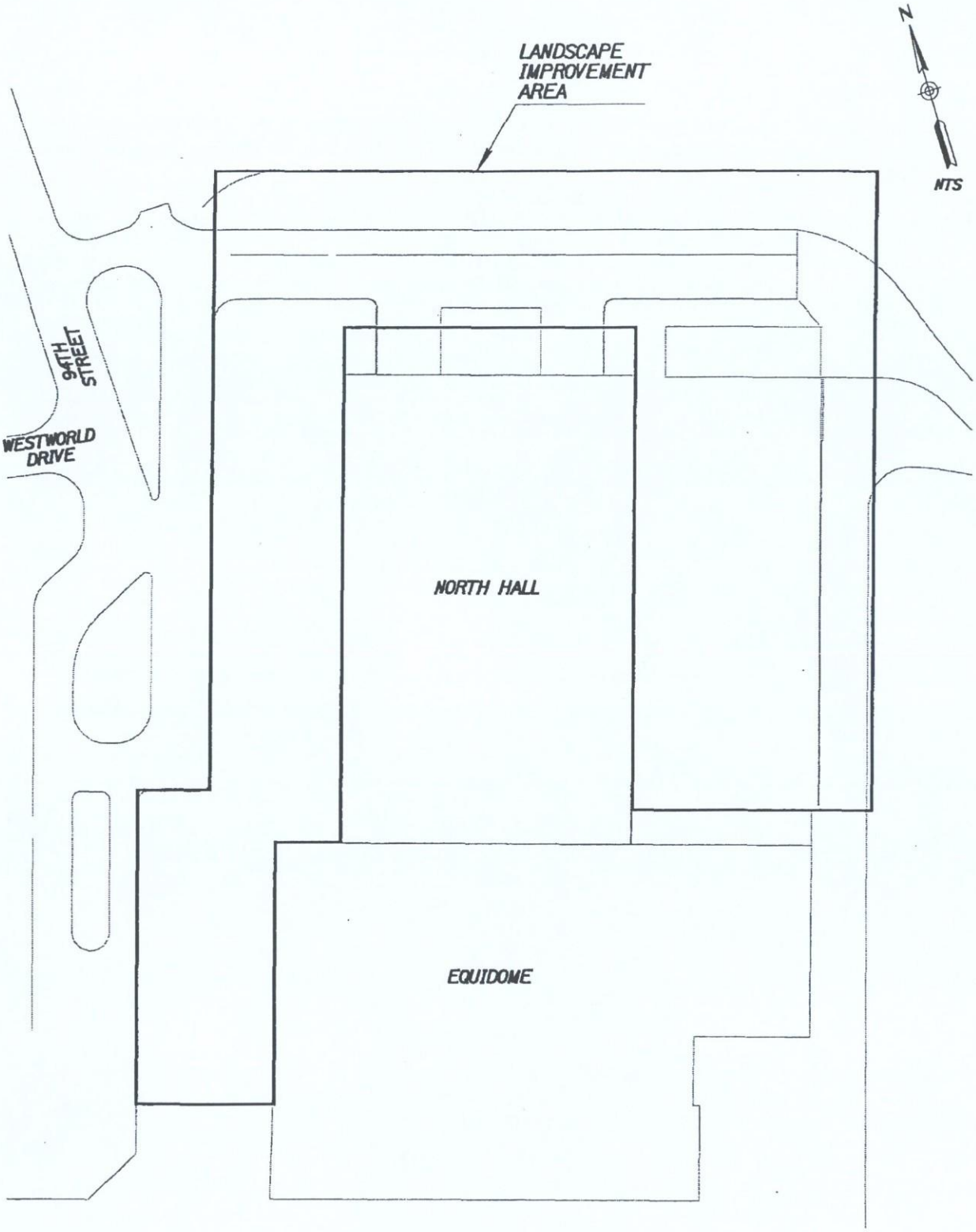


EXHIBIT "B"
Agreement No. 2014-188-COS
Page 1 of 1

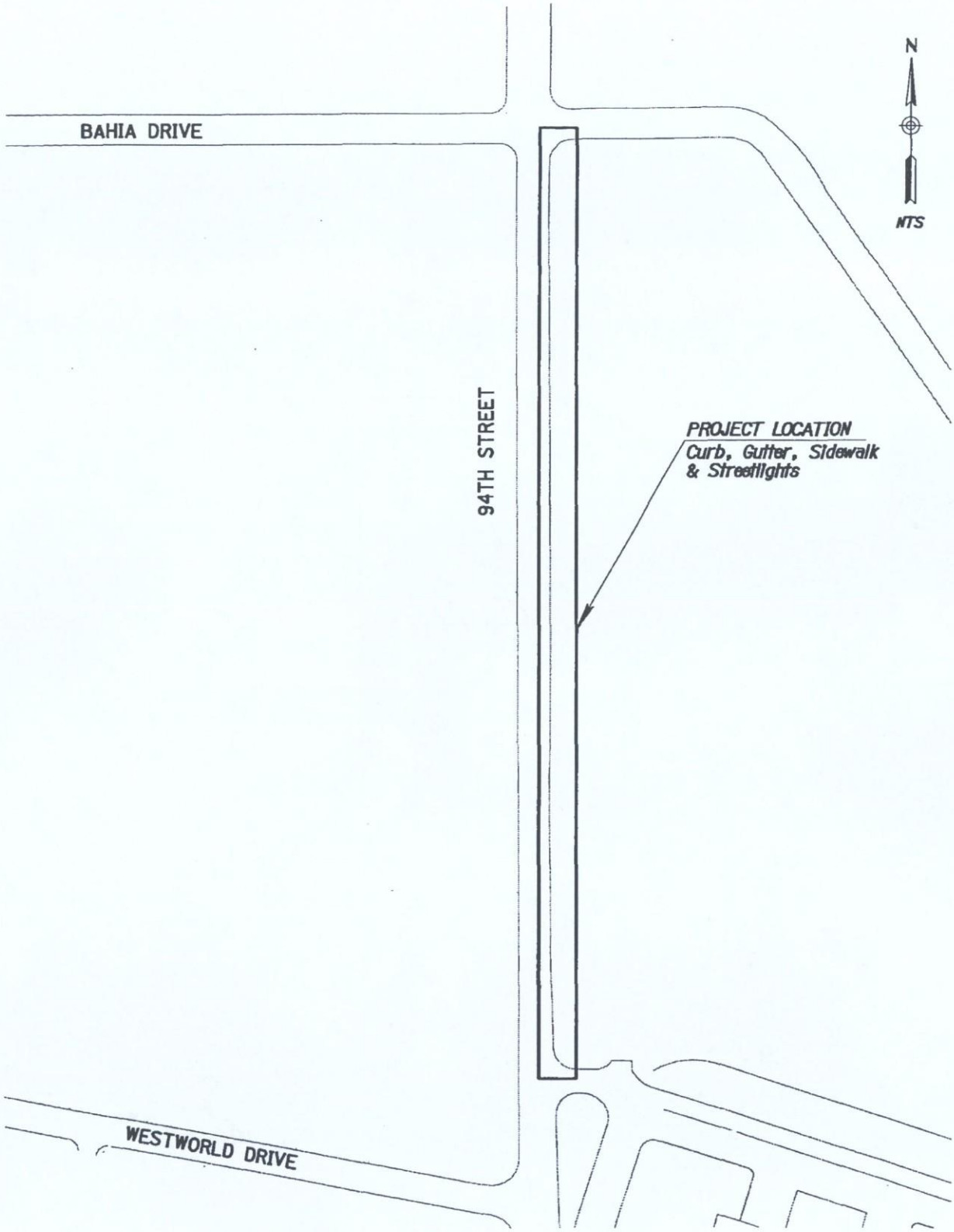


Exhibit "C"
Agreeement No. 2014-188-COS

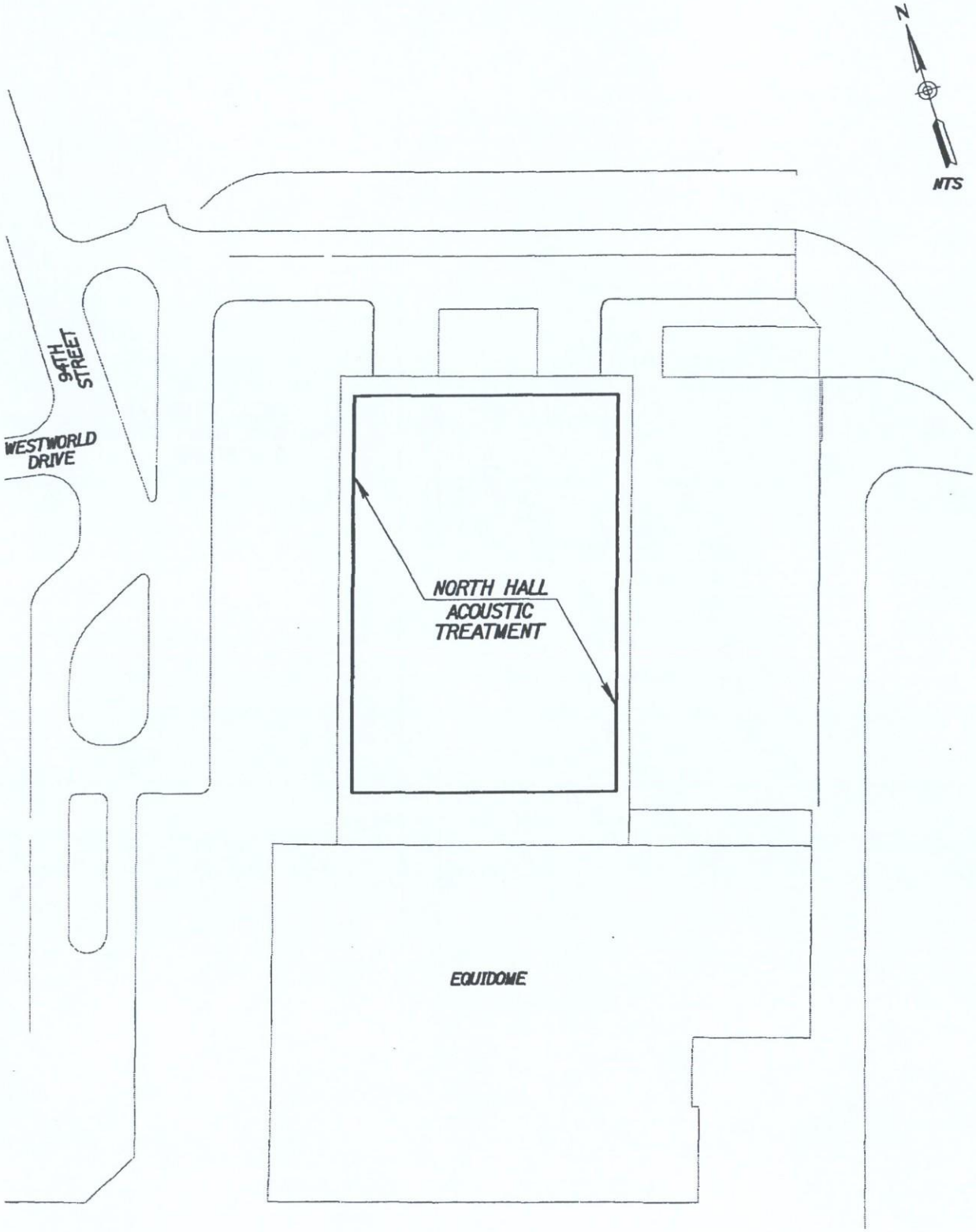


Exhibit "D"
Agreement No. 2014-188-COS
Page 1 of 1

ORDINANCE NO. 4184

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, AMENDING ORDINANCE NO. 455, THE ZONING ORDINANCE OF THE CITY OF SCOTTSDALE, BY AND FOR THE PURPOSE OF CHANGING THE ZONING ON THE "DISTRICT MAP" TO ZONING APPROVED IN CASE NO. 14-ZN-2014 TO AMEND THE DEVELOPMENT STANDARDS FOR CASE 33-ZN-2000 (HORSEMAN'S PARK), AND AMEND THE PLANNED COMMUNITY (P-C) DISTRICT ZONING FROM THE COMPARABLE INDUSTRIAL PARK (I-1 PCD) DISTRICT TO PLANNED AIRPARK CORE DEVELOPMENT, AIRPARK MIXED USE – RESIDENTIAL (PCP AMU-R PCD) INCLUDING A DEVELOPMENT PLAN, INCREASING THE ALLOWED FLOOR AREA RATIO (FAR) FOR COMMERCIAL PARCELS IN THE HORSEMAN'S PARK PCD (SPECIFIC TO THIS SITE) FROM 0.3 TO 1.2, AND THE ALLOWED BUILDING HEIGHT FROM 42 FEET INCLUDING MECHANICAL SCREENING, TO 65 FEET INCLUSIVE OF ROOFTOP APPURTENANCES FOR A 5.1+/- GROSS ACRE SITE LOCATED AT 16576 N. 92ND STREET.

WHEREAS, the Planning Commission held a public hearing on November 12, 2014, and made the required recommendations; and

WHEREAS, the City Council held a hearing on December 2, 2014; and

WHEREAS, the City Council finds that the proposed development is in substantial harmony with the General Plan of the City of Scottsdale and will be coordinated with existing and planned development; and

WHEREAS, it is now necessary that the comprehensive zoning map of the City of Scottsdale ("District Map") be amended to conform with the decision of the Scottsdale City Council in Case No. 14-ZN-2014.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Scottsdale, as follows:

Section 1. The Planning Commission has made findings in conformance with the requirements of the P-C district and the Council also finds:

A. That the development proposed is in substantial harmony with the General Plan, and can be coordinated with existing and planned development of surrounding areas.

B. That the streets and thoroughfares proposed are suitable and adequate to serve the proposed uses and the anticipated traffic which will be generated thereby.

C. The Planning Commission and City Council shall further find that the facts submitted with the application and presented at the hearing establish beyond reasonable doubt that:

1. In the case of proposed residential development, that such development will constitute a residential environment of sustained desirability and stability; that it will be in harmony with the character of the surrounding area; and that the sites proposed for public facilities, such as schools, playgrounds and parks, are adequate to serve the anticipated population. The Planning Commission and City Council shall be presented written acknowledgment of this from the appropriate school district, the Scottsdale Parks and Recreation Commission and any other responsible agency.
2. In the case of proposed industrial or research uses, that such development will be appropriate in area, location and overall planning to the purpose intended; and that the design and development standards are such as to create an industrial environment of sustained desirability and stability.
3. In the case of proposed commercial, institutional, recreational and other non-residential uses, that such development will be appropriate in area, location and overall planning to the purpose intended; and that such development will be in harmony with the character of the surrounding areas.

Section 2. That the "District Map" adopted as a part of the Zoning Ordinance of the City of Scottsdale, showing the zoning district boundaries, is amended on a 5.1 +/- acre parcel located at 16576 N. 92nd Street, marked as "Site" (the Property) on the map attached as Exhibit 2, for a Zoning District Map Amendment and approves an amendment to the development standards for case 33-ZN-2000 (Horseman's Park), and amending the Planned Community (P-C) District zoning from the comparable Industrial Park (I-1 PCD) District to Planned Airpark Core Development, Airpark Mixed Use – Residential (PCP AMU-R PCD) including a Development Plan, increasing the allowed Floor Area Ratio (FAR) for commercial parcels in the Horseman's Park PCD (specific to this site) from 0.3 to 1.2, and the allowed building height from 42 feet including mechanical screening, to 65 feet inclusive of rooftop appurtenances and incorporating that certain document entitled "Bahia Work Live Play Development Plan," declared a public record by Resolution No. 9958, into this ordinance by reference as if fully set forth herein.

Section 3. That the above approval is conditioned upon compliance with all stipulations attached hereto as Exhibit 1 and incorporated herein by reference.

PASSED AND ADOPTED by the Council of the City of Scottsdale this 2nd day of December, 2014.

ATTEST:

CITY OF SCOTTSDALE, an Arizona Municipal Corporation

By:_____
Carolyn Jagger
City Clerk

By:_____
W.J. "Jim" Lane
Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By:_____
Bruce Washburn, City Attorney
By: Joe Padilla, Senior Assistant City Attorney

Stipulations for the Zoning Application:
Bahia Work Live Play Project
Case Number: 14-ZN-2014

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

Stipulations in bold print and ~~strikethrough~~ added after Planning Commission

GOVERNANCE

1. APPLICABILITY. All stipulations from case 14-ZN-2014 supersede all stipulations from case 4-ZN-2007 for this property. Stipulations from case 33-ZN-2000 continue to apply, except as amended in the Development Plan for this property.

SITE DESIGN

2. CONFORMANCE TO DEVELOPMENT PLAN. Development shall conform to the Development Plan, entitled "Bahia Work/Live/Play Development Plan" which is on file with the City Clerk and made a public record by Resolution No. 9958 and incorporated into these stipulations and ordinance by reference as if fully set forth herein. The Development Plan is contingent upon special public improvements, drainage, airport requirements, pedestrian and vehicular circulation improvements, landscaping and other site planning concerns to be addressed at the time of Development Review Board approval. Any proposed significant change to the Development Plan, as determined by the Zoning Administrator, prior to Development Review Board approval, shall be subject to additional public hearings before the Planning Commission and City Council.

3. CONFORMANCE TO AMENDED SITE DEVELOPMENT STANDARDS. Development shall conform to the amended site development standards that are included in the Project Narrative as part of the Development Plan. Any change to the development standards shall be subject to additional public hearings before the Planning Commission and City Council.

4. CONFORMANCE TO DEVELOPMENT AGREEMENT. The Developer shall enter into development agreement no. 2014-188-COS, which sets forth the manner in which gross floor area and building height bonuses can be achieved for the 5.1 +/- acre site ~~can be achieved~~ in exchange for a minimum of $868,836.**60 to be used by the City for the construction of special public improvements.**~~in special public improvements. Should the development agreement not become effective or if the Developer does not comply with the terms of the development agreement, the bonus gross floor area and building height as set forth in the Development Plan shall become null and void.~~ Any significant change to the Development Plan, as determined by the Zoning Administrator, shall be subject to additional public hearings before the Planning Commission and City Council~~.~~**, and** any amendments to the Development ~~agreement~~ **Plan** shall also be subject to City Council approval**, as set forth in Stipulation no. 20.**

5. LAND USE. The primary land use for this project shall be "live/work". Prior to issuance of any permits for the site, the applicant shall provide a copy of the Covenants, Codes and

Restrictions (CC & R's) for the project confirming that each of the town home units will be required to provide employment space on the first floor.

6. **PROXIMITY DISCLOSURE. With the final condominium plat, and as part of the CC&R's for the project, disclosure shall be provided to prospective tenants and residents that the project site is located in close proximity to the City's major event venue (Westworld) and is located in an industrial park that includes light manufacturing uses.**

7. MAXIMUM DWELLING UNITS/MAXIMUM DENSITY. Maximum dwelling units and maximum density shall be as indicated on the Land Use Budget Table below.

Parcel	Gross Acres	Zoning	Max DU/AC	Max # of Units
Bahia Work/Live/Play	5.1 +/-	PCP AMU-R PCD	18.2	78

Redistribution of dwelling units is subject to the maximum density in the Land Use Budget Table and subject to city staff approval. The owner's redistribution request shall be submitted with the preliminary plat submittal to the Development Review Board and shall include a revised Master Development Plan and a revised Land Use Budget Table indicating the parcels with the corresponding reductions and increases.

8. BUILDING HEIGHT LIMITATIONS. No building on the site shall exceed 65 feet in height, inclusive of rooftop appurtenances, measured as provided in the applicable section of the Zoning Ordinance.

9. EMPLOYMENT FLOOR AREA. The total gross floor area devoted to employment space, i.e. office or studio, shall not be less than 89,900 square feet and the floor area ratio (FAR) of employment space for the project shall not be less than 0.48. Each of the townhome units shall be restricted to first floor commercial office/studio space open to the general public.

10. COMMERCIAL FLOOR AREA. The first floor of the proposed condominium building shall be devoted to commercial floor area. There shall be no residential floor area on the first floor of the condominium building.

11. PRIVATE OUTDOOR LIVING SPACE. Each of the residential units shall include private outdoor living space, equivalent to a minimum of five percent (5%) of the gross floor area of the unit, in accordance with the Development Plan. For the town home units, the private outdoor living space shall be in the form of balconies or roof decks above the first floor of each unit. Any patio space for the first-floor employment shall not be included as part of the private outdoor living space for the residential units.

12. TOWN HOME ENTRANCES. There shall be two means of entry into each of the town home units. One entrance shall be exclusively for the first-floor employment space, and the other shall be for access to the residential unit above, in accordance with the Development Plan.

13. BAHIA DRIVE LANDSCAPE BUFFER/BUILDING SETBACK. A minimum thirty (30) foot landscape and building setback shall be maintained along the Bahia Drive frontage, measured from the property line.

AIRPORT

14. AIRCRAFT NOISE AND OVERFLIGHT DISCLOSURE. With the final plans submittal, the owner shall provide noise disclosure notice to occupants, potential homeowners, employees and/or students in a form acceptable to the Scottsdale Aviation Director.

15. 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.

16. SOUND ATTENUATION MEASURES. With the final plans submittal, the developer shall provide sound attenuation measures in compliance with the Building Code.

INFRASTRUCTURE AND DEDICATIONS

17. CIRCULATION IMPROVEMENTS. Before any certificate of occupancy is issued for the site, the owner shall make the required dedications and provide the following improvements in conformance with the Design Standards and Policies Manual and all other applicable city codes and policies.

    a. VEHICLE NON-ACCESS EASEMENT. Dedicate a one foot wide vehicular non-access easement on both the N. 92nd Street and E. Bahia Drive frontages, except at the approved street entrances.

18. DRAINAGE REPORT. The case drainage report for this project is pending approval. With the Development Review Board submittal, the applicant shall provide a revised drainage report that addresses the following:

    a. The method of analysis used to determine storm water storage volume is incorrect and shall be revised to comply with accepted design methods. If using the modified rational method for preliminary sizing of detention basins, include the 90-minute storm duration period in the calculations.

    b. Demonstrate conformance with the Master Drainage Report for the Bell Road II Improvement District. Storm water storage is required for this parcel to attenuate the post development flow rates to less than or equal to the predevelopment discharge flow rates.

    c. Underground storm water storage tanks shall be emptied by gravity flow, and shall be installed so the outside of the tank wall is at least five (5) feet from the face of the stem wall footing for any structure.

    d. Demonstrate how on-site runoff will get to the detention basins. Use bold lines to delineate the drainage sub-areas and show the all grade breaks on the grading and drainage plan. Calculate the volume required and volume provided in each drainage sub-area and demonstrate that on-site storm water runoff from each drainage sub-area is accounted for in specified drainage detention basins. Also calculate and show the percentage of runoff that is contributed from each drainage sub-area to the specified drainage detention basins.

    e. The Drainage Report, grading and drainage plan and building plans shall show and label the Highest Adjacent Natural Grade (HAG) for each structurally independent building. As this site is located in the AO-1 flood zone, the lowest floor elevation established by using the 1988 NAVD, shall be elevated above the Regulatory Flood Depth (RFD).

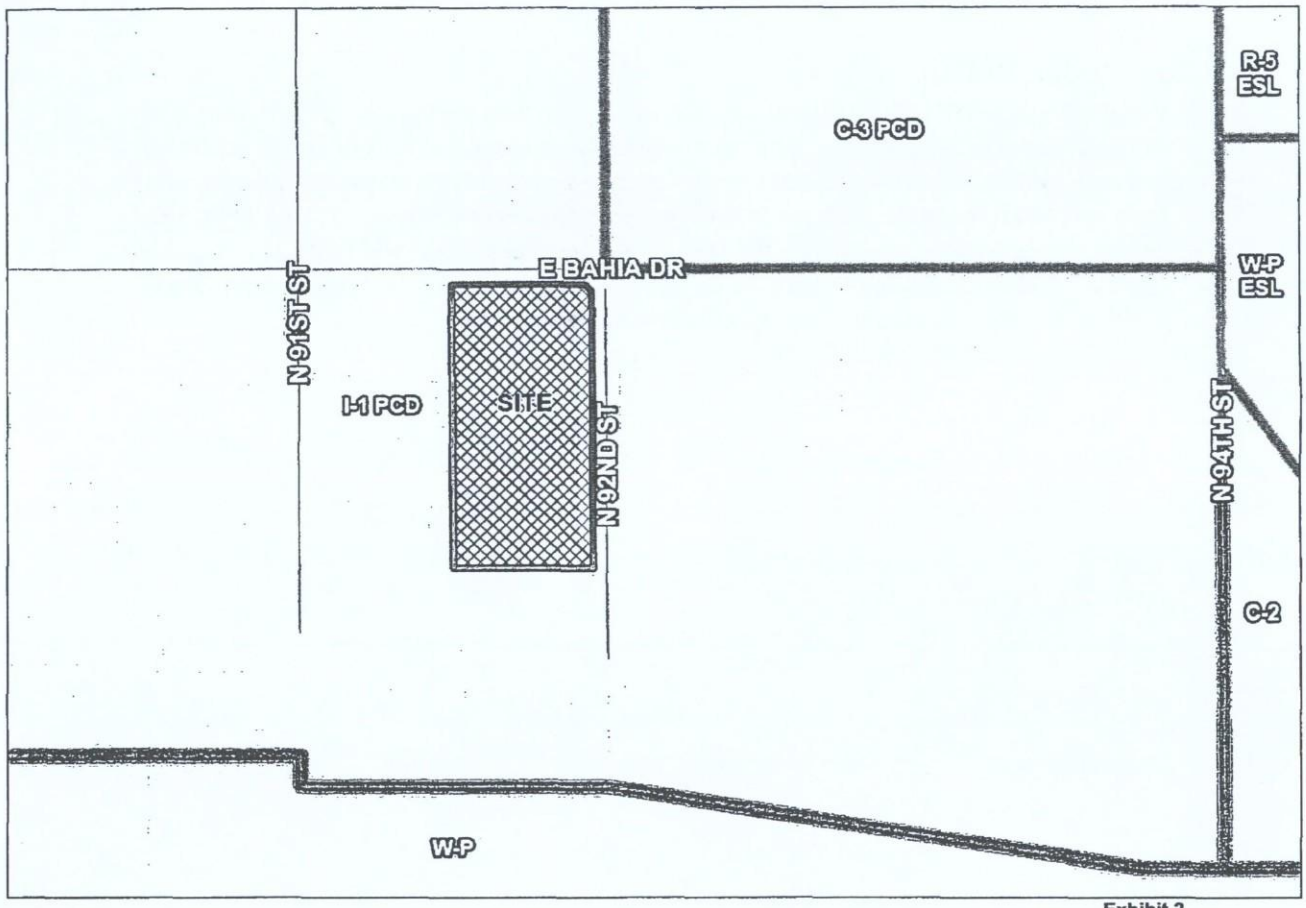
f. The Drainage Report, grading and drainage plan and building plans shall show the garage floor elevations at the garage door and shall show and label the areas below the RFD that need to be constructed with flood restraint materials. Determine if flood vents are required for any areas below the RFD and show the location and number of flood vents required for each structure. All information shall be provided in table-form in the Drainage Report.

19. STORM WATER STORAGE WAIVER. With the Development Review Board submittal, the applicant shall submit an application for a Storm Water Storage Waiver, on a form acceptable to the Storm Water Division. The post-development flow rates shall be less than or equal to the pre-development flow rates and the historical runoff locations.

CONDITIONAL ZONING.

20. **COMPLIANCE WITH DEVELOPMENT SCHEDULE. If building permits for the development of the structures on the property have not been issued and the start of construction has not occurred by December 31, 2017 or if all of the payments for the special improvements have not been made as set forth in Development Agreement Number 2014-188-COS the Zoning Administrator shall notify the Owner and applicant by certified mail that a public hearing shall be scheduled to take action in the form of a zoning district map amendment of the Property to cause the Development Plan to be amended.**

Zoning Map



14-ZN-2014

Exhibit 2
Ordinance No. 4184

CITY COUNCIL REPORT

Meeting Date: December 2, 2014
General Plan Element: *Land Use*
General Plan Goal: *Create a sense of community through land uses*

ACTION

Bahia Work Live Play Project
6-GP-2014 and 14-ZN-2014

Request to consider the following:

1. Adopt Resolution No. 9952 approving a Non-Major Amendment to change the City of Scottsdale 2001 General Plan land use designation from Employment to Mixed-Use Neighborhoods, and a Non-Major General Plan Amendment to change the Greater Airpark Character Area Plan Future Land Use Map from Employment (EMP) to Airpark Mixed Use – Residential (AMU-R).

2. Adopt Ordinance No. 4184 approving a Zoning District Map Amendment to amend the development standards for case 33-ZN-2000 (Horseman's Park), and amend the Planned Community (P-C) District zoning from the comparable Industrial Park (I-1 PCD) District to Planned Airpark Core Development, Airpark Mixed Use – Residential (PCP AMU-R PCD), including a Development Plan, increasing the allowed Floor Area Ratio (FAR) for commercial parcels in the Horseman's Park PCD (specific to this site) from 0.3 to 1.2, and the allowed building height from 42 feet including mechanical screening, to 65 feet inclusive of rooftop appurtenances, utilizing PCP bonuses for building height and FAR, finding that the PCD criteria have been met, and finding that the zoning district map amendment is consistent with and conforms to the adopted General Plan for a 5.1 +/- gross acre property located at 16576 N. 92nd Street.
3. Adopt Resolution No. 9958 declaring "Bahia Work/Live/Play Development Plan," as a public record.
4. Adopt Resolution No. 9969 authorizing Development Agreement 2014-188-2014 for construction of a Mixed Use Development located at 16576 N. 92nd Street.

Key Items for Consideration

- General Plan Goals and Policies
- Greater Airpark Character Area Plan Goals and Policies
- Proposal would introduce a residential use to a non-residential, employment area
- Approval of this proposal sets a precedent for future consideration of residential in employment areas citywide
- General Plan Employment land use is the only category that allows light industrial and warehousing, Employment only makes up approximately 2% of the total land use in Scottsdale
- Proposal is located within a Type A development type per the Greater Airpark Character Area Plan, yet does not meet the description of this development type in terms of massing
- Proximity of proposed Airpark Mixed Use – Residential designation to the Scottsdale Airport, WestWorld and light manufacturing and industrial businesses

Action Taken _____

- Concerns raised by Westworld, Long Range Planning and Transportation staff, specifically related to compatibility, introduction of residential to an employment area with light manufacturing and industrial businesses, and traffic
- Maintains the employment FAR (0.4) currently allowed under the Horseman's Park PCD
- Increase in building height and FAR allowances in PCP district in exchange for $868,837 of special public improvements and Public Art contributions (Refer to Table 2 on Pages 5 and 6 of this report for allocation funds)
- Existing infrastructure sufficient to accommodate the proposed land use mix
- Public comment in opposition and support received by staff
- Airport Advisory Commission heard this case on October 8, 2014 and recommended approval with a 4-3 vote
- Planning Commission heard these cases on November 12, 2014 and recommended approval with a unanimous vote of 5-0, with an added stipulation to provide full disclosure to future residents of the proximity of residential to light industrial, the Scottsdale Airport and Westworld event facilities.

OWNER

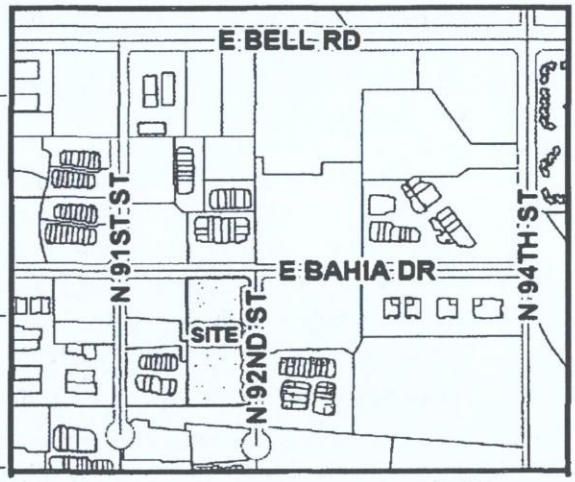
Spensa Arizona VII LLC
952-449-5755

APPLICANT CONTACT

Irene Clary
Catclar Investments
480-473-3700

LOCATION

16576 N 92nd St



BACKGROUND

General Plan

The City of Scottsdale General Plan 2001 Land Use Map designates the subject property as Employment; the Employment land use designation permits a range of employment uses from light manufacturing to light industrial and office uses.

Greater Airpark Character Area Plan

The General Plan establishes Character Area Planning as a means of ensuring that quality of development and consistency of character drive Scottsdale's General Plan within the context of community-wide goals. The subject property is located within the Greater Airpark Character Area Plan (GAPCAP) boundary and according to the plan's Future Land Use Map the subject site is designated as Employment (EMP). The GAPCAP states that Employment includes an array of office, commercial, warehousing, and light industrial land uses and states that residential is not an appropriate use in these areas.

Zoning

The site is currently zoned Industrial Park District, Planned Community District (I-1 PCD), which allows for a variety of light industrial uses, as well as offices and other supporting uses such as taxidermy, large indoor sport facilities, and the Ice Den. The project site is part of the Horseman's Park Planned Community (P-C) District which received zoning approval in 2000 under case 33-ZN-2000. The Horseman's Park PCD establishes specific regulations and amended development standards for all parcels within the PCD district boundary.

Context

The subject property is located at the southwest corner of N. 92nd Street and E. Bahia Drive, east of Loop 101 and south of E. Bell Road, and is surrounded on all sides by office and light industrial uses. Further south on N. 92nd Street is Scottsdale Preparatory Academy, which is a private school. All surrounding properties, including the school site, are zoned Industrial Park District, Planned Community District (I-1 PCD). The property is also located within the Airport Influence Area 1 and is located approximately 500 feet from the Westworld event facility to the south. Please refer to Attachment 5.

Other Related Policies, References:

- 2001 General Plan
- 2010 Greater Airpark Character Area Plan (GAPCAP)
- City Code, Chapter 5 (Aviation)
- Zoning Ordinance
- 8-ZN-2000: Approval of rezone from Single-Family Residential District (R1-35) to Central Business District (C-2) and Industrial Park District (I-1)
- 33-ZN-2000: Approval of Horseman's Park Planned Community District (PCD) with amended development standards
- 4-ZN-2007: Approval of rezone from Central Business District, Planned Community District (C-2 PCD) and Industrial Park District, Planned Community District (I-1 PCD) to Industrial Park District, Planned Community District (I-1 PCD)

APPLICANTS PROPOSAL

Goal/Purpose of Request

The applicant is seeking two Non-Major General Plan Amendments: one to the City of Scottsdale General Plan 2001 to change the land use designation from Employment to Mixed-Use Neighborhoods, and another to change the land use designation on the GAPCAP Future Land Use Map from Employment (EMP) to Airpark Mixed Use-Residential (AMU-R). Concurrently, the applicant seeks approval to rezone the subject site from I-1 PCD to Planned Airpark Core Development District, Airpark Mixed Use – Residential, Planned Community District (PCP AMU-R PCD). As part of the rezoning request, the applicant also seeks to amend the Horseman's Park PCD to allow for additional building height (increase from 42 feet inclusive of mechanical screening to 65 feet inclusive of rooftop appurtenances) and Floor Area Ratio (FAR) (increase from 0.3 to 1.2). In order to qualify for bonus height and FAR in the PCP district, the applicant is required to provide special public improvements, i.e. infrastructure improvements, public art, etc. In this case, based on

the proposed building height and FAR, the applicant must contribute $868,836 toward special improvements. Refer to the Project Narrative for the formulas used to determine the contribution and a description of the allocation of funds.

The purpose of the request is to allow for development of a mixed-use "work/live" project. The site plan consists of 64 three and four-story townhomes with first floor employment (office/studio) space and residential units above the employment space, as well as a four-story condominium building with 14 residential units and first floor retail and service uses. It is the applicant's intention to occupy the first floor of the condominium building with a restaurant use and potential meeting or conference space for business owners living on the site. Each townhome includes a garage for resident parking and surface parking is proposed for guests, clients and visitors. Additional "tuck-under" parking is proposed underneath the condominium building, behind the commercial space on the first floor.

Development Information

- Existing Use: Vacant
- Proposed Use: Mixed-Use (work/live)
- Buildings/Description: 11 townhome buildings w/ first floor employment space and one four-level condominium building with first floor retail/service space
- Parcel Size: +/- 222,156 square feet (5.1 gross acres)
- Building Height Allowed: **42 feet inclusive of mechanical screening
- Building Height Proposed: 65 feet inclusive of rooftop appurtenances
- Parking Required: 207 spaces
- Parking Provided: 217 spaces
- Open Space Required: 25% of net lot area (46,830 square feet)
- Open Space Provided: 26.1% of net lot area (48,964 square feet)
- Floor Area Ratio Allowed: **0.3 for commercial parcels, 0.4 for industrial parcels
- Floor Area Ratio Proposed: 1.2 (0.48 FAR for employment, 0.67 FAR for residential, 0.05 FAR for commercial)
- Density Proposed: 18.2 dwelling units per gross acre

** indicates amended development standard approved as part of Horseman's Park PCD (33-ZN-2000)

Amended/Bonus Site Development Standards (ASDS)

As part of a Planned Community District application, or subsequent amendment, an applicant may propose amendments to certain site development standards in an effort to accommodate flexibility in design of a project. The proposed amendments to the Horseman's Park PCD amended site development standards are indicated in **Table 1** on Page 5.

Additionally, to encourage inclusion of broader public benefits and provide flexibility in planning, an

application for the PCP zoning district may include a request for bonus building height and/or floor area ratio (FAR). An increase in building height and/or FAR is considered against the applicant's proposal for special public improvements. The applicant is requesting to utilize this provision to allow for a building height increase of 11 feet, inclusive of rooftop appurtenances (54 feet currently allowed in PCP district, 65 feet proposed), and an overall gross floor area increase of 72,946 square feet (0.8 base FAR allowed in PCP district, up to 1.6 FAR allowed under bonus provisions). Note, the Horseman's Park PCD currently restricts building height for this site to 42 feet inclusive of mechanical screening. Rezoning to PCP would allow for the 54-foot building height, inclusive of rooftop appurtenances, without the need for bonus height provisions. Refer to Table 1 on Page 5 of this report for a summary of proposed bonus building height and FAR. In exchange for the increased building height and FAR, the applicant is proposing a combination of physical improvements and monetary contributions totaling $868,836 to special public improvements, as required by the bonus provisions of the PCP district. The proposed list of special public benefits and corresponding construction costs are indicated in **Table 2** on page 6.

Table 1
Amended Site Development Standards

Horseman's Park ASDS (33-ZN-2000)	**Required/Allowed (I-1 zoning)**	**Required/Allowed (PCP zoning)**	**Previously Approved (33-ZN-2000)**	**Proposed Amendment (14-ZN-2014)**
Building Height	52 feet (exclusive of rooftop appurtenances)	54 feet (inclusive of rooftop appurtenances, for a Development Plan (DP) area between 2 and 5 acres) Bonus Height available: 92 feet (inclusive of rooftop appurtenances, for a DP area between 4 and 5 gross acres	42 feet (inclusive of mechanical screening)	65 feet (inclusive of rooftop appurtenances)

Floor Area Ratio	0.8	0.8 (for the Development Plan area) Bonus FAR available: 1.6 (for the DP area)	0.3 (for commercial parcels. Applicant is requesting commercial zoning) 0.4 (for industrial parcels)	1.2

Table 2
Special Improvements/Public Benefits

Special Public Improvement (as identified in the PCP district)	Balance (total required: $868,836)
Westworld north hall facility improvements	$289,612
Westworld site improvements and landscaping	$239,612
94th Street improvements at Westworld (sidewalk and lighting along east side of 94th Street)	$339,612
Total	**$868,836**

NON-MAJOR GENERAL PLAN AMENDMENT IMPACT ANALYSIS

General Plan

The applicant is requesting a non-major General Plan amendment to change the City of Scottsdale General Plan 2001 Land Use designation from Employment to Mixed-Use Neighborhoods on the subject site. The applicant's request is recognized as a non-major amendment based upon the four criteria outlined in the City of Scottsdale General Plan 2001. A change in land use within the City of Scottsdale from the Employment land use designation to the Mixed-Use Neighborhoods land use designation is found as keeping within the same "grouping" – Group E – on the Change in Land Use Category Table and does not constitute a major General Plan amendment. The Area of Change Criteria states that any change in land use within this area of the city that includes 15 or more gross acres would constitute a major General Plan amendment. The subject site, comprised of

approximately 5.1 +/- gross acres, does not qualify as a major General Plan amendment per this criterion. The Character Area Criteria states that a change in land use that does not clearly comply with the guidelines and standards of an approved Character Area plan would be considered a major General Plan amendment. Although there are some issues pertaining to this proposal meeting Greater Airpark Character Area Plan (GAPCAP) goals and polices raised within this report (namely the addition of residential to the area)the small size of the amount of land use proposed to be changed, 5.1+/- acres, will not dramatically affect the GAPCAP to a large extent as the full GAPCAP is 5,408 +/- acres of land in total, and employment uses are still proposed to remain on site with residential as an added land use proposed. Finally, the Water/Wastewater Infrastructure Criteria states that a change in land use that results in the premature increase in the size of a master planned water transmission or sewer collection facility would constitute a major General Plan amendment. This proposal has not been found to result in a premature increase in the water and sewer infrastructure and therefore does not qualify as a major General Plan amendment.

The General Plan Land Use Element describes the Mixed-Use Neighborhoods land use designation as *areas with strong access to multiple modes of transportation and major regional access and services, and have a focus on human scale development. These areas could accommodate higher density housing combined with complementary office or retail uses or mixed-use structures with residential above commercial or office.*

Although the proposal conforms to the General Plan description of Mixed-Use Neighborhoods (in terms of mixed-use structures with residential above commercial or office), it is important to note as a key consideration of this case that the subject site is surrounded on all sides by the Employment land use designation. The General Plan Land Use Element describes the Employment land use designation as permitting *a range of employment uses from light manufacturing to light industrial and office uses. Employment areas should have access to adequate mobility systems and provide opportunities for business enterprises. Locations have been identified for employment areas where impacts on residential neighborhoods are limited and access is available to labor pools and transportation facilities. Strict development standards will protect adjacent residential areas.* Allowing a residential use in an employment-based area is counter to the definition of the Employment land use designation, and alters the expected uses (non-residential) identified in the 2010 GAPCAP.

However, the applicant's proposal states that the land uses proposed are "in keeping with the employment core and employment based uses" indicative of the area and that the residential component is secondary to the primary uses of ground-floor office, conference, and retail that are complementary to current developments surrounding it and within Horseman's Park.

Policy Implications and Analysis

The following are goals and policies contained in the City of Scottsdale General Plan 2001, categorized as either being supportive, or unsupportive of the proposal.

<u>Supportive of proposal</u>:

- Land Use Goal 9 – Provide a broad variety of land uses that create a high level of synergy within mixed-use neighborhoods.

- Land Use Goal 9, Policy 2 - Promote residential uses that support the scale and function of retail, commercial and employment uses within these neighborhoods, including the use of mixed-use structures (retail or office on lower level and residential uses on upper levels).
- Land Use Goal 9, Policy 4 - Encourage compact mixed-use, pedestrian oriented development patterns, at urban densities, that limit the demand for parking and unnecessary automobile trips, and support alternative modes of mobility.
- Housing Goal 4 – Encourage housing development that provides for "live, work and play" relationships as a way to reduce traffic congestion encourage economic expansion and increase overall quality of life for our residents.
- Housing Goal 4, Policy 7 - Explore opportunities for new or redeveloped housing to serve the employment base.

The applicant proposes a mixed-use development, including a mixture of ground-floor office, conference, and retail space, along with residential units on upper floors. The proposal is intended to include residential for those who work on site and in the immediate area.

Unsupportive of proposal:

- Land Use Goal 3 – Encourage the transition of land uses from more intense regional and citywide activity areas to less intense activity areas within local neighborhoods.
- Land Use Goal 3, Policy 6 - Encourage transitions between different land uses and intensities through the use of gradual land use changes, particularly where natural or manmade buffers are not available.
- Land Use Goal 5, Policy 8 - Encourage that land uses with the highest intensity be located in areas conducive to alternative modes of transportation.
- Land Use Goal 8, Policy 3 - Promote development patterns and standards that are consistent with the surrounding uses and reinforce an area's character.
- Neighborhoods Goal 4, Policy 3 - Guide revitalization, redevelopment, and infill (new development in established areas) development to ensure that such development efforts are context-appropriate to the surrounding neighborhoods.

The applicant states that the current uses found within the immediate area of the proposal aligns more closely to "retail support services and offices versus traditional manufacturing and warehousing." The proposal is intended to integrate into the surrounding development pattern and the applicant states that the proposal will be appropriate and complementary to the surrounding Horseman's Park and the adjacent WestWorld development in terms of mass and scale. The applicant contends that the proposed development will "lend itself to create alternative modes of transportation, such as by foot and bicycle" and that being close to the Loop 101 will ensure regional access to the site. The applicant also states that this work, live, play proposal "increases the efficient movement of people by locating them close to employment and retail services, thereby minimizing vehicular trips." Finally, the applicant states that the proposal is "in keeping with the employment core and employment based uses" indicative of this area and that the residential component is secondary to this primary use.

Growth Area

According to the City of Scottsdale General Plan 2001, the subject site is located within the Greater Airpark Growth Area. In Scottsdale, Growth Areas are areas of the community that accommodate future growth through transportation system and infrastructure improvements. These improvements are utilized to support a planned concentration of a variety of uses such as residential, office, commercial, tourism, and industrial. Growth Areas are intended to discourage sprawl by focusing new development into targeted areas that are most appropriate for integrating open spaces, natural resources, accommodating a variety of land uses, and oriented to multi-modal activity.

The applicant proposes a mixed-use development indicative of the concentration of land uses described in the General Plan's description of Growth Areas, including a mixture of ground-floor office, conference, and retail space, along with residential units on upper floors. The applicant states that multi-modal transportation options will be available to Bahia owners, stating that the GAPCAP shows future transit, pedestrian, and bicycle networks along Bell Road are planned in close proximity to the project site. Furthermore, the applicant states that "the development will create a sustainable, walk-friendly environment for its owners" and will include functional, internal and external pedestrian connections.

Greater Airpark Character Area Plan

The applicant is requesting a non-major General Plan amendment to change the Greater Airpark Character Area Plan Future Land Use Map from Employment (EMP) to Airpark Mixed Use-Residential (AMU-R) on the subject site.

The Greater Airpark Character Area Plan (GAPCAP) defines AMU-R as areas that are *appropriate for the greatest variety of land uses in the Greater Airpark. Appropriate uses may include a combination of personal and business services, employment, office, institutional, cultural amenities, retail, hotel, and higher density residential. Developments in 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.*

Although the proposal conforms to the General Plan description of AMU-R, it must be noted that the subject site is located on the edge of a swath of Employment and is adjacent to a swath of Regional Tourism Land Use (RT). The Greater Airpark Character Area Plan Land Use Chapter describes Employment as *an array of office, commercial, warehousing, and light industrial land uses that provide opportunities for business enterprises, as well as regional and local jobs. These areas should have access to regional multi-modal transportation systems, including access for truck traffic and transit facilities. Residential is not appropriate in employment areas. Employment is appropriate adjacent to the Aviation Land Use area and within the Airport's 55 DNL areas or higher.* Regional Tourism encourages tourism-serving residential in *appropriate and limited locations.* Most occurrences of AMU-R in the GAPCAP are either adjacent to, or surrounded by Airpark Mixed Use (AMU) and not EMP. The subject site is located in a well-established, industrial setting in the GAPCAP – surrounded by I-1 zoning. Contextually, this would mean that a residential use would be located within an area specifically designated for the most intense commercial or industrial uses

found in Scottsdale and thus alter the existing pattern of development.

The requested amendment is outside of the Airport's 55 DNL contour and the applicant states that the integration of residential into this area will support "the employment core of Horseman's Park areas." The applicant also states that although the proposal contains a residential component, it will maintain the existing employment character of the surrounding area. Finally, the applicant proposes to "provide additional regulations regarding the commercial office component and limitation on residential to ensure that the main level is maintained and operated as an employment use" in an effort to preserve the current Employment land use.

As per the GAPCAP, AMU-R designated areas expect developments to be pedestrian-oriented and have access to multiple modes of transportation. The subject site is located in an area of the GAPCAP with block lengths of 1/8 of a mile east to west, and ¼ of a mile north to south, equating to substantially lengthier blocks than areas of the City that are considered 'pedestrian-oriented' (e.g. Downtown). Furthermore, in terms of modes of transportation, this area of the GAPCAP is not served by public transportation, with the closest stop located along Raintree Drive and Northsight Boulevard, being serviced by Valley Metro route 170.

The applicant states that multi-modal transportation options will be available to Bahia owners, stating that the GAPCAP shows future transit, pedestrian, and bicycle networks along Bell Road are planned in close proximity to the project. Furthermore, the applicant states that "the development will create a sustainable, walk-friendly environment for its owners" and will include functional, internal and external pedestrian connections.

Finally, the proposed site does not fall within a Signature Corridor in the GAPCAP. Signature Corridors promote pedestrian activity and allow for the consideration of a greater mix of land uses including support for shops, restaurants, and fitness centers in Employment areas. Since the subject property falls outside of a Signature Corridor, such flexibility of land uses is not anticipated for the site.

Type A – Medium Scale Development Type

The subject site is within the Type A Development Type, the lowest-scale development type in the GAPCAP, where medium-scale developments are appropriate. Type A developments allow for lower-scale residential developments north of the Central Arizona Project Canal. There are a few instances of AMU-R found within the Type A Development Type. The majority of these AMU-R instances in Type A areas occur along Signature Corridors and/or as part of residential entitlements that occurred prior to the adoption of the GAPCAP (2010). Residential and mixed-use land uses have predominantly been aligned with the Type C Development Type in the GAPCAP.

The proposed development provides massing at three to four-stories, (40 to 65 feet inclusive of mechanical). The applicant states that the proposal will be appropriate and complementary to the surrounding Horseman's Park and the adjacent WestWorld development in terms of mass and scale – in the GAPCAP these are Type B Development Types and not Type A as is the subject site.

Goals/Policies Analysis

The following are goals and policies pulled from the GAPCAP, categorized as either being supportive, or unsupportive of the proposal.

Supportive of proposal:

- Policy NH 3.3.3 - Encourage live-work units in Airpark Mixed Use-Residential and Regional Tourism Future Land Use Areas in the Greater Airpark. [Note: A change in General Plan and GAPCAP land use designations would be required in order for this policy to be supportive of the proposal]

The applicant proposes a mixed-use development, including a mixture of ground-floor office, conference, and retail space, along with residential units on upper floors. The mixed-use structures are proposed as being complementary in height, mass, and scale to the surrounding area. The proposal is intended to include residential for those who work on site and in the immediate area.

Unsupportive of proposal:

- GOAL LU 1 – Maintain and expand the Greater Airpark's role as a national and international economic destination through appropriate land uses, development and revitalization.
- Policy LU 1.8 - Prevent erosion of Greater Airpark Employment land uses through land use regulations, such as limiting retail and restaurants in areas designated for employment.
- GOAL LU 4 - Utilize development types to guide the physical and built form of the Greater Airpark
- Policy LU 6.1 - Prioritize employment uses over residential uses in the Greater Airpark.
- 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;

The applicant proposes to create CC&Rs to "provide additional regulations regarding the commercial office component and limitation on residential to ensure that the main level is maintained and operated as an employment use" in an effort to prevent the erosion of Employment land uses. As noted above, the proposed development (found in the Type A Development Type) will provide massing at three to four-stories, (40 to 65 feet inclusive of mechanical) and the applicant states that the proposal will be appropriate and complementary to the surrounding Horseman's Park and the adjacent WestWorld development (Type B) in terms of mass and scale. Finally, the applicant states that the proposal is "in keeping with the employment core and employment based uses" indicative of this area and that the residential component is secondary to this primary use.

2013 Citywide Land Use Assumptions Report

In 2013, the City of Scottsdale completed, and City Council adopted, a Land Use Assumptions Report that illustrates "projections of changes in land uses, densities, intensities and population over a period of at least ten years and pursuant to the General Plan of the municipality". The study examined Scottsdale in three general geographic areas—south, central and north. The Central Sub-Area is generally bounded by Deer Valley Road to the north, Indian Bend Road to the south, and the City's boundary to the east and west.

While the study does not account for mixed use areas, it does contemplate urban residential and standard office uses. According to the study, the Central Sub-Area is projected to absorb

approximately +/- 576 acres of urban residential and approximately +/- 256 acres of standard office land area by 2030.

The full Development Forecast text can be found at:
http://www.scottsdaleaz.gov/Assets/Public+Website/water/Rates+$!26+Fees/LUAR2013.pdf

Land Use Impact Model

Long-Range Planning Services uses a land use impact model to generally assess the impacts of potential changes in General Plan land use designations.

Per the model, a change from Employment to Mixed-Use Neighborhoods on the site would result in an increased resident population estimated at 202 people and an approximate increase of 36 school-aged students across grades K-12. The modeling indicates an increase of 91 potential commercial jobs. Potential labor force as a result of the new residential dwelling units is projected at 83 workers. With the proposed land use change, water usage is anticipated to increase by 5.5 million gallons per year and wastewater generation by approximately 3.9 million gallons per year. The impact this proposal will have on vehicle trips per day is estimated to generate 375 more daily trips than would be anticipated if the site were developed under the current zoning (I-1).

Because the existing and proposed land use designations allow for a considerable range of land use types, the actual increases/decreases in the modeled categories are at best, an estimate, and should not be considered conclusive.

ZONING DISTRICT MAP AMENDMENT IMPACT ANALYSIS

Land Use

The proposal introduces residential to an area occupied almost exclusively by employment-related uses, i.e. offices and light industrial uses. Both the 2001 General Plan and the 2010 GAPCAP call for this site to be occupied by employment uses only. Residential is not contemplated at this location, thus the need for two Non-Major General Plan amendments. The primary concern with regard to this request is the potential for erosion of Scottsdale's employment core. Introducing residential to an area dominated by employment uses carries with it a certain amount of risk from a long-range planning perspective. This proposal has the potential to establish a precedence that could dramatically change the character of the area in the years to come.

The Land Use section of the 2001 General Plan suggests locations identified as employment areas are so designated because "impacts on residential neighborhoods are limited and access is available to labor pools and transportation facilities". The area in question is occupied almost exclusively by light industrial and office uses including businesses such as taxidermy, large indoor recreation facilities and the Ice Den. In an area where light industrial uses are prominent, there is always the potential for conflicts with residential, primarily as a result of noise generated by the industrial activities or by trucks coming and going at all hours of the day and night. Additionally, the lack of available services and amenities in the area, namely retail and restaurants, would suggest this location is not ideal for a residential community. It should be noted, however, that this request does not *reduce* the amount of employment in the area. Per the Horseman's Park PCD, commercial

parcels are allowed a maximum FAR of 0.3. If applied to this parcel, a 0.3 FAR would result in approximately 56,194 square feet of employment-based floor area. The applicant's proposal calls for a total of 89,900 square feet of employment-based floor area, which calculates out to an FAR of 0.48, exclusive of commercial floor area. The amount of allowable employment floor area actually increases as a result of this request; as such, the argument could be made that even with the introduction of residential, this request still maintains the employment land uses envisioned for the area.

Airport Vicinity

The project site is located approximately 5,200 feet northeast of the nearest Scottsdale Airport runway, putting it within the Airport Influence Area. Per the Scottsdale Airport 14 CFR Part 150 Noise Compatibility Study, the site is situated in the AC-1 area of the Airport Influence Zones, just outside the limits of the AC-2 area. The Airport Influence Zones were established as a guide for assessing the impacts of air traffic noise generated by arrivals and departures on the surrounding community. The AC-3 designation indicates the area immediately around the airport that is most impacted by air traffic noise. The AC-1 designation indicates those areas that are least impacted by air traffic noise, but are still within the Airport Influence Area. The site is also outside the 2009 Noise Contours established by the Noise Compatibility Study. The Noise Contours identify those areas where noise levels are typically 55 DNL or greater. The Federal Aviation Administration ran a flight track study for the Scottsdale Airport on 3/2/14. The study was broken down into two sub-categories: altitude and operation. The results indicate that, although the site is approximately one mile from the nearest airport runway, there is still a significant number of arrival and departure flight paths above the project site (refer to Attachments 9 and 10 for flight track maps). Because the site is within the AC-1 area, the applicant will be required to dedicate an Avigation Easement over the site, provide fair disclosure to any prospective residents and/or tenants that the site is within the Airport Influence Area, and provide sound attenuation.

PCD Findings

Per Section 5.2104 of the Zoning Ordinance, before approval or modified approval of an application for a PCD, certain findings must be demonstrated by the applicant and confirmed by Planning Commission and City Council. The following are the required findings, as well as the applicant's response to the findings and staff analysis.

A. **The development proposed is in substantial harmony with the General Plan, and can be coordinated with existing and planned development of surrounding areas.**

   Concurrent with the zoning district map amendment, the applicant is requesting two Non-Major General Plan amendments in an effort to demonstrate that the project is in substantial harmony with the General Plan. The project site is located approximately 500 feet north of the Westworld campus, which has generated some concerns from Westworld about the potential for noise complaints and general compatibility of the proposed project (residential) with the Westworld campus.

   The applicant states in the project narrative that the rezoning and development request is in harmony with the General Plan and GAPCAP, as well as the established Horseman's Park development plan. The project narrative goes on to state that the development plan is also

compatible with the surrounding employment core established in the area. The applicant contends the addition of a "work/live/play" component to the area will further boost the economic stability of the established employment, recreation and commercial services in the area.

B. **The streets and thoroughfares proposed are suitable and adequate to serve the proposed uses and the anticipated traffic which will be generated thereby.**

The applicant states in the project narrative that external roadways adjacent to (or near) the property include the Loop 101 , which is a regional transportation corridor, and Bell Road, which is classified as a Minor Arterial; both of which are more than sufficient to accommodate proposed vehicle trips to and from the project.

The applicant submitted a Traffic Impact Analysis (TIMA), which has been reviewed and accepted in concept by the Transportation Division; however, with the existence of the Scottsdale Preparatory Academy to the south, the Transportation Division still has concerns about introducing residential to an area in such close proximity to a school campus. The Scottsdale Preparatory Academy generates high traffic volumes during certain parts of the day (mainly during student drop-off in the morning and pick-up in the afternoon) that routinely cause vehicle stacking from the school up N. 92nd Street and on to E. Bahia Drive. Introducing residential to this area has the potential to cause conflicts between parents waiting to drop off or pick up students and residents/business owners attempting to enter and exit the project site, as a result of the increased FAR proposed for the site. Additionally, the site is located approximately 500 feet from the City's major event venue (Westworld) and during major events, traffic volumes are typically heavy on both N. 94th Street and E. Bahia Drive. Residents of the proposed project may encounter difficulty getting to and from their residences during these major events. It should be noted, the Scottsdale Preparatory Academy recently implemented a "staggered" start schedule for students, which has resulted in a reduction of vehicle stacking and wait times for parents dropping off students.

C. **The Planning Commission and City Council shall further find that the facts submitted with the application and presented at the hearing establish beyond reasonable doubt that:**

1. **In the case of proposed residential development, that such development will constitute a residential environment of sustained desirability and stability; that it will be in harmony with the character of the surrounding area; and that the sites proposed for public facilities, such as schools, playgrounds and parks are adequate to serve the anticipated population.**

   The applicant cites several characteristics of the proposed development in their project narrative in an effort to demonstrate responsiveness to this criterion. They are as follows:

   - 30-foot landscape buffer and setback along Bahia as required by the Horseman's Park PCD
   - Hierarchy of building massing with stepped three and four-story concept
   - Pedestrian connectivity along street frontages and throughout the project
   - Connectivity to larger open space network

- Place-making design concept
- Activation of the street frontages with office/retail at the hard corner of 92nd Street and Bahia
- Completely unique rooftop studios and gardens

The proposed location for this project is the underlying concern from a land use perspective. Although many steps appear to have been taken to make this as desirable and stable an environment for residents as possible, the proposal still appears to fall short of meeting this criterion. Taking into consideration the lack of amenities in the vicinity, proximity of the project to light industrial uses, traffic concerns, and noise concerns related to the Scottsdale Airport, Westworld events and light manufacturing and industrial businesses in the vicinity, harmony with the character of the surrounding area is still a question. Public facilities have been accounted for with the original Horseman's Park PCD.

2. **In the case of proposed industrial or research uses, that such development will be appropriate in the area, location and overall planning to the purpose intended; and that the design and development standards are such that an industrial environment of sustained desirability and stability will be created.**

   There are no industrial or research uses proposed as part of this development.

5. **In the case of proposed commercial, institutional, recreational and other non-residential uses, that such development will be appropriate in area, location and overall planning to the purpose intended; and that such development will be in harmony with the character of the surrounding area.**

   The applicant cites several characteristics of the proposed development in their project narrative in an effort to demonstrate responsiveness to this criterion. They are as follows:

   - 30-foot landscape buffer and setback along Bahia as required by the Horseman's Park PCD
   - Hierarchy of building massing with stepped three and four-story concept
   - Pedestrian connectivity along street frontages and throughout the project
   - Connectivity to larger open space network
   - Place-making design concept
   - Activation of the street frontages with office/retail at the hard corner of 92nd Street and Bahia
   - Completely unique rooftop studios and gardens

   The project proposes commercial uses on the first floor of the condominium building, including a restaurant use that has the potential to provide a service that could fill a need for employees working in the area. The proposed first floor commercial uses should be in harmony with the character of the surrounding area.

Traffic

Per the TIMA, the proposed zoning district map amendment will result in approximately 1,495 trips generated per day to and from the project site. The development is estimated to generate 171 A.M. peak hour trips and 202 P.M. peak hour trips, which represents an increase of 375 daily trips over the existing Industrial Park (I-1) zoning.

With the addition of the proposed site-generated traffic, operations at the intersections in the vicinity of the site will continue to operate at acceptable levels (Level of Service C or better), with the exception of the intersection of N. 92nd Street and E. Bahia Drive during the morning peak hour (Level of Service F) due primarily to existing traffic from adjacent businesses, including the Scottsdale Preparatory Academy private school.

Water/Sewer

The City's Water Resources Division has analyzed the proposed site plan and use mix and determined that existing water and sewer infrastructure is sufficient to serve the proposed development.

Public Safety

The City's public safety divisions have reviewed the proposal and find that there is adequate ability to provide emergency services. The nearest fire station is located at 16701 N. 100th Street, approximately one mile east of the project site; and the nearest police station is located at 9045 E. Via Linda Road, approximately 4.8 miles south of the project site. No impacts to existing service levels are anticipated.

School District Comments/Review

The Scottsdale School District has reviewed the proposed site plan and determined that existing facilities are sufficient to accommodate the proposed residential density.

Open Space

The proposal sets aside 26.1% of the net site area as open space, which is slightly more than the minimum 25% required by the PCP zoning district. Most of the open space is dedicated to the community amenity area, courtyard space between the residential townhome buildings, and a 30-foot building setback/landscape buffer along both street frontages, which is required per the Horseman's Park PCD. Additionally, each of the residential units will include outdoor living space, which is not a requirement of the PCP zoning district.

Community Involvement

Property owners within 750 feet of the project site have been notified via mail of the applicant's request. The mailing included citizens on an Interested Parties list compiled for anyone wishing to receive notice of a pending zoning request. The applicant held an Open House on August 14th, 2014 at Frog's Physical Therapy on 16621 N. 91st Street from 6:00 to 7:00 PM. Per the Citizen Outreach Report provided by the applicant, approximately 7 people attended the Open House.

Community Impact

- Proximity of residential to Scottsdale Airport (approximately one mile from nearest runway)

- Proximity of residential to established light manufacturing and industrial businesses in the area
- Proximity of residential to Westworld campus (approximately 500 feet south of project site)
- Potential traffic impacts caused by increasing overall floor area and introducing residential to an area already congested by vehicular traffic generated by Scottsdale Preparatory Academy and Westworld.
- Maintains the employment FAR (0.4) currently allowed under the Horseman's Park PCD.

Policy Implications

- Introduction of residential to an employment core
- Potential precedence established by introducing 65-foot building height to an area consisting primarily of 2-3 story buildings.
- Precedent for further consideration of residential in employment areas citywide and potential future erosion of the Employment land use that accounts for only two percent (2%) of the total land use in Scottsdale.

OTHER BOARDS & COMMISSIONS

Airport Advisory Commission (AAC)

The AAC considered this request at their 10/8/14 meeting. The applicant contracted with a noise consulting firm to generate a Noise Study, which was the focus of much of the discussions and questions from the Commissioners. The consultant was asked why the study did not include all three runways at the Scottsdale Airport. As conducted, the study took into consideration noise generated from only one of the airport's runways. [There is only one runway at Scottsdale Airport]. The consultant was also asked if noise levels at 5 feet from grade (where the study was conducted) differ from noise levels at 65 feet from grade, which is the building height the applicant is seeking. The consultant indicated that there was not a significant difference between noise levels at 5 feet above grade and 65 feet above grade. Finally, there was concern expressed over the introduction of fee-title residential to an area in such close proximity to the Airport. It was suggested that, if residential is introduced, it should be a rental community, not fee-title ownership. During public comment, several people spoke in support of the proposal (Refer to Attachment 16 for AAC meeting minutes). After discussion and questions, the AAC voted to recommend approval to City Council by a vote of 4-3.

Planning Commission

Planning Commission heard these cases on November 12, 2014 and recommended approval with a unanimous vote of 5-0, with an added stipulation to provide full disclosure to future residents of the proximity of residential to light industrial, the Scottsdale Airport and Westworld event facilities.

Staff Recommendation to Planning Commission

1. Staff recommended that the Planning Commission recommend City Council approve a Non-Major Amendment to change the City of Scottsdale 2001 General Plan land use designation from

Employment to Mixed-Use Neighborhoods, and a Non-Major General Plan Amendment to change the Greater Airpark Character Area Plan Future Land Use Map from Employment (EMP) to Airpark Mixed Use – Residential (AMU-R), and

2. Staff recommended that the Planning Commission find that the Planned Community District (P-C) criteria have been met, determine that the proposed zoning district map amendment is consistent and conforms to the adopted General Plan, and make a recommendation to City Council for approval of an amendment to the development standards for case 33-ZN-2000 (Horseman's Park), and to amend the Planned Community (P-C) District zoning from the comparable Industrial Park (I-1 PCD) District to Planned Airpark Core Development, Airpark Mixed Use – Residential (PCP AMU-R PCD), including a Development Plan, increasing the allowed Floor Area Ratio (FAR) for commercial parcels in the Horseman's Park PCD (specific to this site) from 0.3 to 1.2, and the allowed building height from 42 feet including mechanical screening, to 65 feet inclusive of rooftop appurtenances, utilizing PCP bonuses for building height and FAR, per the attached stipulations

OPTIONS & STAFF RECOMMENDATION

Recommended Approach:

1. Adopt Resolution No. 9952 approving a Non-Major Amendment to change the City of Scottsdale 2001 General Plan land use designation from Employment to Mixed-Use Neighborhoods, and a Non-Major General Plan Amendment to change the Greater Airpark Character Area Plan Future Land Use Map from Employment (EMP) to Airpark Mixed Use – Residential (AMU-R).

2. Adopt Ordinance No. 4184 approving a Zoning District Map Amendment to amend the development standards for case 33-ZN-2000 (Horseman's Park), and amend the Planned Community (P-C) District zoning from the comparable Industrial Park (I-1 PCD) District to Planned Airpark Core Development, Airpark Mixed Use – Residential (PCP AMU-R PCD), including a Development Plan, increasing the allowed Floor Area Ratio (FAR) for commercial parcels in the Horseman's Park PCD (specific to this site) from 0.3 to 1.2, and the allowed building height from 42 feet including mechanical screening, to 65 feet inclusive of rooftop appurtenances, utilizing PCP bonuses for building height and FAR, finding that the PCD criteria have been met, and finding that the zoning district map amendment is consistent with and conforms to the adopted General Plan for a 5.1 +/- gross acre property located at 16576 N. 92nd Street.

3. Adopt Resolution No. 9958 declaring "Bahia Work/Live/Play Development Plan," as a public record.

4. Adopt Resolution No. 9969 authorizing Development Agreement 2014-188-2014 for construction of a Mixed Use Development located at 16576 N. 92nd Street.

NE Project: 14081 | September 17, 2014 | Beth Holliday

Figure No. 2

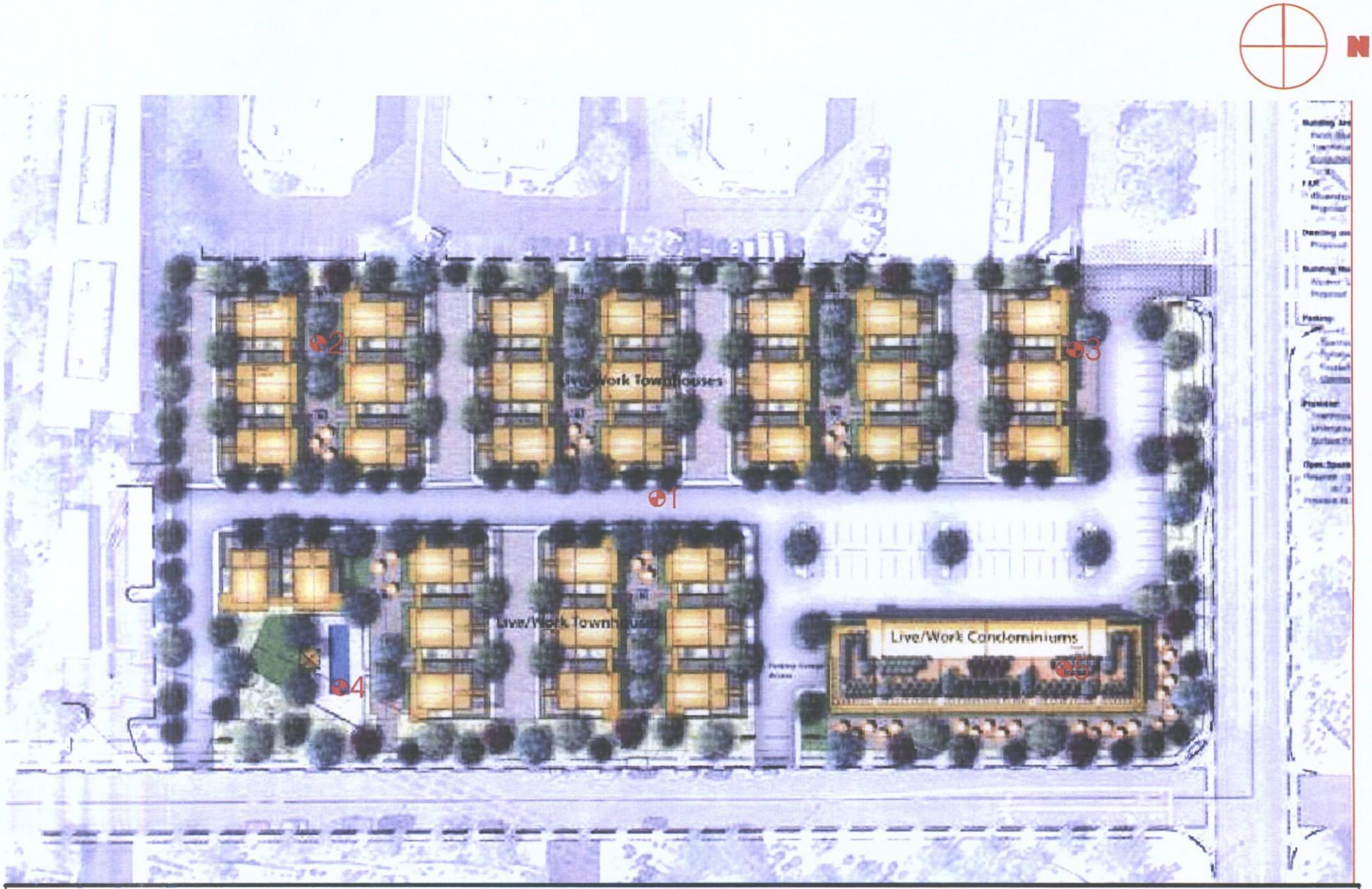
NoiseExpert.com

2850 E Laurel St
Mesa, AZ 85213
480-332-9325
www.noiseexpert.com
beth@noiseexpert.com

Catclar Investments—Bahia Work, Live, Play
Scottsdale, Arizona

DESCRIPTION: Airpark Contours

SCALE: N/A



NE Project: 14081 | September 17, 2014 | Beth Holliday

Figure No. 1

NoiseExpert.com

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www.noiseexpert.com
beth@noiseexpert.com

Catclar Investments—Bahia Work, Live, Play
Scottsdale, Arizona

DESCRIPTION: Measurement Locations

SCALE: N/A

A-Weighted Sound Level

Studies have shown conclusively that at equal sound pressure levels, people are generally more sensitive to certain higher frequency sounds (such as made by speech, horns, and whistles) than most lower frequency sounds (such as made by motors and engines)[1] at the same level. To address this preferential response to frequency, the A-weighted scale was developed. The A-weighted scale adjusts the sound level in each frequency band in much the same manner that the human auditory system does. Thus the A-weighted sound level (read as "dBA") becomes a single number that defines the level of a sound and has some correlation with the sensitivity of the human ear to that sound. Different sounds with the same A-weighted sound level are perceived as being equally loud. The A-weighted noise level is commonly used today in environmental noise analysis and in noise regulations. Typical values of the A-weighted sound level of various noise sources are shown in Table 3.

Equivalent Sound Level

The Equivalent Sound Level (L_{eq}) is a type of average which represents the steady level that, integrated over a time period, would produce the same energy as the actual signal. The actual *instantaneous* noise levels typically fluctuate above and below the measured L_{eq} during the measurement period. The A-weighted L_{eq} is a common index for measuring environmental noise.

Day-Night Average Sound Level

The day-night average sound level (DNL) descriptor is a 24-hour descriptor computed by averaging (on an energy basis) the hourly equivalent sound level (L_{eq}) measured in each hour during a 24-hour period after 10 dB is added to the levels measured between 10 PM and 7 AM.

1 D.W. Robinson and R.S. Dadson, "A Re-Determination of the Equal-Loudness Relations for Pure Tones," *British Journal of Applied Physics*, vol. 7, pp. 166 - 181, 1956. (Adopted by the International Standards Organization as Recommendation R-226).

As with the previous period, there was occasional airplane landing at the Scottsdale Airpark. Birds were audible at times.

The atmospheric conditions were hot and clear. Temperature was 100°F with relative humidity of 24%. There was a slight breeze from the southwest (5 mph).

Late Night (10 PM – 11 PM)
During the late night there was almost no traffic and no nearby aircraft activity. Distant traffic on the 101 and insects were the primary noise sources.

The atmospheric conditions were warm and clear. Temperature was 94°F with relative humidity of 29%. There was no measurable wind.

5.0 Acoustic Terminology

Sound Pressure Level
Sound, or noise, is the term given to variations in air pressure that are capable of being detected by the human ear. Small fluctuations in atmospheric pressure (sound pressure) constitute the physical property measured with a sound pressure level meter. Because the human ear can detect variations in atmospheric pressure over such a large range of magnitudes, sound pressure is expressed on a logarithmic scale in units called decibels (dB). Noise is defined as "unwanted" sound.

Technically, sound pressure level (SPL) is defined as:

$$SPL = 20 \log (P/P_{ref}) \text{ dB}$$

where P is the sound pressure fluctuation (above or below atmospheric pressure) and P_{ref} is the reference pressure, 20 μPa, which is approximately the lowest sound pressure that can be detected by the human ear.

The sound pressure level that results from a combination of noise sources is not the arithmetic sum of the individual sound sources, but rather the logarithmic sum. For example, two sound levels of 50 dB produce a combined sound level of 53 dB, not 100 dB. Two sound levels of 40 and 50 dB produce a combined level of 50.4 dB.

Human sensitivity to changes in sound pressure level is highly individualized. Sensitivity to sound depends on frequency content, background noise, time of occurrence, duration, and psychological factors such as emotions and expectations. However, in general, a change of 1 or 2 dB in the level of sound is difficult for most people to detect. A 3 dB change is commonly taken as the smallest perceptible change and a 6 dB change corresponds to a noticeable change in loudness. A 10 dB increase or decrease in sound level corresponds to an approximate doubling or halving of loudness, respectively.

Table 2 Measured Hourly L_{eq} and Estimated DNL Sound Level (dBA)						
Date	**Hour**	**Location 1**	**Location 2**	**Location 3**	**Location 4**	**Location 5**
Monday Sept. 15, 2014	5 AM – 6 AM	47	42	46	43	43
	6 AM – 7 AM	52	46	50	45	53
	11AM– noon	54	46	53	46	56
	noon – 1 PM	52	46	52	47	55
	5 PM – 6 PM	50	45	52	44	53
	6 PM – 7 PM	50	47	51	43	51
	10PM –11 PM	43	40	41	39	41
Day Night Level		**54**	**49**	**53**	**49**	**54**

4.4 Measurement Observations

The primary noise sources in the vicinity of the site include: traffic on Bahia Drive, traffic and pedestrians walking on 92nd Street, activities in the adjacent lot to the west, and to a lesser extent aircraft at the Scottsdale Airpark (taking off, landing, helicopters)

Morning (5 AM – 7 AM)

The primary noise source during early morning hours was traffic Bahia Drive and 92nd Street. Traffic was periodic levels generally around 55dBA. Vehicular traffic would occasionally produce levels of 60 to 65 dBA when they passed the site.

There was occasional airplane landing at the Scottsdale Airpark. The site is north east of the airpark so only planes arriving were observed from the site. Departures head south and are not audible from the site. Birds were audible at times.

The atmospheric conditions were warm and clear. Temperature was approximately 88°F with relative humidity of 55%. There was no wind, it was calm.

Afternoon (11 AM – 1 PM)

The afternoon period was similar to the morning except traffic volumes reduced later in this period. The primary noise source during mid-day hours was traffic on Bahia Drive and 92nd Street.

As with the previous period, there was occasional airplane landing at the Scottsdale Airpark. Birds were audible at times.

The atmospheric conditions were hot and clear. Temperature was approximately 97°F with relative humidity of 25%. There was a slight breeze from the southeast (3 mph).

Evening (5 PM – 7 PM)

The evening period was similar to the morning and afternoon. The primary noise source during evening hours was traffic on Bahia Drive and 92nd Street.

The hourly measured results are shown in Table 2. The DNL at Location 1 was 54 dBA. The DNL at the other 4 locations were between 49 and 54 dBA. These are below the HUD site acceptability standard of 65 dBA.

east. Planes departing that day flew out to the southwest and were not audible. In general planes are louder departing from the acceleration of the engine.

Sixty-four units each are proposed on this site as well as one larger building to include 14 condominiums on floors 2-6. The site is shown in Figure 1 along with the measurement locations.

4.0 Noise Measurements

4.1 Measurement Procedure

Noise levels were measured using two Larson Davis Model 820 sound level meters that meet the American National Standard Institute (ANSI) requirements for Type 1 sound level meters. The meters' detectors were set at "slow" response. The microphones were located approximately five feet above the ground. The meters have a built-in microprocessor and memory capability that allow calculations and storage of a variety of statistical data. The sound level meters were field-calibrated prior to, and checked immediately after, the noise measurements.

Noise measurements were started at 5 AM on Monday, September 15, 2014 and completed at 11 PM on the same day. Observations were made during the measurement periods.

4.2 Measurement Locations

Noise levels were measured at the center of the site, shown in Figure 1 and described below. Noise measurement samples were made around the perimeter of the site with an additional sound level meter.

Location 1 - at the center of the proposed Bahia Work, Live, Play Complex.

Location 2 – at the southwest end of the proposed Bahia Work, Live, Play Complex. Measurements were made approximately 40 feet from the west property line and approximately 80 feet from the south property line with office warehouse spaces to the west and to the south.

Location 3 – at the northwest end of the proposed Bahia Work, Live, Play Complex. Measurements were made approximately 75 feet from the west property line and approximately 100 feet from the north property line with office warehouse spaces to the west and Bahia drive to the north.

Location 4 – at the southeast end of the proposed Bahia Work, Live, Play Complex. Measurements were made approximately 75 feet from the east property line and approximately 100 feet from the south property line with covered parking spaces to the south and 92nd Street to the east.

Location 5 – at the northeast end of the proposed Bahia Work, Live, Play Complex. Measurements were made approximately 60 feet from the east property line and approximately 90 feet from the north property line with 92nd Street to the east and Bahia Drive to the north.

4.3 Measurement Results

2.0 HUD Regulations

The U.S. Department of Housing and Urban Development (HUD) uses the day-night average sound level, abbreviated DNL, to evaluate external noise environments at a site. The DNL descriptor is a 24-hour descriptor computed by averaging (on an energy basis) the hourly equivalent sound level (L_{eq}) measured in each hour during a 24-hour period after 10 dB is added to the levels measured between 10 PM and 7 AM.

As stated in Title 24, Code of Federal Regulations 51.103(c), the degree of acceptability of the noise environment is determined by the sound levels at a location two meters (6.5 feet) from the building housing noise sensitive activities in the direction of the predominant noise source. The site acceptability standards are shown in Table 1.

Table 1
HUD Site Acceptable Standards

Acceptability	DNL (dBA)	Special approvals and requirements
Acceptable	Not exceeding 65[1]	None
Normally Unacceptable	Above 65 but not exceeding 75	Special approvals, environmental review, attenuation[2]
Unacceptable	Above 75	Special approvals, environmental review, attenuation[3]

Note 1 Acceptable threshold may be shifted to 70 dBA in special circumstances.
Note 2 5 dB additional attenuation required for sites above 65 dBA but not exceeding 70 dBA and 10 dBA additional attenuation required for sites above 70 dBA but not exceeding 75 dBA.
Note 3 Attenuation measures to be submitted to the Assistant Secretary for Community Planning and Development for approval on a case-by-case basis.
Source: 24 CFR 51.103

3.0 Description of Site

The site is located at the southwest corner of 92nd Street and Bahia Drive, Scottsdale, Arizona. This location is a vacant lot surrounded by industrial office warehouse spaces buildings. The vacant lot has scrub brush and is relatively flat.

The site is bounded on the north by Bahia drive, on the east by 92nd Street, on the south and west by Industrial Park businesses. The Scottsdale Airpark runway is located approximately one mile southwest of the site. The site is located outside of the extrapolated DNL 50 contour of the Scottsdale Airpark. The site is shown in Figure 2.

According to Air Traffic Activity System (ATADS) on Monday September 15, 2014, the air traffic at the Scottsdale Airport was reported to have had 308 operations (which could be a plane taking off or landing). The planes consisted of Air Taxi, General Aviation, and Civil and it was an average flight day. From the site the planes observed were landing and coming from the north

Noise Expert
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September 24, 2014

Prepared For:
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michaelz@catlar.com

Prepared By:
Beth Ann Holliday

Beth Holliday
Acoustical Consultant

RE: Catclar Investments Noise Study – Scottsdale Airpark Report (NE 14081)

1.0 Summary

At your request, Noise Expert conducted noise measurements throughout a 24-hour period to determine if the site at 92nd and Bahia, near the Scottsdale Airpark is appropriate for residential living spaces.

The HUD regulation considers properties acceptable where the day-night average sound level (DNL) does not exceed 65 dBA, normally unacceptable where the DNL is above 65 dBA and not exceeding 75 dBA, and unacceptable where the DNL is above 75 dBA.

Noise levels were measured to be DNL 49 to 54 dBA. The primary noise source at the site was traffic on Bahia Drive and to a lesser degree aircraft noise associated with the Scottsdale Airpark. During the measurement period local traffic included cars, delivery trucks, and an occasional motor cycle. The observed traffic averaged 59 dBA. The observed overhead traffic from the planes averaged 54 dBA.

For the benefit of the reader, an Acoustic Terminology section is provided in Section 5.0.

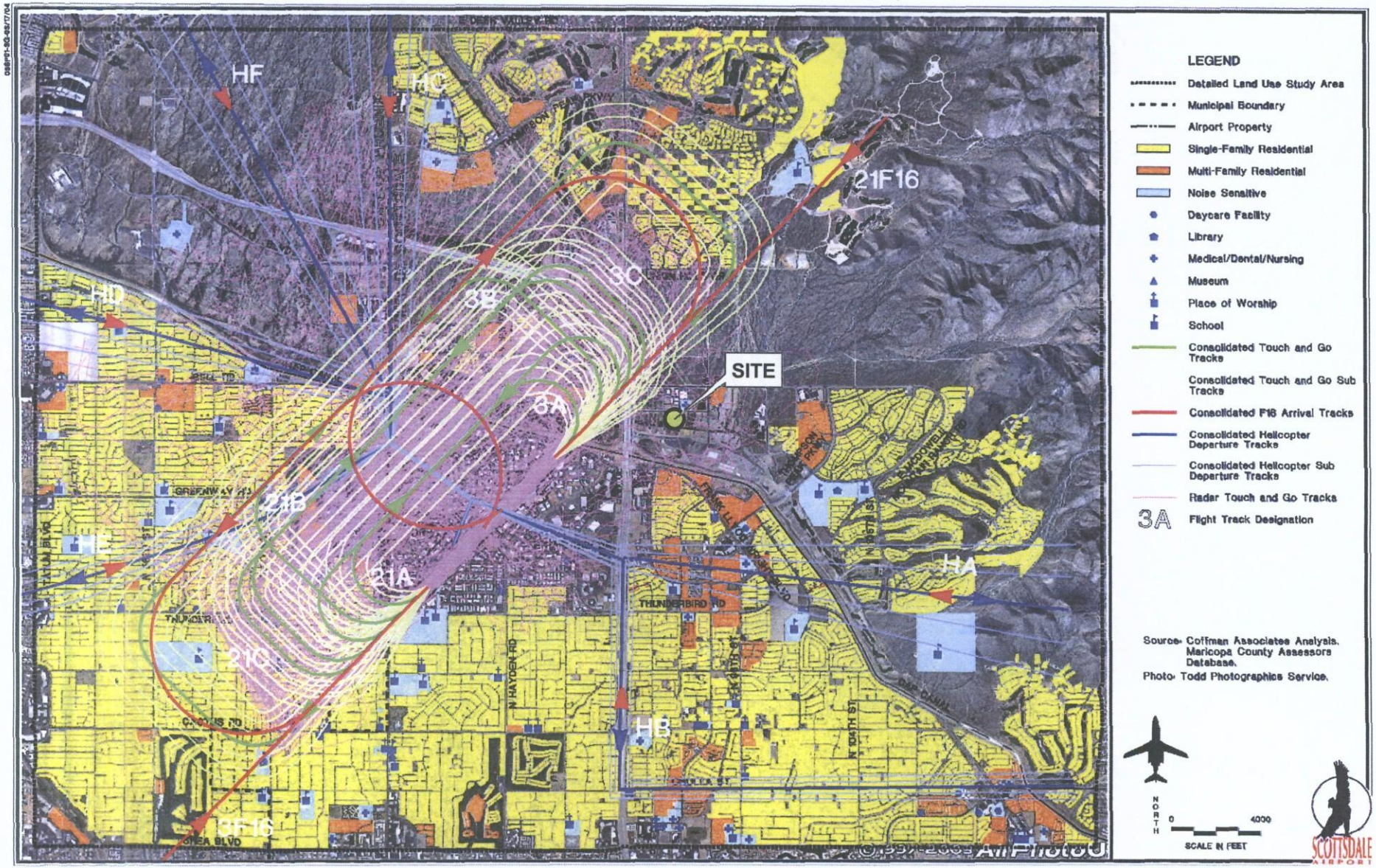
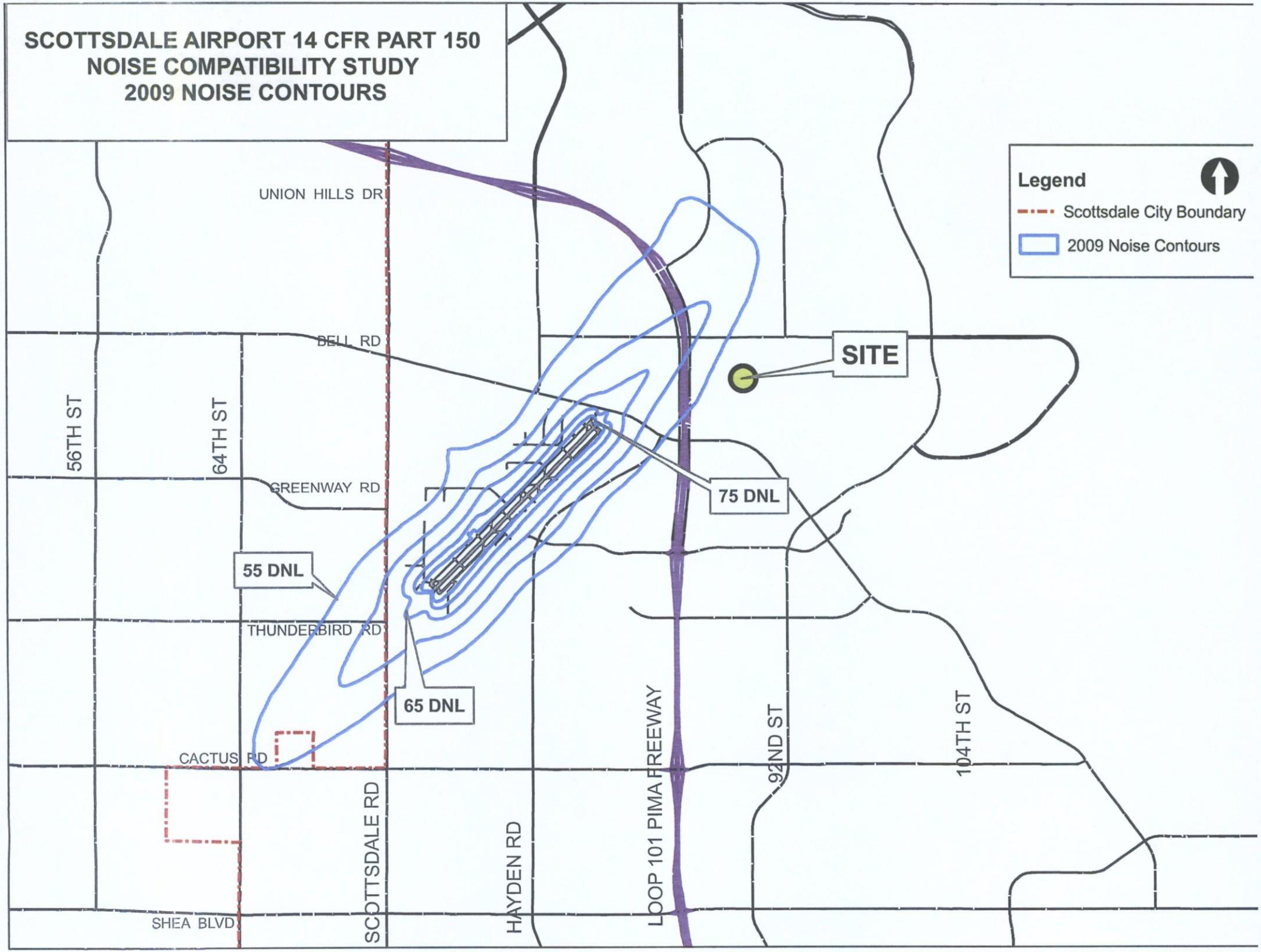
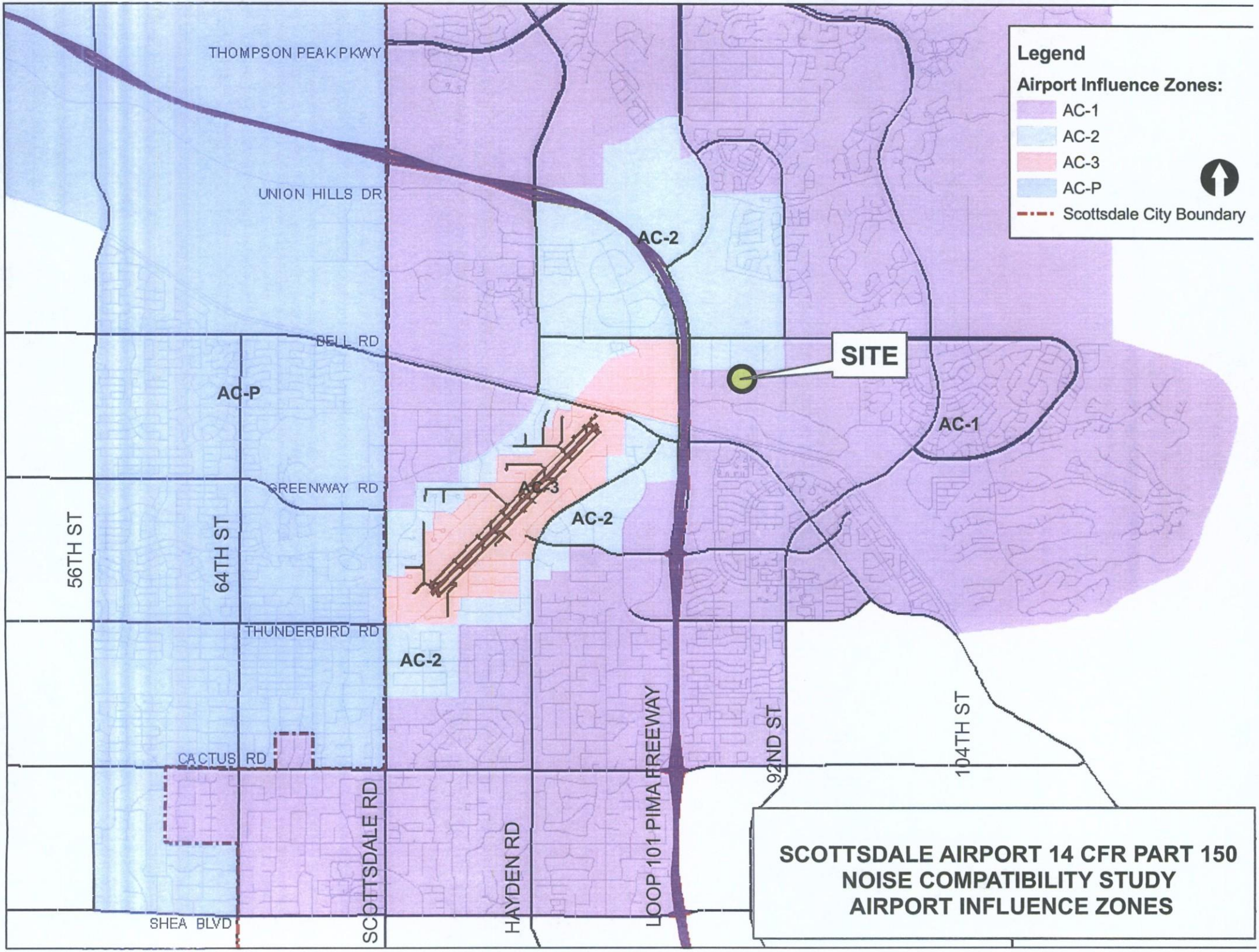


Exhibit 3G
EXISTING AND FUTURE CONSOLIDATED F16 ARRIVAL, TOUCH & GO AND HELICOPTER TRACKS


SCOTTSDALE AIRPORT 14 CFR PART 150
NOISE COMPATIBILITY STUDY
2009 NOISE CONTOURS
Legend
Scottsdale City Boundary
2009 Noise Contours
SITE
75 DNL
65 DNL
55 DNL
UNION HILLS DR
BELL RD
GREENWAY RD
THUNDERBIRD RD
CACTUS RD
SHEA BLVD
56TH ST
64TH ST
SCOTTSDALE RD
HAYDEN RD
LOOP 101 PIMA FREEWAY
92ND ST
104TH ST


Legend
Airport Influence Zones:
AC-1
AC-2
AC-3
AC-P
Scottsdale City Boundary
SITE
AC-1
AC-2
AC-2
AC-2
AC-3
AC-P
THOMPSON PEAK PKWY
UNION HILLS DR
BELL RD
GREENWAY RD
THUNDERBIRD RD
CACTUS RD
SHEA BLVD
56TH ST
64TH ST
SCOTTSDALE RD
HAYDEN RD
LOOP 101 PIMA FREEWAY
92ND ST
104TH ST
SCOTTSDALE AIRPORT 14 CFR PART 150
NOISE COMPATIBILITY STUDY
AIRPORT INFLUENCE ZONES

Bahia Drive - East Elevation
esc 1" = 20' - 0"

92nd Street - North Elevation
esc 1" = 20' - 0"

Rear West Elevation
esc 1" = 20' - 0"

Rear South Elevation
esc 1" = 20' - 0"

14-ZN-2014
8/28/2014

618-PA-2014

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Scottsdale, Arizona 85267-3720
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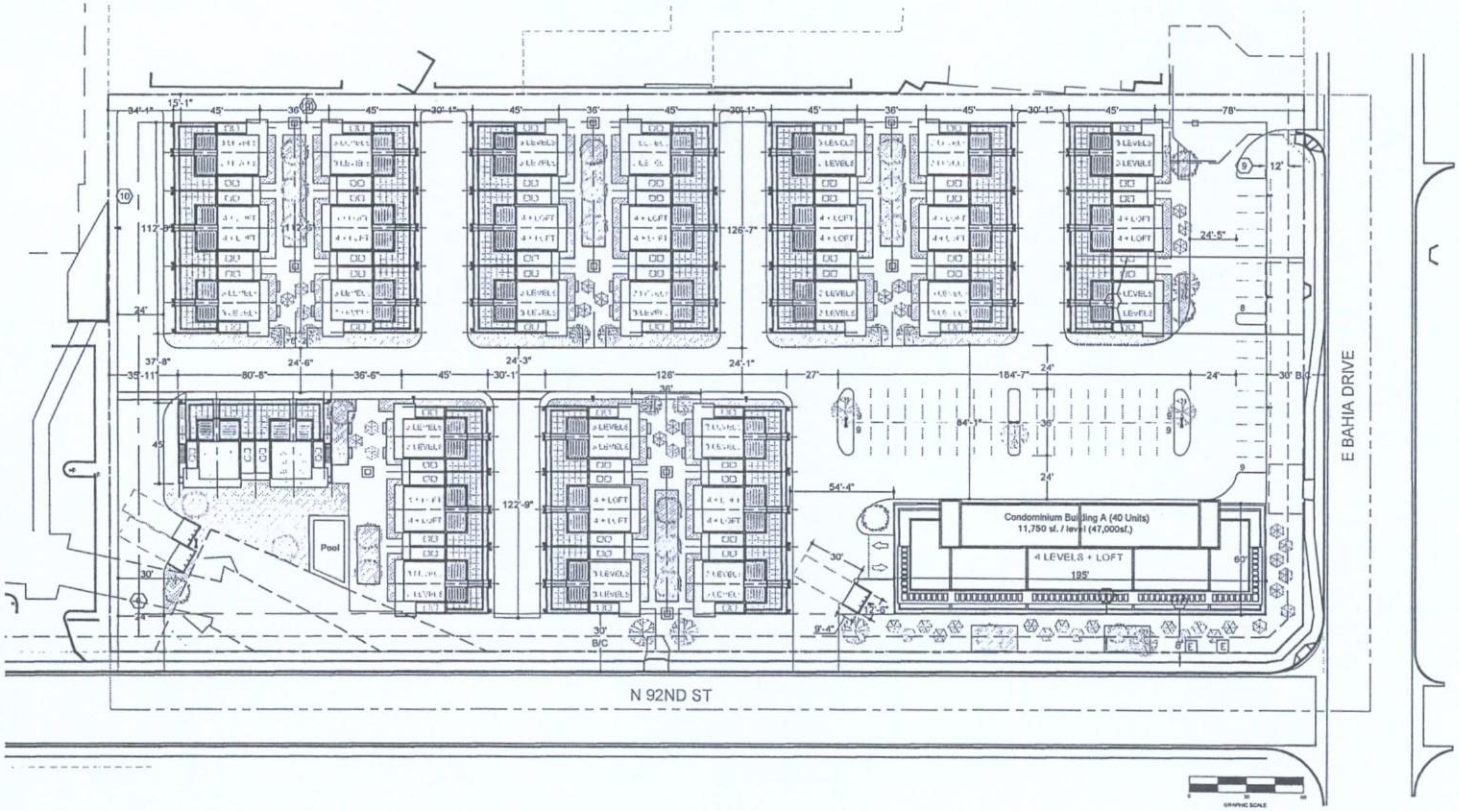
BAHIA WORK LIVE PLAY

SCOTTSDALE, ARIZONA

GLO LOT 21 - BAHIA DRIVE AND 92ND STREET

REVISION
REVISION
REVISION
REVISION

DATE 08-28-2014
ARCHITECT BING HU
PROJ. MANAGER
PROJECT NUMBER 1438
SCALE
DRAWNBY
CHECKED BY BH
SHEET TITLE



1 SITE PLAN
SCALE: 1" = 30'-0"

Bahia Airpark Project Information

Aug 12, 2014

Site Area: 187,318 s.f. (or approx.. 4.3 acs)
Current Zoning: I-1, PCD
Proposed Zoning: PCD with PCP overlay

Building Area and Unit Counts:

Retail/Restaurant:	10,000 sf	
Condominiums:	36,000 sf	14 units
Townhouses:	171,800 sf	64 units
Total	222,800 sf	78 units

FAR:

Allowed (base): 0.8 (plus bonus up to 1.6)
Proposed: 1.2

Dwelling units per Acre:

Proposed: 18.2 DU/A

Building Height:

Allowed: Up to 92 ft with bonus (base height 54 ft)
Proposed: 65 ft.

Parking:

Required:

Townhouses:	64 units @ 2 per unit	128 spaces
Condominiums:	14 units @ 1.8 average	26 spaces
Restaurant:	3,000 sf @ 1/50 public	30 spaces
Commercial:	7,000 sf @ 1/200	35 spaces
		217 spaces

Provided:

Townhouses:	128 spaces
Underground Parking:	36 spaces
Surface Parking:	58 spaces
	222 spaces

Open Space:

Required: 25% of net site area
187,318 sf x 25% = 46,830 sf of Open Space
Provided: 49,200 sf (26.2%)

14-ZN-2014
8/28/2014

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BAHIA WORK LIVE PLAY

SCOTTSDALE, ARIZONA

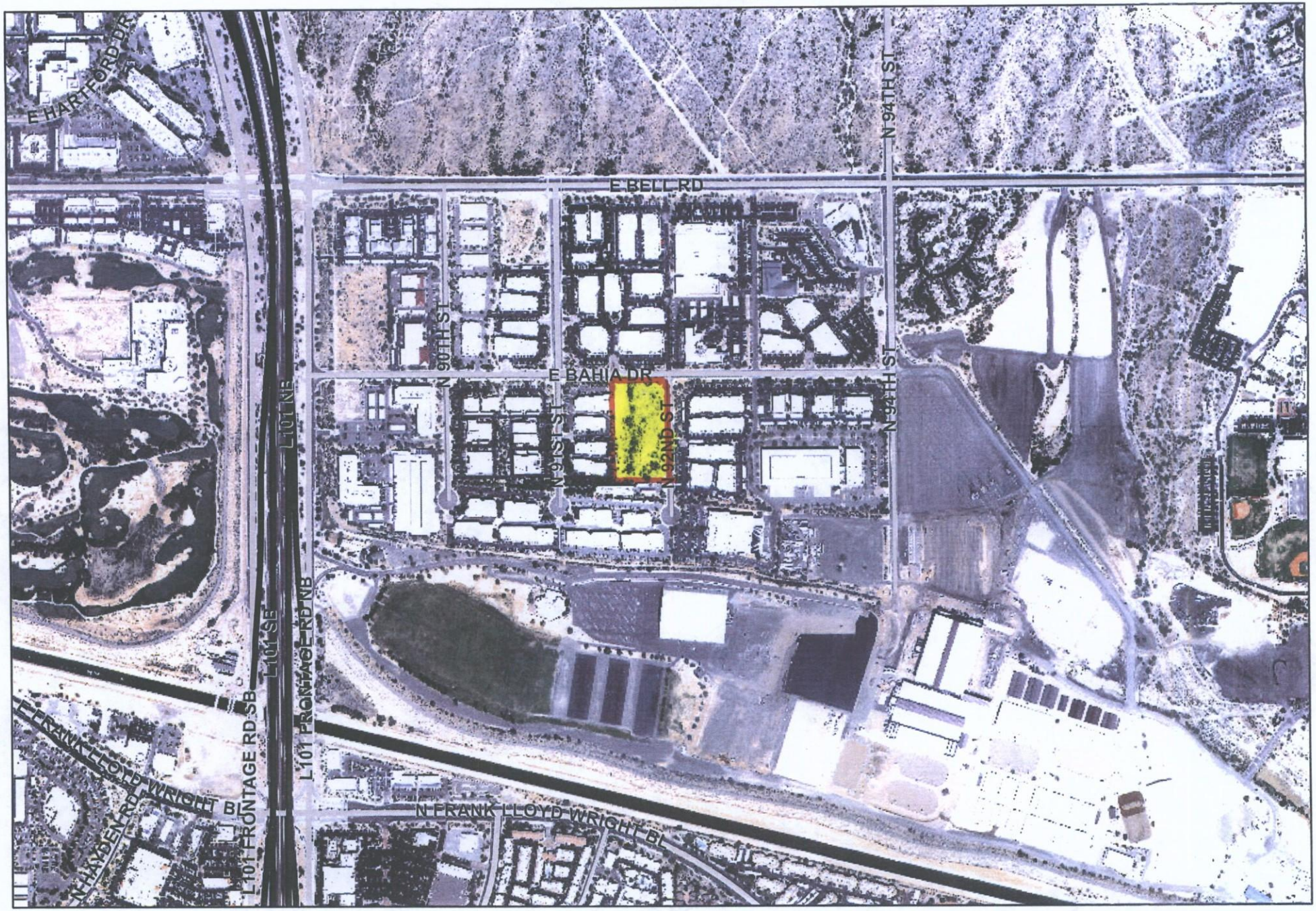
GLO LOT 21 - BAHIA DRIVE AND 92ND STREET

REVISION
REVISION
REVISION

DATE 08-28-2014
ARCHITECT RING HU
PROJECT MANAGER
PROJECT NUMBER 3L10
SCALE AS NOTED
DRAWN BY
CHECKED BY RH
SHEET TITLE
ROOF SITE PLAN
AS-1.1
BAHIA WORK LIVE PLAY

618-PA-2014

16576 N. 92nd Street



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CITY OF SCOTTSDALE
City of Scottsdale GIS

Attachment(s):
1. Vicinity Map/Context Aerial
2. Site Plan
3. Streetscape Elevations
4. Part 150 Airport Influence Zones Map
5. Part 150 Noise Contours Map
6. Part 150 Helicopter Arrival/Departure Routes Map
7. Noise Study

Action Taken:

SCOTTSDALE AIRPORT
SDL

COMMISSION ACTION REPORT

Discussion and Possible Action to recommend to City Council for cases 6-GP-2014 and 14-ZN-2014 (Bahia Work/Live/Play)

Agenda Item No.: 1

Meeting Date: 10/8/14

Staff Contact: Greg Bloemberg
Senior Planner

Phone: (480) 312-4306

ACTION

Discussion and Possible Action to recommend approval of the following:

- Non-Major General Plan amendment to the 2001 General Plan to change the site designation from Employment to Mixed-Use Neighborhoods,
- Non-Major General Plan amendment to the Greater Airpark Character Area Plan (GACAP) to change the site designation from Employment to Airpark Mixed Use – Residential (AMU-R)
- Amendment to the amended development standards approved as part of the Horseman's Park Planned Community District (PCD) zoning case (33-ZN-2000) *for this site only*; specifically, increase the allowed Floor Area Ratio (FAR) for "commercial parcels" from 0.3 to 1.2 and the allowed building height from 42 feet (inclusive of rooftop appurtenances) to 77 feet (inclusive of rooftop appurtenances),
- Zoning District Map Amendment to amend the PCD zoning from the comparable Industrial Park District (I-1 PCD) to Planned Airpark Core Development District, Airpark Mixed Use – Residential (PCP AMU-R PCD), including a Development Plan, for a +/- 4.5 acre site located at 16576 N. 92nd Street.

PURPOSE

To provide the Airport Advisory Commission information on the proposed Non-Major General Plan Amendments and zoning district map amendments for a site located within the Airport Influence Area, as it relates to the 14 CFR Part 150 Noise Compatibility Study, and possible action to recommend to City Council.

KEY CONSIDERATIONS

- Proximity of proposed site to Scottsdale Airport (approximately 5,200 feet northeast of runway)
- Proposed site located within the AC-1 area of the Airport Influence Zones (just outside the AC-2 area)
- Scottsdale Airport 14 CFR Part 150 Noise Compatibility Study Land Use Measures 1, 2 and 3 triggered
- Airport Overlay Zone Matrix permits proposed uses in the AC-1 area with conditions
- 78 residential units proposed
- Maximum 77 foot building height (inclusive of rooftop appurtenances) proposed
- Concerns raised by Westworld, Long Range Planning and Transportation staff, specifically related to use compatibility, introduction of residential to an Employment area and traffic

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

Commission Recommendations

- Airport Advisory Commission recommended approval by a vote of 4-3.
- Planning Commission heard these cases on November 12, 2014 and recommended approval with a unanimous vote of 5-0, with an added stipulation to provide full disclosure to future residents of the proximity of residential to light industrial, Scottsdale Airport, and Westworld event facilities.

Zoning Key Considerations

- Maintains FAR for employment anticipated by the Horseman's Park PCD
- Special Improvements to be provided for bonus height and FAR per the PCP zoning district
- Unique "work/live" concept with supporting commercial
- Concerns raised: Introduction of residential to an employment area, proximity of residential to the City's major event venue (Westworld), and traffic

6-GP-2014 and 14-ZN-2014

General Plan Key Considerations

- Sets a precedent of residential in a non-residential, employment area and potential continued erosion of the City's primary employment center and land use

- Employment is the only category that allows light manufacturing and warehousing uses, currently totaling 2% of the City's total land use

- Proposal's massing is not consistent with the description of Type A development per the Greater Airpark Character Area Plan

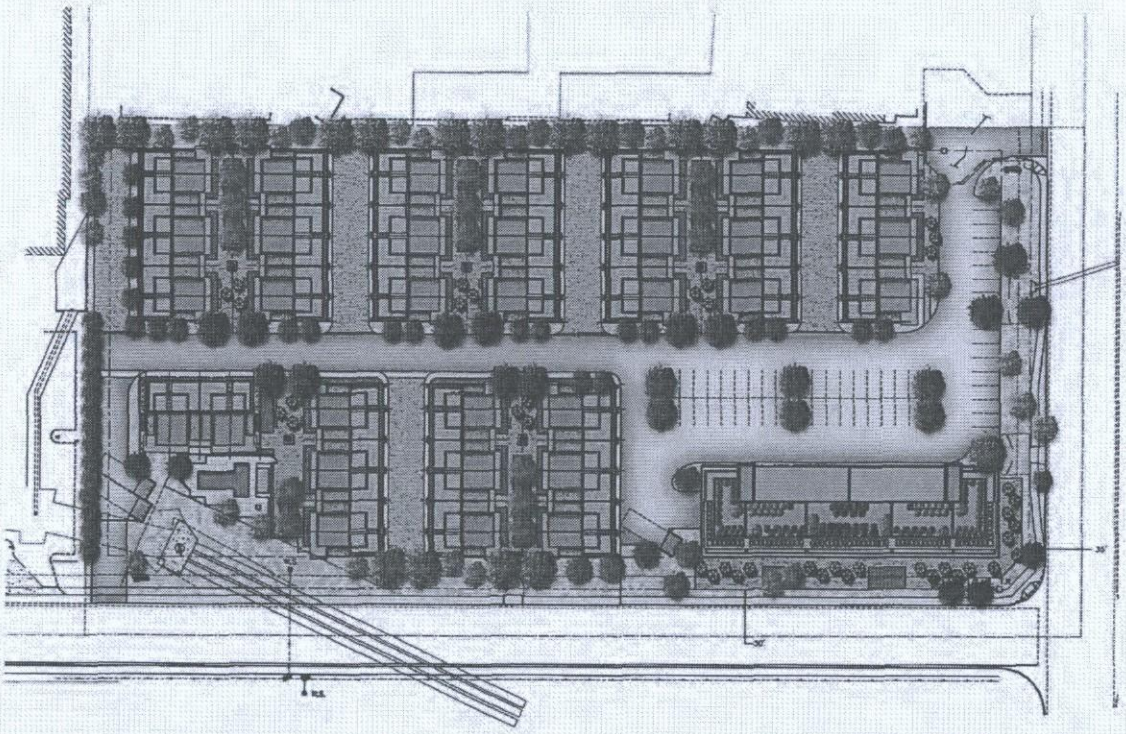
6-GP-2014 and 14-ZN-2014

Bahia Work Live Play Project

Horseman's Park ASDS (33-ZN-2000)		Allowed (Standard I-1 zoning)	Allowed (Standard PCP zoning)	
Building Height	42 feet (inclusive of rooftop appurtenances)	52 feet (inclusive of rooftop appurtenances)	54 feet (inclusive of rooftop appurtenances) Bonus height available: 92 feet	65 feet (inclusive of rooftop appurtenances)
Floor Area Ratio	0.3 (for commercial parcels) 0.4 (for industrial parcels)	0.8	0.8 Bonus FAR available: 1.6	1.2

AMENDED SITE DEVELOPMENT STANDARDS 6-GP-2014 and 14-ZN-2014

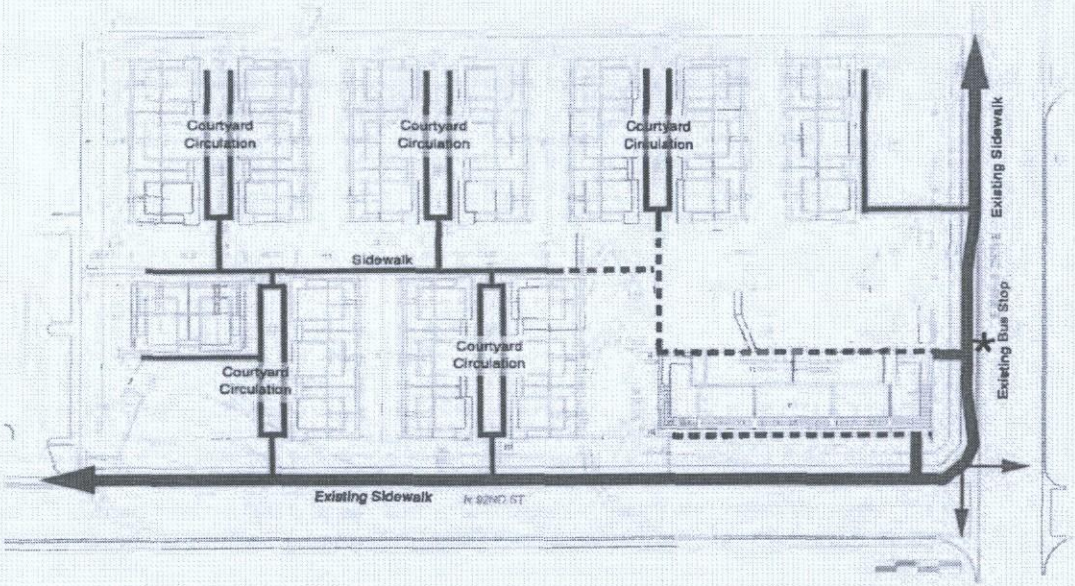
Bahia Work Live Play Project



LANDSCAPE PLAN

6-GP-2014 and 14-ZN-2014

Bahia Work Live Play Project

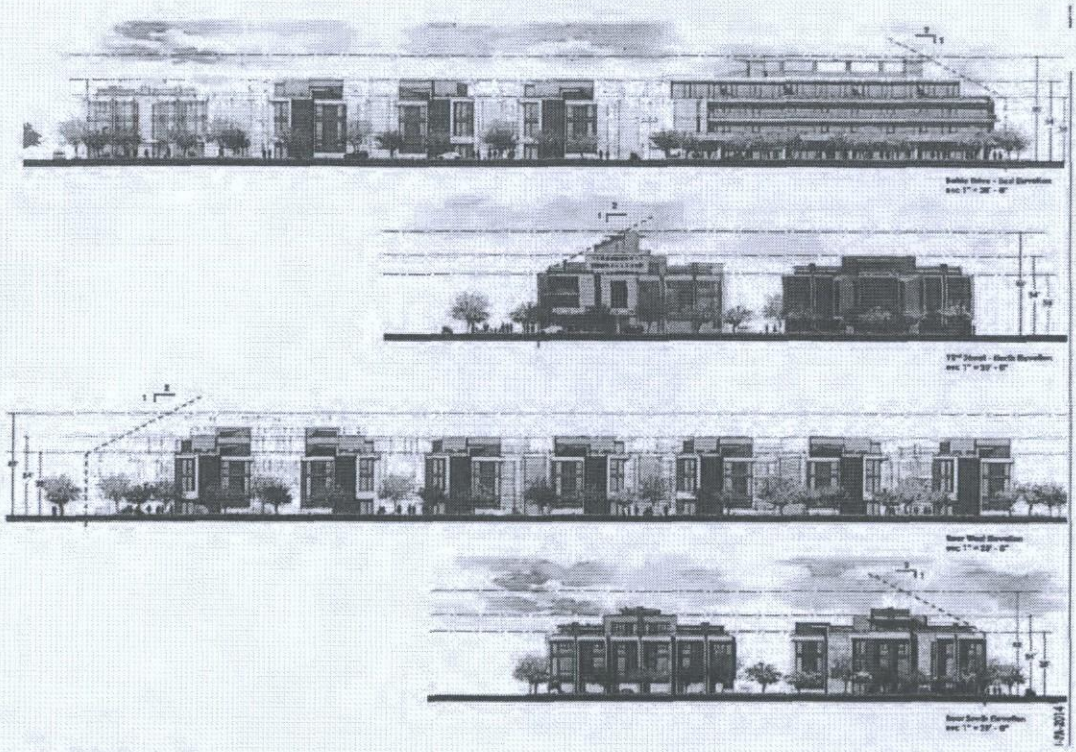


Indicates Pedestrian Circulation Path/Sidewalk

Pedestrian Circulation Plan

PEDESTRIAN CIRCULATION **6-GP-2014 and 14-ZN-2014**

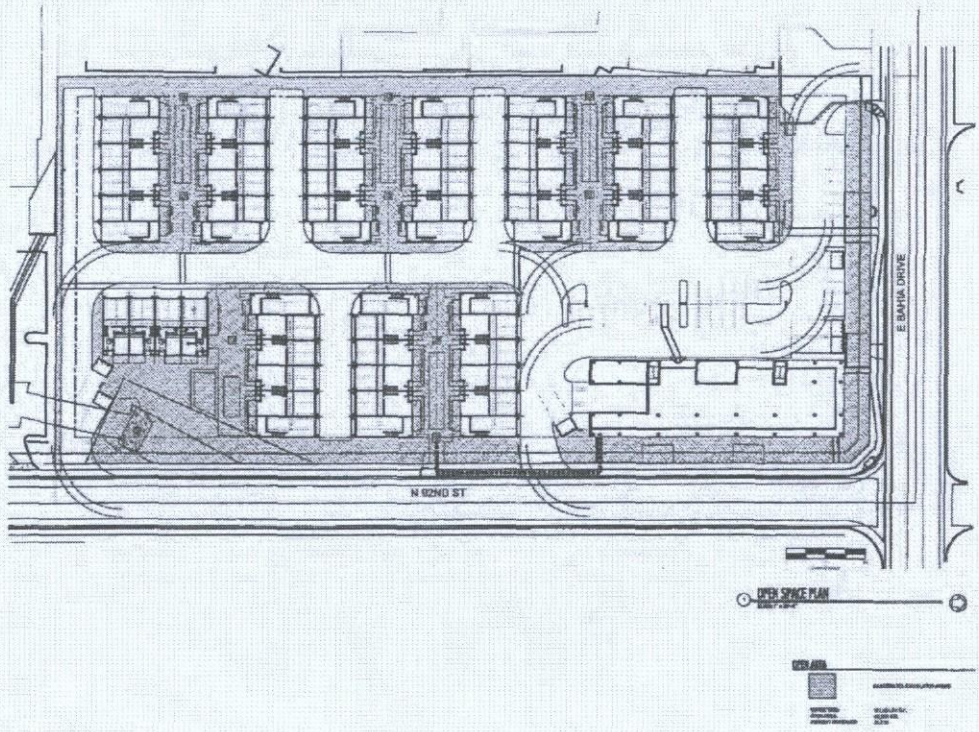
Bahia Work Live Play Project



ELEVATIONS

6-GP-2014 and 14-ZN-2014

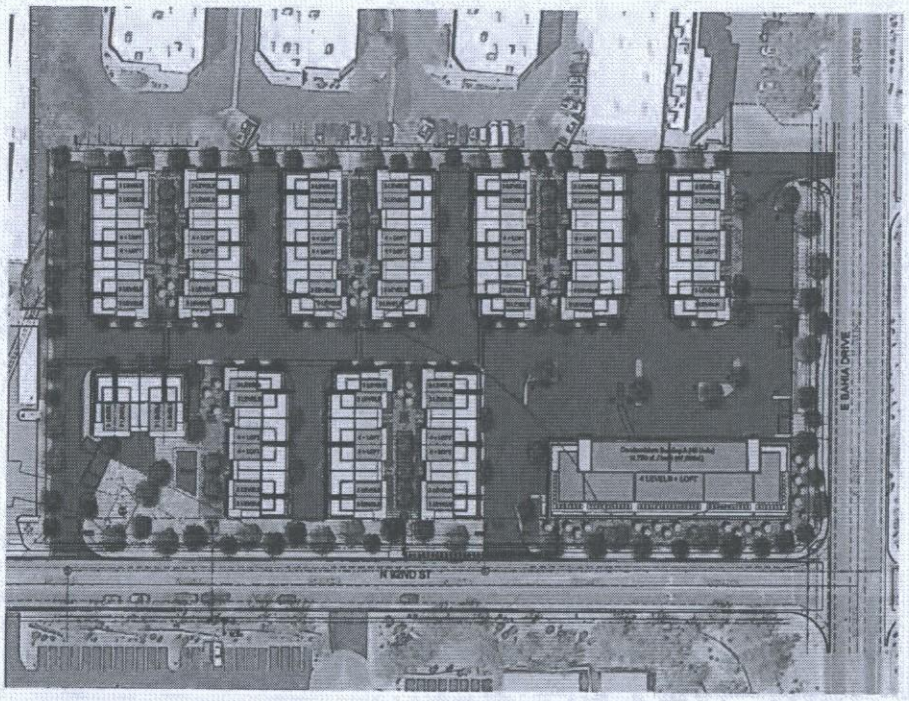
Bahia Work Live Play Project



OPEN SPACE

6-GP-2014 and 14-ZN-2014

Bahia Work Live Play Project



Floor Area Ratio

Employment: 0.48

Residential: 0.67

Commercial: 0.05

Total FAR: 1.2

Building Height

65 feet max. (inclusive of rooftop appurtenances)

SITE PLAN

6-GP-2014 and 14-ZN-2014

Bahia Work Live Play Project

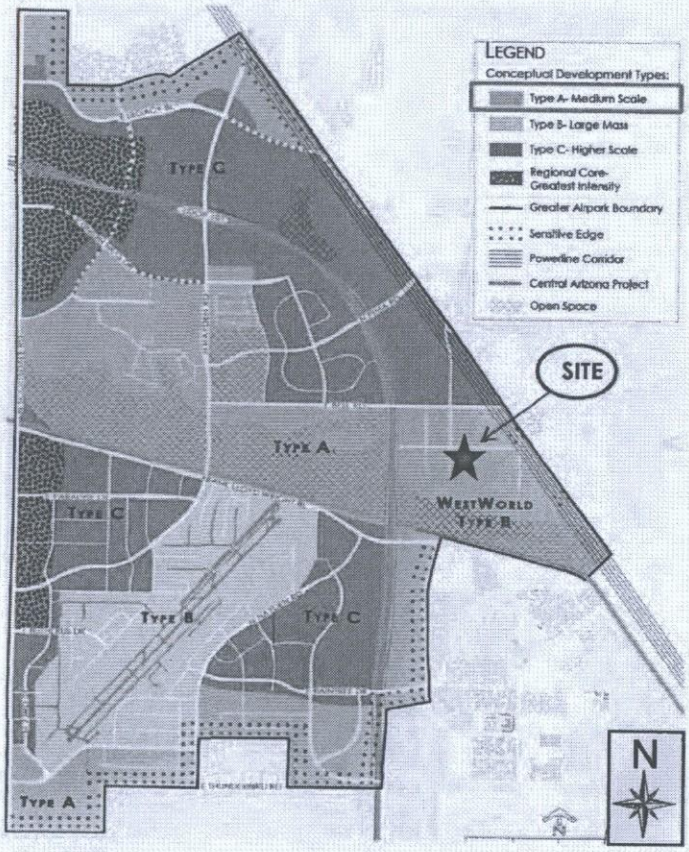
Zoning Map

6-GP-2014 and 14-ZN-2014

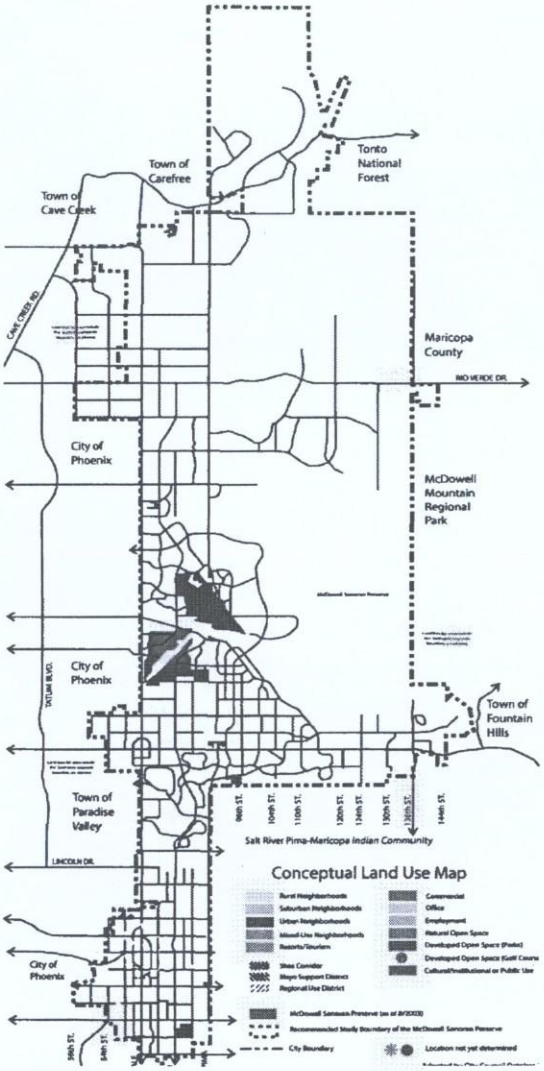
ZONING

6-GP-2014 and 14-ZN-2014

Greater Airpark Character Area Development Types Map



6-GP-2014 and 14-ZN-2014



General Plan Employment Land Use

- <u>GP Employment Citywide</u>:
  2168 +/- acres (2% of City's land use)

- <u>GP Employment in GAPCAP</u>:
  1733 +/- acres

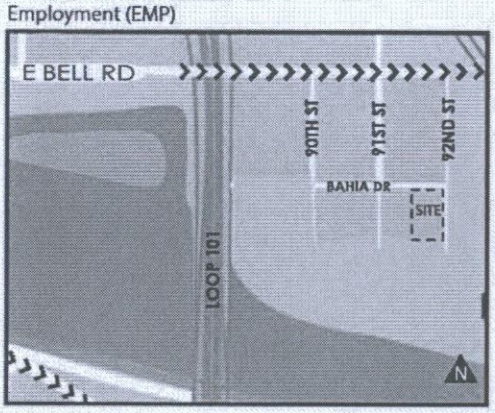
6-GP-2014 and 14-ZN-2014

Bahia Work Live Play Project

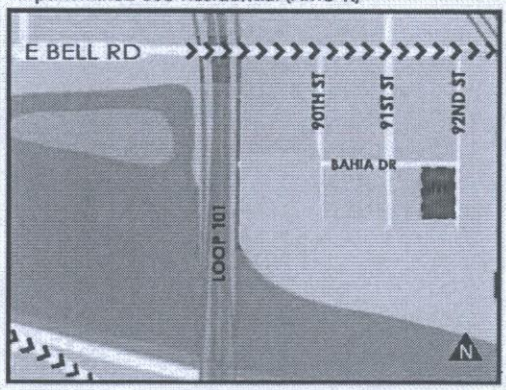
Case: 6-GP-2014 - Greater Airpark Character Area Plan Land Use Plan Map

Bahia Live Work Play Project

Existing Land Use Designation:
Employment (EMP)



Proposed Land Use Designation:
Airpark Mixed Use-Residential (AMU-R)



LEGEND

Land Use Plan:

- Airpark Mixed Use-Residential (AMU-R)
- Airpark Mixed Use (AMU)
- Regional Tourism (RT)
- Employment (EMP)
- Aviation (AV)
- Open Space (OS)
- AV or AMU
- Greater Airpark Boundary
- Signature Corridor
- Powerline Corridor
- Central Arizona Project

Applicant's Request:

A proposal for a non-major General Plan amendment to the Greater Airpark Character Area Plan from the Employment (EMP) land use designation to the Airpark Mixed Use-Residential (AMU-R) land use designation on an approximate 5.1 +/- acre site.

N

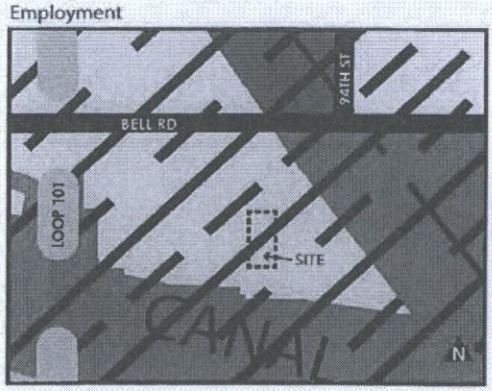
2010 GREATER AIRPARK PLAN – LAND USE 6-GP-2014 and 14-ZN-2014

Bahia Work Live Play Project

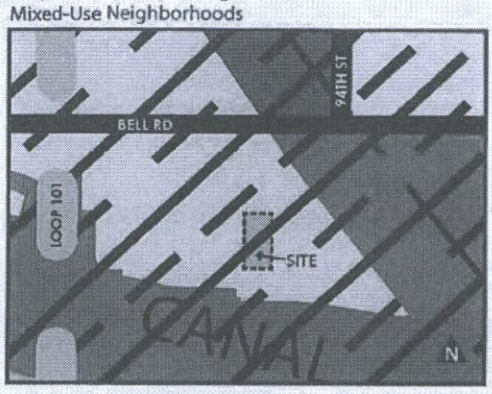
Case: 6-GP-2014 - City of Scottsdale General Plan 2001 Land Use Map

Bahia Live Work Play Project

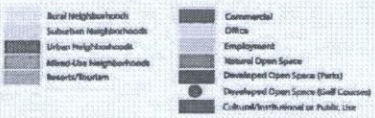
Existing Land Use Designation:
Employment



Proposed Land Use Designation:
Mixed-Use Neighborhoods



Land Use Map Legend



Applicant's Request:

A proposal for a non-major General Plan amendment to the City of Scottsdale General Plan 2001 from the Employment land use designation to the Mixed-Use Neighborhoods land use designation on an approximate 5.1 +/- acre site.

2001 GENERAL PLAN – LAND USE **6-GP-2014 and 14-ZN-2014**

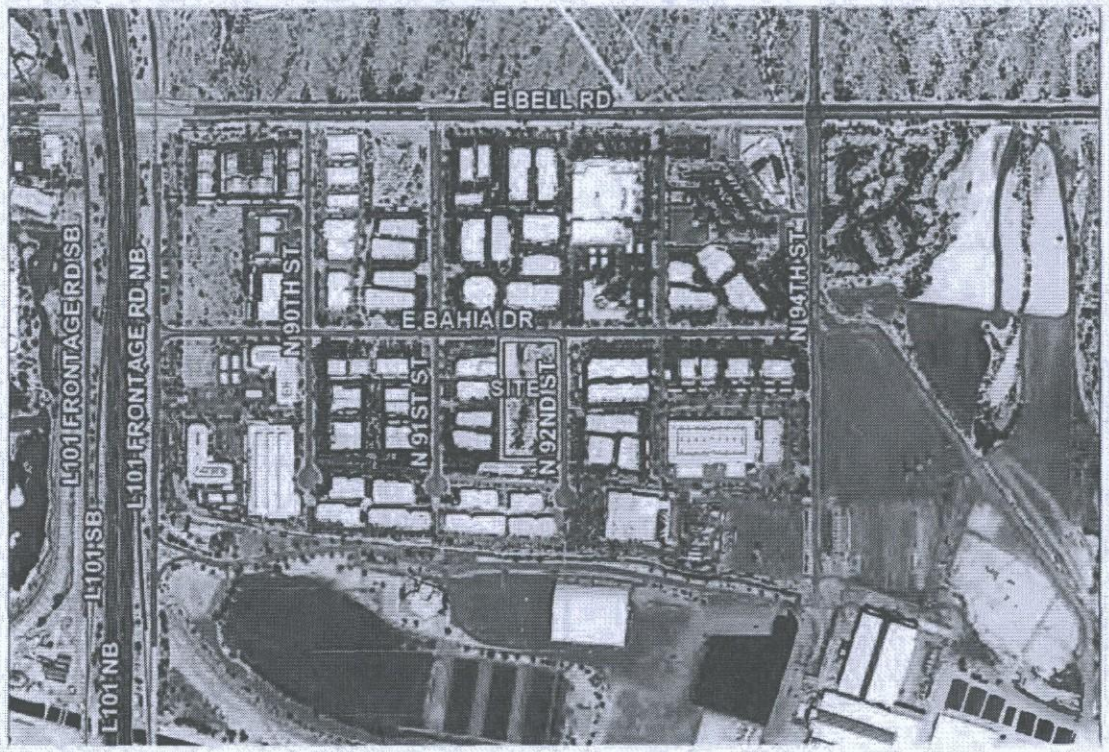
Bahia Work Live Play Project

N

CLOSE AERIAL

6-GP-2014 and 14-ZN-2014

Bahia Work Live Play Project



CONTEXT AERIAL

6-GP-2014 and 14-ZN-2014

Bahia Work/Live/Play Project

6-GP-2014 and 14-ZN-2014

City Council

December 2, 2014

Coordinator: Greg Bloemberg

ITEM 47

Mr. Tim Curtis said that can be added to the disclosures regarding the proximity of the Airport and WestWorld. Mr. Berry noted that stipulation 5 requires the developer to submit their CC&Rs to staff. They are required to make these disclosures and provide the public report to buyers. The developer would commit to ensuring that the deed restrictions and other notices includes disclosure of the proximity to the Airport and WestWorld and that the project is located in an industrial area. The developer was already planning to do this and has no objection to including this in the stipulations.

Commissioner Kush said it is important that homeowners understand the implications of the disclosures, for example that proximity to WestWorld means traffic and noise from events.

COMMISSIONER BRANTNER MADE A MOTION TO RECOMMEND THAT CITY COUNCIL APPROVE CASE 6-GP-2014 AND 14-ZN-2014 PER THE STAFF RECOMMENDED STIPULATIONS AND AFTER DETERMINING THAT THE PCD FINDINGS HAVE BEEN MET AND THE PROPOSED ZONING MAP AND DEVELOPMENT PLAN ARE CONSISTENT AND CONFORM WITH THE ADOPTED GENERAL PLAN, WITH THE ADDED STIPULATION THAT A DISCLOSURE BE GIVEN TO PURCHASERS REGARDING THE PROXIMITY OF WESTWORLD AND THAT THE SITE IS LOCATED IN AN INDUSTRIAL PARK, WITH DETAILS OF THE RISKS ASSOCIATED WITH LIVING IN THAT PROJECT. COMMISSIONER KUSH SECONDED THE MOTION, WHICH CARRIED BY A VOTE OF FIVE (5) TO ZERO (0). CHAIRMAN GRANT LEFT EARLY AND COMMISSIONER FAKIH WAS ABSENT.

10. ADJOURNMENT

With no further business to conduct, Vice Chair Edwards adjourned the regular meeting at 7:42 p.m.

SUBMITTED BY:

A/V Tronics, Inc. DBA AVTranz.

***Note: These are summary action meeting minutes only. A complete copy of the audio/video recording is available at http://www.scottsdaleaz.gov/boards/PC**

Mr. Howard Myers commented that this project impacts both WestWorld and the Airport, which are critical amenities for retaining tourists and high income residents. Putting residential development in an industrial area violates many of the City's General Plan and Greater Airpark Character Area Plan goals and policies. He noted that the Airport Advisory Commission expressed concerns about the impact of this development on the Airport. There are good reasons to separate residential and industrial land uses. The height of this development is a detriment. Staff has noted potential traffic impacts. Although this may be a great project, the location is not right.

Mr. Jim Hartsock, President of the McDowell Mountain Business Center, which is adjacent to this property at 91st and Bahia., said that the 11 owners in the Business Center are not happy about the proposed zoning change. Only one owner had received the public outreach card. In their opinion this project does not conform to the area for several reasons. Residential does not mix with light industrial. They fear that residents will complain about the industrial uses and force closure on the existing businesses. The businesses targeted for this project can be conducted in any residential neighborhood with a home office exemption while the existing small family businesses in this area cannot be conducted in a residential neighborhood, for example small contractors, air conditioning contractors, stereo and alarm contractors, packaging companies, tire distributors, and clothing manufacturers. He noted that since the school opened traffic has been a nightmare. During special events at WestWorld traffic is a major nuisance and residents will likely complain to the City. Although the project is slated to be three and four story buildings with covered rooftop patios, the renderings all depict four and five story buildings. Although the height restriction on a three-acre parcel is supposed to be 42 feet the Applicant wants over 60 feet and tonight a height of 92 feet was mentioned. He acknowledged that the concept is creative, but in this industrial zone there are no services within walking distance. An industrial area has many attractive nuisances that may pose dangers to any resident children. This project does not fit Scottsdale's image. It looks awesome but is not right for this location. He urged the Commission not to change the zoning.

Mr. Andrew Cleary, who owns a business in this area, said this is a great project. This area is family oriented as people come to use the fitness facilities. The Ice Den is open late for adult hockey. He said there is a great market for this project and will enhance the existing business.

Mr. Berry said this project only exists at this location and cannot be replicated anywhere else, because it is close to WestWorld, the McDowell Mountains, and has such good freeway access. The market study determined that there is demand for this development. To obtain the additional height and density, the developer will contribute $868,000 towards improvements at WestWorld. The maximum height of the live work units will be 42 feet. One building is planned to be 65 feet high. The main traffic concern is from the Scottsdale Preparatory Academy next door. As a result of chronic traffic concerns and the current application, the school has now staggered class times to reduce the morning and afternoon congestion. City staff acknowledges that this has greatly improved the situation.

Commissioner Kush he hoped a stipulation could be added that the developer be required to notify homeowners of the permitted industrial uses so that people are aware of the implications when deciding whether to buy. He feels this is a nice project and that the use is acceptable.

Jomax and residents in both areas are concerned about construction traffic. Commissioner Kush argued that residents are already concerned about this issue and he personally knows that construction traffic can be a nuisance. He suggested that it should be considered in advance and that any traffic study should specifically consider construction traffic.
Mr. Kercher explained that the traffic study does not typically address this. The Field Service Group addresses construction traffic. The only other possibility would be if the Applicant is willing to stipulate to limitations on construction traffic.

Commissioner Kush inquired about drainage, about which several members of the public had spoken. Several homes in Troon have experienced severe flooding. Maintenance of culverts and drainage pipes is crucial. Silt in pipes exponentially reduces drainage capacity and this was the major cause of the Troon flooding. He asked what the City has done to ensure that future large scale communities properly maintain the pipes and culverts. Mr. Nerijus Baronas, stormwater engineer, said the City is addressing this and it will be dealt with as design details are provided. Sediment basins can be built just upstream of culverts to prevent silting of pipes. Emergency overflow locations can be provided to avoid overspills. He noted that the Preserve is downstream of this development so no homes would be affected.

Saying this is not intended as a criticism, Commissioner Kush said in his 40-year construction career in Scottsdale he has noticed that these concerns are typically raised at zoning hearings, but staff does not seem to be thinking about these concerns and how they will be alleviated. He suggested in future this should be made clear to the public, since this is a perennial concern.

Commissioner Cody said he was impressed by the speakers' delivery, civility and the content of their remarks. While the presentation on the economic impact of development was well thought out he felt it falls outside of the Commission's purview. He feels that the benefits of the master planning process far outweigh the haphazard approach that might otherwise occur. Although people had questions about land ownership he felt this is not a legitimate concern for this application. The Planning Commission hears concerns about traffic in connection with many cases. Traffic management, however, is not the concern of any single developer. He supports this application.

COMMISSIONER BRANTNER MOVED TO RECOMMEND THAT CITY COUNCIL APPROVE CASE 13-ZN-2014 (CAVALLIERE RANCH) PER THE STAFF RECOMMENDED STIPULATIONS AND AFTER DETERMINING THAT THE PCD FINDINGS HAVE BEEN MET AND THE PROPOSED ZONING DISTRICT MAP AMENDMENT AND DEVELOPMENT PLAN ARE CONSISTENT AND CONFORM TO THE ADOPTED GENERAL PLAN. COMMISSIONER CODY SECONDED THE MOTION, WHICH CARRIED BY A VOTE OF FIVE (5) TO ZERO (0). CHAIRMAN GRANT LEFT EARLY. COMMISSIONER FAKIH WAS ABSENT.

4. 6-GP-2014 (Bahia Live Work Play Project)
5. 14-ZN-2014 (Bahia Live Work Play Project)

Senior Planner Mr. Greg Bloemberg presented this application.

Mr. John Berry spoke on behalf of the Applicant.

Vice Chair Edward opened public testimony.

Vice Chair Edwards closed the public testimony and invited the Applicant to respond.

Mr. Berry responded on behalf of the Applicant. He noted that with master planned communities, the stipulations and the next steps in the master planning process assure that the stipulations are implemented. Zoning is only the first of many steps in the process. He reminded everyone that zoning cases run with the land. They are not dependent on the identity of the developer or the landowners.

Quoting from the staff report about traffic projections, Mr. Berry stated that "North Ranchgate Road is the primary access to the project and is adequate to handle the additional traffic that will be generated." The stipulations specify each of the improvements that have to be made with full details as to location. The developer will be improving existing bottlenecks not created by this project. He noted that along the frontage to the project the developer is only required to build half a street, however, the Applicant will build the entire street. This will benefit everyone driving to the Tom's Thumb trailhead. Mr. Berry said whether this land is rezoned or not, other development will take place in the area and so Happy Valley Road needs widening. The Transportation Master Plan assumes that the area is fully developed. He noted that since the Transportation Master Plan was written, 1500 acres have been incorporated into the Preserve. This means that 1500 homes cannot be built.

He recalled that before Troon was approved many residents were opposed to it, but City Council recognized that master planning was the right way to go. He summarized that this project is doing more than its fair share to solve transportation problems it did not create.

Commissioner Kush inquired about the ownership of the various parcels. Mr. Berry said one large parcel in the center belongs to an overseas owner that is supportive of the process but has opted not to participate. Staff confirmed that the zoning on this parcel is not affected by the present case. The owner of another 40 acres is considering whether to participate in the master planned development or keep the land as an equestrian property. Mr. Berry confirmed that the ten-acre parcel in the southern portion which was the subject of a major General Plan amendment request to relocate Greasewood Flats is not included in the present case. The Cavalliere family withdrew that request. The family has owned the land for approximately 30 years.

Commissioner Brantner commented that this is just the first step of many. The Planning Commission will review the site plan of each area of the community, and there will be landscaping and architectural reviews also. He felt this is a great opportunity for the area and supports it.

Commissioner Kush shared that he lives at the northwest corner of Alma School and Happy Valley. Although many of his concerns about traffic have been answered by Transportation and Planning staff, he inquired about plans for the portion of Ranchgate by Sereno Canyon. Mr. Phil Kercher of the Transportation Department said there is a stipulation that the developer of Sereno Canyon will complete this once the plat application is approved and before construction begins.

Commissioner Kush said it is important that future development be a good neighbor. He asked whether construction traffic on Happy Valley could be limited, given that construction will be ongoing for ten to 15 years. Mr. Kercher said this question is usually considered later in the project. Unfortunately the only two feasible routes into this area are Happy Valley and

Mr. Rick Uebel (phonetic) spoke in favor of the project, noting that 50 percent NAOS is consistent with the General Plan. Master planning leads to better development. Less than one unit per acre makes sense. This is a great opportunity for the City.

Mr. Robert Cappel, President of the Greater Pinnacle Peak Association and President of the Winfield Homeowners Association, said they did not receive the documents in time for the board members of those organizations to review, hence he was speaking personally. Taylor Morrison is a reputable company, but he questioned who owns the rest of this land. He expressed concern for the critical wildlife corridor.

Mr. John Allen, State Representative, District 15, said this is a great economic opportunity that will continue for generations since the housing will be for upper middle income residents. He opined that solutions can be found to mitigate the increase in traffic and that the developer is committed to high environmental standards. Mr. Allen concluded by thanking the Commissioners for their service to the community.

Mr. Todd Boffo quoted John F. Kennedy "Change is the law of life and those who look only to the past or present are certain to miss the future." He was in favor of the master planned development. Housing and jobs are needed.

Mr. John Brown, a builder and small developer, encouraged the Commission to approve this case as the development is good for the economy, the environment and the whole community. Taylor Morrison has a fine reputation and is a trustworthy company.

Mr. Norbert Kleiner, who lives near the proposed development, said he has requested the environmental impact study, the drainage impact study and the transportation impact study for this project but they have not been made available to him. He noted that his community is experiencing several drainage problems as a direct result of inadequately planned prior projects. He urged the Commission to reject this application, at least pending completion of these study items.

Mr. James Heitel, Chairman of the McDowell Sonoran Preserve Commission, recalled his own experiences as a past member of the Planning Commission. This is one of the most remote parcels in the City, adjacent to one of the more critical areas of the Preserve. He reminded the meeting that the City has spent close to three-quarters of a billion dollars to acquire the Preserve land. He argued that the proposal provides absolutely no public benefit to the City. It redefines the concept of rural neighborhoods, obliterates the character area planning concept and does significant harm to the McDowell Sonoran Preserve. Mr. Heitel said that the character area plan is in fact the master plan. Any redefinition of rural neighborhood will open the floodgates to land speculators clamoring to upzone every low density rural area. The Dynamite Character Area Plan is absolutely clear about maintaining current densities. The recommendations of the Desert Preservation Task Force were incorporated into the plan. Approving this application would mean completely ignoring character-based planning.

Mr. Heitel said the McDowell Sonoran Preserve Commission's role is to safeguard the interests of the Preserve. The Arizona Preserve Initiative was intended to reduce urban sprawl. For years the McDowell Sonoran Preserve Commission has been on record opposing higher density projects. He urged the members of the Planning Commission to seriously consider rejecting this application.

Mr. Howard Myers of the Desert Property Owners' Association, speaking on behalf of several residents, noted he had sent the Commissioners a study about City finances which revealed that with Scottsdale's current sources of income and expenses, development does not pay for itself. Tourism is supplementing Scottsdale's income to make up the loss caused by development. A panel of three economic experts in the Valley recommended that Scottsdale should maintain its brand and desirability to tourists and higher income residents.

Mr. Myers said Cavalliere is a poster child for why character areas are needed and should be honored. The real issue is development densities. The proposed lot sizes are not compatible with adjacent properties. He opined that removing the large lot areas is destroying housing variety in Scottsdale. It is not clear how much open space will be provided. Mr. Myers noted that much of 50 percent NAOS described by the Applicant is on land of ten to 15 percent grade which is included in the development envelopes.

Mr. Myers displayed graphics of projected traffic patterns, noting residents would be using Ranchgate. Cavalliere Ranch is estimated to add 4200 trips per day. Sereno Canyon is also to add an additional 3200-plus trips per day to Ranchgate. The bottleneck will be at Alma School and Happy Valley. Mr. Myers pointed out that the proposed development is remote so residents will depend on using their cars. Happy Valley, 118th Street and Ranchgate will need to be widened.

Mr. Myers said the real issue is that the Applicant has not met the criteria for the PCD district. He felt that rather than having 34 stipulations to be implemented at some point in the future, the infrastructure should be in place before development happens. Given that there is not a single owner of the land, this is crucial. He noted that many of the stipulations make reference to the Development Review Board, however, residential development is not within the purview of the DRB.

Vice-Chair Edwards presided over the meeting following the departure of Chair Grant.

Mr. Jim Davis, who is a member of the board at Estancia, spoke also on behalf of the boards at Privada and Ranchgate. All these communities lie between Happy Valley and Dynamite. He expressed opposition to the project due to the increased traffic and density, saying that residents had chosen to buy in this area because of its quiet rural character.

Mr. Gary Kalian, who lives near the intersection of Happy Valley and Whispering Wind, expressed his strong objection to the staff report on this case only being circulated within the past 24 hours. He urged the Commission to reject the staff recommendation to approve this zoning change, characterizing it as a whitewash. The intensity of this development is not compatible with the surrounding areas. Although the staff report mentions mitigation items they are not addressed. For example, construction traffic has not been addressed in either the staff report or the traffic analysis, although it will take several years for the entire project to be fully built.

Mr. Abtin Zarrabi, who lives in the DC Ranch area, is planning to move to Troon North. He expressed concern about the future. It is a mismatch to put this subdivision adjacent to the Preserve.

CALL TO ORDER

Vice Chair Edwards called the regular meeting of the Scottsdale Planning Commission to order at 5:04 p.m.

ROLL CALL

A formal roll call was conducted confirming members present as stated above.

1. Approval of the October 22, 2014 Regular Meeting Minutes Including Study Session

COMMISSIONER KUSH MOVED TO APPROVE THE OCTOBER 22, 2014 REGULAR MEETING AND STUDY SESSION MINUTES AS PRESENTED. COMMISSIONER CODY SECONDED THE MOTION, WHICH CARRIED BY A VOTE OF FIVE (5) TO ZERO (0). COMMISSIONER MINNAUGH ARRIVED LATER. COMMISSIONER FAKIH WAS ABSENT.

ACTION ITEMS

EXPEDITED AGENDA

2. 10-AB-2014 (Chamberlain Residence)
3. 15-ZN-2014 (7326 Uprising)

COMMISSIONER BRANTNER MOVED TO RECOMMEND THAT CITY COUNCIL APPROVE CASES 10-AB-2014 (CHAMBERLAIN RESIDENCE) AND 15-ZN-2014 (7326 UPRISING) PER THE STAFF RECOMMENDED STIPULATIONS, AFTER DETERMINING THAT THE PROPOSED ABANDONMENT AND ZONING DISTRICT MAP AMENDMENT, INCLUDING APPROVAL OF THE AMENDED DEVELOPMENT STANDARDS, ARE CONSISTENT AND CONFORM WITH THE ADOPTED GENERAL PLAN. VICE-CHAIR EDWARDS SECONDED THE MOTION, WHICH CARRIED BY A VOTE OF FIVE (5) TO ZERO (0). COMMISSIONER MINNAUGH ARRIVED LATER. COMMISSIONER FAKIH WAS ABSENT.

REGULAR AGENDA

Chair Grant announced that because more members of the public wished to address the Commission on agenda item 6, they would hear that item first.

6. 13-ZN-2014 (Cavalliere Ranch)

Mr. Jesus Murillo, Senior Planner, presented the rezoning application, explaining that no General Plan amendment is associated with this case because the proposed density does not exceed what is allowed in the General Plan.

Mr. Berry spoke on behalf of the Applicant.

Chair Grant opened the public testimony.

*** DRAFT SUMMARIZED MEETING MINUTES ***

CITY OF SCOTTSDALE
PLANNING COMMISSION
REGULAR MEETING

WEDNESDAY, NOVEMBER 12, 2014

COPPER RIDGE SCHOOL – SCHOOL CAFETERIA
10101 E. THOMPSON PEAK PARKWAY
SCOTTSDALE, ARIZONA 85255

PRESENT:
Ed Grant, Chair (left at 5:45 p.m.)
Michael Edwards, Vice Chair
David Brantner
Matthew Cody
Larry Kush
Michael J. Minnaugh (arrived at 5:19 p.m.)

ABSENT:
Ali Fakih

STAFF:
Nerijus Baronas
Greg Bloemberg
Lorraine Castro
Tim Curtis
Phil Kercher
Jesus Murillo
Erin Perreault
Sherry Scott
Adam Yaron

PUBLIC:
John Allen
John Berry
Todd Boffo
John Brown
Robert Cappel
Andrew Clary
Jim Davis
Jim Hartsock
James Heitel
Gary Kalian
Norbert Kleiner
Howard Myers
Rick Uebel
Abtin Zarrabi

ATTACHMENT #19

Mr. Quick outlined the new FAA standards which mean that potentially the displaced thresholds could be moved back to the physical end of the runway pavement and still meet the RSA standards. This would give additional landing distance for the aircraft. The Airport is a long way away from implementing any such change, but they looked at this question anyway.

Commissioner Celigoy pointed out that the berm by the Central Arizona Canal is a deficiency that would be impossible to correct. Mr. Quick said the FAA does grandfather some things into runway protection zones.

Mr. Quick stated that with respect to the runway protection zones, they had looked at improving the instrument approach procedures to the runway. The FAA is putting increased emphasis on keeping RPZs as clear as possible from incompatible uses such as churches, residences, and schools. He displayed information about different scenarios. In reply to a question from Commissioner Celigoy he confirmed that the FAA makes a distinction between precision based navigation procedures and ground based approach systems.

Turning to landside considerations, Mr. Quick said that they focused on predicting growth for the next 20 years. They predict continued growth in all aviation categories. They believe the Airport needs to cater to large aircraft while maintaining facilities to accommodate smaller aircraft. He outlined three development options, paying particular attention to the west side of the Airport.

Mr. Quick briefly discussed land acquisition possibilities to enlarge the footprint of the Airport. There is a little land east of the Airport that is vacant, but most of the other parcels have some commercial or industrial development in place. Mr. Mascaro added that two vacant parcels totaling approximately 11 acres have recently been bought by the same company.

At the Planning Advisory Committee meeting the previous day, Mr. Quick said that the discussion was lively and thoughtful. Some of the comments were about potential improvements to the taxiway geometry. The FBOs and staff from the control tower were in attendance and came up with suggestions to improve the geometry without relocating the taxiways. Pilots had input on the potential removal of the displaced thresholds and the improved instrument approach procedures. Committee members were interested in implementing a self-serve fuel facility. Additional hangar facilities for small aircraft by Kilo ramp were another topic of interest. Another PAC meeting is planned as they move into the final phase.

Chairman Ziomek thanked Mr. Quick and Mr. Harris for their presentation. Mr. Quick noted that all the information about the Master Plan is on the Airport website. He undertook to send the PowerPoint presentation to staff for distribution to the Commission. If they have questions he said the Commissioners should either send them through staff or contact Coffman Associates directly.

Vice Chairman Casey suggested devoting an entire special meeting to this topic in future. Mr. Mascaro said that is the purpose of the PAC. He added that the entire draft Master Plan will be brought to the Commission as the next step. Anyone who wishes is welcome to attend PAC meetings.

Commissioner Celigoy asked the consultants if they could comment on noise studies in general and give the Commission any guidance for dealing with future applications. Mr. Harris said he

Chairman Ziomek asked why keep pushing this question if the FAA has designated the Airport as a D2 and they have insurance. Mr. Harris said that when the FAA approved Scottsdale as a D2 airport, they approved the ALP but sent a list of standards deficiencies. The standard procedure would be for the Airport to then request a modification to the standards and for the FAA to sign off on that request.

Commissioner Celigoy commented that no airport is perfect. He opined that many airports must be in a similar situation. Mr. Quick agreed and said that the phrase "correct if practicable" is the key. At many airports the infrastructure is being outpaced by the size of aircraft using the facility. They are moving forward with the Master Plan, calling Scottsdale Airport a runway design code D2.

Runway pavement strength is tied into the discussions they have been having with the FAA over the past year. It is not practicable to meet the D3 standard of runway pavement strength. If the runway is strengthened to 100,000 pounds the FAA has said that the Airport must then meet the D3 standard. Given the infrastructure that would have to be relocated, and the low number of PPR requests that have been received, the Master Plan is moving forward with the concept of maintaining runway 321 at 75,000 pounds dual wheel load with the PPR program still in place.

In response to a query from Commissioner Goode, Mr. Mascaro said that the pavement is rated to 75,000 pounds. An overlay was done in 2010. Commissioner Goode said that the Airport must make sure that the pavement does not crumble under 100,000 pound aircraft. Mr. Mascaro pointed out that the runway is due for rehabilitation regardless. The engineers believe there is a need to completely remove and replace all layers of the runway pavement since this has never been done in the entire history of the Airport. The FAA has verbally stated that they will continue to help fund and maintain the pavement to the standard for 75,000 pound aircraft. The FAA also understands that there will be heavier activity through the PPR that could potentially deteriorate the pavement sooner than its life span of 20 years. His current best estimate of when the complete runway replacement might take place is in about three years' time. Working around the clock it would take about 30 days.

Commissioner Celigoy asked how much the PPR program shortens the life span of the runway pavement and how this is measured. Mr. Mascaro said the engineers did a pavement study and provided a formula. He noted that the heaviest aircraft arriving weigh a maximum of 75,000, so the 100,000 pound weight only applies to aircraft taking off fully fueled. Once a certain number of PPR operations have occurred, the staff is to visually inspect the pavement for signs of damage. They have not yet reached that threshold.

Mr. Quick discussed alternative changes to the taxiway geometry to improve safety according to the latest thinking of the FAA. The aim is to limit taxiways crossing runways at right angles. In discussions with the personnel at the control tower, the taxiways in question are key to Airport operations and efficiency, so the Airport will not necessarily eliminate these crossings. More information will be gathered before any proposals are made.

Vice Chair Casey suggested that the most critical area might be where planes touch down. Mr. Quick said those are important areas, but the FAA is most concerned about the high energy areas where aircraft are moving at maximum speed.

Mr. Quick reviewed the alternatives section. Based on operations he explained that aircraft in the D3 class are the critical design aircraft that operate at Scottsdale. These currently include Gulfstream II and Gulfstream IV, and some Learjets. The FAA classifications are based on the aircraft's approach speed as it comes in to land.

Mr. Quick discussed the design considerations, including the runway design code, the aircraft design group, the airport reference code and the approach and departure reference code. The approach and departure reference code is important because it deals with the current operational capabilities of the runway associated with the parallel taxiway system. Scottsdale's two parallel taxiways, Alpha and Bravo, are located 250 feet from the runway center line. This falls into the reference code B2 category. This information will be included on the Airport layout plan (ALP). As a D2 airport, Scottsdale's runway safety area (RSA) is 400 feet wide, 200 feet on either side of the runway center line. To meet the D3 standard, the RSA would be 500 feet wide, meaning the parallel taxiways would fall within the RSA, which the FAA will not permit.

Mr. Quick said the consultants did a detailed evaluation and analysis on the D3 standard and what it would take for the Airport to meet it. He displayed tables showing infrastructure to be relocated if the Airport were to go to the DC standard, including apron area, tie-downs, hangars, the wash rack, and the bypass taxiways. Adjacent property would have to be acquired.

In response to a question from Chairman Ziomek, Mr. Quick said that the alternatives chapter is a required part of the Master Plan. They are tasked with looking at the ramifications of meeting the D3 standard.

Vice Chairman Casey inquired about the procedure for when a G650 lands. Mr. Mascaro said there are currently no operational restrictions at the Airport. Commissioner Berry asked what the benefit would be to the Airport if they were to go to the D3 standard.

Mr. Quick stressed that Coffman Associates is not advocating for any position. He summarized that the separation for D3 is 400 feet. The separation for D2 is 300 feet. To achieve that standard some Airport infrastructure would have to be relocated. The Airport is currently listed as a D2 on the ALP, although they do not meet the 300-foot separation.

Mr. Quick said they can pursue a modification to standard with the FAA. Mr. Mascaro explained that the City placed a request for these modifications in 2000 but has never received an answer. This triggers a liability issue. One of the primary benefits of doing the Master Plan is to obtain an answer from the FAA. They have been discussing this issue with the FAA for a year.

Mr. Quick elaborated that in the most recent update to the advisory circular, the FAA now allows for a 400-foot wide RSA for the D2 standard, whereas in the past it was 500 feet wide. This means that the Airport has no RSA deficiencies. They are preparing proposed modifications to standards and working with the FAA. Mr. Harris added that the Master Plan has to provide the background as to why this can be done and also demonstrate how aircraft can operate safely.

Commissioner Celigoy asked about insurance. Mr. Mascaro said the Airport carries a $300 million insurance policy. They want an answer from the FAA because if the answer were no, that would significantly change the Airport operations. Nonetheless the FAA did approve the ALP as a D2. Since 1999 the Airport has been asking for approval for the modifications, but the FAA has never replied. The FAA has approved the ALP on the condition that the Airport try to address the deficiencies.

2. Discussion and Possible Action to Recommend to City Council Adoption of Resolution No. 9918, Authorizing Construction Bid Award No. 14PB038 to Danson Construction, LLC., the Lowest Responsive Bidder, in the Amount of $3,968,000 for the Construction of the Airport Operations Center Building and Increase the Budget Authority for Aviation Capital Improvement Program Center No. A1201 from $3,000,000 to $4,900,000

Airport Operations Manager Mr. Chris Read described the building. The project will be entirely funded by Aviation Enterprise funds since this facility is not grant eligible. The current available cash balance in the Aviation Enterprise fund is approximately $10.4 million. The building will be built to LEED Silver standards. Construction will take about ten months. The budget authority increase is being requested to account for additional construction costs and to fund all the aspects of the building including design, one percent public art contribution, ten percent for construction contingencies, construction administration, testing and utility installation. Design of the facility began in 2011. Construction costs have risen since that time as the economy recovered.

Mr. Read explained that once the building is completed, one hangar currently being used by maintenance staff for equipment storage will become available for rental. Mr. Mascaro added that the new facility is primarily for operations and maintenance. The Airport administrative staff will keep their offices in the Terminal Building.

Commissioner Goode made a motion to recommend approval of Resolution No. 9918, authorizing construction bid award No. 14PB038 to Danson Construction, LLC., the lowest responsive bidder, in the amount of $3,968,000 for the construction of the Airport Operations Center Building and increase the budget authority for Aviation Capital Improvement Program Center No. A1201 from $3,000,000 to $4,900,000. Vice Chairman Casey seconded the motion, which carried by a vote of seven (7) to zero (0).

3. Discussion and Input Regarding Quarterly Noise Complaint Summary Report

Ms. Ferrara reported a 30 percent decrease in the total number of complaints received in the past quarter ended September 30. She confirmed that there were no complaints received from the area of La Bahia.

4. Discussion and Input Regarding the Update to the Airport Master Plan: Alternative Section

Mr. Mascaro said Airport staff had hosted a meeting of the Planning Advisory Committee the day before. They are working in coordination with the FAA. He thanked Commissioner Schuckert for participating in the Planning Advisory Committee.

Mr. Jim Harris and Mr. Matt Quick of Coffman Associates gave a presentation on the alternatives section for the updated Airport Master Plan. Mr. Harris noted that the Master Plan was last updated in 1997. The FAA recommendation is that master plans should be updated every five to ten years.

Commissioner Schuckert said the Airport Advisory Commission's job is to protect the Airport and make recommendations to City Council that they can act upon. They should not exceed the authority or direction which they have been given. He noted that this project is outside of the 55 DNL. It appears to meet all of the City standards including the Greater Airpark Plan. The sound attenuation appears to exceed other projects. The avigation easement and the CC&Rs are in place to minimize the effects. Most runway 3 departures make a left turn away from the site. He agreed it is a tough question. However, he feels the application fulfills the requirements and he can support it.

Agreeing that this case is difficult, Commissioner Hobbi said he joined the Commission to protect the Airport. In his career in the aerospace industry he has seen encroachment on airports, leading in many cases to their eventual closure. However his concern is not because he is working in this industry. It is important to recognize that aviation is a pillar of the American economy. He understands the Applicant's vision of bringing businesses to the neighborhood and said the Commission must ensure that this economic activity does not eventually harm the Airport. The Commissioners are not anti-growth or anti-capitalism. The fundamental point is that today's decision may or may not have an impact on the Airport immediately, but when the Airport is entirely surrounded by development, people may decide that the Airport should be closed, which would harm the whole community. He appreciates everyone coming to the meeting and the amount of work that has gone into this project. He urged the Applicant to understand the Commission's perspective. For the future they must ensure the viability of the Airport. Apart from the people whose livelihood depends directly on the Airport, many others benefit from what the Airport does for the community. This is why the Commission is so challenged by this case.

Chairman Ziomek stated that emotionally he is opposed to this project for the same reasons as Commissioner Hobbi outlined. However because from the technical point of view everything the Applicant has done is within the requirements and they have met every regulation, he cannot say no.

Commissioner Schuckert made a motion to recommend approval of cases 6-GP-2014 and 14-ZN-2014, the Bahia Work/Live project. Chairman Ziomek seconded the motion.

Commissioner Goode commented that he agreed with Commissioner Schuckert and the Chairman. He feels torn but agreed that the Applicant has done everything possible to ensure that the future residents will not complain.

Vice Chair Casey thanked the Applicant for the diligent presentation and the time they had spent with the Commission. The project looks beautiful. He does have concerns about the residential condominium portion of the project. He cautioned that should the FAA at some point in the future change flight paths for eastbound VFR departures from runway 3, the project would be smack underneath the flight path. For that reason he cannot support this project.

Chairman Ziomek called for the vote. The vote carried by a vote of four (4) to three (3). Vice Chair Casey and Commissioners Celigoy and Hobbi dissented.

is otherwise vacated at night. Additionally it will provide lunch at a convenient location and overall should enhance property values.

Commissioner Celigoy said he was curious as to why both runways were not observed, opining that about half of the data might be missing from the study. Ms. Holliday said if more needs to be done they can look at doing that.

Ms. Wendy Riddell of Berry, Riddell and Rosensteel clarified that the study was conducted at the proposed development site. Commissioner Hobbi explained that the data from one of the runways is missing. Departures from runway 3 are louder at the site than arrivals to runway 2-1. Ms. Riddell replied that they understood the flight traffic to be a typical busy Monday in September. Commissioner Hobbi argued that they cannot have a complete data set without studying both runways.

Commissioner Goode added that traffic in September is still in the low season. Activity increases in October and November and is at its peak in December through March. He concurred with the other Commissioners that takeoffs from runway 3 generate more noise. He asked Mr. Mascaro whether flight paths could change to a right turn out to avoid the mountains. Mr. Mascaro confirmed that flight paths could not be changed.

Commissioner Goode pointed out that Barcelona and the Impact Church apartments are all rental properties and were approved with a stipulation that they could never be converted to condominiums. He questioned whether young people could afford $300,000 to $400,000 for a condo and suggested making this project rental. When people own property they are more likely to complain about noise. When they are just renting they are able to move easily if the noise is unacceptable.

Ms. Riddell said there is a glut of apartments in Scottsdale, which is concerning. She said the younger demographic is less interested in traditional single family home ownership. However this product will appeal to them as there will be no yard maintenance and they will be living in an active vibrant area with many possibilities for entertainment and outdoor living. She emphasized that this is not a typical home for sale.

Mr. Zajas said that the sound attenuation will be of such a high standard that the risk of noise complaints will be minimized. In the past six months there have been no noise complaints from 1100 condominium units in this neighborhood. In the square mile of land where the project is located, no noise complaints had been logged in the last three years, which was the period they had checked. He agreed there is an oversupply of apartments, but this project is ahead of the cycle with an out of the box residential work/live development. Mr. Zajas stressed that the major source of noise during the noise study was cars. Inside the completed projected noise levels will be far lower.

Chairman Ziomek said this case is tough for him personally. He has lived a mile from the end of runway 2-1 for almost 40 years. The Commission's foremost role is to protect the Airport. He noted recent airport noise complaints featured in the Arizona Republic. This month's Smithsonian Air and Space Magazine has an eight-page article on Santa Monica Airport, which is in danger of being closed due to complaints about noise, jet fuel contamination, et cetera. He noted that from 1911 through 2006 there had been a total of 85 airports in Maricopa County. Although some were military airfields that were decommissioned, many closed due to complaints from the public.

Ms. Irene Clary of Catclar Investments presented the application. They propose 78 units comprising townhomes which will be zoned commercial with ancillary residential and a four story loft commercial building which will have some retail on the main floor. She explained that work live commercial is a use with ancillary residential use. The commercial use may have employees and may generate pedestrian and vehicular traffic. She distributed information on the avigation easement and the CC&Rs for the project to the Commissioners.

Ms. Beth Holliday of Noise Expert Acoustical Consulting, discussed the noise study she conducted.

Commissioner Celigoy commented that the noise study was done at five feet above ground level and inquired if that is typical. Ms. Holliday said that is the standard, although some residents will be living 40 feet above ground level (AGL). Commissioner Celigoy asked whether noise levels would be greater at 40 feet AGL. Ms. Holliday agreed that they probably would.

Commissioner Hobbi asked about the timing of the sample. Ms. Holliday said they took at 24-hour sample on September 15. They had spoken with Ms. Ferrara, who told them this was a typical day.

Chairman Ziomek commented that the rooftop patios at 60 feet AGL may be much noisier. Ms. Holliday said she could calculate the potential noise levels. Mr. Michael Zajas of Catclar Investments interjected that the noise study showed that motor traffic was the loudest noise, which is louder at ground level than higher up. The residential units will be at 30 to 40 feet AGL. The rooftop patios will not be at 65 feet.

Chairman Ziomek noted that the air traffic during the noise study was mostly using runway 2-1. However runway 3 is closer to the site. Commissioner Goode pointed out that departures are louder than arrivals and opined there would be noise issues.

Ms. Clary clarified that they plan a number of noise attenuation measures in the construction so the inside of the development will be quiet at every level. This is a commercial development that will attract younger urban people who are less concerned about noise.

Chairman Ziomek asked Mr. Bloemberg about the zoning. Mr. Bloemberg said that the Applicant is requesting Airpark Core Zoning, which is mixed use.

Chairman Ziomek opened the public commentary.

Mr. Michael Wareing, owner of Decca Builders, is working with the development team. They have increased the STC ratings which will help attenuate the noise for this project.

Mr. Fred Taylor who works for Jet Pros said he supports the project. Departures from runway 3 going south would fly over the project, but he said that particular traffic is minimal.

Mr. Eddie Ochoa, who works for Jet Pros, is a retired FAA aviation safety inspection with 22 years' experience. He has looked at this project and sees no safety issues associated with it.

Mr. Tom George has 8800 square feet of condominium space directly across from the project and he feels this will be a great addition to the area, providing full-time residents in an area that

ROLL CALL

A formal roll call confirmed the presence of all Commissioners, as noted above.

At the invitation of Chairman Ziomek, Commissioner Berry introduced himself. He has lived in Scottsdale for 38 years and learned to fly about six years ago.

PLEDGE OF ALLEGIANCE

Chairman Ziomek led the meeting in the pledge of allegiance.

AVIATION DIRECTOR'S REPORT

Mr. Gary Mascaro, Aviation Director, said there was no report this month.

APPROVAL OF MINUTES

1. Approval of Minutes

   Regular Meeting: September 10, 2014

Vice-Chairman Casey made a motion to approve the minutes of the September 10, 2014 regular meeting. Commissioner Goode seconded the motion, which carried by a unanimous vote of seven (7) to zero (0).

PUBLIC COMMENT

No members of the public wished to address the Commission.

REGULAR AGENDA ITEMS 1 - 5

1. Discussion and Possible Action to Recommend Approval of Cases 6-GP-2014 and 14-ZN-2014 (Bahia Work/Live)

Aviation Planning & Outreach Coordinator Ms. Sarah Ferrara explained that this is before the Commission because Chapter 5 of the Scottsdale Revised Code regulates development in the vicinity of the Airport. The Commission is to review the project and make a recommendation to the Planning Commission and City Council.

Senior Planner Mr. Greg Bloemberg noted that there is both a zoning and a General Plan case. Two non major General Plan amendments are requested: One is to the 2001 General Plan, the other is to the Greater Airpark Character Area Plan. An amendment is also needed to the Horseman's Park Planned Community District zoning case. Finally, a zoning district map amendment is also requested to rezone from industrial park I-1 PCD to Planned Airpark Core Development District, Airpark mixed use residential. He noted that the Applicant has revised their height request, which is now at 65 feet including rooftop appurtenances.

DRAFT

SCOTTSDALE AIRPORT ADVISORY COMMISSION
PUBLIC MEETING
Scottsdale Airport Terminal Lobby
15000 N. Airport Drive, Scottsdale, AZ

October 8, 2014

MINUTES

PRESENT: Steve Ziomek, Chairman
Ken Casey, Vice Chairman
Brad Berry
John Celigoy
Michael Goode
Bob Hobbi
William Schuckert

STAFF: Sarah Ferrara, Aviation Planning & Outreach Coordinator
Shannon Johnson, Management Analyst
Gary Mascaro, Aviation Director
Chris Read, Airport Operations Manager
Greg Bloemberg, Senior Planner

GUESTS: Irene Clary, Catclar Investments
Tom George
Jim Harris, Coffman Associates, Inc.
Beth Holliday, Noise Expert
Eddie Ochoa
Wendy Riddell, Berry, Riddell, Rosensteel
Fred Taylor
Michael Wareing, Decca Builders
Michael Zajas, Catclar Investments

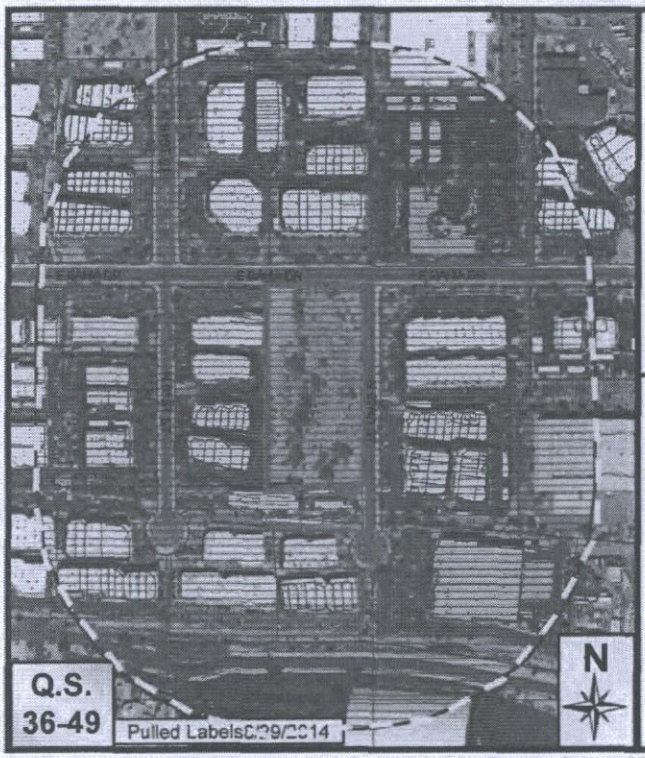
CALL TO ORDER

Chairman Ziomek called the meeting to order at 6:00 p.m.

ATTACHMENT #18

12753416

City Notifications – Mailing List Selection Map



Map Legend:

Site Boundary

Properties within 750-feet
Postcards – 169 HUP
Postcards – 169 PC
Postcards – 169 CC

Additional Notifications:

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

Bahia Live Work Play Project

6-GP-2014 & 14-ZN-2014

ATTACHMENT #17

PROJECT SUPPORT

SCOTTSDALE APPLICATION NUMBER 6-GP-2014 & 14-ZN-2014
Catclar Investments, LLC
SW CORNER OF BAHIA DR AND 92nd ST IN THE CITY OF SCOTTSDALE
BAHIA SOHO - WORK, LIVE, PLAY PROJECT

I SUPPORT	Y
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS:

NAME: JAMES ELSON
ADDRESS: 16420 N. 92nd ST. SUITE 205
TELEPHONE: 602-903-5311
EMAIL: j4747e@aol.com

PLEASE FILL OUT AND TURN IN OR MAIL TO:

Catclar Investments, LLC
16621 N 91st St.
Suite #101
Scottsdale, AZ 85260

OR EMAIL: tnacius@cox.net

catclar
INVESTMENTS

PROJECT SUPPORT

SCOTTSDALE APPLICATION NUMBER 6-GP-2014 & 14-ZN-2014
Catclar Investments, LLC
SW CORNER OF BAHIA DR AND 92nd ST IN THE CITY OF SCOTTSDALE
BAHIA SOHO - WORK, LIVE, PLAY PROJECT

I SUPPORT	Y
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS:

NAME: Kevin J. Berk
ADDRESS: 16149 N. 91st Street, Ste 105, Scottsdale, AZ 85260
TELEPHONE: 480-861-7494
EMAIL: KJBerk13@gmail.com

PLEASE FILL OUT AND TURN IN OR MAIL TO:

Catclar Investments, LLC
16621 N 91st St.
Suite #101
Scottsdale, AZ 85260

OR EMAIL: tnacius@cox.net

NEIGHBORHOOD MEETING SURVEY

SCOTTSDALE APPLICATION NUMBER 618-PA-2014
Catclar Investments, LLC
SW CORNER OF BAHIA DR AND 92nd ST IN THE CITY OF SCOTTSDALE
BAHIA LIVE, WORK, PLAY PROJECT

Thursday, August 14th, 2014 6:00pm – 7:00pm
FROGS Physical Therapy 16621 N. 91st ST., SUITE #101, Scottsdale, AZ 85260

SURVEY QUESTIONS (CIRCLE ONE)

1) Do you think a restaurant in this area is needed?

(Yes) No Not Sure Why? Need a good (reasonably priced) lunch option.

2) Do you regularly have business lunches or meetings off site?

(Yes) No Not Sure Why?_____

3) Would you use Shared meeting space or a conference room?

Yes (No) Not Sure Why? Already have this option in house.

4) Do you commute to work?

(Yes) No Not Sure How far? Eight Miles

5) If you could live and work in the same area would you?

Yes (No) Not Sure Why?_____

6) Would you be interested in information on owning a Work, Live Lofts?

(Yes) No Not Sure Why? If they can be sub leased.

NAME: Brett Bennett
ADDRESS: 16561 N 92nd Street, Suite 105, Scottsdale, AZ 85260
TELEPHONE: 480-295-4259
EMAIL: brett@ptpos.com
PLEASE FILL OUT AND TURN IN OR MAIL TO:
Catclar Investments, LLC
16621 N 91st St. Suite #101 Scottsdale, AZ 85260
OR EMAIL: tnacius@cox.net

NEIGHBORHOOD MEETING SURVEY

SCOTTSDALE APPLICATION NUMBER 618-PA-2014
Catclar Investments, LLC
SW CORNER OF BAHIA DR AND 92nd ST IN THE CITY OF SCOTTSDALE
BAHIA LIVE, WORK, PLAY PROJECT

Thursday, August 14th, 2014 6:00pm – 7:00pm
FROGS Physical Therapy 16621 N. 91st ST., SUITE #101, Scottsdale, AZ 85260

SURVEY QUESTIONS (CIRCLE ONE)

1) Do you think a restaurant in this area is needed?

Yes No Not Sure Why?_____

2) Do you regularly have business lunches or meetings off site?

Yes No Not Sure Why?_____

3) Would you use Shared meeting space or a conference room?

Yes No Not Sure Why?_____

4) Do you commute to work?

Yes No Not Sure How far?_____

5) If you could live and work in the same area would you?

Yes No Not Sure Why?_____

6) Would you be interested in information on owning a Work, Live Lofts?

Yes No Not Sure Why?_____

NAME:
ADDRESS:
TELEPHONE:
EMAIL:
PLEASE FILL OUT AND TURN IN OR MAIL TO:
Catclar Investments, LLC
16621 N 91st St. Suite #101 Scottsdale, AZ 85260
OR EMAIL: tnacius@cox.net

catclar INVESTMENTS

NEIGHBORHOOD MEETING SURVEY

SCOTTSDALE APPLICATION NUMBER 618-PA-2014
Catclar Investments, LLC
SW CORNER OF BAHIA DR AND 92nd ST IN THE CITY OF SCOTTSDALE
BAHIA LIVE, WORK, PLAY PROJECT

Thursday, August 14th, 2014 6:00pm – 7:00pm
FROGS Physical Therapy 16621 N. 91st ST., SUITE #101, Scottsdale, AZ 85260

SURVEY QUESTIONS (CIRCLE ONE)

1) Do you think a restaurant in this area is needed?

(Yes) No Not Sure Why? There is only 1 in this Area

2) Do you regularly have business lunches or meetings off site?

(Yes) No Not Sure Why? our Facility does not allow for a business lunch

3) Would you use Shared meeting space or a conference room?

(Yes) No Not Sure Why? Usually Nicer + more professional

4) Do you commute to work?

(Yes) No Not Sure How far? 35 miles / ½ hour Drive

5) If you could live and work in the same area would you?

(Yes) No Not Sure Why? Why Not.

6) Would you be interested in information on owning a Work, Live Lofts?

(Yes) No Not Sure Why? I have been paying rent for 8 years in same location across the street from project.

NAME: Mari Saito
ADDRESS: 16585 N. 92 St. Suite 112
TELEPHONE: 480-284-5592
EMAIL: marisaito@gmail.com

PLEASE FILL OUT AND TURN IN OR MAIL TO:
Catclar Investments, LLC
16621 N 91st St. Suite #101 Scottsdale, AZ 85260
OR EMAIL: tnacius@cox.net

I am owner of Martial Arts School in same location across the street.

NEIGHBORHOOD MEETING SURVEY

SCOTTSDALE APPLICATION NUMBER 618-PA-2014
Catclar Investments, LLC
SW CORNER OF BAHIA DR AND 92nd ST IN THE CITY OF SCOTTSDALE
BAHIA LIVE, WORK, PLAY PROJECT

Thursday, August 14th, 2014 6:00pm – 7:00pm
FROGS Physical Therapy 16621 N. 91st ST., SUITE #101, Scottsdale, AZ 85260

SURVEY QUESTIONS (CIRCLE ONE)

1) Do you think a restaurant in this area is needed?

Yes No Not Sure Why? Family / Affordable Restaurant

2) Do you regularly have business lunches or meetings off site?

Yes No Not Sure Why?

3) Would you use Shared meeting space or a conference room?

Yes No Not Sure Why?

4) Do you commute to work?

Yes No Not Sure How far? 9 Miles

5) If you could live and work in the same area would you?

Yes No Not Sure Why? What is separated

6) Would you be interested in information on owning a Work, Live Lofts?

Yes No Not Sure Why?

NAME: Brian Nixon
ADDRESS: 16585 N 92 St #112
TELEPHONE:
EMAIL:
PLEASE FILL OUT AND TURN IN OR MAIL TO:
Catclar Investments, LLC
16621 N 91st St. Suite #101 Scottsdale, AZ 85260
OR EMAIL: tmacius@cox.net

NEIGHBORHOOD MEETING SURVEY

SCOTTSDALE APPLICATION NUMBER 618-PA-2014
Catclar Investments, LLC
SW CORNER OF BAHIA DR AND 92nd ST IN THE CITY OF SCOTTSDALE
BAHIA LIVE, WORK, PLAY PROJECT

Thursday, August 14th, 2014 6:00pm – 7:00pm
FROGS Physical Therapy 16621 N. 91st ST., SUITE #101, Scottsdale, AZ 85260

SURVEY QUESTIONS (CIRCLE ONE)

1) Do you think a restaurant in this area is needed?

(Yes) No Not Sure Why? lots of families in the area

2) Do you regularly have business lunches or meetings off site?

(Yes) No Not Sure Why? Business is close have to drive. like to eat on

3) Would you use Shared meeting space or a conference room?

(Yes) No Not Sure Why?_____

4) Do you commute to work?

Yes (No) Not Sure How far?_____

5) If you could live and work in the same area would you?

(Yes) No Not Sure Why?_____

6) Would you be interested in information on owning a Work, Live Lofts?

(Yes) No Not Sure Why?_____

NAME: DARREN BROTHERTON
ADDRESS:
TELEPHONE: 480 701-2627
EMAIL:
PLEASE FILL OUT AND TURN IN OR MAIL TO:
Catclar Investments, LLC
16621 N 91st St. Suite #101 Scottsdale, AZ 85260
OR EMAIL: tnacius@cox.net

NEIGHBORHOOD MEETING SURVEY

SCOTTSDALE APPLICATION NUMBER 618-PA-2014
Catclar Investments, LLC
SW CORNER OF BAHIA DR AND 92nd ST IN THE CITY OF SCOTTSDALE
BAHIA LIVE, WORK, PLAY PROJECT

Thursday, August 14th, 2014 6:00pm – 7:00pm
FROGS Physical Therapy 16621 N. 91st ST., SUITE #101, Scottsdale, AZ 85260

SURVEY QUESTIONS (CIRCLE ONE)

1) Do you think a restaurant in this area is needed?

Yes No Not Sure Why?_____

2) Do you regularly have business lunches or meetings off site?

Yes No Not Sure Why?_____

3) Would you use Shared meeting space or a conference room?

Yes No Not Sure Why?_____

4) Do you commute to work?

Yes No Not Sure How far?__5m_____

5) If you could live and work in the same area would you?

Yes No Not Sure Why? I like the separation of work & living space

6) Would you be interested in information on owning a Work, Live Lofts?

Yes No Not Sure Why?_____

NAME: Kati Botkin
ADDRESS: 16573 N 92nd Street Suite 115
TELEPHONE: 480-443-8770
EMAIL: kbotkin@hessionesinteriors.com
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SURVEY QUESTIONS (CIRCLE ONE)

1) Do you think a restaurant in this area is needed?

Yes No Not Sure Why? Not much around – healthy options!!

2) Do you regularly have business lunches or meetings off site?

Yes No Not Sure Why? But bring in catering

3) Would you use Shared meeting space or a conference room?

Yes No Not Sure Why? Not needed

4) Do you commute to work?

Yes No Not Sure How far? 3 miles

5) If you could live and work in the same area would you?

Yes No Not Sure Why? already do

6) Would you be interested in information on owning a Work, Live Lofts?

Yes No Not Sure Why? for staff / clients

NAME: Leighanne Fitzgerald
ADDRESS: #135, 16593 N. 92 St. Scottsdale, AZ 85260
TELEPHONE: 480-699-3045
EMAIL: leighanne@optexperience.com
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SURVEY QUESTIONS (CIRCLE ONE)

1) Do you think a restaurant in this area is needed?

Yes No Not Sure Why? not enough options in this area

2) Do you regularly have business lunches or meetings off site?

Yes No Not Sure Why?

3) Would you use Shared meeting space or a conference room?

Yes No Not Sure Why? not needed

4) Do you commute to work?

Yes No Not Sure How far? 20mi

5) If you could live and work in the same area would you?

Yes No Not Sure Why?

6) Would you be interested in information on owning a Work, Live Lofts?

Yes No Not Sure Why? not needed for me

NAME: Aaron Mollman
ADDRESS:
TELEPHONE:
EMAIL:
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SURVEY QUESTIONS (CIRCLE ONE)

1) Do you think a restaurant in this area is needed?

Yes No Not Sure Why?_____

2) Do you regularly have business lunches or meetings off site?
occasionally

Yes No Not Sure Why?_____

3) Would you use Shared meeting space or a conference room?

Yes No Not Sure Why?_____

4) Do you commute to work?

Yes No Not Sure How far?_____

5) If you could live and work in the same area would you?

Yes No Not Sure Why?_____

6) Would you be interested in information on owning a Work, Live Lofts?

Yes No Not Sure Why?_____

NAME: Imperial Contracting
ADDRESS: 16573 N. 92nd St. #C125, Scottsdale, AZ 85260
TELEPHONE: 480-892-9157
EMAIL:
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SURVEY QUESTIONS (CIRCLE ONE)

1) Do you think a restaurant in this area is needed?

Yes No Not Sure Why?_____

2) Do you regularly have business lunches or meetings off site?

Yes No Not Sure Why?_____

3) Would you use Shared meeting space or a conference room?

Yes No Not Sure Why? we have adequate conference space

4) Do you commute to work?

Yes No Not Sure How far? 11 minutes

5) If you could live and work in the same area would you?

Yes No Not Sure Why? I do

6) Would you be interested in information on owning a Work, Live Lofts?

Yes No Not Sure Why? Possibly Just bought a townhouse

NAME: Tom Gorge
ADDRESS:
TELEPHONE:
EMAIL: tom@iwired.com
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SURVEY QUESTIONS (CIRCLE ONE)

1) Do you think a restaurant in this area is needed?

(Yes) No Not Sure Why? Lots people few opt-ins

2) Do you regularly have business lunches or meetings off site?

(Yes) No Not Sure Why?

3) Would you use Shared meeting space or a conference room?

Yes No Not Sure Why? Maybe, occassionally

4) Do you commute to work?

(Yes) No Not Sure How far? 3.5

5) If you could live and work in the same area would you?

Yes No Not Sure Why? Maybe

6) Would you be interested in information on owning a Work, Live Lofts?

(Yes) No Not Sure Why?

NAME: James Phillips
ADDRESS: 16585 N. 92nd St #104
TELEPHONE: 480.596.6699
EMAIL: jamespp2@gmail.com
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SURVEY QUESTIONS (CIRCLE ONE)

1) Do you think a restaurant in this area is needed?

Yes No Not Sure Why?_____

2) Do you regularly have business lunches or meetings off site?

Yes No Not Sure Why?_____

3) Would you use Shared meeting space or a conference room?

Yes No Not Sure Why?_____

4) Do you commute to work?

Yes No Not Sure How far?_____

5) If you could live and work in the same area would you?

Yes No Not Sure Why?_____

6) Would you be interested in information on owning a Work, Live Lofts?

Yes No Not Sure Why?_____

NAME: Allison Chaney
ADDRESS: 16531 N. 92nd St Scottsdale, AZ 85260
TELEPHONE: 480-776-1970
EMAIL: achaney@scottsdalepep.com
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SURVEY QUESTIONS (CIRCLE ONE)

1) Do you think a restaurant in this area is needed?

Yes No (Not Sure) Why? drive area

2) Do you regularly have business lunches or meetings off site?

(Yes) No Not Sure Why? nothing close

3) Would you use Shared meeting space or a conference room?

Yes (No) Not Sure Why? have one.

4) Do you commute to work?

(Yes) No Not Sure How far? 2 miles

5) If you could live and work in the same area would you?

Yes No (Not Sure) Why? 2 dogs – grass

6) Would you be interested in information on owning a Work, Live Lofts?

Yes (No) Not Sure Why? 2 dogs

NAME: Richard Hanter
ADDRESS: 9170 E. BAHIA DR #102 – SCOTT 85260
TELEPHONE: 480-215-6210
EMAIL: broker@devstarrealtx.com
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SURVEY QUESTIONS (CIRCLE ONE)

1) Do you think a restaurant in this area is needed?

Yes No Not Sure Why?_____

2) Do you regularly have business lunches or meetings off site?

Yes No Not Sure Why?_____

3) Would you use Shared meeting space or a conference room?

Yes No Not Sure Why?_____

4) Do you commute to work?

Yes No Not Sure How far? 10 mi

5) If you could live and work in the same area would you?

Yes No Not Sure Why?_____

6) Would you be interested in information on owning a Work, Live Lofts?

Yes No Not Sure Why?_____

NAME: THOMAS DUNBAR
ADDRESS: 9170 E BAHIA DR #102
TELEPHONE: 602 882 6649
EMAIL: TOM@DUNBARCPA.com

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SURVEY QUESTIONS (CIRCLE ONE)

1) Do you think a restaurant in this area is needed?

Yes No Not Sure Why?_____

2) Do you regularly have business lunches or meetings off site?

Yes No Not Sure Why?_____

3) Would you use Shared meeting space or a conference room?

Yes No Not Sure Why?_____

4) Do you commute to work?

Yes No Not Sure How far?_____

5) If you could live and work in the same area would you?

Yes No Not Sure Why?_____

6) Would you be interested in information on owning a Work, Live Lofts?

Yes No Not Sure Why?_____

NAME: Frano
ADDRESS:
TELEPHONE:
EMAIL:
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I SUPPORT	Y
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS:

NAME: TYLER WARREN
ADDRESS: 9151 E. BELL RD., STE. 101, SCOTTSDALE, AZ 85260
TELEPHONE: 480-951-2716
EMAIL: twarren@smocus.com

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I SUPPORT	Y
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS: If done well, this could be a real asset to the Airpark Brand.

NAME: James Phillips
ADDRESS: 16585 N 92nd St #104
TELEPHONE: 480 596.6699
EMAIL: jamespp2@gmail.com

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catclar
INVESTMENTS

PROJECT SUPPORT

SCOTTSDALE APPLICATION NUMBER 6-GP-2014 & 14-ZN-2014
Catclar Investments, LLC
SW CORNER OF BAHIA DR AND 92nd ST IN THE CITY OF SCOTTSDALE
BAHIA SOHO - WORK, LIVE, PLAY PROJECT

I SUPPORT	Y
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS:

Very nice looking project and I like the latest design

NAME: RANDY SHELL
ADDRESS: 16410 N. 91st STREET, SCOTTSDALE, 85260
TELEPHONE: 480-443-3992
EMAIL: randy@ShellCommercial.com

PLEASE FILL OUT AND TURN IN OR MAIL TO:

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NEIGHBORHOOD MEETING

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I SUPPORT	Y
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS: If done well, this could be a real asset to the Airpark Brand.

NAME: James Phillips
ADDRESS: 16585 N 92nd St #104
TELEPHONE: 480 556.6699
EMAIL: jamespp2@gmail.com

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I SUPPORT	Y
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS:

NAME: Kati Botkin
ADDRESS: 16573 N 92nd Street Suite 115
TELEPHONE: 480-443-8770
EMAIL: kbotkin@bessjonesinteriors.com

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I SUPPORT	Y
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS:

NAME: David P Duckworth Scottsdale Education Center
ADDRESS: 9151 E Bell Rd, Ste 102, Scottsdale, AZ 85260
TELEPHONE: 480 538-0828
EMAIL: dave@secTutoring.com

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I SUPPORT	Y
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS:

NAME: Andrew Clary
ADDRESS: 16621 N. 91st St
TELEPHONE:
EMAIL: claryan@frogspt.com

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I SUPPORT	Y
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS:

Please make sure parking isn't taken by complex on 92nd st - my only concern

Otherwise sounds like a great plan!

NAME: Leighanne Fitzgerald
ADDRESS: #135, 16573 N 92 st. Scottsdale 85260
TELEPHONE: 480-699-3045
EMAIL: leighanne@optexperience.com

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I SUPPORT	Y
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS:

NAME: Aaron Millner
ADDRESS: 16561 N. 92nd St.
TELEPHONE: 602-437-4822
EMAIL: aaron@lenidhmech.com

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I SUPPORT	(Y)
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS:

NAME: Tom George iWired
ADDRESS: 16573 N. 92nd Street, Ste. C101 Scottsdale 85260
TELEPHONE: 480-922-2500 x22
EMAIL: tom@iwired.com

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I SUPPORT	Y
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS:

NAME: FRANO MILICEVIC
ADDRESS: 9307 E Desert Arroyos, Scottsdale, AZ 85255
TELEPHONE: 602-405-3712
EMAIL: fmilicevic@yahoo.com

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I SUPPORT	Y
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS: look like a wonderful project and a good mixed use for the greater Airpark area

NAME: MICHAEL P. LEARY
ADDRESS: 6216 E. Hillery Drive, Sct AZ 85255
TELEPHONE: 480.991.1111
EMAIL: michaelpleary@cox.net

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I SUPPORT	Y
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS:

NAME: THOMAS DUNBAR
ADDRESS: 9170 E BAHIA DR #102 SCOTTSDALE AZ 85260
TELEPHONE: 602 882 6649
EMAIL: TOM@DUNBARCPA.COM

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I SUPPORT	Y
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS:

NAME: DEVON FURSTENAU
ADDRESS: 16597 N. 92ND ST. #111 SCOTTSDALE, AZ
TELEPHONE: 480.941.2367
EMAIL: mail@gfgse.com

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PROJECT SUPPORT

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BAHIA SOHO - WORK, LIVE, PLAY PROJECT

I SUPPORT	Y
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS:

NAME: Kevin J. Berk
ADDRESS: 16447 N. 91st Street, Ste 105, Scottsdale, AZ 85260
TELEPHONE: 480-861-7494
EMAIL: KBerk130@gmail.com

PLEASE FILL OUT AND TURN IN OR MAIL TO:

Catclar Investments, LLC
16621 N 91st St.
Suite #101
Scottsdale, AZ 85260

OR EMAIL: tnacius@cox.net

NEIGHBORHOOD MEETING

SCOTTSDALE APPLICATION NUMBER 618-PA-2014
Catclar Investments, LLC
SW CORNER OF BAHIA DR AND 92nd ST IN THE CITY OF SCOTTSDALE
BAHIA LIVE, WORK, PLAY PROJECT

Thursday, August 14th, 2014 6:00pm – 7:00pm
FROGS Physical Therapy 16621 N. 91st ST., SUITE #101, Scottsdale, AZ 85260

I SUPPORT	Y
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS:
I support development of available land in this area which responsibly considers impact on traffic congestion in the area and has a positive impact on the property value of existing developments. I feel the proposed development will make good use of the available land and be an available asset to nearby businesses.

NAME: Michael B. Gordon
ADDRESS: 16597 N. 92nd St., #111
TELEPHONE: 480-941-2367
EMAIL: mgordon@gfgse.com

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I SUPPORT	Y
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS: If done well this could be a real asset to the Airpark Board

NAME: James Phillips
ADDRESS: 16585 N 92nd St #101
TELEPHONE: 480.596.6697
EMAIL: jamesjp2@gmail.com

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I SUPPORT	(Y)
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS:
Great idea/concept

NAME: Richard Hanten
ADDRESS: 9170 E. Bahia Dr Ste 102
TELEPHONE: 480-215-6212
EMAIL: broker@drustarrealty.com

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I SUPPORT	Y
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS:

NAME: Allison Cheney
ADDRESS: 16537 N. 92nd St Scottsdale, AZ 85260
TELEPHONE: 480-774-1970
EMAIL: acheney@scottsdaleprep.org

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Suite #101
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Catclar Investments, LLC
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Thursday, August 14th, 2014 6:00pm – 7:00pm
FROGS Physical Therapy 16621 N. 91st ST., SUITE #101, Scottsdale, AZ 85260

I SUPPORT	Y
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS:
My support is based upon the understanding that in order to accommodate this development, adjustments will be made to the traffic issues we are currently experiencing related to the drop off and pick up of students for Scottsdale Academy, and the parking issues by students and other tenants / customers on 92nd Street. In addition, it is understood that ample parking will be available for all residents as well as patrons of this development (they will not be required to use the road for parking). It is also understood that additional security/police support will be provided for the new "after business hours" traffic (foot and vehicle traffic).

NAME: Brett Bennett
ADDRESS: 16561 N 92nd Street, Suite 105, Scottsdale, AZ 85260
TELEPHONE: 480-295-4259
EMAIL: brett@ptpos.com

PLEASE FILL OUT AND TURN IN OR MAIL TO:

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16621 N 91st St.
Suite #101
Scottsdale, AZ 85260
OR EMAIL: tnacius@cox.net

catclar
INVESTMENTS

NEIGHBORHOOD MEETING

SCOTTSDALE APPLICATION NUMBER 618-PA-2014
Catclar Investments, LLC
SW CORNER OF BAHIA DR AND 92nd ST IN THE CITY OF SCOTTSDALE
BAHIA LIVE, WORK, PLAY PROJECT

Thursday, August 14th, 2014 6:00pm – 7:00pm
FROGS Physical Therapy 16621 N. 91st ST., SUITE #101, Scottsdale, AZ 85260

I SUPPORT	YES
~~I DO NOT SUPPORT~~	Y
~~I AM NEUTRAL~~	Y
~~I HAVE NOT DECIDED~~	Y

COMMENTS:
Great Idea! Wish I thought of it.

A Project like this is well needed. More life in this area will be safer at night.

It is not safe to walk to Shops at Frank Lloyd Wright & Pima

This project will make it much safer to the workers in area.

NAME: Mari Saito
ADDRESS: 16585 N. 92nd St. Suite 112
TELEPHONE: 480-284-5392
EMAIL: marisaito@quest.com

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NEIGHBORHOOD MEETING

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I SUPPORT	Y
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS:
NOT INTERESTED BUT I LIKE THE IDEA

NAME: Brian Nickols
ADDRESS: 16585 N. 92nd St
TELEPHONE:
EMAIL:

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16621 N 91st St.
Suite #101
Scottsdale, AZ 85260

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I SUPPORT	Y
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS: its NEEDED!

NAME: DAKOTA BROTHERTON
ADDRESS:
TELEPHONE: 480 721-2627
EMAIL:

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16621 N 91st St.
Suite #101
Scottsdale, AZ 85260

OR EMAIL: tnacius@cox.net

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I SUPPORT	Y
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS:

NAME: MICHAEL O'HEARN
ADDRESS: 9375 E. BELL RD.
TELEPHONE: (480) 473-5835
EMAIL: MOHEARN@COYOTEJICE.COM

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16621 N 91st St.
Suite #101
Scottsdale, AZ 85260

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I SUPPORT	Y
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS:

NAME: FRANO MILICEVIC
ADDRESS: 9307 E Desert Arroyos, Scottsdale, AZ 85255
TELEPHONE: 602-405-3712
EMAIL: fmilicevic@yahoo.com

PLEASE FILL OUT AND TURN IN OR MAIL TO:

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16621 N 91st St.
Suite #101
Scottsdale, AZ 85260

OR EMAIL: tnacius@cox.net

catclar
INVESTMENTS

NEIGHBORHOOD MEETING

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I SUPPORT	Y
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS: look like a wonderful project and a good mixed use for the greater Airpark area

NAME: MICHAEL P. LEARY
ADDRESS: 10278 E. Hillery Drive, Scot AZ 85255
TELEPHONE: 480.991.1111
EMAIL: michaelpleary@cox.net

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I SUPPORT	Y
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS:

NAME: Allison Chaney
ADDRESS: 16537 N. 92nd St Scottsdale, AZ 85260
TELEPHONE: 480-771-1970
EMAIL: achaney@scottsdaleprep.org

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I SUPPORT	(Y)
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS:
Great idea/concept

NAME: Richard Hanten
ADDRESS: 9170 E. Bahia Dr Ste 102
TELEPHONE: 480-215-6210
EMAIL: broker@dzustarrealty.com

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I SUPPORT	Y
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS:

NAME: THOMAS DUNBAR
ADDRESS: 9170 E BAHIA DR #102 SCOTTSDALE AZ 85260
TELEPHONE: 602 882 6649
EMAIL: TOM@DUNBARCPA.COM

PLEASE FILL OUT AND TURN IN OR MAIL TO:

Catclar Investments, LLC
16621 N 91st St.
Suite #101
Scottsdale, AZ 85260

OR EMAIL: tnacius@cox.net

PROJECT SUPPORT

SCOTTSDALE APPLICATION NUMBER 6-GP-2014 & 14-ZN-2014
Catclar Investments, LLC
SW CORNER OF BAHIA DR AND 92nd ST IN THE CITY OF SCOTTSDALE
BAHIA SOHO - WORK, LIVE, PLAY PROJECT

I SUPPORT	(Y)
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS:
We agree and see great popularity w/ work + Live Spaces.

NAME: Jason Hersh
ADDRESS:
TELEPHONE: 602-290-2084
EMAIL: Jason.Hersh@Viahome.com

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16621 N 91st St.
Suite #101
Scottsdale, AZ 85260

OR EMAIL: tnacius@cox.net

PROJECT SUPPORT

SCOTTSDALE APPLICATION NUMBER 6-GP-2014 & 14-ZN-2014
Catclar Investments, LLC
SW CORNER OF BAHIA DR AND 92nd ST IN THE CITY OF SCOTTSDALE
BAHIA SOHO - WORK, LIVE, PLAY PROJECT

I SUPPORT	Y
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS: Very interested in a partnership as Mountainside fitness to allow residents to use our facilities. We have annual and month to month memberships

NAME: Ralph Valenzi
ADDRESS: 9375 E Bell Rd
TELEPHONE: 480-502-2096
EMAIL:

Mountainside Fitness

PLEASE FILL OUT AND TURN IN OR MAIL TO:

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16621 N 91st St.
Suite #101
Scottsdale, AZ 85260

OR EMAIL: tnacius@cox.net

PROJECT SUPPORT

SCOTTSDALE APPLICATION NUMBER 6-GP-2014 & 14-ZN-2014
Catclar Investments, LLC
SW CORNER OF BAHIA DR AND 92nd ST IN THE CITY OF SCOTTSDALE
BAHIA SOHO - WORK, LIVE, PLAY PROJECT

I SUPPORT	Y
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS: Interesting concept – views should be amazing.

NAME: J David Deatherage
ADDRESS: 16621 N 91st st.
TELEPHONE: 480 368 1551
EMAIL: david@copperstate-ens.com

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16621 N 91st St.
Suite #101
Scottsdale, AZ 85260

OR EMAIL: tnacius@cox.net

PROJECT SUPPORT

SCOTTSDALE APPLICATION NUMBER 6-GP-2014 & 14-ZN-2014
Catclar Investments, LLC
SW CORNER OF BAHIA DR AND 92nd ST IN THE CITY OF SCOTTSDALE
BAHIA SOHO - WORK, LIVE, PLAY PROJECT

I SUPPORT	(Y)
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS:
I BELIEVE THIS WOULD BE A GREAT ADDITION TO THE AREA.

NAME: TOM BARR, SWEH, INC
ADDRESS: 16419 N. 91st ST, STE 110, SCOTTSDALE, AZ 85260
TELEPHONE: 480-905-3600
EMAIL: TOMBARR@ME.COM

PLEASE FILL OUT AND TURN IN OR MAIL TO:

Catclar Investments, LLC
16621 N 91st St.
Suite #101
Scottsdale, AZ 85260

OR EMAIL: tnacius@cox.net

Gmail

Fwd: RE:

Irene Clary <tnacius@cox.net> Fri, Aug 22, 2014 at 11:47 AM
To: Michael Zajas <michaelz@catclar.com>

Sent from my iPhone

Begin forwarded message:

From: Alison Chaney <AChaney@scottsdaleprep.org>
Date: August 21, 2014 at 5:06:49 PM PDT
To: Irene Clary <tnacius@cox.net>
Subject: RE:

Hello Mrs. Clary,

I apologize - this email went into my Junk folder, and I only check it intermittently during the week.

We are happy to support your development. Currently, we are seeing continued traffic congestion in the mornings, and the city has been in contact with me about setting up new staggered drop-off/pick-up times to alleviate the issues. I am meeting with the Great Hearts Facilities/Real Estate team to put together a new plan, which we will bring to the families.

From our meeting last Monday, it seemed apparent to me that the city is not interested in helping us find solutions for additional drop-off locations or re-routing traffic. If you think there is still a way to convince them to assist us in creating another easement or opening another road (i.e. that hiking trail), I would be very interested in your help. I have been driving the various paths around the school in the past few days, but I don't see many options unless the city provides us with some help.

For now, our only option is to force families to come at various times throughout the morning and afternoon, which will hopefully aid in reducing back-up on Bahia, but it will not reduce the volume of cars that come through.

Best wishes as you continue your project -keep us informed of the progress!

Alison Chaney | Headmaster
Scottsdale Preparatory Academy | 16537 N. 92nd Street | Scottsdale, AZ 85260
D: 480-776-1970 x 305; C: 917-532-4362| E: achaney@scottsdaleprep.org
| W: www.scottsdaleprep.org
Classical Education, Revolutionary Schools

----Original Message----
From: Irene Clary [mailto:tnacius@cox.net]
Sent: Monday, August 18, 2014 11:58 AM
To: Alison Chaney
Subject:

Hi Alison,
Thank you for your support letter. I wanted to make sure that you are supporting our development as it

FROGS Physical Therapy

November 12, 2014

Catclar Investments
16621 N. 91st Street #101
Scottsdale, AZ. 85260

To Whom It May Concern:

I have lived and worked in this area for the past 14 years and I have seen the growth of this McDowell Business Park. I was one of the original members of the "Family Fun Zone" which joined businesses that were linked to provide services to families. There is an exciting family atmosphere here and the new project by Catclar Investments "Live, Work, and Play personifies this family concept.

My business would definitely benefit from a Live, Work and Play development but more importantly it would continue the theme from the surrounding communities like McDowell Mountain and DC Ranch.

The McDowell Business Park is a perfect place for this beautiful concept and will bring more life to the area. There are a lot of fitness centers, activity centers and business which are attractive for individuals to Live, Work and Play.

I am a huge supporter of this project personally and professionally.

Professionally,

Andrew Clary MS, PT, ATC
Owner/ Physical Therapist
FROGS Physical Therapy LLC

P: 480-585-7300
F: 480-585-7740

16621 N. 91st St., #101
Scottsdale, AZ 85260

www.frogspt.com

"Taking Retail Technology to the Next Level"

Tuesday, November 11, 2014

Michael Zajas
Catclar Investments, LLC
16621 N 91st. Street
Suite 101,
Scottsdale, AZ 85260

Subject: Bahia Live, Work, Play Project

Dear Michael,

Back in August, I received the initial notification letter from the city regarding the Bahia Live, Work, Play Project. At that time, I expressed concern over the amount of traffic, and excessive parking on 92nd Street, south of Bahia, and how the project would impact, and be impacted by the issue of traffic and parking. Since then, I know you have worked with the school (Scottsdale Prep) and the city to make changes to alleviate part of that issue. It is my understanding that the school put in place a staggered start time for their students, which has reduced the morning and afternoon backup of traffic substantially. This is a great development, and certainly eases my mind about the project.

At this point, the only obstacle I see is the parking along both sides of 92nd Street south of Bahia. I am hoping that the city will enforce a no parking zone along at least one side of the street, and limit parking on the other side to specific times of the day. Employees complain about the dangers of pulling out of our parking lots today with so many cars parked on both sides. There have been several close calls over the past few months.

Please let me know if you have any questions.

Thank you,

Brett Bennett
CEO
POSitive Technology
480-295-4259
brett@ptpos.com

October 8, 2014

Ms. Irene Catsibris Clary
Catclar Investments, LLC
16621 N 91st. Street, Suite 101,
Scottsdale, Arizona 85260

Re: Airplane Noise

Ms. Clary,

I own two business condo units directly across the street from your intended project and was one of the original people to move into the complex. We have an office staff of 13 people who work in our building from 6AM to 6PM. We have never been bothered by noise from the planes (both jet and prop) that utilize the Scottsdale airport. It seems about once per year a couple of fighter jets fly in and they are loud but it is 15 seconds of a good loud that should make you proud and thankful for your blessings of freedom.

I am also on the board for the condominium association and have never heard of a noise complaint regarding the airport.

Having seen renderings of the project I think it would be a great addition to the area and certainly much better than another mini storage or the weed patch that now exists.

Please don't hesitate to contact me should you have any further questions.

Tom George
iWired Inc.
16573 North 92nd Street, Ste. C-101
Scottsdale, AZ 85260
480-922-2500
tom@iwired.com

JUSTIN WILCOX, PA-C
Physician Assistant to
Dr. F. Dean Cummings

tocamd.com

5002 S. Mill Avenue
Tempe, AZ 85282

9377 E. Bell Rd., Suite 231
Scottsdale, AZ 85260

6320 W. Union Hills Dr., Suite B-1800
Glendale, AZ 85308

T: (602) 277.6211
F: (602) 277.1074

THE ORTHOPEDIC TOCA CLINIC ASSOCIATION

November 11, 2014

City Of Scottsdale
Planning Department

RE: Bahia Work/Live/Play Project - 16576 N 92nd St, Scottsdale AZ 85260

To Whom It May Concern:

I have talked to the development team about their Bahia Work Live Play project and I think it'll be a good addition to this area. We eat often at the café in our building but I'm looking forward to something else and it'll be nice to see people across the street. I would imagine that it would be a benefit not only to this neighborhood but to the entire area.

We need residential in areas like this that will encourage people to walk to events at places like Westworld and the Phoenix Open.

Sincerely,

Physician Assistant
TOCA
9377 E Bell Rd # 231
Scottsdale, Az 85260

P. DEAN CUMMINGS, M.D.
Orthopedic Surgeon, Sports Medicine,
Fellowship Trained

tocamd.com

5002 S. Mill Avenue
Tempe, AZ 85282

9377 E. Bell Rd., Suite 231
Scottsdale, AZ 85260

6320 W. Union Hills Dr., Suite B-1800
Glendale, AZ 85308

T: (602) 277.6211
F: (602) 277.1074

THE ORTHOPEDIC TOCA CLINIC ASSOCIATION

November 11, 2014

City Of Scottsdale
Planning Department

RE: Bahia Work/Live/Play Project - 16576 N 92nd St, Scottsdale AZ 85260

To Whom It May Concern:

Having worked in the area for a couple years, it will be nice to see something happen on this site that has been vacant for such a long time. I am excited to see a project like the Bahia Work Live Play project get built. It will do a lot for the neighborhood and having another restaurant is good news for everyone. I am intrigued by the Work/Live concept and I'm happy that this form of community is finally coming to Scottsdale. I can see this type of lifestyle being attractive to many different types of people, in fact, I am watching how this project progresses because I would be interested in having my personal office here and walking over to my practice across the street. In my opinion this is a great project.

Sincerely,

P. Dean Cummings M.D.
Orthopedic Surgeon
TOCA
9377 E Bell Rd, Suite 231
Scottsdale, Az 85260

James P. Keeley, SIOR, CCIM
Founding Partner Scottsdale Office

14080 N. Northsight Blvd.
Scottsdale, AZ 85260
jim.keeley@colliers.com

MAIN +1 480 596 9000
FAX +1 480 655 3344
MOB +1 602 721 6540

Colliers INTERNATIONAL

November 4, 2014

The Honorable W. J. "Jim" Lane
Mayor of Scottsdale
Councilwoman Suzanne Klapp
Councilmember Virginia Korte
Councilman Robert Littlefield
Councilwoman Linda Milhaven
Councilman Guy Phillips
Councilman Dennis Robbins
City of Scottsdale
3939 N. Drinkwater Blvd.
Scottsdale, AZ 85251

RE: The Bahia Work, Live, Play Project at the Southwest Corner of Bahia Drive and 92nd Street

Dear Mayor and City Council Members,

As you may be aware, I have been involved in the Scottsdale Airpark since 1981as a Commercial Real Estate Broker, Developer and Historian and have seen it grow from 400,000 square feet to over 30 million square feet today. During that time I have had the opportunity to tour other Employment/Business Parks in cities like Irvine, in California, Las Calinas, in Texas, the Denver Tech Center, in Colorado, The Research Triangle Park in North Carolina and others. These mixed-use employment bases have thrived utilizing the MXD (Mixed Use Development) concepts of mixing office, residential, entertainment, Flex and Hi Tech space into cluster developments. The MXD Concept reduces traffic and lures more of today's millennial workforce.

I was involved in the original PCP Zoning Overlay Committee overlay from1987 to 1989. I was pleasantly surprised to see the updated PCP Overlay District implementing and encouraging mixed-use projects like the Bahia Project.

It is apparent there has been a lot of careful thought put into this project at every level, from the principals, architects and engineers. It also appears that the City has offered some valuable input and the developer has put forward a plan to achieve the highest and best use for the site. Over the more recent years, I have had individuals approach me looking for this type of product and I feel this will be a trend we'll see in the future.

I'm happy to see a project like this get developed as it will benefit the community at large and it has my support.

Please let me know if I may answer any questions you may have.

Sincerely,

James P. Keeley

James P. Keeley, SIOR, CCIM
Founding Partner Scottsdale Office

S:\Investments\keeleyj\2014 Correspondence\mayor council 11-4-14.doc

KBGibbons Inc.

5153 Village Green • Los Angeles, CA 90016
Phone: 310 500 5155 • E-Mail: kevinbgibbons@gmail.com

Date: November 10, 2014

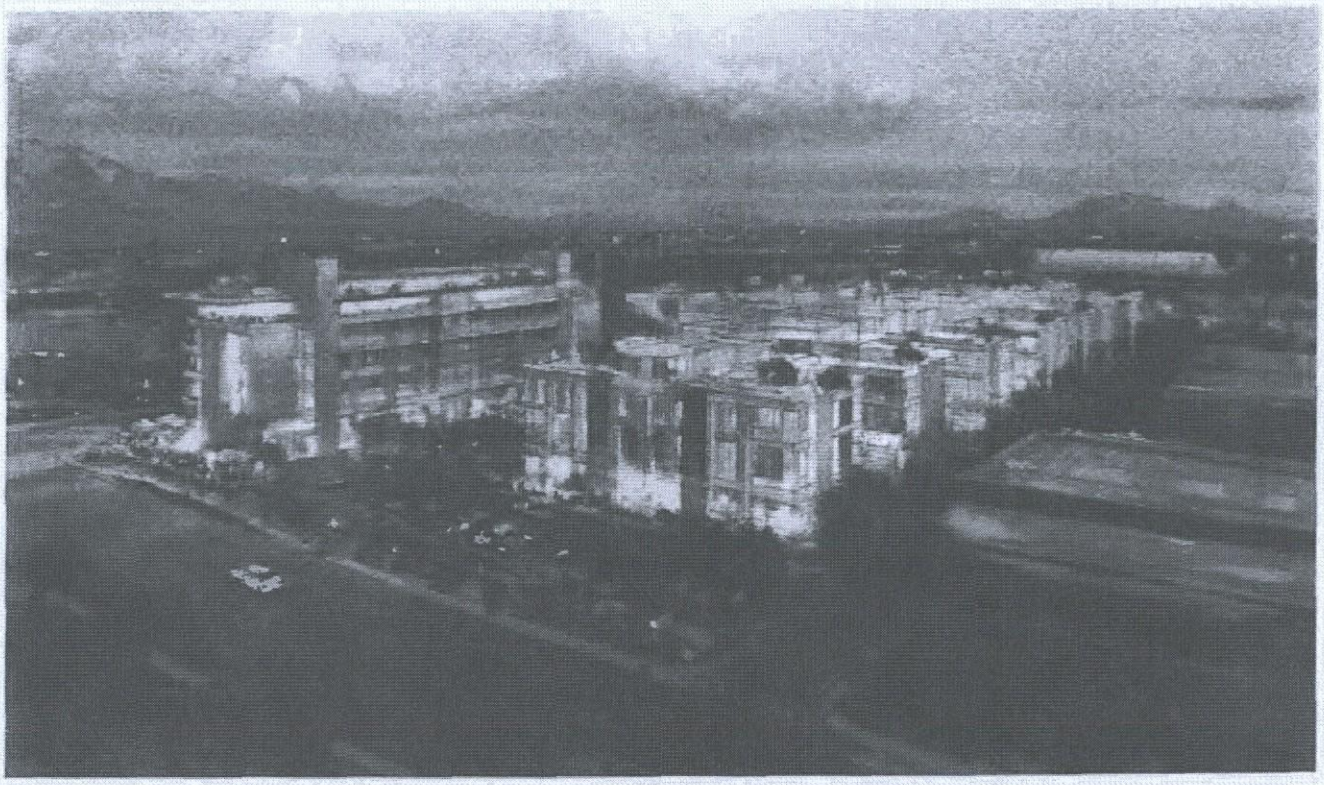
My name is Kevin Gibbons, I am a real estate agent in Los Angeles that sold the Barker Block project in downtown Los Angeles which is a 310 unit live/work residence in the heart of the Arts District in Downtown Los Angeles. Before the project was possible the city of Los Angeles passed a Live Work ordinance that allowed development of underdeveloped and under utilized areas in the city. Shortly after the project began we saw a surge of interest for loft living and live work environments where artists, entrepreneurs and small businesses could live, work and thrive in an industrial setting. Having residents move into the area created a truly unique culture. The industrial uses that were there before are still there but vacant sites and buildings have been transformed into residential buildings, new businesses, cafe's and in one case a high tech campus dedicated to renewable energy.

The property values have soared and the community is now a very desirable neighborhood in which to live and work. This is not a unique story, cities around the country from New York (Soho, Tribeca, Dumbo, the Highline) to San Francisco (South of Market) have helped reinvent and revive areas in the city by remaining open to changing and adapting zoning laws to help create new, vibrant communities which help cities grow in more sustainable, dynamic manner.

Sincerely,

Kevin Gibbons
CEO, KBGibbons Inc.
BRE License # 01711574

BAHIA



WORK, LIVE, PLAY

catclar
INVESTMENTS

REQUEST TO SPEAK

4,5

Request to Speak cards must be submitted to City Staff ***BEFORE*** *public testimony begins.*
Public testimony is limited to three (3) minutes per speaker.
Additional time MAY be granted to speakers representing two or more persons.
Cards for designated speakers and the person(s) they represent must be submitted together.

NAME (*print*) Andrew Clary MEETING DATE

NAME OF GROUP/ORGANIZATION (*if applicable*)

ADDRESS ZIP

HOME PHONE WORK PHONE

E-MAIL ADDRESS *(optional)*

☒ I WISH TO SPEAK ON AGENDA ITEM # 4,5 ☐ I WISH TO DONATE MY TIME TO

☐ I WISH TO SPEAK DURING "PUBLIC COMMENT"* CONCERNING

**Citizens may complete one Request to Speak "Public Comment" card per meeting and submit it to City Staff. "Public Comment" time is reserved for citizen comments regarding non-agendized items. The Board and Commission may hear "Public Comment" testimony, but is prohibited by state law from discussing items which are not listed on the agenda.*

This card constitutes a public record under Arizona law.

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Cards for designated speakers and the person(s) they represent must be submitted together.

NAME (*print*) Jim HARTSOCK MEETING DATE 11/12/14

NAME OF GROUP/ORGANIZATION (*if applicable*) McDowell Mountain Bussness Center

ADDRESS 16443 N. 91ST ZIP 85260

HOME PHONE WORK PHONE 480 661-0372

E-MAIL ADDRESS *(optional)* Jim@SWWILDLIFE.com

☒ I WISH TO SPEAK ON AGENDA ITEM # 4,5 ☐ I WISH TO DONATE MY TIME TO

☒ I WISH TO SPEAK DURING "PUBLIC COMMENT"* CONCERNING Item 4,5

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REQUEST TO SPEAK

4.5

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Additional time MAY be granted to speakers representing two or more persons.
Cards for designated speakers and the person(s) they represent must be submitted together.

NAME (*print*) Howard Myers MEETING DATE 11/12/2014

NAME OF GROUP/ORGANIZATION (*if applicable*) Desert Property owners' Asso.

ADDRESS 6631 E. Horned owl Tr. ZIP 85266

HOME PHONE 480-473-0109 WORK PHONE

E-MAIL ADDRESS (*optional*)

☒ I WISH TO SPEAK ON AGENDA ITEM # 4 & 5 ☐ I WISH TO DONATE MY TIME TO

☐ I WISH TO SPEAK DURING "PUBLIC COMMENT"* CONCERNING

**Citizens may complete one Request to Speak "Public Comment" card per meeting and submit it to City Staff. "Public Comment" time is reserved for citizen comments regarding non-agendized items. The Board and Commission may hear "Public Comment" testimony, but is prohibited by state law from discussing items which are not listed on the agenda.*

This card constitutes a public record under Arizona law. * extra time

REQUEST TO SPEAK

4.5

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Additional time MAY be granted to speakers representing two or more persons.
Cards for designated speakers and the person(s) they represent must be submitted together.

NAME (*print*) Robert Cappel MEETING DATE 11/12/2014

NAME OF GROUP/ORGANIZATION (*if applicable*)

ADDRESS 33600 N. 79th Way ZIP 85266

HOME PHONE 480-595-1805 WORK PHONE

E-MAIL ADDRESS (*optional*)

☐ I WISH TO SPEAK ON AGENDA ITEM # 4 & 5 ☒ I WISH TO DONATE MY TIME TO Howard Meyers

☐ I WISH TO SPEAK DURING "PUBLIC COMMENT"* CONCERNING

**Citizens may complete one Request to Speak "Public Comment" card per meeting and submit it to City Staff. "Public Comment" time is reserved for citizen comments regarding non-agendized items. The Board and Commission may hear "Public Comment" testimony, but is prohibited by state law from discussing items which are not listed on the agenda.*

This card constitutes a public record under Arizona law.

Written Comments cards may be submitted to the Clerk at any time. Cards submitted after public testimony has begun will be provided to the Council at the conclusion of the testimony for that item.

REQUEST TO SPEAK: Citizens wishing to address the Council in person may obtain a Request to Speak card from staff located at the Clerk's table in the Kiva.

Written Comments cards may be submitted to the Clerk at any time. Cards submitted after public testimony has begun will be provided to the Council at the conclusion of the testimony for that item.

grander scale, I do not think of the City of Scottsdale having the Bahia LWP lifestyle. People do not come to Scottsdale for that!

REQUEST TO SPEAK: Citizens wishing to address the Council in person may obtain a Request to Speak card from staff located at the Clerk's table in the Kiva.

WRITTEN COMMENTS

4,5

This card is used to submit written comments to the City Council.
Written comments cards may be submitted to the Clerk at any time. Cards submitted after public testimony has begun will be provided to the Council at the conclusion of the testimony for that item.

NAME (print) THOMAS DUNBAR MEETING DATE 11/12/2014

NAME OF GROUP/ORGANIZATION (if applicable)

ADDRESS 9170 E BAHIA DR STE 102 SCOTTSDALE ZIP 85260

HOME PHONE WORK PHONE 602 882 6649

E-MAIL ADDRESS (optional)

AGENDA ITEM # 6GP-2014 14-ZN-2014 ☒ SUPPORT ☐ OPPOSE

COMMENTS (additional space is provided on the back) MY OFFICE IS JUST TO NORTH OF THIS PROJECT. THIS PROJECT WILL BE A GOOD ADDITION TO THIS AREA.

This card constitutes a public record under Arizona law.

WRITTEN COMMENTS

4,5

This card is used to submit written comments to the City Council.
Written comments cards may be submitted to the Clerk at any time. Cards submitted after public testimony has begun will be provided to the Council at the conclusion of the testimony for that item.

NAME (print) Annette Hartsock MEETING DATE 11/12/14

NAME OF GROUP/ORGANIZATION (if applicable) JACS Properties LLC

ADDRESS 16443 N. 91st St #105, Scottsdale ZIP 85260

HOME PHONE 480-734-4392 cell WORK PHONE 480-661-0372

E-MAIL ADDRESS (optional)

AGENDA ITEM # 4,5 ☐ SUPPORT ☒ OPPOSE

COMMENTS (additional space is provided on the back) Residential does not belong in light industrial. Restructuring the current zoning may and does threaten our small family business. If we are forced to relocate, the expense will put us out of business. On a →

This card constitutes a public record under Arizona law.

WRITTEN COMMENTS

4,5

This card is used to submit written comments to the City Council.
Written comments cards may be submitted to the Clerk at any time. Cards submitted after public testimony has begun will be provided to the Council at the conclusion of the testimony for that item.

NAME (print) TOM GEORGE MEETING DATE 11/11/14

NAME OF GROUP/ORGANIZATION (if applicable)

ADDRESS 23868 N. 81st PLACE SCOTTSDALE AZ ZIP 85255

HOME PHONE 480-797-7918 WORK PHONE 480-922-2500

E-MAIL ADDRESS (optional)

AGENDA ITEM # 6-GP-2014 Bahia Work Live Play ☒ SUPPORT ☐ OPPOSE

COMMENTS (additional space is provided on the back) This is a well designed project that will replace the weed patch that exists with high end condos and eating establishment while bringing residents into an area otherwise abandon at night. I own two business condos directly across the street from this project & would welcome its approval

This card constitutes a public record under Arizona law. Tom George

WRITTEN COMMENTS

4,5

This card is used to submit written comments to the City Council.
Written comments cards may be submitted to the Clerk at any time. Cards submitted after public testimony has begun will be provided to the Council at the conclusion of the testimony for that item.

NAME (print) Andrew Clary MEETING DATE 11/12/14

NAME OF GROUP/ORGANIZATION (if applicable) FROGS Physical Therapy

ADDRESS 16621 N 91st St Scottsdale ZIP 85260

HOME PHONE WORK PHONE 480-585-7300

E-MAIL ADDRESS (optional)

AGENDA ITEM # 6-GP 2014 ☑ SUPPORT ☐ OPPOSE

COMMENTS (additional space is provided on the back) It is a great project that will enhance the areas business plan

This card constitutes a public record under Arizona law.

FROGS Physical Therapy

November 12, 2014

Catclar Investments
16621 N. 91st Street #101
Scottsdale, AZ. 85260

To Whom It May Concern:

I have lived and worked in this area for the past 14 years and I have seen the growth of this McDowell Business Park. I was one of the original members of the "Family Fun Zone" which joined businesses that were linked to provide services to families. There is an exciting family atmosphere here and the new project by Catclar Investments "Live, Work, and Play personifies this family concept.

My business would definitely benefit from a Live, Work and Play development but more importantly it would continue the theme from the surrounding communities like McDowell Mountain and DC Ranch.

The McDowell Business Park is a perfect place for this beautiful concept and will bring more life to the area. There are a lot of fitness centers, activity centers and business which are attractive for individuals to Live, Work and Play.

I am a huge supporter of this project personally and professionally.

Professionally,

Andrew Clary MS, PT, ATC
Owner/ Physical Therapist
FROGS Physical Therapy LLC

P: 480-585-7300
F: 480-585-7740

16621 N. 91st St., #101
Scottsdale, AZ 85260

www.frogspt.com

USTIN WILCOX, PA-C
Physician Assistant to
Dr. P. Dean Cummings
tocamd.com

THE ORTHOPEDIC TOCA CLINIC ASSOCIATION

5002 S. Mill Avenue
Tempe, AZ 85282

9377 E. Bell Rd., Suite 231
Scottsdale, AZ 85260

6320 W. Union Hills Dr., Suite B-1800
Glendale, AZ 85308

T: (602) 277.6211
F: (602) 277.1074

November 11, 2014

City Of Scottsdale
Planning Department

RE: Bahia Work/Live/Play Project - 16576 N 92nd St, Scottsdale AZ 85260

To Whom It May Concern:

I have talked to the development team about their Bahia Work Live Play project and I think it'll be a good addition to this area. We eat often at the café in our building but I'm looking forward to something else and it'll be nice to see people across the street. I would imagine that it would be a benefit not only to this neighborhood but to the entire area.

We need residential in areas like this that will encourage people to walk to events at places like Westworld and the Phoenix Open.

Sincerely,

Physician Assistant
TOCA
9377 E Bell Rd # 231
Scottsdale, Az 85260

DEAN CUMMINGS, M.D.
thopedic Surgeon, Sports Medicine,
Fellowship Trained

tocamd.com

5002 S. Mill Avenue
Tempe, AZ 85282

9377 E. Bell Rd., Suite 231
Scottsdale, AZ 85260

6320 W. Union Hills Dr., Suite B-1800
Glendale, AZ 85308

T: (602) 277.6211
F: (602) 277.1074

November 11, 2014

City Of Scottsdale
Planning Department

RE: Bahia Work/Live/Play Project - 16576 N 92nd St, Scottsdale AZ 85260

To Whom It May Concern:

Having worked in the area for a couple years, it will be nice to see something happen on this site that has been vacant for such a long time. I am excited to see a project like the Bahia Work Live Play project get built. It will do a lot for the neighborhood and having another restaurant is good news for everyone. I am intrigued by the Work/Live concept and I'm happy that this form of community is finally coming to Scottsdale. I can see this type of lifestyle being attractive to many different types of people, in fact, I am watching how this project progresses because I would be interested in having my personal office here and walking over to my practice across the street. In my opinion this is a great project.

Sincerely,

P. Dean Cummings M.D.
Orthopedic Surgeon
TOCA
9377 E Bell Rd, Suite 231
Scottsdale, Az 85260

PROJECT SUPPORT

SCOTTSDALE APPLICATION NUMBER 6-GP-2014 & 14-ZN-2014
Catclar Investments, LLC
SW CORNER OF BAHIA DR AND 92nd ST IN THE CITY OF SCOTTSDALE
BAHIA SOHO - WORK, LIVE, PLAY PROJECT

I SUPPORT	Y
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS:

Very nice looking project and I like the latest design

NAME: RANDY SHELL
ADDRESS: 16410 N. 91st STREET, SCOTTSDALE, 85260
TELEPHONE: 480-443-3992
EMAIL: randy@ShellCommercial.com

PLEASE FILL OUT AND TURN IN OR MAIL TO:

Catclar Investments, LLC
16621 N 91st St.
Suite #101
Scottsdale, AZ 85260

OR EMAIL: tnacius@cox.net

KBGibbons Inc.

5153 Village Green• Los Angeles, CA 90016
Phone: 310 500 5155 • E-Mail: kevinbgibbons@gmail.com

Date: November 10, 2014

My name is Kevin Gibbons, I am a real estate agent in Los Angeles that sold the Barker Block project in downtown Los Angeles which is a 310 unit live/work residence in the heart of the Arts District in Downtown Los Angeles. Before the project was possible the city of Los Angeles passed a Live Work ordinance that allowed development of underdeveloped and under utilized areas in the city. Shortly after the project began we saw a surge of interest for loft living and live work environments where artists, entrepreneurs and small businesses could live, work and thrive in an industrial setting. Having residents move into the area created a truly unique culture. The industrial uses that were there before are still there but vacant sites and buildings have been transformed into residential buildings, new businesses, cafe's and in one case a high tech campus dedicated to renewable energy.

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Sincerely,

Kevin Gibbons
CEO, KBGibbons Inc.
BRE License # 01711574

Roger Corbin
Bahia Scottsdale Properties, LLC
7985 Lea Circle
Bloomington, MN 55438
(952) 903-9762

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Castro, Lorraine

Subject: FW: Bahia Live Work Play Project

From: Roger Corbin [mailto:rcorbin@att.net]
Sent: Wednesday, November 12, 2014 7:56 AM
To: Bloemberg, Greg
Subject: Bahia Live Work Play Project

Dear Greg,
Thank you for talking the time to speak with me yesterday regarding the Bahia Live, Work, Play development project. To follow up on our telephone conversation, I have some very significant concerns about the Bahia Live, Work, Play development project.

My major issues are:

1. I believe that the proximity to the Airpark and West World activities are a significant problem at this site for the location of a residential development. Other existing residential developments have significant problems with West World events due to event noise levels and I do not see how things could be different at Bahia especially given the selling point of roof top patios for the lofts.

2. There is insufficient parking for storefront and restaurants that may be located at the facility. A typical pack and ship facility like Fedex can easily consume 10-15 parking spaces plus additional traffic from delivery vehicles at prime times.

3. Building heights will block and interfere with view of the McDowell Mountains from my property at 9096 E. Bahia and will be a significantly taller than other building heights in the area.

4. There is an over reliance in the plan on customers walking and biking to the facility given the lack of proximity to other residential areas within walking distance to the facility. Unless there are large numbers of people bicycling to work in the Bahia are now, I don't see how they will be bicycling to use the new facilities at the development.

5. The glass and steel "Industrial" design of the development is not in keeping with the more organic materials and subdued designs used by other developments in the area.

6. The density of the structures on the parcel, minimal building setbacks and lack of open space in the proposed development are not at all congruent with surrounding developments in the area.

7. The is an enormous risk that if the live work play concept doesn't get traction and becomes unattractive due to noise issues, a failed residential project in the area could significantly impact the commercial desirability of the area and significantly reduce commercial property values.

Overall, this appears to be a very high risk project not only for the developer and neighboring property owners but for the city and other surrounding stakeholders.

Sincerely,

Item # 4 + 5
Bahia

"Taking Retail Technology to the Next Level"

Tuesday, November 11, 2014

Michael Zajas
Catclar Investments, LLC
16621 N 91st. Street
Suite 101,
Scottsdale, AZ 85260

Subject: Bahia Live, Work, Play Project

Dear Michael,

Back in August, I received the initial notification letter from the city regarding the Bahia Live, Work, Play Project. At that time, I expressed concern over the amount of traffic, and excessive parking on 92nd Street, south of Bahia, and how the project would impact, and be impacted by the issue of traffic and parking. Since then, I know you have worked with the school (Scottsdale Prep) and the city to make changes to alleviate part of that issue. It is my understanding that the school put in place a staggered start time for their students, which has reduced the morning and afternoon backup of traffic substantially. This is a great development, and certainly eases my mind about the project.

At this point, the only obstacle I see is the parking along both sides of 92nd Street south of Bahia. I am hoping that the city will enforce a no parking zone along at least one side of the street, and limit parking on the other side to specific times of the day. Employees complain about the dangers of pulling out of our parking lots today with so many cars parked on both sides. There have been several close calls over the past few months.

Please let me know if you have any questions.

Thank you,

Brett Bennett
CEO
POSitive Technology
480-295-4259
brett@ptpos.com

catclar
INVESTMENTS

August 4, 2014

VANCAT INVESTMENTS LLC
16621 N 91ST STE 101
SCOTTSDALE, AZ 85260

Re: Bahia Live, Work, Play Project / Southwest Corner of 92nd Street & Bahia (618-PA-2014)

Dear Neighbor/Property Owner:

We are sending you this letter regarding an exciting new development opportunity in the Scottsdale Airpark. Catclar Investments LLC is proposing a new live/work development, the "Bahia Live, Work, Play Project", on the southwest corner of 92nd Street and Bahia which will consist of approximately 200,000 s.f. of residential live/work space including approximately 90 live/work units. The existing site is undeveloped and surrounded by existing medical office, service related, and recreation uses. Per the enclosed conceptual site plan, the buildings will be placed along the street frontages and western property line allowing for a meaningful, usable open space amenity in the center of the site. The proposed development plan will also provide a two-story retail/restaurant use for the benefit of both the residents and surrounding community.

This proposal requires a change to the land use designation (minor General Plan Amendment) identified in the Greater Airpark Character Area Plan from Employment to Airpark Mixed Use Residential. Additionally, the request will include a change in the zoning designation from I-1 PCD (Industrial Park - Planned Community District) to PCP PCD (Planned Airpark Core Development – Planned Community District) to allow for the mixed use live/work loft concept. We are currently preparing our application to the City of Scottsdale regarding the land use and zoning change.

As part of this process, we are holding a neighborhood open house meeting and inviting surrounding property owners and interested parties to attend. The open house meeting will be held on August 14th at Frogs Physical Therapy located at 16621 N 91st Street #101, Scottsdale AZ 85260 from 6-7 PM. Please feel free to attend this meeting to review the development plan in person or contact me with any comments you may have regarding the proposal. I can be reached at 480-473-3700 or via email at icatsibrisclary@catclar.com. Also, feel free to contact Greg Bloemberg at the City of Scottsdale Planning Department with any comments or questions. Greg can be reached at 480-312-4306 or via email at gbloemberg@scottsdaleaz.gov.

Sincerely,

Irene Catsibris Clary
Catclar Investments, LLC

Neighborhood Meeting of August 14th 2014.

The project's official neighborhood meeting was held at FROGS Physical Therapy, which also houses the Catclar Investments team, at 16621 N 91st St #101 Scottsdale, AZ 85260. This office is nearly across the street from the project site and demonstrates the Applicants investment in the local community. The meeting was scheduled to be from 6-7pm, however our first guests arrived at 5:30. The Applicant representative Irene Clary, was in attendance, as well as members of the project team including, Larry Heiny with H&S International and Michele Hammond with Berry, Riddell & Rosensteel. In addition to the Applicant and the project team, approximately 7 people from the public attended the meeting, one of them being Airport Commissioner Bill Bergdoll. The Applicant set up presentation boards around the room and the project team was available to discuss the project individually with members of the public. We have attached the support cards and the signup sheet to this report.

The members of the public in attendance were very supportive. Additional public comments are supportive of the project's mix of uses and offering of work /live in this location. The public meeting adjourned approximately at 7pm.

We are very excited about what this project brings to the general area. We've received support from potential patrons of the restaurant and possible owners of the townhomes. Brett Bennett, is the president of the adjacent HOA and he is strongly supporting the project. Additionally, from data provided by 3rd party experts, we feel this project will be not only a commercial success but a total win for the community.

We thank you for your consideration and hope to see a favorable outcome to this application.

Enclosures:

August 4th 2014 mailing notice

August 4th 2014 mailing notification list

August 4th 2014 affidavit of sign posting and photo of posted sign

August 14th 2014 neighborhood meeting sign-in sheet

Support letters from the local community

Please contact us with any questions,

Michael Zajas, MRED Director of Development
michaelz@catclar.com 480-473-3700 x 105

CATCLAR INVESTMENTS LLC
16621 N 91ST STREET #101 SCOTTSDALE, AZ 85260

To: City of Scottsdale
Planning, Neighborhood & Transportation Division
7447 E Indian School Road Suite 105, Scottsdale, AZ 85251

From: Catclar Investments LLC.

Date: 8.21.2014

Re: Bahia Work, Live, Play Project

Citizen and Neighborhood Involvement Process regarding Bahia Work, Live, Play

SW Corner of Bahia Dr. and 92nd St., Scottsdale, AZ 85260

Catclar Investments LLC

The project team has made a concerted effort to reach out to the neighboring community and has gone above and beyond to have meaningful conversations. We have and will continue to address any questions and/or comments that may arise throughout the application process.

Posting & Notification

Pursuant to the City of Scottsdale requirements, on August 4th 2014, the Applicant sent first class letters to all property owners within 750 feet of the project site and chairpersons of registered neighborhood associations and home owners associations, and notifying interested parties of the proposed development and of a neighborhood meeting scheduled for Thursday, August 14th. The respective dates, locations and time for the neighborhood meeting and Applicants contact information were posted on the project site on August 4th 2014 as well. Copies of the mailing notice, notification list, as well as photos of the neighborhood meeting notice sign posted on the site, are enclosed with this summary.

Phone Calls, Letters, Emails and faxes:

Prior to the neighborhood meeting, the Applicant reached out to several neighbors to share the development plan with them in advance and invite them to the meeting. After explaining the project to these property owners, they have been very supportive of the project. The Applicant was able to answer all of their questions.

14-ZN-2014
8/28/2014

CATCLAR INVESTMENTS LLC
16621 N 91ST STREET #101 SCOTTSDALE, AZ 85260

James P. Keeley, SIOR, CCIM
Founding Partner Scottsdale Office

14080 N. Northsight Blvd.
Scottsdale, AZ 85260
jim.keeley@colliers.com

MAIN +1 480 596 9000
FAX +1 480 655 3344
MOB +1 602 721 6540

Colliers INTERNATIONAL

November 4, 2014

The Honorable W. J. "Jim" Lane
Mayor of Scottsdale
Councilwoman Suzanne Klapp
Councilmember Virginia Korte
Councilman Robert Littlefield
Councilwoman Linda Milhaven
Councilman Guy Phillips
Councilman Dennis Robbins
City of Scottsdale
3939 N. Drinkwater Blvd.
Scottsdale, AZ 85251

RE: The Bahia Work, Live, Play Project at the Southwest Corner of Bahia Drive and 92nd Street

Dear Mayor and City Council Members,

As you may be aware, I have been involved in the Scottsdale Airpark since 1981as a Commercial Real Estate Broker, Developer and Historian and have seen it grow from 400,000 square feet to over 30 million square feet today. During that time I have had the opportunity to tour other Employment/Business Parks in cities like Irvine, in California, Las Calinas, in Texas, the Denver Tech Center, in Colorado, The Research Triangle Park in North Carolina and others. These mixed-use employment bases have thrived utilizing the MXD (Mixed Use Development) concepts of mixing office, residential, entertainment, Flex and Hi Tech space into cluster developments. The MXD Concept reduces traffic and lures more of today's millennial workforce.

I was involved in the original PCP Zoning Overlay Committee overlay from1987 to 1989. I was pleasantly surprised to see the updated PCP Overlay District implementing and encouraging mixed-use projects like the Bahia Project.

It is apparent there has been a lot of careful thought put into this project at every level, from the principals, architects and engineers. It also appears that the City has offered some valuable input and the developer has put forward a plan to achieve the highest and best use for the site. Over the more recent years, I have had individuals approach me looking for this type of product and I feel this will be a trend we'll see in the future.

I'm happy to see a project like this get developed as it will benefit the community at large and it has my support.

Please let me know if I may answer any questions you may have.

Sincerely,

James P. Keeley

James P. Keeley, SIOR, CCIM
Founding Partner Scottsdale Office

S:\Investments\keeleyj\2014 Correspondence\mayor council 11-4-14.doc

put many small to medium size businesses Out of Business much due to the need and costs to relocate.

This light industrial area in Scottsdale is needed for the small to medium size business owner. It's a nice area. We feel safe working here. We raised our family in Scottsdale and have followed the City's zoning laws by locating our business legally. When you mix zoning and allow livable properties next to industrial properties, you are asking too much of the people and neighboring businesses.

Scottsdale "The West's Most Western Town". When people come to Arizona and think of Scottsdale, they do not think of industrial Live, Work, Play communities. They think of golf courses, resorts, Old Town Scottsdale, art galleries, maximum 2-3 story buildings, wide open spaces/N.A.O.S., desert wildlife and vegetation. They don't think about recreating Los Angeles, Toronto, New York or other busy city lifestyles. The average median age in Scottsdale is 45. Let Tempe have the young adults in their 20's. Our concern is not only for our own preferences and use but also for the integrity of the City of Scottsdale.

Ms. Cleary had used Baker Block in Los Angeles as an example to us as to how good this concept is. We didn't have to look too far to find a link that reported that the residents of Baker Block are now complaining about the industrial use in the neighboring properties. This is my point exactly, once the residents move in, they will complain about allowed uses around them. Industry does not mesh with living spaces. Living spaces may mesh with other types of commercial zones but not industrial activity. Here is a link
http://la.curbed.com/archives/2010/02/ theres more exciting drama.php

Jim Hartsock
JACS Properties LLC
16443 N. 91st Street
Scottsdale, Arizona. 85260
(480) 661-0372

Bloemberg, Greg

From: Jim Hartsock <jim@swwildlife.com>
Sent: Monday, October 20, 2014 11:58 AM
To: dbrantner@scottsdaleaz.gov; mcody@scottsdaleaz.gov; medwards@scottsdaleaz.gov; afakih@scottsdaleaz.gov; egrant@scottsdaleaz.gov; lkush@scottsdaleaz.gov; mminnaugh@scottsdaleaz.gov; Bloemberg, Greg; Phillips, Guy; Robbins, Dennis E; Littlefield, Robert; Korte, Virginia; Klapp, Suzanne; Lane, Jim; Milhaven, Linda
Attachments: Scottsdale Planning and Zoning Commision.doc

Commissioners,

I have emailed the attached letter to Greg Bloemberg and I wanted to make sure you received my concerns to the "Bahia Work Live Play" project. I have met twice with the developer, once with Irene Clary and her Associate and once with her Associate alone. After the recent update of the project, my original concerns discussed in the attached letter still hold and Ms. Cleary has pointed out some new concerns.

The project will be 3 and 4 story buildings with covered rooftop patios; when completed, that will occupy all of 4 and 5 stories. I was under the impression that the height restriction on the new zoning for a 3 acre parcel is 42 feet but they are pushing for 60+ feet that is allowed in 5 acre parcels not for 3 acres. Once again, this stretches the original zoned plans beyond their intended use.

The target buyer will be urbanite, families, professional types ie; architect, .com, IT people, universities; All a very white collar environment surrounded by light industry. This area will never be what the Urbanite wants. One bagel and pizza shop or one restaurant added to this area is not what that type of person is seeking. He needs an area like Kierland or City North/High Street.

The concept is creative – Live, Work, Play. It's not new. There are similar areas with City North and Kierland. Those other areas are huge developments with expansion opportunities. They offer large, self sufficient communities. The property for Bahia Live Work Play project is a land locked project. The area does not offer to the individual the non-commuting opportunities or a life within walking distance for the living conditions projected. This is not a family friendly area – it is an industrial zoned district with delivery trucks of all sizes that travel our streets and parking areas frequently. There are large dumpsters all over the area that present hazards for any curious child. These are attractive nuisances for livable conditions but not unexpected in our current zoning. This is a predominantly industrial zoned area. It is Not suitable for families or livable properties.

This area is thriving as it is currently zoned and intended. This is not a blighted area that requires revitalizing by means of re-zoning. If you begin the process of re-zoning to include livable units, you are pushing the entire area into restructuring. This will

Bloemberg, Greg

From: Jim Hartsock <jim@swwildlife.com>
Sent: Wednesday, October 15, 2014 11:16 AM
To: Projectinput
Cc: Bloemberg, Greg
Subject: bahia live work play

Scottsdale Planning and Zoning Commision; "Bahia live work play"

I own a property directly adjacent to the "Bahia Live Work Play Project" that is being considered for a zoning cha: lieve that the zoning on this property should not be granted. When you look at the overall picture, there are very few Scottsdale that have industrial zoning. The city needs light industrial areas. The area north of Westworld was perfe ıt light industrial zones. The power lines come thru this area, Westworld is here, parking areas for large eve: estworld and the Waste Management Open, Flight patterns of the airport. So this was the best area for the light indu ning.

This is the last piece of vacant land. Why change the zoning to residential when it is surrounded by industrial? C : arguments to allowing this change is that the school is right across the street, and Norte Dame is around the corner. I ɔk at either of those schools you will see that they are both private and very expensive. No one living in an apartment ghrise will be sending their kids to school at either of those schools.

.ave seen the presentation that the developer has put on. They said there will be outside patios, green belt areas for re: enjoy the outside. Why would a resident want to enjoy the outside of an industrial area? There are sights, sound: ıells that are unique to industrial zones that residents will complain about. That is why these zones are set up in th: ıce. So why change the zoning and put someone in a place where he could complain to the city about his neighborhoo

The area business owners, myself included, have located our business' within this zoning because we are followir 'es you have set. I have been told the target resident is an architect, online business, advertising type, realtor. All ɔes of business' could be run out of ANY existing residence under the "home office" rules. So once again I ask ange the zoning on this isolated piece of property.

They have also said they want to put in a corner commercial building with a Fedex express and lunch diner. Tha :ate more traffic problems. Since the Scottsdale Prepatory Academy went in at the end of a cul de sac, traffi: ghtmare 2 times a day. By adding a restaurant on that corner, traffic may become a nightmare 3 times a day. Sc ange the zoning and allow for possibly more traffic concerns.

In the industrial zoning there are no quiet times like in residential zoning. I have seen delivery trucks at almost all :luding weekends. By allowing residences, you are opening the city up to the possibility of numerous complaints ise, traffic, smells, and sights (this is a 4 story with balconies and roof top oasis).

I don't know who would buy a residence surrounded by industrial buildings. My concern is that it would soon be w income housing or apartments which would create a more transient resident which in turn would create se: ɔblems for the neighboring business'.

In closing, when we purchased our property in the area, we fell in love with the fact that the area was predomi: fice/warehouse spaces. There is a variety of business' and sizes of spaces. The area catered to the small to mediun siness' that needed similar things; office/warehouse and they couldn't work from home. If there was a live work ɔject we would not have purchased next to it. This is not like Kierland or Old Town Scottsdale. Those were comm :as not industrial areas.

:gards
n Hartsock
443 N. 91st Street C-105
.CS Properties LLC

To: Dygert, Brian; Katsenes, Paul
Cc: Bloemberg, Greg; Bayne, Ronald - 559; Brodzinski, Walt; Jones, Ernest; Keagy, Raun
Subject: new residential just north of WestWorld (rezoning request)

Brian and Paul,

FYI on a rezoning request in order to add multifamily residential just north of WestWorld. This is on the southwest corner of Bahia and 92nd Street (scroll down for map, picture, and file). For whatever it is worth, here are my thoughts (and I've copied the staff coordinator and others as a FYI too):

1. The existing residential condo complex on the southeast corner of 94th Street and Bell Road is too close to WestWorld. They complain about the concert events, the motorcycle noise from Arizona Bike Week, and they have access difficulties during Goodguys and other large events. In past meetings with the residents, they have expressed a desire for the city to buy out the community because it is incompatible with the adjacent use and it has had a negative impact on their property values.

2. For concert events on the polo field, the proposed location is very close and will generate noise complaints. For the Haunted Hip Hop concert on the polo field this past Saturday night, the bass would have likely vibrated the windows to this proposed building. For both the Rob Zombie concert on Friday night and hip hop concert on Saturday night, we had numerous noise complaints. Several from the McDowell Mountain Marriott on Perimeter south of Bell Road, and from residential areas south of Frank Lloyd Wright and east of 90th Street. There are numerous other events, not just concerts on the polo field, that will generate noise complaints from a residential development this close to the heart of WestWorld (even the ground floor level of this building will be visible from standing on WestWorld Drive next to the big tent).

3. Traffic from large events will inconvenience residents. Bahia ends up being a major ingress and egress route for large events at WestWorld even though we direct traffic to use Bell to 94th Street. This past Friday night, traffic was gridlocked on Bahia for over an hour from 94th Street to Pima (and Pima to Frank Lloyd Wright).

4. Not a WestWorld issue, but they will have access issues with Scottsdale Preparatory Academy and the large amount of traffic they generate in the morning for drop-off and in the afternoon for pick-up. I have had to coordinate traffic control with them in the past when large events overlap their school days (Barrett-Jackson, Goodguys).

It looks like an awesome project, but not for that location. The industrial area north of WestWorld allows for a lot of programming flexibility for WestWorld. Putting a residential development in the heart of that industrial area will strip away a much needed buffer.

Mike

Site:
<< OLE Object: Picture (Device Independent Bitmap) >>

Rendering:
<< OLE Object: Picture (Device Independent Bitmap) >>
Full file:
<< OLE Object: Picture (Device Independent Bitmap) >>

Sgt. Mike Reardon Scottsdale PD Special Events Unit Supervisor
Office 480.312.4390 | Mobile 602.510.5396 | Fax 480.312.9090 | 8401 E. Indian School Road, Scottsdale, AZ 85251
Excellence Initiative Integrity since 1992

<< File: ProjInfo_14_ZN_2014.pdf >>

Bloemberg, Greg

From: Dygert, Brian
Sent: Wednesday, September 24, 2014 1:49 PM
To: Bloemberg, Greg
Cc: Reardon, Michael - 543; Grant, Randy; Curtis, Tim; Katsenes, Paul
Subject: RE: new residential just north of WestWorld (rezoning request)

Hello Greg,
The official response that Paul K and I discussed, we completely agree with Sgt Reardon's assessment.
WestWorld would want any potential clients, tenants, etc to know that they will be this close to a major event facility.
A major event facility means that we do different events every week may have negative impacts to the development.
It would be an individual opinion as to whether the impact would be negative or positive.

Have a great day,
Brian

From: Bloemberg, Greg
Sent: Wednesday, September 24, 2014 11:11 AM
To: Dygert, Brian
Cc: Reardon, Michael - 543; Grant, Randy; Curtis, Tim
Subject: FW: new residential just north of WestWorld (rezoning request)

Hello Brian,

I am putting together first review comments for the applicant on this case, and just wanted to clarify Westworld's position on the proposal, being that your facility is in such close proximity to project site.

I'm a bit confused because the impression we got from the applicant, Irene Clary, was that you were generally supportive of the project. If that is not the case, I want to make sure your concerns are reflected in my comments letter. Based on the e-mail below, it would appear that Westworld actually does have some concerns. I am happy to add the comments below to my letter if they reflect your official position, but wanted to check in with you first for clarification/confirmation.

Please advise at your earliest convenience.

Thanks!!

Greg Bloemberg
Senior Planner
Current Planning
City of Scottsdale
e-mail: gbloemberg@scottsdaleaz.gov
phone: 480-312-4306

From: Reardon, Michael - 543
Sent: Tuesday, September 23, 2014 10:37 AM

View our LinkedIn Company Page

Taking Retail to the Next Level!

"Our lives are not determined by what happens to us, but by how we react to what happens; not by what life brings to us, but by the attitude we bring to life. A POSitive attitude causes a chain reaction of POSitive thoughts, events, and outcomes. It is a catalyst... a spark that creates extraordinary results."

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Bloemberg, Greg

From: Brett Bennett <brett@ptpos.com>
Sent: Thursday, August 07, 2014 3:02 PM
To: icatsibrisclary@catclar.com; Bloemberg, Greg
Subject: Bahia Live, Work, Play Project

Hello Irene and Greg,

I am in receipt of the notification letter dated August 4, 2014 concerning the new Bahia Live, Work, Play project in our office/industrial complex. Thank you for the opportunity to review the project, and provide feedback.

I purchased our building (16561 N 92nd Street) in 2006, and have seen the progress and changes in the area since that time. I would like to express my concern about the traffic and parking issues we are currently experiencing, and could expect to worsen as this project is completed.

In 2012 the Scottsdale Preparatory Academy, located at 16537 N 92nd Street, moved in and the traffic and parking issues immediately commenced. Granted, the Headmaster of the school has been very nice, and has truly worked to resolve the issues, but progress has been minimal. If you are trying to get to or from the office during the drop off, or pick up times, it is nearly impossible. There are cars backed up all the way up 92nd Street, and part way down Bahia to the West for a good hour, twice each day.

Compounding the problem with traffic is the growing problem with parking. There are several owners and tenants in the McDowell Mountain complex who have a severe lack of parking for their customers, so they have told them to park along 92nd Street. In addition, we have seen an increase in parking on the street by parents and teachers (and some students) related to the Scottsdale Prep Academy. Right now (2:45pm) there are 24 cars parked on 92nd street, taking up both sides of the street from the circle up to within 100 feet of Bahia. This has presented a visibility problem when entering or exiting our parking lot, and basically turns 92nd street into a one lane road.

I am concerned that if the current traffic and parking situation is not addressed, it will present a problem for the residents of the new project, as well as become a greater problem for us and other unit owners in the area, by adding more traffic to the area with the addition of the project residents.

I certainly welcome the new opportunities that this project will bring, and look forward to the potential of strolling across the street for lunch, but I think the current traffic and parking situation needs to be addressed before any work begins. I would also like to understand better how you plan to handle parking for the Retail/Restaurant space proposed for the corner. I don't see adequate parking in the plan.

Thank you!

Brett Bennett | Principal/CEO | POSitive Technology
office: 480-295-4259 | efax: 480-295-4275 | brett@ptpos.com | www.ptpos.com
16561 N. 92nd Street, Suite 105, Scottsdale, AZ 85260

Connect with me on LinkedIn

October 8, 2014

Ms. Irene Catsibris Clary
Catclar Investments, LLC
16621 N 91st. Street, Suite 101,
Scottsdale, Arizona 85260

Re: Airplane Noise

Ms. Clary,

I own two business condo units directly across the street from your intended project and was one of the original people to move into the complex. We have an office staff of 13 people who work in our building from 6AM to 6PM. We have never been bothered by noise from the planes (both jet and prop) that utilize the Scottsdale airport. It seems about once per year a couple of fighter jets fly in and they are loud but it is 15 seconds of a good loud that should make you proud and thankful for your blessings of freedom.

I am also on the board for the condominium association and have never heard of a noise complaint regarding the airport.

Having seen renderings of the project I think it would be a great addition to the area and certainly much better than another mini storage or the weed patch that now exists.

Please don't hesitate to contact me should you have any further questions.

Tom George
iWIred Inc.
16573 North 92nd Street, Ste. C-101
Scottsdale, AZ 85260
480-922-2500
tom@iwired.com

NEIGHBORHOOD MEETING

SCOTTSDALE APPLICATION NUMBER 618-PA-2014
Catclar Investments, LLC
SW CORNER OF BAHIA DR AND 92nd ST IN THE CITY OF SCOTTSDALE
BAHIA LIVE, WORK, PLAY PROJECT

Thursday, August 14th, 2014 6:00pm – 7:00pm
FROGS Physical Therapy 16621 N. 91st ST., SUITE #101, Scottsdale, AZ 85260

I SUPPORT	Y
I DO NOT SUPPORT	Y
I AM NEUTRAL	Y
I HAVE NOT DECIDED	Y

COMMENTS:

Please make sure parking isn't taken by complex on 92nd st - my only concern
otherwise sounds like a great plan!

NAME: Leighanne Fitzgerald
ADDRESS: #135, 16573 N 92 st. Scottsdale 85260
TELEPHONE: 480-699-3045
EMAIL: leighanne@optexperience.com

PLEASE FILL OUT AND TURN IN OR MAIL TO:

Catclar Investments, LLC
16621 N 91st St.
Suite #101
Scottsdale, AZ 85260

OR EMAIL: tnacius@cox.net

ATTACHMENT #16

Comments/Concerns:

- Transportation staff has concerns about adding a residential land use into an area where there is existing traffic congestion. Residents may be frustrated about the difficulty in getting to and from their residences during the periods that 92nd Street and Bahia Drive are congested.
- The site is also located near the City's main event venue, WestWorld, and during major events traffic volumes can be heavy and impact both 94th Street and Bahia Drive. Residents may also be frustrated about the difficulty in getting to and from their residences during these major events.

TRIP GENERATION COMPARISON TABLE:

	Daily Total	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Proposed - Mixed Use 78 DU, 25,600 SF Office, 2,000 SF Specialty Retail, 2,000 SF Restaurant, 5,000 SF Office	1,495	111	60	171	65	137	202
Previously Approved - Industrial Park 75,000 SF	1,120	68	15	83	21	79	100
Increase/Decrease	+375	+43	+45	+88	+44	+58	+102

Traffic Analysis:

Intersection Level of Service – Using a 2015 horizon year with traffic generated by the build out of the proposed development, the site access intersections are anticipated to operate a level of service C or better for both peak hours. The intersection of 92nd Street and Bahia Drive is anticipated to operate at LOS F during peak hours, due to traffic and queuing generated by adjacent businesses.

Additional Traffic Volumes – With the additional site generated traffic and the proposed site access, development of the site is estimated to increase daily traffic volumes along Bahia Drive west of 92nd Street by 300 vehicles, east of 92nd Street by 75 vehicles, and 92nd Street south of Bahia Drive by 188 vehicles.

Additional Information:

Currently, traffic from the surrounding businesses, primarily the nearby Scottsdale Preparatory Academy, creates traffic queues in the morning and early afternoon that extend the length of 92nd Street and onto Bahia Drive. These queues will potentially block site access for periods up to twenty minutes. The school is working to improve their student drop-off and pickup processes to reduce the congestion on the adjacent streets, but it is likely that this will be an area with traffic congestion as long as the school is located on 92nd Street.

Summary:

The approval of the zoning district change for the proposed Bahia Work-Live-Play will result in an estimated 1,495 trips generated per day to and from the project site. The development is estimated to generate 171 a.m. peak hour trips, and 202 p.m. peak hour trips. This represents an increase of 375 daily trips over the existing approved industrial park zoning.

With the addition of the proposed site generated traffic, operations at the intersections in the vicinity of the site will continue to operate at acceptable levels (LOS C or better), with the exception of the intersection of 92nd Street and Bahia Drive during the morning peak hour (LOS F), due primarily to existing traffic from adjacent businesses including Scottsdale Preparatory Academy private school.

TRAFFIC IMPACT ANALYSIS SUMMARY
Bahia Work-Live-Play
92nd Street and Bahia Drive
14-ZN-2014, 6-GP-2014

Summary Prepared by Andrew Merkley, COS Traffic Engineering
Traffic Impact Study Prepared by Eric Maceyko, Bryan Martin, ECS Group

Existing Conditions:

Site Location – The southwest corner of the intersection of 92nd Street and Bahia Drive.

Existing Development – Site is currently undeveloped; previously approved zoning is I-1 PCD.

Street Classifications –

- Bahia Drive is classified as a Suburban Minor Collector.
- 92nd Street is classified as a Local Street.

Existing Street Conditions –

- Bahia Drive between one the Loop 101 frontage road and 94th Street travel lane provides one travel lane and one bike lane in each direction. A two-way center lane is also provided. Curb gutter and sidewalk are provided along Bahia Drive. The posted speed limit is 35 miles per hour.
- 92nd Street provides one travel lane in each direction, and curb and gutter on both sides of the. 92nd Street does not provide pavement markings. The posted speed limit is 32 miles per hour.

Existing Intersection Conditions –

- The intersection of Bahia Drive and 92nd Street is 2-way stop-controlled, with the north-south approaches having to stop. The northbound approach provides one general purpose lane. The southbound approach provides 1 exclusive left-turn lane and 1 exclusive right-turn lane. The eastbound and westbound approaches provide 1 through lane in each direction and 1 shared center two-way lane.

Existing Volumes –

- There are 1,897 daily vehicles on Bahia Drive east of 92nd Street.
- There are 2,358 daily vehicles on 92nd Street south of Bahia Drive.

Existing Speed Limits –

- Bahia Drive has a posted speed limit of 35 miles per hour.
- 92nd Street has a posted speed limit of 25 miles per hour.

Collision Information –

No collisions were reported at or near the intersection of 92nd Street and Bahia Drive between 2009 and 2012.

Proposed Development:

Description - The proposed development plan consists of a live/work development consisting of townhouses and condominiums with retail/restaurant uses.

Site Access – The applicant is proposing to have main site access from one driveway intersection on Bahia Drive west of 92nd Street and from two driveway intersections on 92nd Street south of Bahia Drive.

ATTACHMENT #15

Market Survey: Work/Live Development

Bahia Work – Live - Play Survey Phase I

Overview:

This report is Phase one (I) of a two part Survey. Phase I determines community and consumer trends and interest in regards to Work/Live development. Phase II, to follow, shall explore in depth responses to the features of the Project itself.

Work/Live is a dynamic mixed-use zoning class that allows the resident/occupant to combine a commercial use with residency. It is an old concept that is increasing in interest and demand both regionally and nationally. Work/Live mixed use is an appropriate way to weave an essential thread of occupancy into the urban setting.

Our firm reached out to the community at large to gain responses to key questions regarding use, location and consumer viability, especially in regards to the proposed Subject development. The results are significant.

Of those surveyed, 69 persons responded to key questions regarding Work/Live uses, applications, location and trends. The group included a wide mix of individuals designers, real estate agents, sole proprietors and business persons as well as past real estate clients among the demographic. Residents of a variety of Valley Cities were included as were a small portion of residents outside the state representing second home and seasonal visitors. The typical age demographic would lean heavily to 30-55 year old individuals.

Without question, the group supports the concept as both customer and occupant. The responses indicate an open mind as to location and show that they would support a mixed-use Work/Live development in a variety of settings, most appropriately as a "buffer" between zoning class; as an "in-fill" use for existing parcels.

Two-thirds would like to see Work/Live in Scottsdale and a like amount would consider ownership. A clear majority consider Work/Live development to offer a "green" and eco-friendly alternative to traditional development. There is a clear sense of typical business use, all of which is desirable.

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ATTACHMENT #14

A-Weighted Sound Level

Studies have shown conclusively that at equal sound pressure levels, people are generally more sensitive to certain higher frequency sounds (such as made by speech, horns, and whistles) than most lower frequency sounds (such as made by motors and engines)[1] at the same level. To address this preferential response to frequency, the A-weighted scale was developed. The A-weighted scale adjusts the sound level in each frequency band in much the same manner that the human auditory system does. Thus the A-weighted sound level (read as "dBA") becomes a single number that defines the level of a sound and has some correlation with the sensitivity of the human ear to that sound. Different sounds with the same A-weighted sound level are perceived as being equally loud. The A-weighted noise level is commonly used today in environmental noise analysis and in noise regulations. Typical values of the A-weighted sound level of various noise sources are shown in Table 3.

Equivalent Sound Level

The Equivalent Sound Level (L_{eq}) is a type of average which represents the steady level that, integrated over a time period, would produce the same energy as the actual signal. The actual *instantaneous* noise levels typically fluctuate above and below the measured L_{eq} during the measurement period. The A-weighted L_{eq} is a common index for measuring environmental noise.

Day-Night Average Sound Level

The day-night average sound level (DNL) descriptor is a 24-hour descriptor computed by averaging (on an energy basis) the hourly equivalent sound level (L_{eq}) measured in each hour during a 24-hour period after 10 dB is added to the levels measured between 10 PM and 7 AM.

---

1 D.W. Robinson and R.S. Dadson, "A Re-Determination of the Equal-Loudness Relations for Pure Tones," *British Journal of Applied Physics*, vol. 7, pp. 166 - 181, 1956. (Adopted by the International Standards Organization as Recommendation R-226).

As with the previous period, there was occasional airplane landing at the Scottsdale Airpark. Birds were audible at times.

The atmospheric conditions were hot and clear. Temperature was 100°F with relative humidity of 24%. There was a slight breeze from the southwest (5 mph).

Late Night (10 PM – 11 PM)
During the late night there was almost no traffic and no nearby aircraft activity. Distant traffic on the 101 and insects were the primary noise sources.

The atmospheric conditions were warm and clear. Temperature was 94°F with relative humidity of 29%. There was no measurable wind.

5.0 Acoustic Terminology

Sound Pressure Level
Sound, or noise, is the term given to variations in air pressure that are capable of being detected by the human ear. Small fluctuations in atmospheric pressure (sound pressure) constitute the physical property measured with a sound pressure level meter. Because the human ear can detect variations in atmospheric pressure over such a large range of magnitudes, sound pressure is expressed on a logarithmic scale in units called decibels (dB). Noise is defined as "unwanted" sound.

Technically, sound pressure level (SPL) is defined as:

$$SPL = 20 \log (P/P_{ref}) \text{ dB}$$

where P is the sound pressure fluctuation (above or below atmospheric pressure) and P_{ref} is the reference pressure, 20 μPa, which is approximately the lowest sound pressure that can be detected by the human ear.

The sound pressure level that results from a combination of noise sources is not the arithmetic sum of the individual sound sources, but rather the logarithmic sum. For example, two sound levels of 50 dB produce a combined sound level of 53 dB, not 100 dB. Two sound levels of 40 and 50 dB produce a combined level of 50.4 dB.

Human sensitivity to changes in sound pressure level is highly individualized. Sensitivity to sound depends on frequency content, background noise, time of occurrence, duration, and psychological factors such as emotions and expectations. However, in general, a change of 1 or 2 dB in the level of sound is difficult for most people to detect. A 3 dB change is commonly taken as the smallest perceptible change and a 6 dB change corresponds to a noticeable change in loudness. A 10 dB increase or decrease in sound level corresponds to an approximate doubling or halving of loudness, respectively.

Table 2 Measured Hourly L_{eq} and Estimated DNL Sound Level (dBA)						
Date	**Hour**	**Location 1**	**Location 2**	**Location 3**	**Location 4**	**Location 5**
Monday Sept. 15, 2014	5 AM – 6 AM	47	42	46	43	43
	6 AM – 7 AM	52	46	50	45	53
	11AM– noon	54	46	53	46	56
	noon – 1 PM	52	46	52	47	55
	5 PM – 6 PM	50	45	52	44	53
	6 PM – 7 PM	50	47	51	43	51
	10PM –11 PM	43	40	41	39	41
Day Night Level		**54**	**49**	**53**	**49**	**54**

4.4 Measurement Observations

The primary noise sources in the vicinity of the site include: traffic on Bahia Drive, traffic and pedestrians walking on 92nd Street, activities in the adjacent lot to the west, and to a lesser extent aircraft at the Scottsdale Airpark (taking off, landing, helicopters)

Morning (5 AM – 7 AM)

The primary noise source during early morning hours was traffic Bahia Drive and 92nd Street. Traffic was periodic levels generally around 55dBA. Vehicular traffic would occasionally produce levels of 60 to 65 dBA when they passed the site.

There was occasional airplane landing at the Scottsdale Airpark. The site is north east of the airpark so only planes arriving were observed from the site. Departures head south and are not audible from the site. Birds were audible at times.

The atmospheric conditions were warm and clear. Temperature was approximately 88°F with relative humidity of 55%. There was no wind, it was calm.

Afternoon (11 AM – 1 PM)

The afternoon period was similar to the morning except traffic volumes reduced later in this period. The primary noise source during mid-day hours was traffic on Bahia Drive and 92nd Street.

As with the previous period, there was occasional airplane landing at the Scottsdale Airpark. Birds were audible at times.

The atmospheric conditions were hot and clear. Temperature was approximately 97°F with relative humidity of 25%. There was a slight breeze from the southeast (3 mph).

Evening (5 PM – 7 PM)

The evening period was similar to the morning and afternoon. The primary noise source during evening hours was traffic on Bahia Drive and 92nd Street.

The hourly measured results are shown in Table 2. The DNL at Location 1 was 54 dBA. The DNL at the other 4 locations were between 49 and 54 dBA. These are below the HUD site acceptability standard of 65 dBA.

east. Planes departing that day flew out to the southwest and were not audible. In general planes are louder departing from the acceleration of the engine.

Sixty-four units each are proposed on this site as well as one larger building to include 14 condominiums on floors 2-6. The site is shown in Figure 1 along with the measurement locations.

4.0 Noise Measurements

4.1 Measurement Procedure

Noise levels were measured using two Larson Davis Model 820 sound level meters that meet the American National Standard Institute (ANSI) requirements for Type 1 sound level meters. The meters' detectors were set at "slow" response. The microphones were located approximately five feet above the ground. The meters have a built-in microprocessor and memory capability that allow calculations and storage of a variety of statistical data. The sound level meters were field-calibrated prior to, and checked immediately after, the noise measurements.

Noise measurements were started at 5 AM on Monday, September 15, 2014 and completed at 11 PM on the same day. Observations were made during the measurement periods.

4.2 Measurement Locations

Noise levels were measured at the center of the site, shown in Figure 1 and described below. Noise measurement samples were made around the perimeter of the site with an additional sound level meter.

Location 1 - at the center of the proposed Bahia Work, Live, Play Complex.

Location 2 – at the southwest end of the proposed Bahia Work, Live, Play Complex. Measurements were made approximately 40 feet from the west property line and approximately 80 feet from the south property line with office warehouse spaces to the west and to the south.

Location 3 – at the northwest end of the proposed Bahia Work, Live, Play Complex. Measurements were made approximately 75 feet from the west property line and approximately 100 feet from the north property line with office warehouse spaces to the west and Bahia drive to the north.

Location 4 – at the southeast end of the proposed Bahia Work, Live, Play Complex. Measurements were made approximately 75 feet from the east property line and approximately 100 feet from the south property line with covered parking spaces to the south and 92nd Street to the east.

Location 5 – at the northeast end of the proposed Bahia Work, Live, Play Complex. Measurements were made approximately 60 feet from the east property line and approximately 90 feet from the north property line with 92nd Street to the east and Bahia Drive to the north.

4.3 Measurement Results

2.0 HUD Regulations

The U.S. Department of Housing and Urban Development (HUD) uses the day-night average sound level, abbreviated DNL, to evaluate external noise environments at a site. The DNL descriptor is a 24-hour descriptor computed by averaging (on an energy basis) the hourly equivalent sound level (L_{eq}) measured in each hour during a 24-hour period after 10 dB is added to the levels measured between 10 PM and 7 AM.

As stated in Title 24, Code of Federal Regulations 51.103(c), the degree of acceptability of the noise environment is determined by the sound levels at a location two meters (6.5 feet) from the building housing noise sensitive activities in the direction of the predominant noise source. The site acceptability standards are shown in Table 1.

Table 1
HUD Site Acceptable Standards

Acceptability	DNL (dBA)	Special approvals and requirements
Acceptable	Not exceeding 65[1]	None
Normally Unacceptable	Above 65 but not exceeding 75	Special approvals, environmental review, attenuation[2]
Unacceptable	Above 75	Special approvals, environmental review, attenuation[3]

Note 1 Acceptable threshold may be shifted to 70 dBA in special circumstances.
Note 2 5 dB additional attenuation required for sites above 65 dBA but not exceeding 70 dBA and 10 dBA additional attenuation required for sites above 70 dBA but not exceeding 75 dBA.
Note 3 Attenuation measures to be submitted to the Assistant Secretary for Community Planning and Development for approval on a case-by-case basis.
Source: 24 CFR 51.103

3.0 Description of Site

The site is located at the southwest corner of 92nd Street and Bahia Drive, Scottsdale, Arizona. This location is a vacant lot surrounded by industrial office warehouse spaces buildings. The vacant lot has scrub brush and is relatively flat.

The site is bounded on the north by Bahia drive, on the east by 92nd Street, on the south and west by Industrial Park businesses. The Scottsdale Airpark runway is located approximately one mile southwest of the site. The site is located outside of the extrapolated DNL 50 contour of the Scottsdale Airpark. The site is shown in Figure 2.

According to Air Traffic Activity System (ATADS) on Monday September 15, 2014, the air traffic at the Scottsdale Airport was reported to have had 308 operations (which could be a plane taking off or landing). The planes consisted of Air Taxi, General Aviation, and Civil and it was an average flight day. From the site the planes observed were landing and coming from the north

Noise Expert
Acoustical Consulting

2850 E Laurel St
Mesa, AZ 85213
480-332-9325

info@noiseexpert.com
www.noiseexpert.com

September 24, 2014

Prepared For:
Michael Zajas
Catclar Investments, LLC
16621 N 91st. Street, Suite 101
Scottsdale, Arizona 85260
cel: 480 277-2516 ph: 480 473-3700
michaelz@catlar.com

Prepared By:
Beth Ann Holliday

Beth Holliday
Acoustical Consultant

RE: Catclar Investments Noise Study – Scottsdale Airpark Report (NE 14081)

1.0 Summary

At your request, Noise Expert conducted noise measurements throughout a 24-hour period to determine if the site at 92nd and Bahia, near the Scottsdale Airpark is appropriate for residential living spaces.

The HUD regulation considers properties acceptable where the day-night average sound level (DNL) does not exceed 65 dBA, normally unacceptable where the DNL is above 65 dBA and not exceeding 75 dBA, and unacceptable where the DNL is above 75 dBA.

Noise levels were measured to be DNL 49 to 54 dBA. The primary noise source at the site was traffic on Bahia Drive and to a lesser degree aircraft noise associated with the Scottsdale Airpark. During the measurement period local traffic included cars, delivery trucks, and an occasional motor cycle. The observed traffic averaged 59 dBA. The observed overhead traffic from the planes averaged 54 dBA.

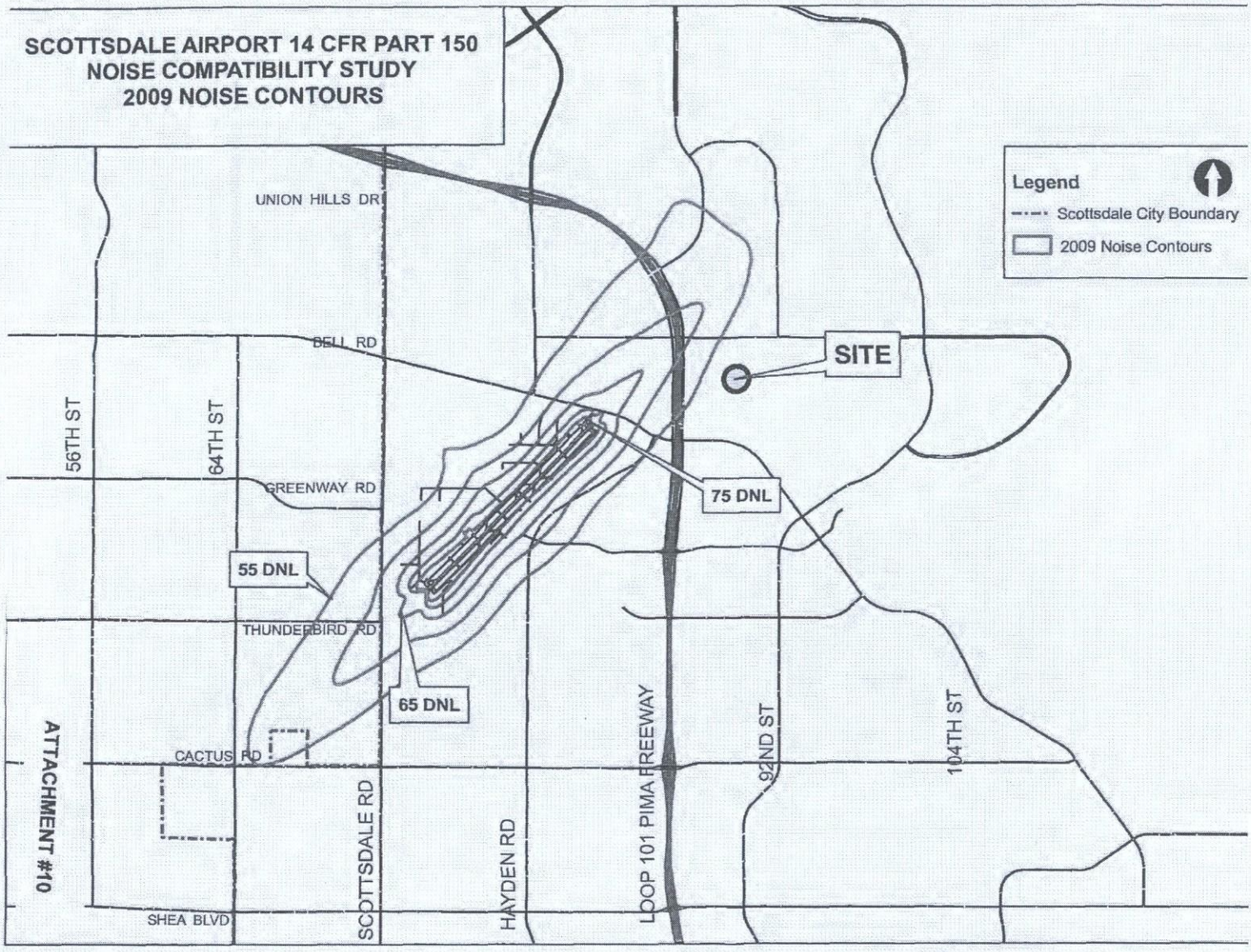
For the benefit of the reader, an Acoustic Terminology section is provided in Section 5.0.

ATTACHMENT #13

14-ZN-2014 &
6-GP-2014
10/1/2014

ATTACHMENT #12

ATTACHMENT #11



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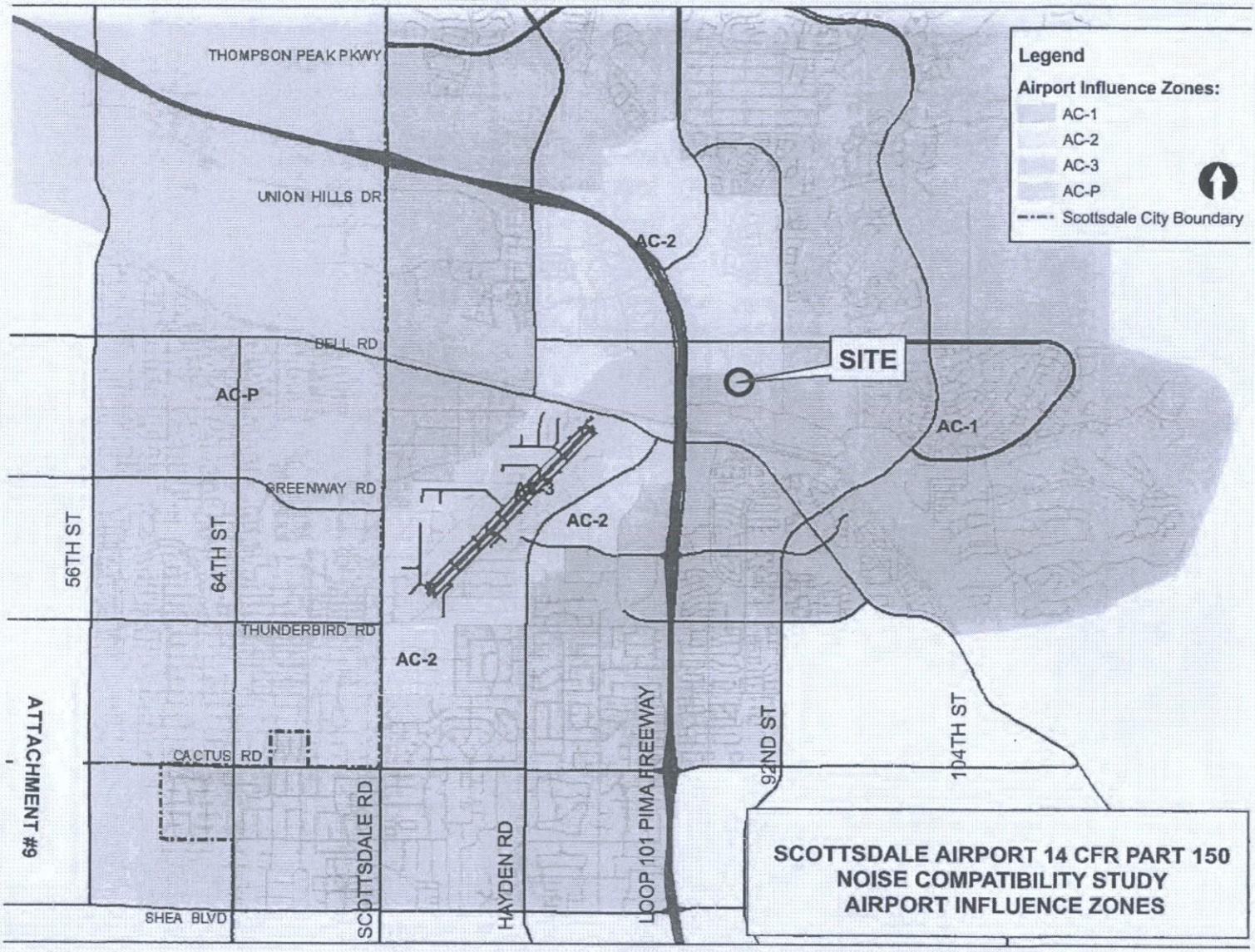

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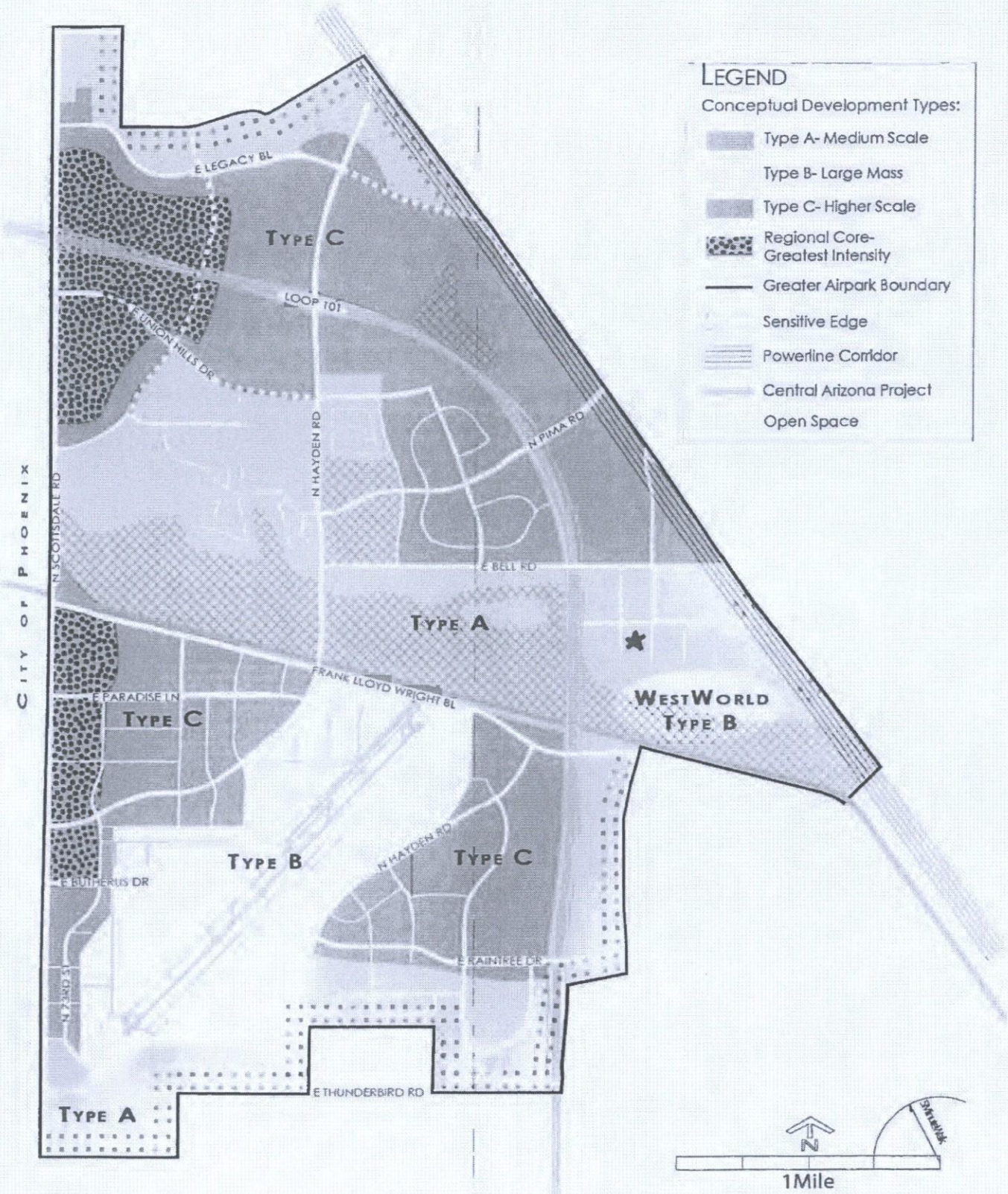

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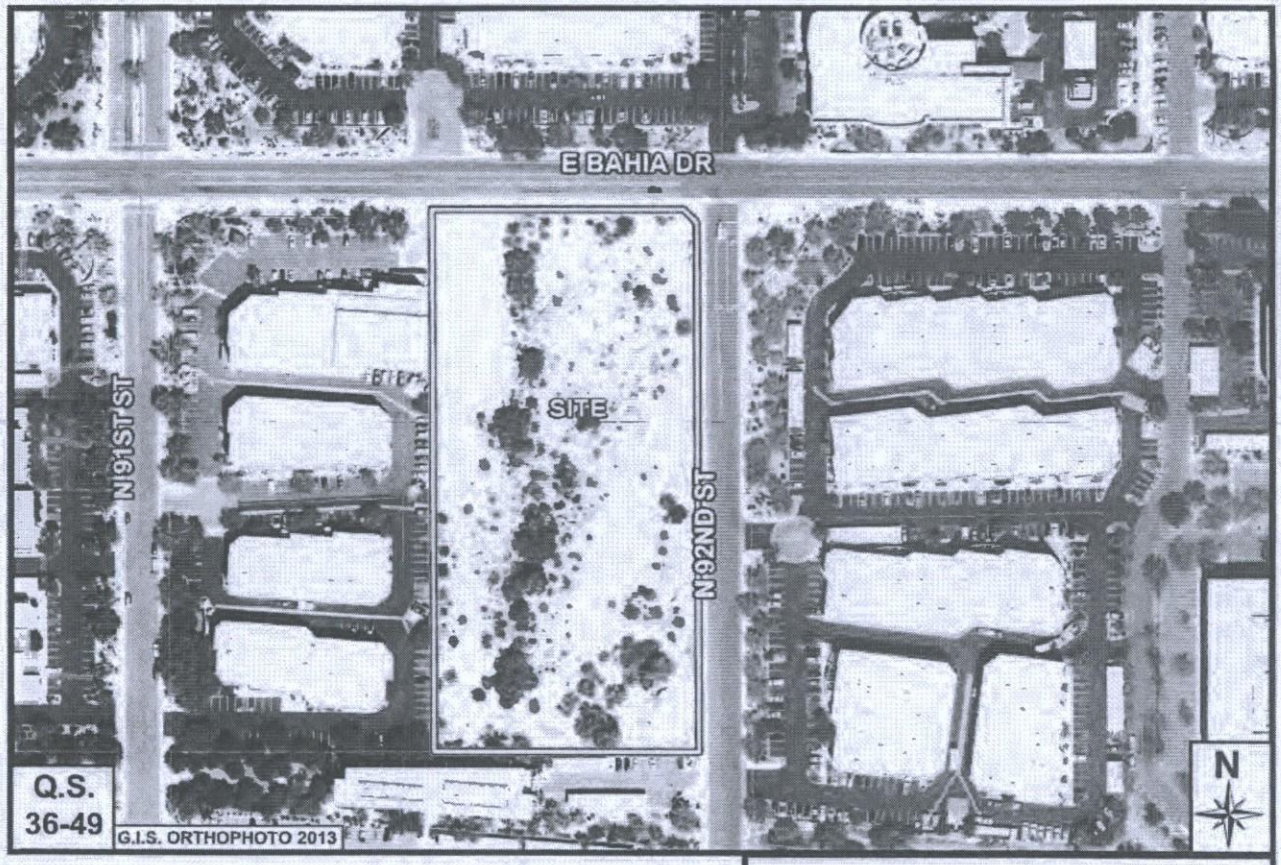
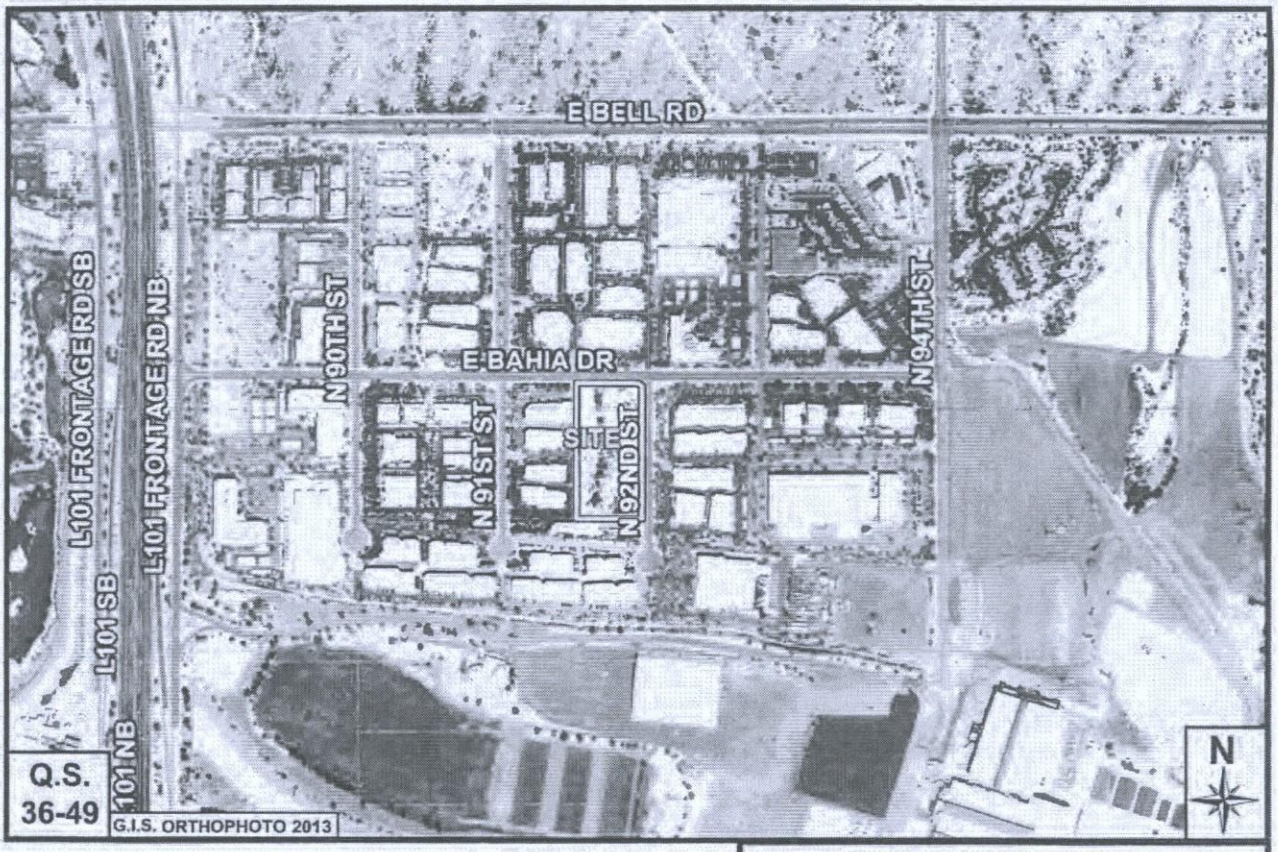


Bahia Work Live Play Project

6-GP-2014 and 14-ZN-2014

ATTACHMENT #7A



Bahia Work Live Play Project

6-GP-2014 and 14-ZN-2014

ATTACHMENT #7

7. 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 Polices Manual and other applicable standards.

Additional Information for:

Bahia Work Live Play Project

Case: 14-ZN-2014

PLANNING/DEVELOPMENT

1. DEVELOPMENT CONTINGENCIES Each element of this zoning case—including density/intensity, lot/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. building height and massing,
   b. pedestrian circulation in and around project site,
   c. the type, height, design, and intensity of proposed lighting on the site, to ensure that it is compatible with the adjacent uses, and
   d. signage
3. EASEMENTS.
   a. EASEMENTS DEDICATED BY PLAT. The owner shall dedicate to the City on the final plat all easements necessary to serve the site, in conformance with the Scottsdale Revised Code and the Design Standards and Policies Manual.
   b. 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, in conformance with the Design Standards and Policies Manual.
4. DRAINAGE EASEMENT. A Drainage Easement shall be dedicated over any drainage structures conveying 50 cubic feet per second (cfs) or greater.
5. RESPONSIBILITY FOR CONSTRUCTION OF INFRASTRUCTURE. The developer shall be responsible for all improvements associated with the development and/or required for access or service to the development, with the exception of noise mitigation at the Westworld campus. 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.
6. 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.

Current Planning Services

One Civic Center
7447 E Indian School Road, Suite 105
Scottsdale, AZ 85251

MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Greg Bloemberg, Senior Planner

THROUGH: Tim Curtis, AICP, Current Planning Director

DATE: 11/18/2014

SUBJECT: **Bahia Work Live Play Project (6-GP-2014 & 14-ZN-2014)**

Ordinance No. 4184 and Resolution No.s 9952 and 9969 that includes Development Agreement No. 2014-188-COS, scheduled to the December 2, 2014 City Council will be provided in the supplemental packet.

ATTACHMENT #5

Current Planning Services

One Civic Center
7447 E Indian School Road, Suite 105
Scottsdale, AZ 85251

MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Greg Bloemberg, Senior Planner

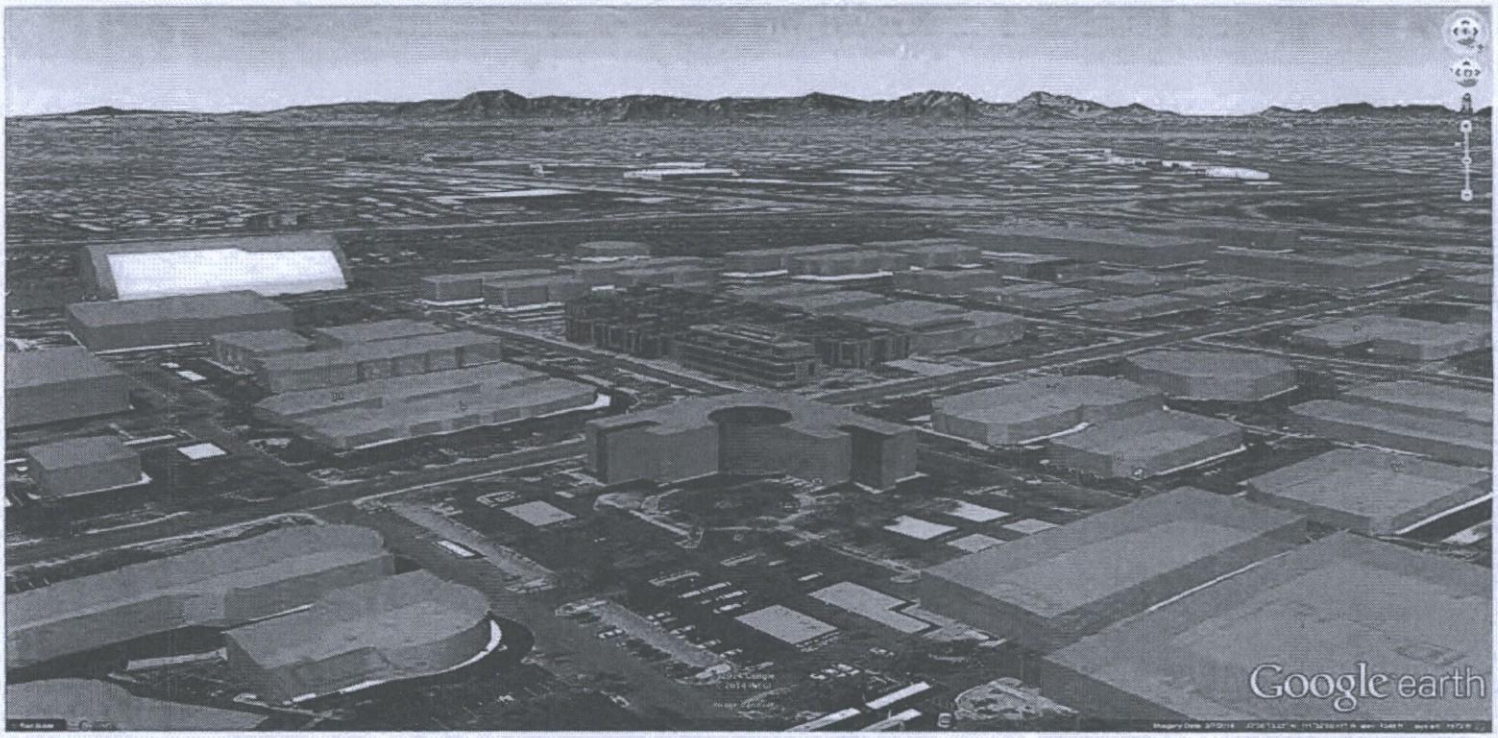
THROUGH: Tim Curtis, AICP, Current Planning Director

DATE: 11/18/2014

SUBJECT: **Bahia Work Live Play Project (6-GP-2014 & 14-ZN-2014)**

Ordinance No. 4184 and Resolution No.s 9952 and 9969 that includes Development Agreement No. 2014-188-COS, scheduled to the December 2, 2014 City Council will be provided in the supplemental packet.

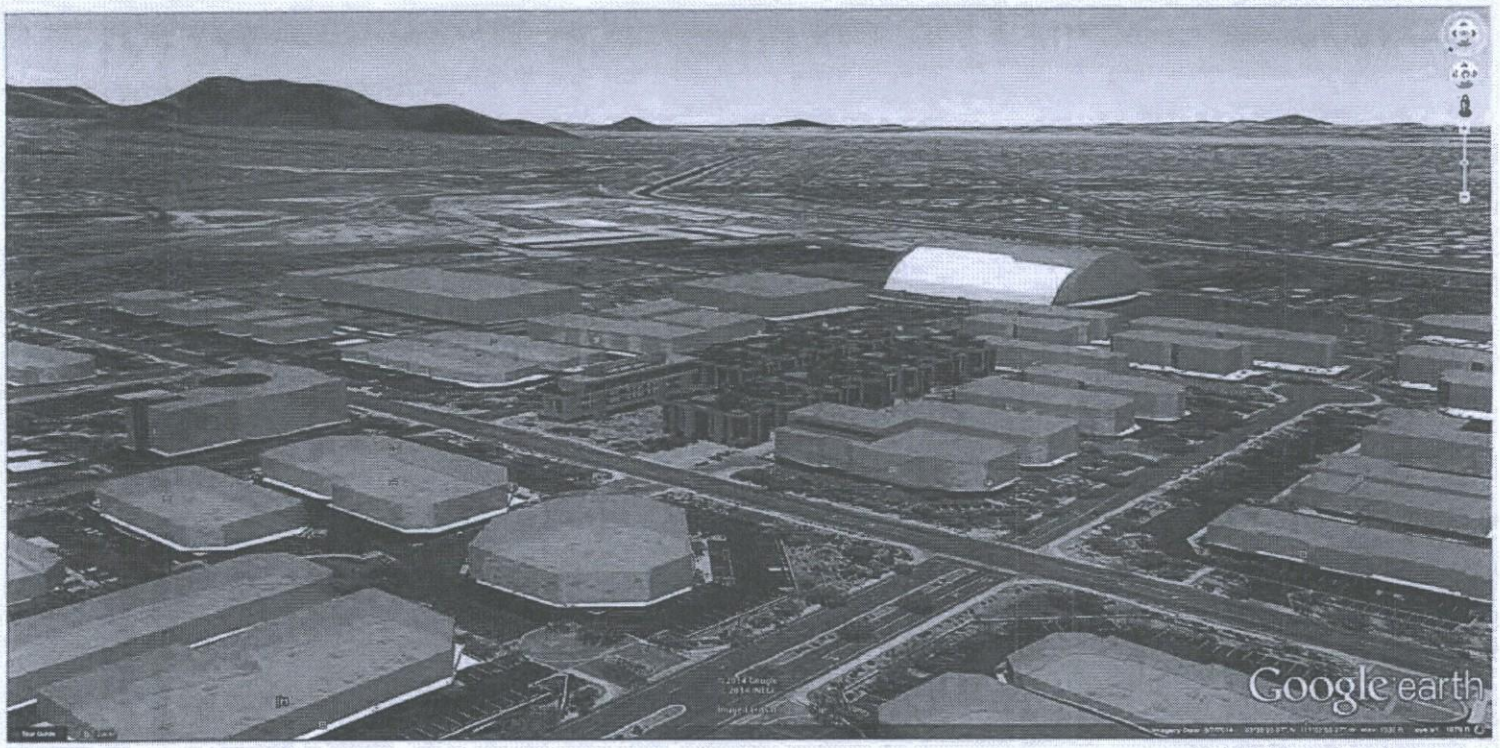
ATTACHMENT #4



Looking Southwest

BAHAI - WORK LIVE PLAY

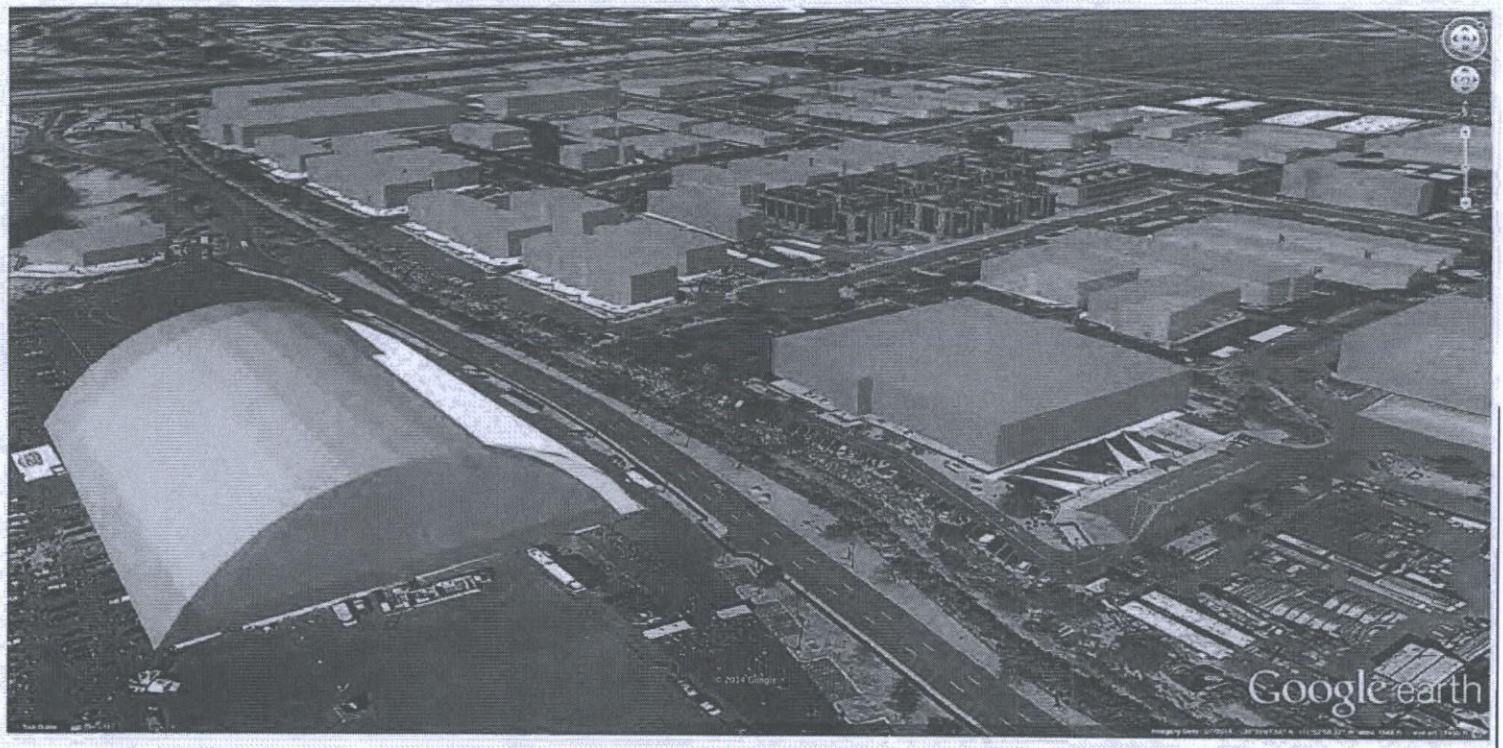
H&S INTERNATIONAL



Looking Southeast

BAHAI - WORK LIVE PLAY

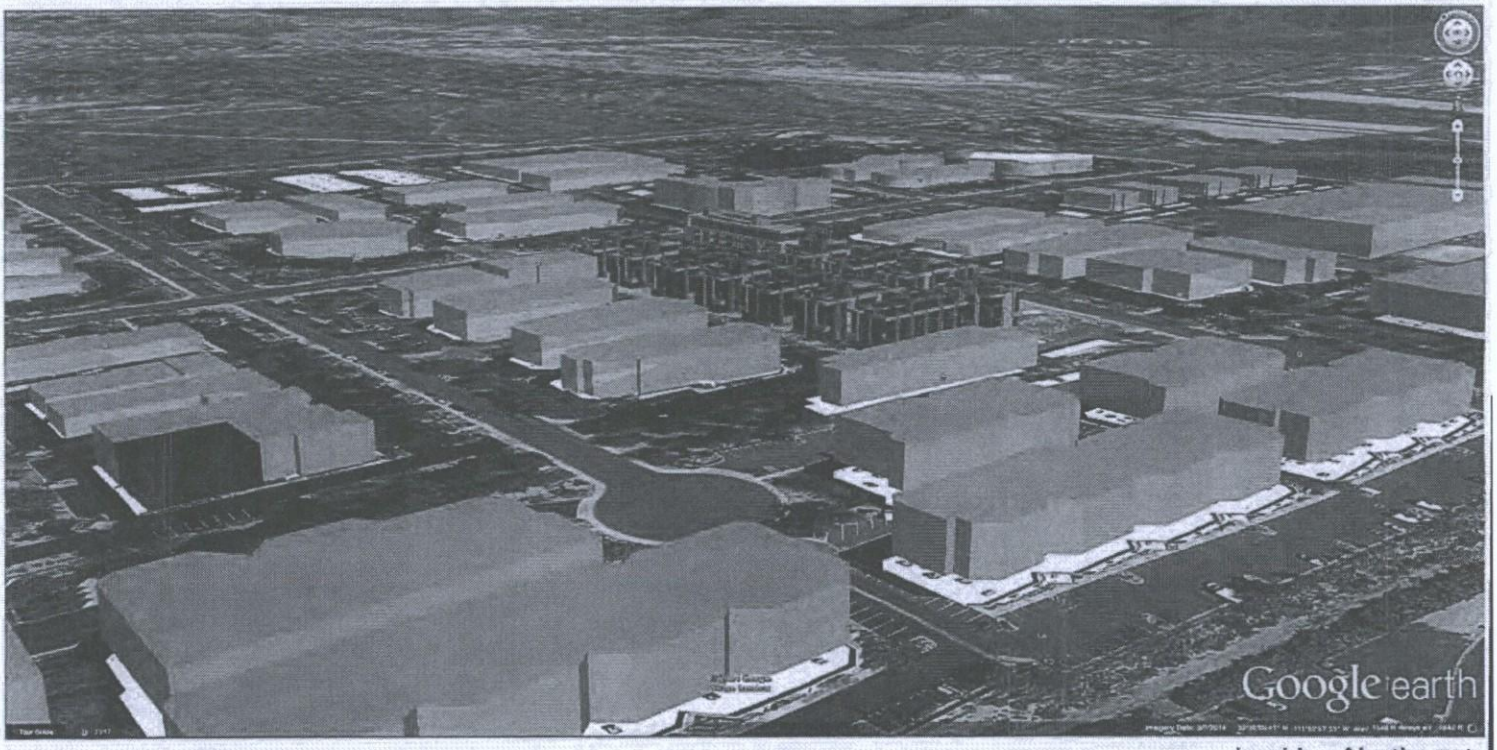
H&S INTERNATIONAL



Looking Northwest

BAHAI - WORK LIVE PLAY

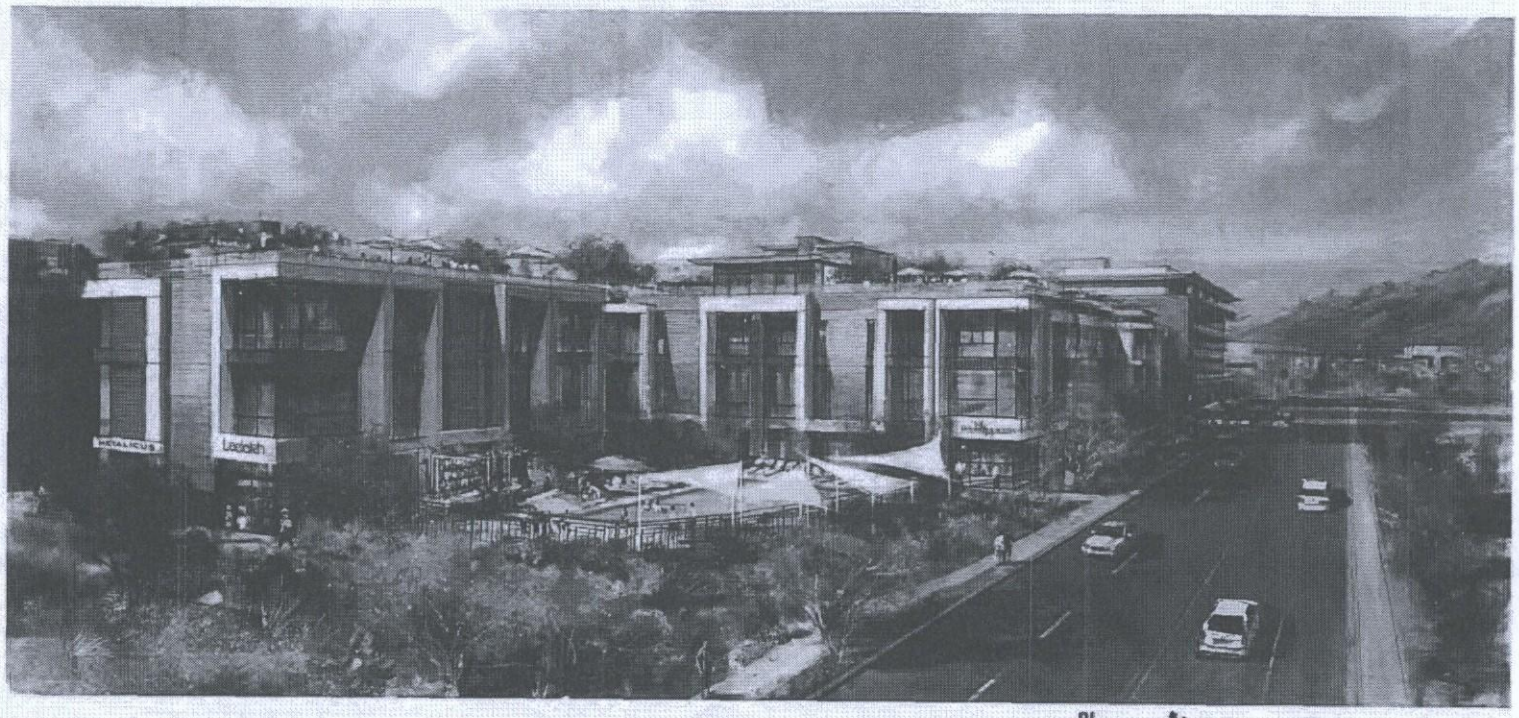
H&S INTERNATIONAL



Looking Northeast

BAHAI - WORK LIVE PLAY

H&S INTERNATIONAL

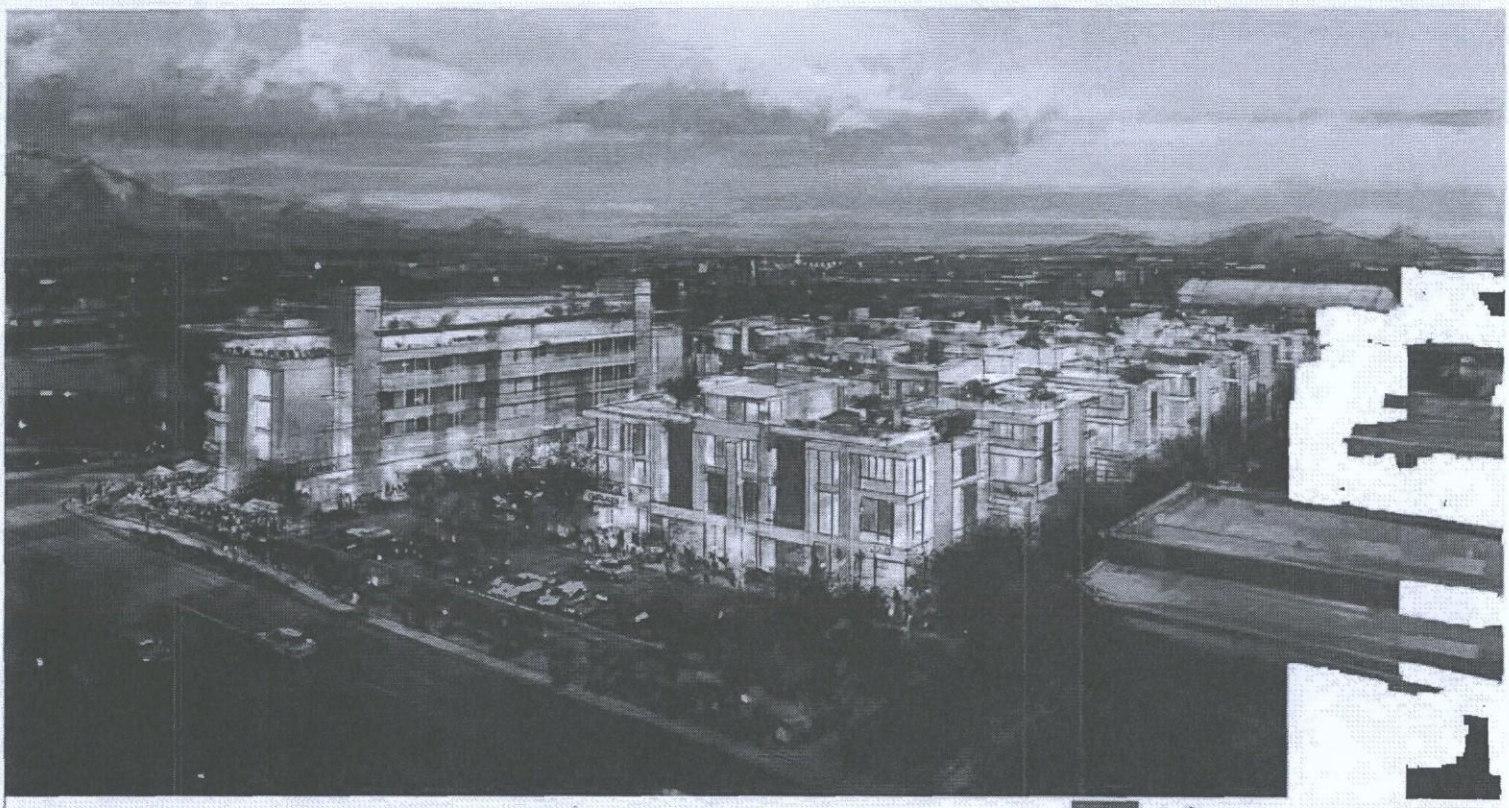


BAHAI - WORK LIVE PLAY

catclar INVESTMENTS

H&S INTERNATIONAL

14-ZN-2014 &
6-GP-2014
10/1/2014



BAHIA - WORK LIVE PLAY

catclar

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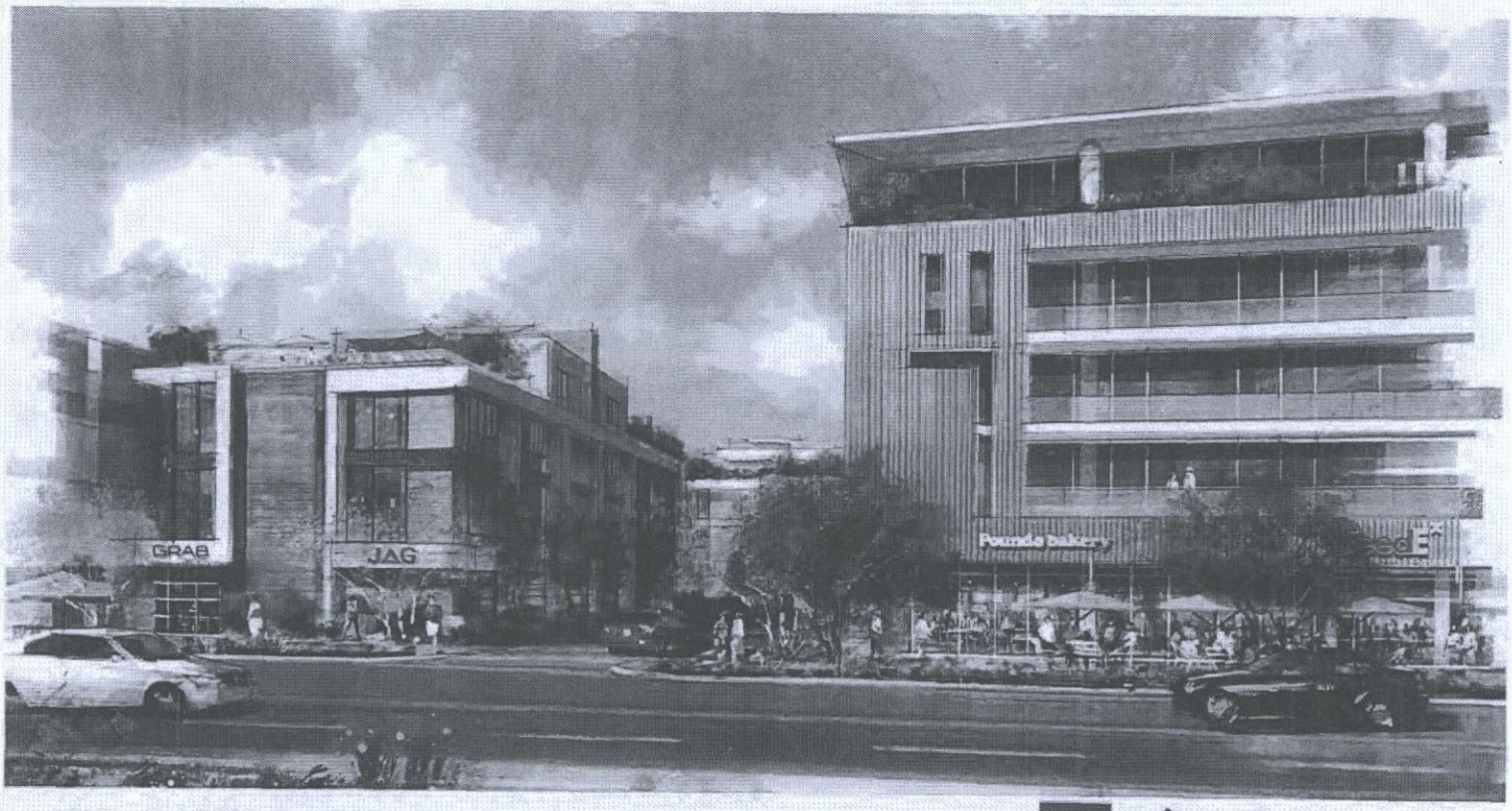
14-ZN-2014 &
6-GP-2014
10/1/2014

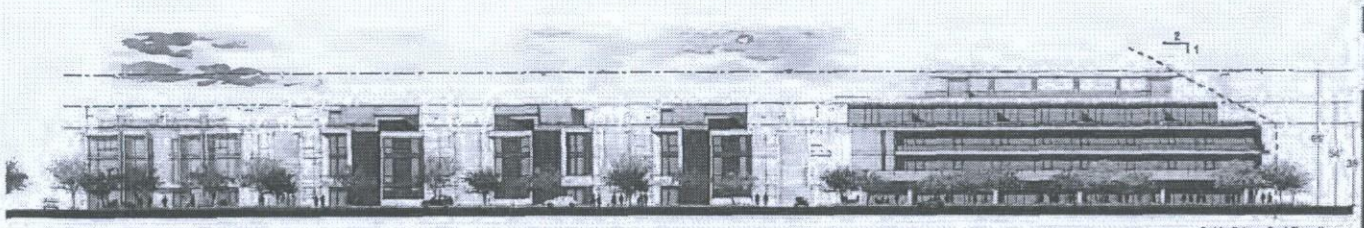


BAHIA - WORK LIVE PLAY

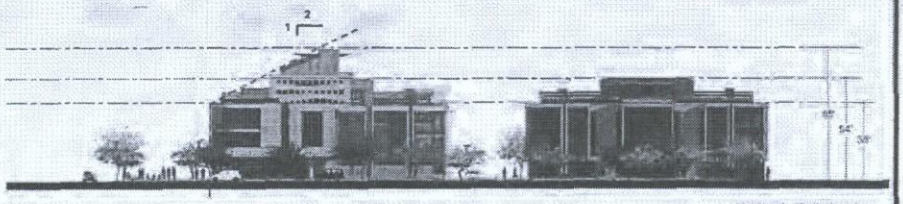
catclar INVESTMENTS

H&S INTERNATIONAL

14-ZN-2014 &
6-GP-2014
10/1/2014



Bahia Drive - East Elevation
esc 1" = 20' - 0"



92nd Street - North Elevation
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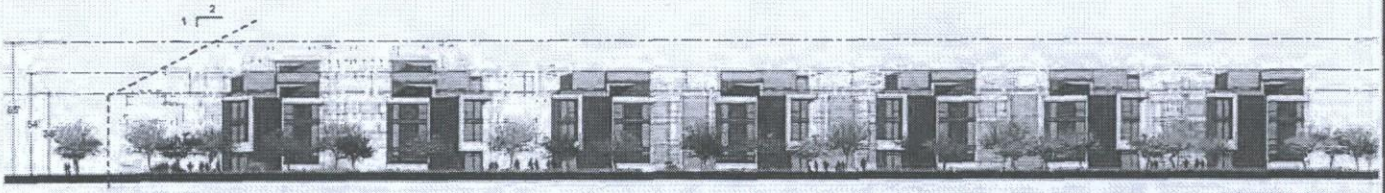

Rear West Elevation
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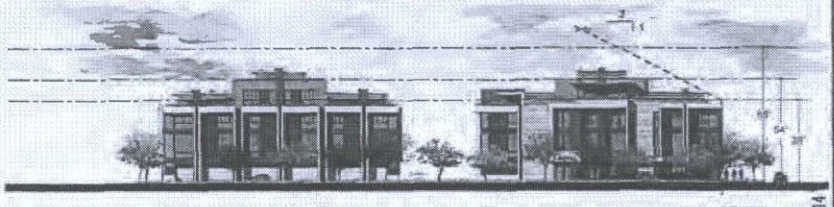

Rear South Elevation
esc 1" = 20' - 0"

BAHIA WORK LIVE PLAY

SCOTTSDALE, ARIZONA

6.18-PA-2014

Exhibit 'A'
Resolution No. 9958
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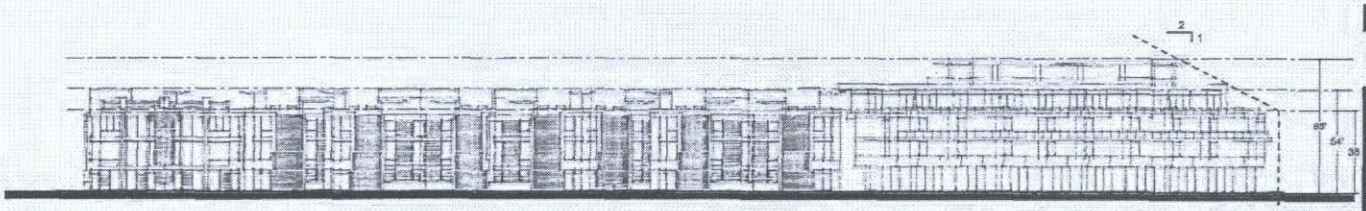
6-GP-2014
10/1/2014



Bahia Drive - East Elevation
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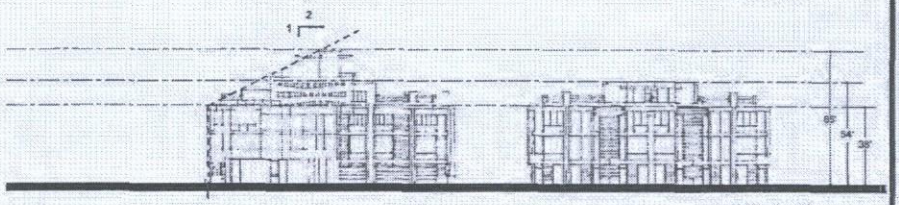

12th Street - North Elevation
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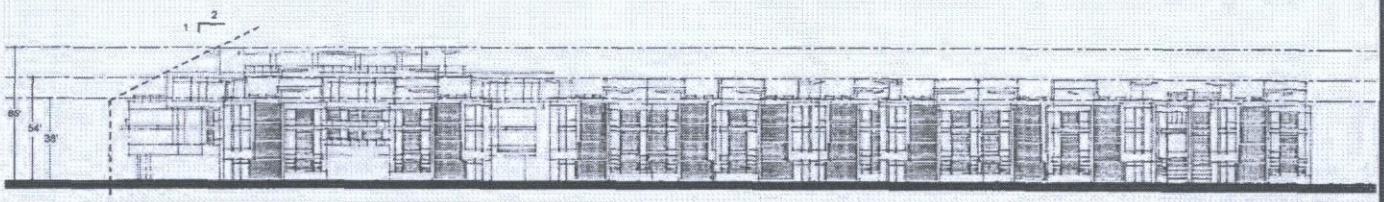
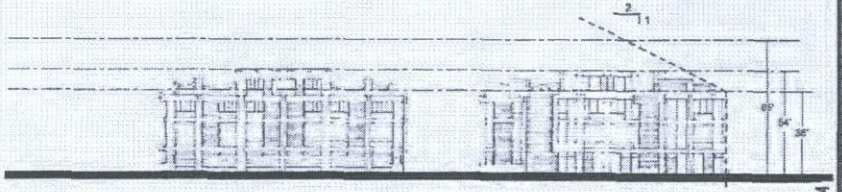


Rear West Elevation
esc 1" = 20' - 0"



Rear South Elevation
esc 1" = 20' - 0"

HBS International LLC.

BAHIA WORK LIVE PLAY

SCOTTSDALE, ARIZONA

618-PA-2014

Exhibit 'A'
Resolution No. 9958
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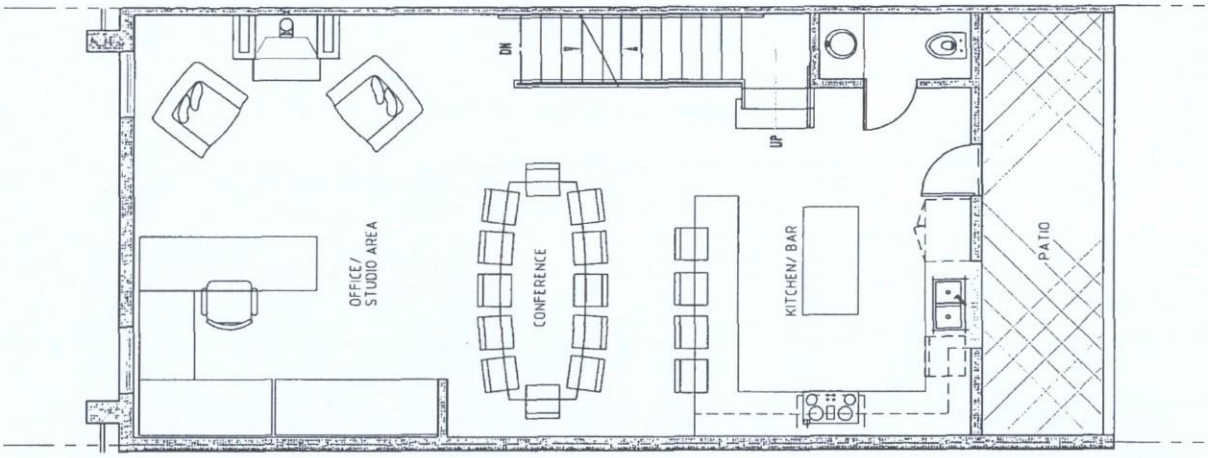
6-GP-2014
10/1/2014



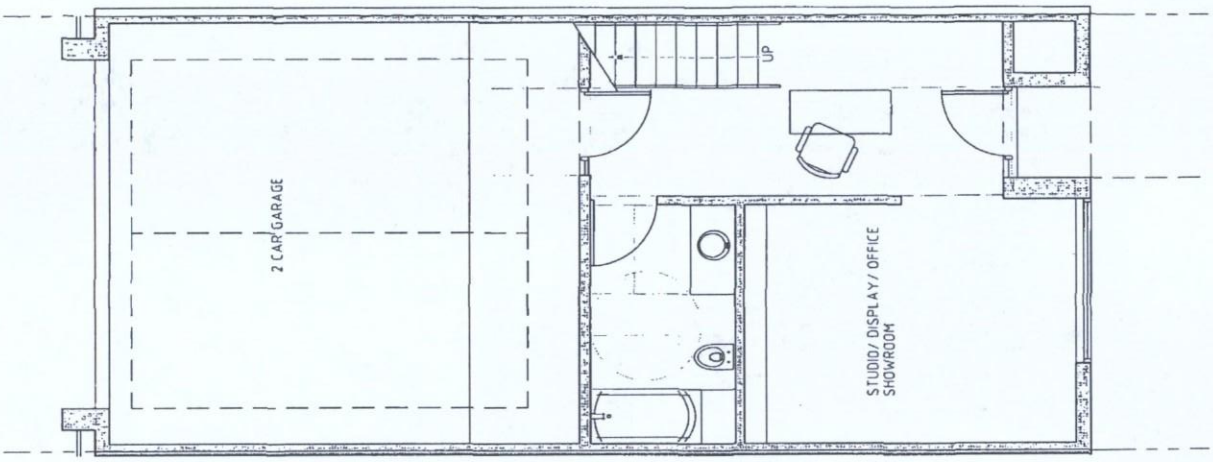
1 U1.0 **2ND FLOOR PLAN** SCALE: 1/4" = 1'-0"

BAHA WORK LIVE PLAY

OLD LOT 21 - BAHA DRIVE AND 72ND STREET

SCOTTSDALE, ARIZONA

618-PA-2014

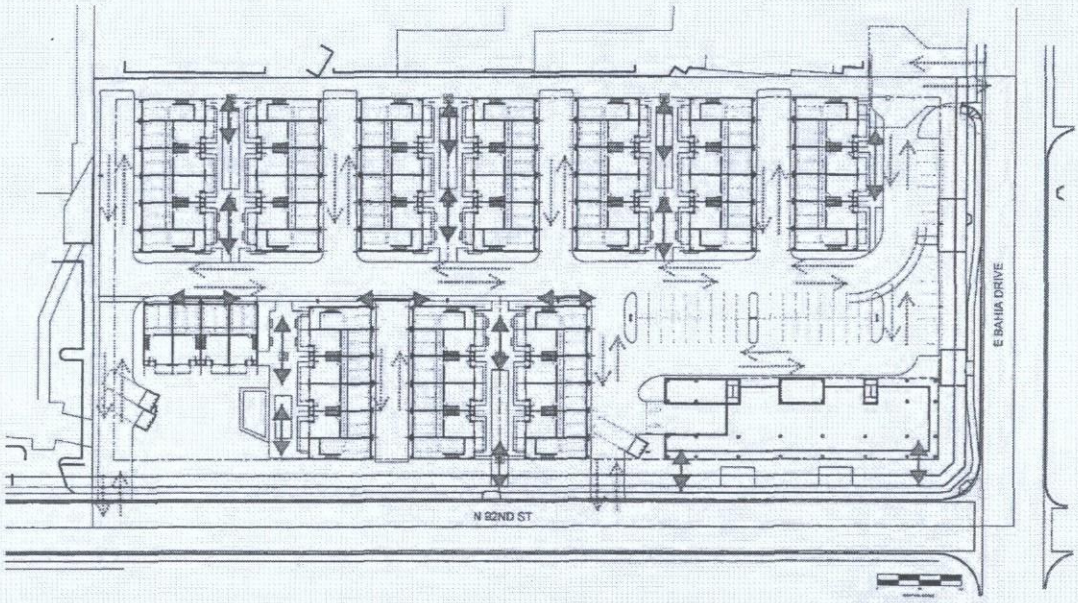


1 U1.0 1ST FLOOR PLAN SCALE: 1/4" = 1'-0"

BAHIA WORK LIVE PLAY

SCOTTSDALE, ARIZONA

618-PA-2014



CIRCULATION PLAN

CIRCULATION SYMBOLS

BAHIA WORK LIVE PLAY

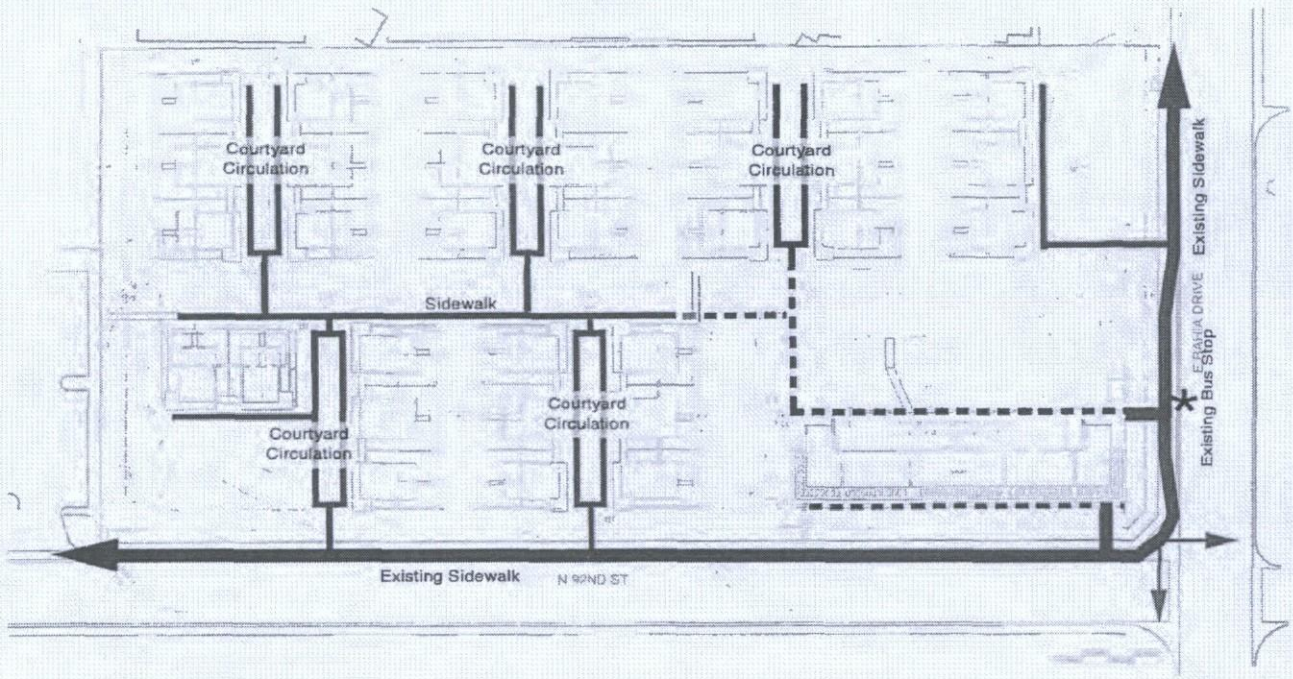
SCOTTSDALE, ARIZONA

CIRCULATION PLAN

AS-1.5

61B-PA-2014

14-ZN-2014
8/28/2014



Indicates Pedestrian Circulation Path/Sidewalk

Pedestrian Circulation Plan

BAHIA WORK LIVE PLAY

618-PA-2014

AS-1.1

Exhibit 'A'
Resolution No. 9958
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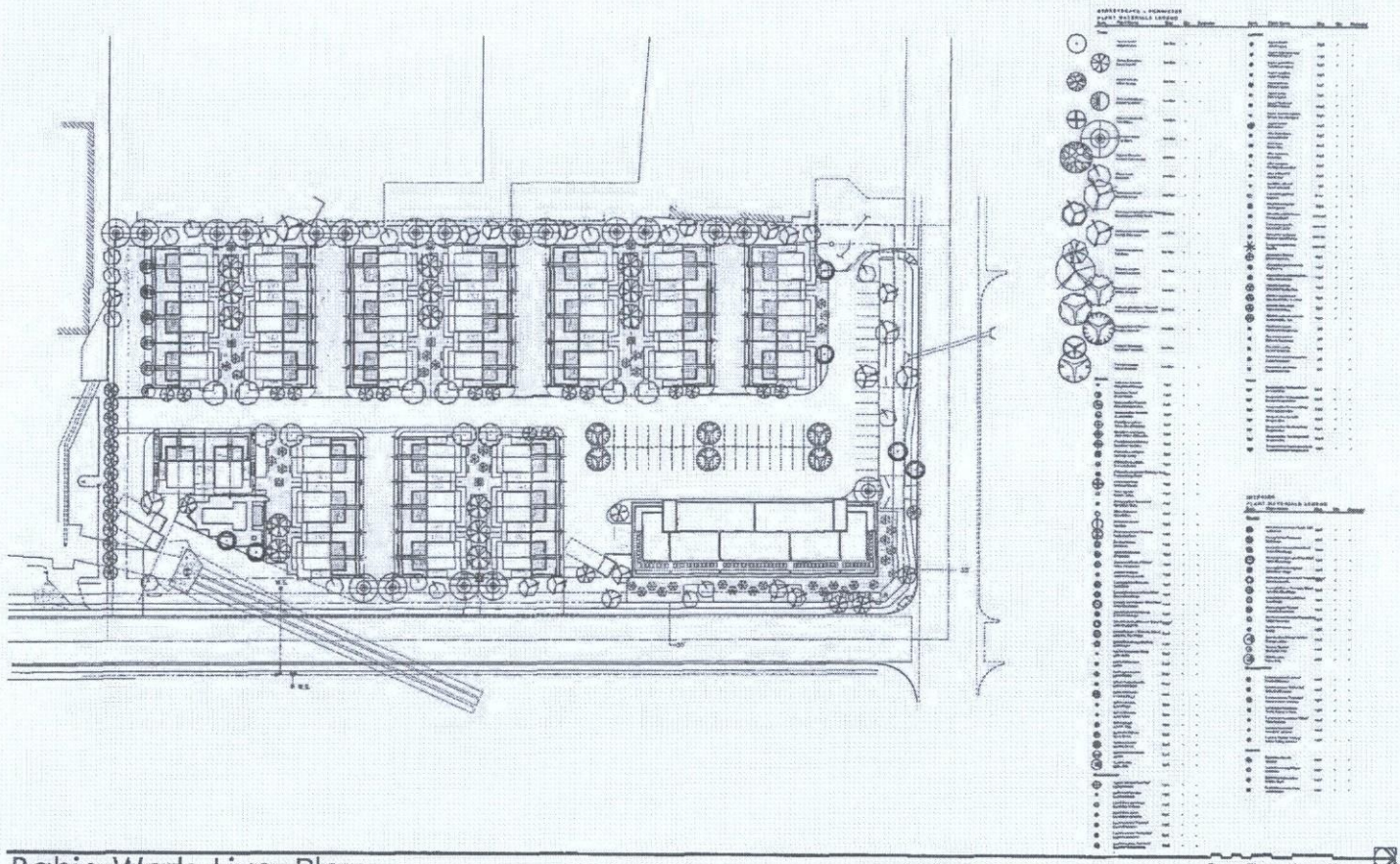
10/1/2014



Bahia Work, Live, Play

Scottsdale, Arizona

Landscape Master Plan

14-ZN-2014
8/28/2014

August 26, 2014

GARRY|PICKETT
landscape architecture | community design

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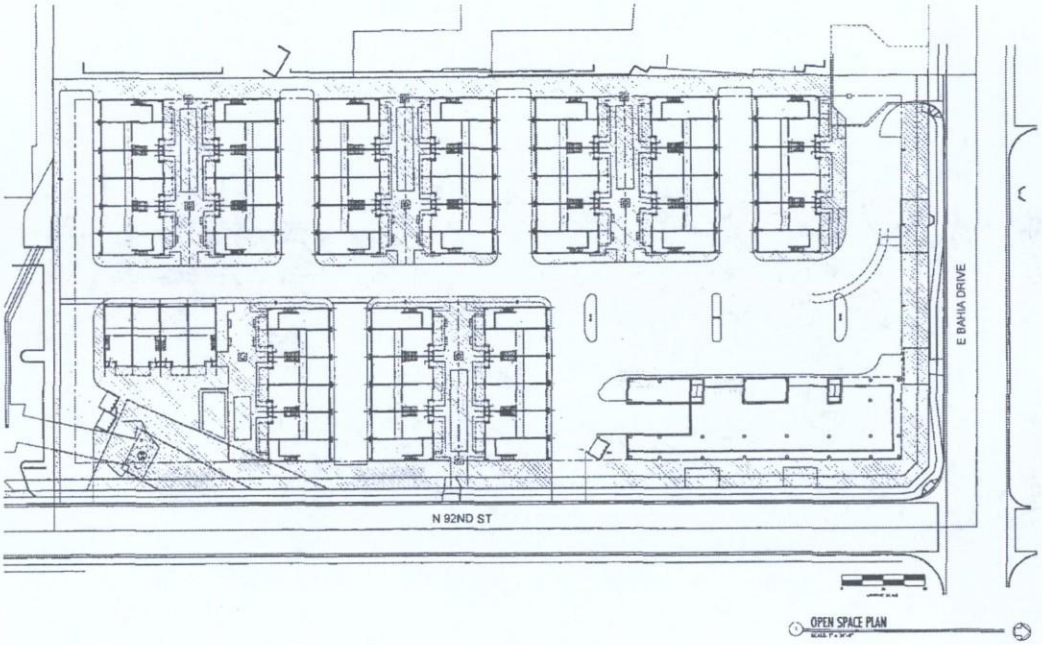
Garry | Pickett Professional Corp.



OPEN SPACE PLAN

OPEN AREA

HKS International LLC

BAHIA WORK LIVE PLAY

SCOTTSDALE, ARIZONA

GLO LOT 11 - BAHIA DRIVE AND 92ND STREET

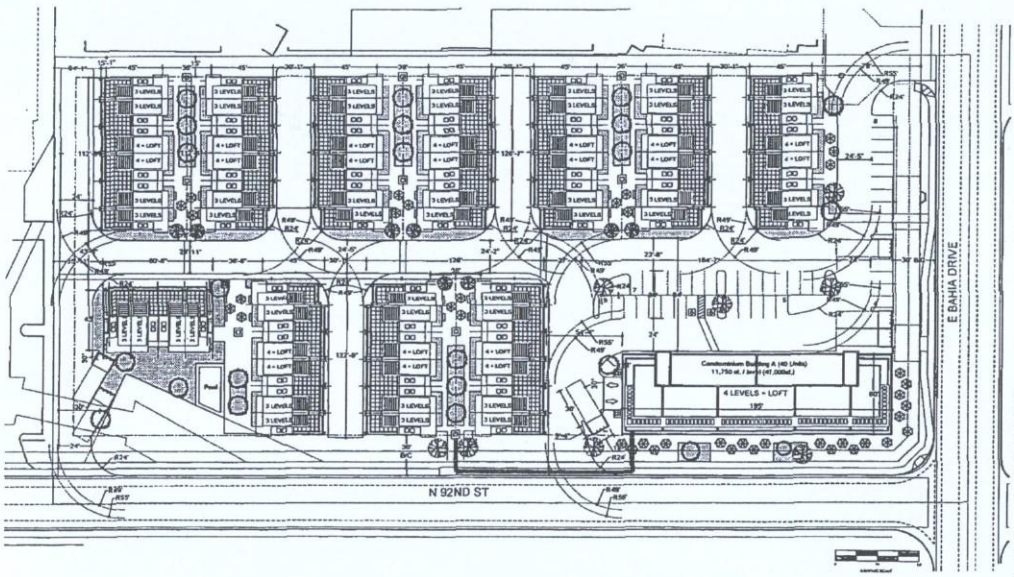
AS NOTED

OPEN SPACE PLAN

AS-1.7

618-PA-2014

14-ZN-2014
8/28/2014



Bahia Airpark Project Information

Site Area: 187,318 sf. (or approx. 4.3 acs)
Current Zoning: I-1, PCD
Proposed Zoning: PCP with PCD overlay

Building Area and Unit Counts:

Retail/Restaurant:	10,000 sf	
Townhouses:	171,800 sf	64 units
Condominiums:	36,000 sf	14 units
Total	222,800 sf	78 units

FAR:
Allowed (base): 0.8 (plus bonus up to 1.6)
Proposed: 1.2

Dwelling units per Acre:
Proposed: 18.2 DU/A

Building Height:
Allowed: Up to 92 ft with bonus (base height 54 ft)
Proposed: 65 ft. (roof at 60 ft)

Parking:
Required:

Townhouses:	64 units @ 2 per unit	128 spaces
Condominiums:	14 units @ 1.8 average	26 spaces
Restaurant:	2,500 sf @ 1/120 public	21 spaces
Commercial:	7,500 sf @ 1/300	25 spaces
		200 spaces

Provided:

Townhouses:	128 spaces
Underground Parking:	34 spaces
Surface Parking:	42 spaces
	220 spaces

Open Space:
Required: 25% of net site area
187,318 sf x 25% = 46,830 sf of Open Space
Provided: 49,208 sf

EMPLOYMENT FLOOR AREA CALCULATION:

Original I-1 Zoning FAR; site area 187,318 sf x 0.4 FAR = 74,927 sf of potential "employment floor area"

Proposed:
Townhouses:
Ground floor area: 64 units x 400 average "employment floor area" = 25,600 sf
(does not include the private garages)
Second floor "flex space": 64 units x 800 = 51,200 sf

Condo building:
Ground floor "employment floor area": 7,500 sf
14 units x 400 average commercial space = 5,600 sf
89,900 sf

89,900 sf / 187,318 sf = 0.48 FAR, which is greater than 0.4

NOTE:
The Site Plan is conceptual and subject to change depending on the Unit Owner's/ User's specific floor plan requirements.

ROOF SITE PLAN
SCALE: 1" = 30'-0"

HKS International LLC

BAHIA WORK LIVE PLAY
SCOTTSDALE, ARIZONA
610 LOT 31 - BAHIA DRIVE AND FORD STREET

AS NOTED

618-PA-2014

EXHIBIT B
Calculation of Bonuses for added FAR and Building Height

Bonus for Increase FAR

The applicant intends to utilize the bonus provision for floor area ratio (FAR) by applying the formula provided in Section 5.4008. Bonus Development Standards. Application of the formula is outlined below:

TCE / 1.035 X 0.1=SQBA

SQBA=square feet of gross floor area bonus

TCE=total construction cost estimate of the improvement

The developer proposes to allocate $754,986.60 in the form of a direct monetary contribution to the City of Scottsdale.

$754,986.60 / 1.035 X 0.1= 72,945.6 s.f.

Based on the application of the formula the developer will gain an additional 72,945.6 s.f. of gross building area by providing $754,986.60 to the City.

Bonus for Increased Building Height

The applicant intends to utilize the bonus provision for Building Height by applying the formula provided in Section 5.4008. Bonus Development Standards. Application of the formula is outlined below:

TCE / 1.035 X 0.0001 = FBH

FBH = Feet of Building Height Bonus

TCE = total construction cost estimate of the improvement

The developer proposes to allocate $113,850 in the form of a direct monetary contribution to the City of Scottsdale.

$113,850 / 1.035 X 0.0001= 11 ft of additional height.

Based on the application of the formula the developer will gain an additional 11 feet of building height by providing $113,850 to the City.

Site Plan demonstrating Special Improvements

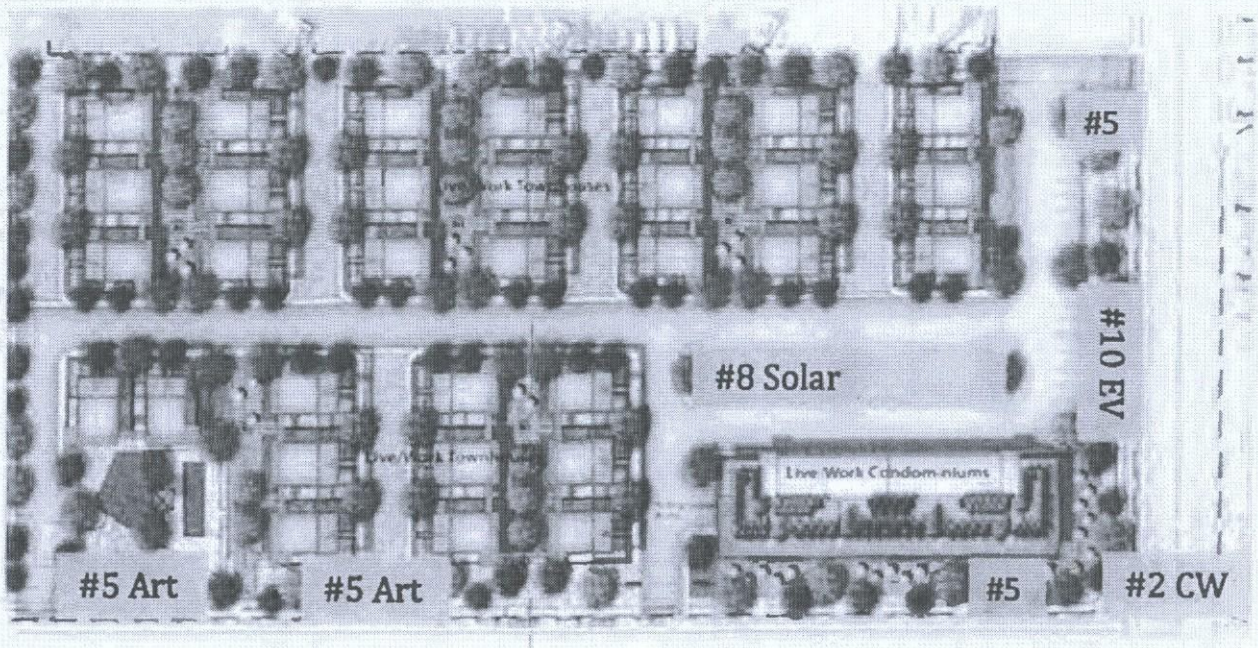
The Site Plan below demonstrates the location where the above proposed special improvements are planned to be.

#5 Public Art – These Green Public Arts pieces will add value to the community and be able to be viewed from the street and open to the public use.

#8 Solar Energy Collection – Solar shade structures will provide covered parking for the public parking on site and allow for the collection and promotion of solar power on the site.

#10 – Electric Charging Stations – There will be 5 charging stations located along Bahia or under the solar structure. This promotes the use of electric cars by clients and customers coming to the site.

#2 – Infrastructure – Catclar will include a crosswalk along the Northeast corner of Bahia and 92nd street to promote pedestrian traffic and safety along Bahia. This will directly benefit the business community in the area at large and the student body at Scottsdale Preparatory Academy.



CATCLAR INVESTMENTS LLC
16621 N 91ST STREET #101 SCOTTSDALE, AZ 85260

Section 5.4008

2. Major infrastructure improvements not included in the Development Plan. (Shown on Site Plan Below on pg. 9 as #2)

   i. These may include additions, new extensions or upsizing of streets, water systems, sewer systems, drainage systems, transit facilities, pedestrian facilities, trail facilities, bicycling facilities, streetscaping facilities or other such infrastructure improvements as approved by the Zoning Administrator and City Engineer.

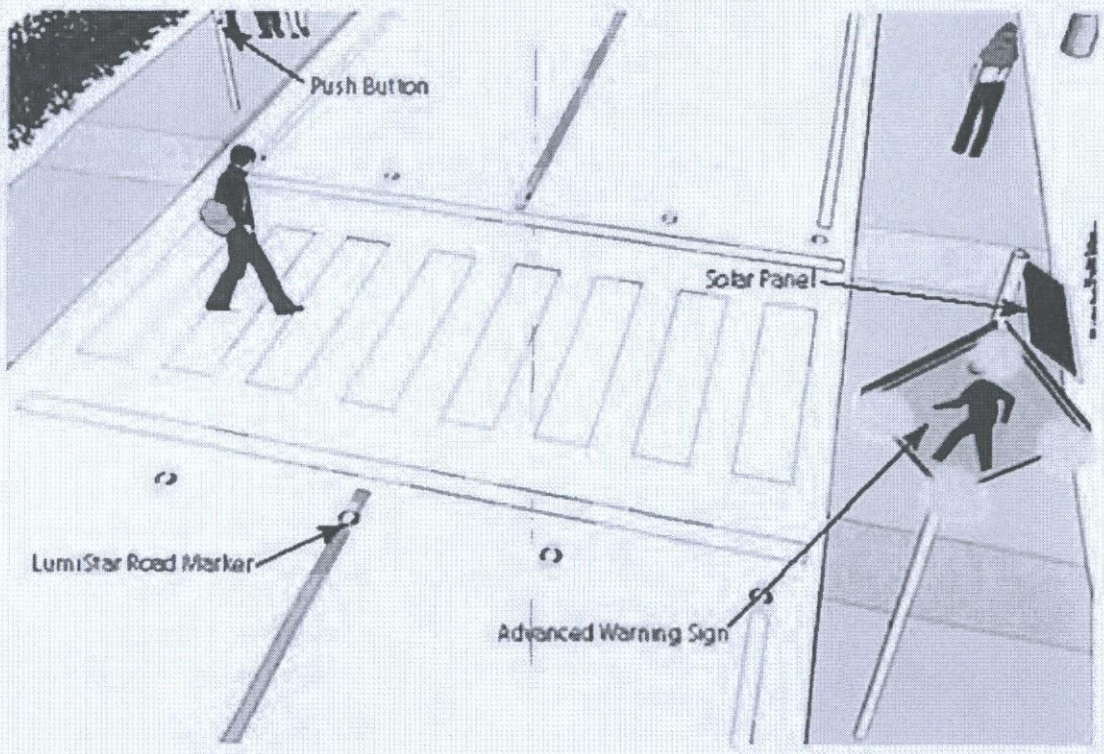
   ii. These improvements shall be located in or abutting the Greater Airpark Character Area.

   iii. These improvements shall be consistent in type and scope with the City's approved infrastructure master plans, if applicable.

   iv. In-lieu contributions may be accepted as approved by the Zoning Administrator and City Engineer.

Examples:

Cross walk at 92nd and Bahia



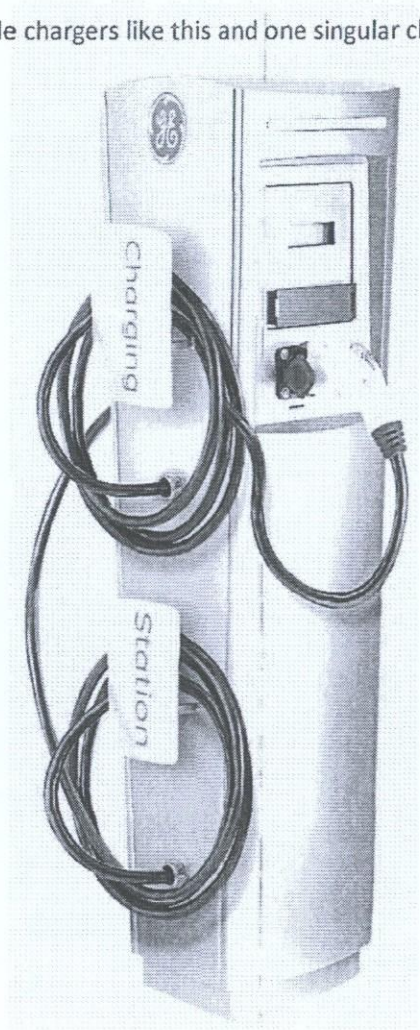
Section 5.4008

10. Electric vehicle charging stations. (Shown on Site Plan Below on pg. 9 as #10)

    i. Minimum number of stations: 5 stations or 5% of the total number of required spaces within the Development Plan, whichever is greater.

Examples:

We can have two double chargers like this and one singular charging station



Section 5.4008

8. Solar energy collection systems within the Development Plan. (Shown on Site Plan Below on pg. 9 as #8)

   i. These shall either be screened from view off-site of the Development Plan or integrated into the architectural character of the buildings.

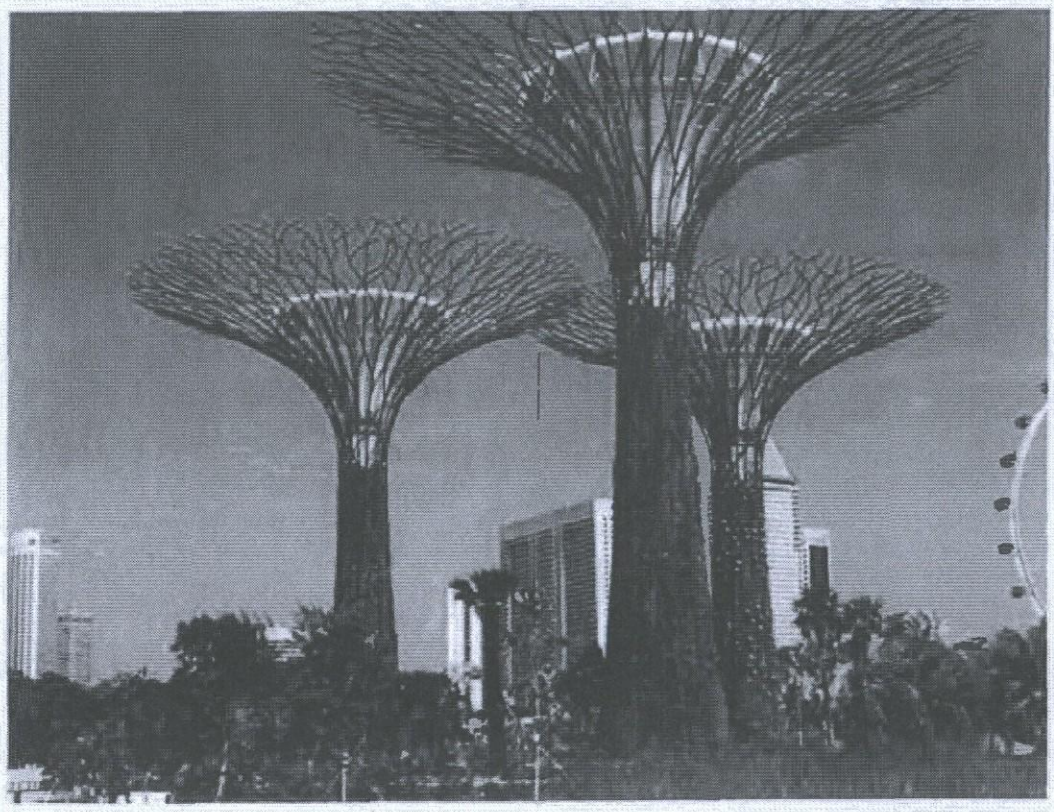
   ii. The property owner shall maintain these in good working condition for a minimum of 15 years.

Examples:

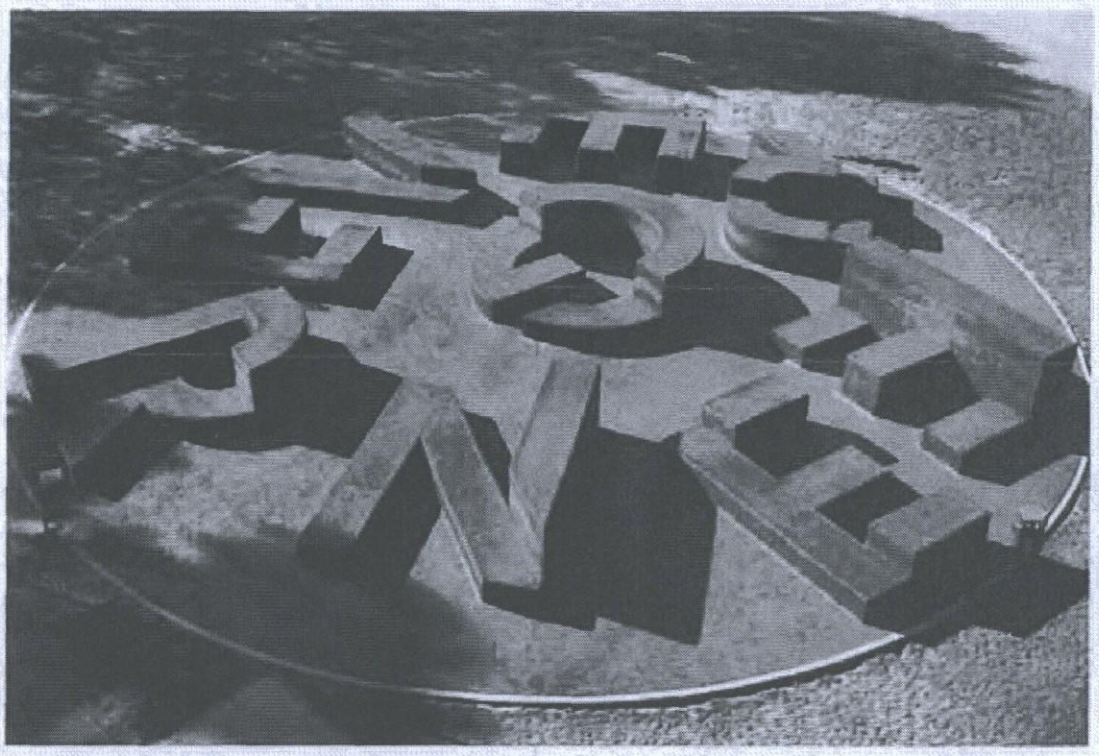
This would be for the Public parking onsite at Bahia Work Live Play

These Green pillars could serve to decorate the entrance to the site and bring a unique design element to the site while adding to the quality of the air.

This is an example of other structure types we could incorporate. They will bring the green design element higher up than just the bushes and desert trees and create shade on the site as well in public areas.



This Art doubles as soft seating for the public and will be found in our Amenity Area on the South east side. Would say BAHIA WLP or something similar.



These Art features will be located around the site to reflect the sky and the surrounding beauty.

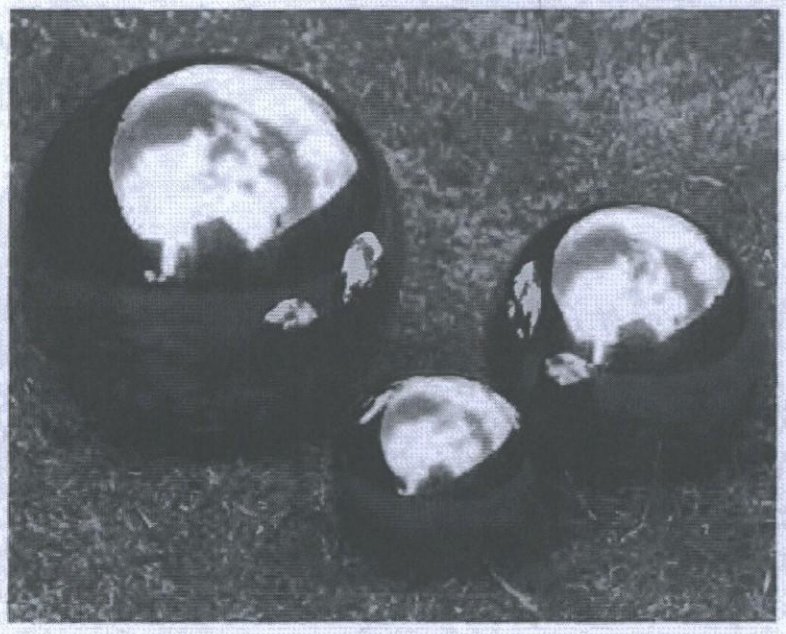


EXHIBIT A
Examples of Uses proposed for Allocation of Funds

Section 5.4008

5. Public art. (Shown on Site Plan Below on pg. 9 as #5)

   i. Public art shall be located in an area accessible by and visible to the public and exterior to any building.

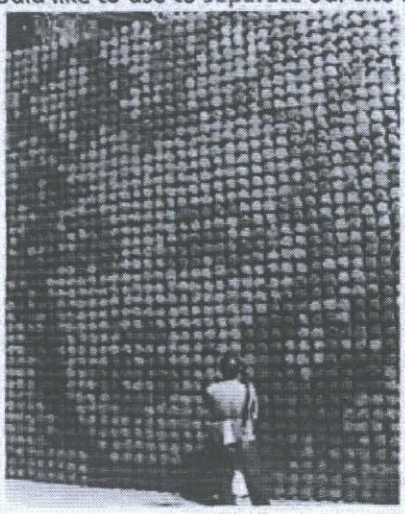
   ii. Public art shall be placed within the Greater Airpark Character Area.

Explanation by Developer – The idea is to incorporate "Green" Public art that can accentuate unique spaces. Catclar has many idea as to the possible form of said art within the community. Some of these suggestions are listed below as examples.

*Additionally, we are proposing a contest with ASU design/landscape and architecture students to design an environmentally friendly, community compatible form of art to be located in Scottsdale within the project community. Students will be instructed to contemplate "crowd sourcing" design ideas. The winner of this contest will work with the Developer to achieve environmentally friendly Art that will complement the site. **The break out of fees will be determined based on the selected items from this design competition but they will not exceed the budget or will be at owners expense.*

Examples of Possible "Green" Public Art

Wall will be located on the east end of the project along 92nd and provide a unique art piece while also providing privacy to the units behind it. The second picture shows examples of green walls which we would like to use to separate our site from surrounding developments.



To: City of Scottsdale

From: Catclar Investments LLC.

Date: October 13, 2014

Allocation of Bonus FAR Contributions

By Catclar Investments LLC

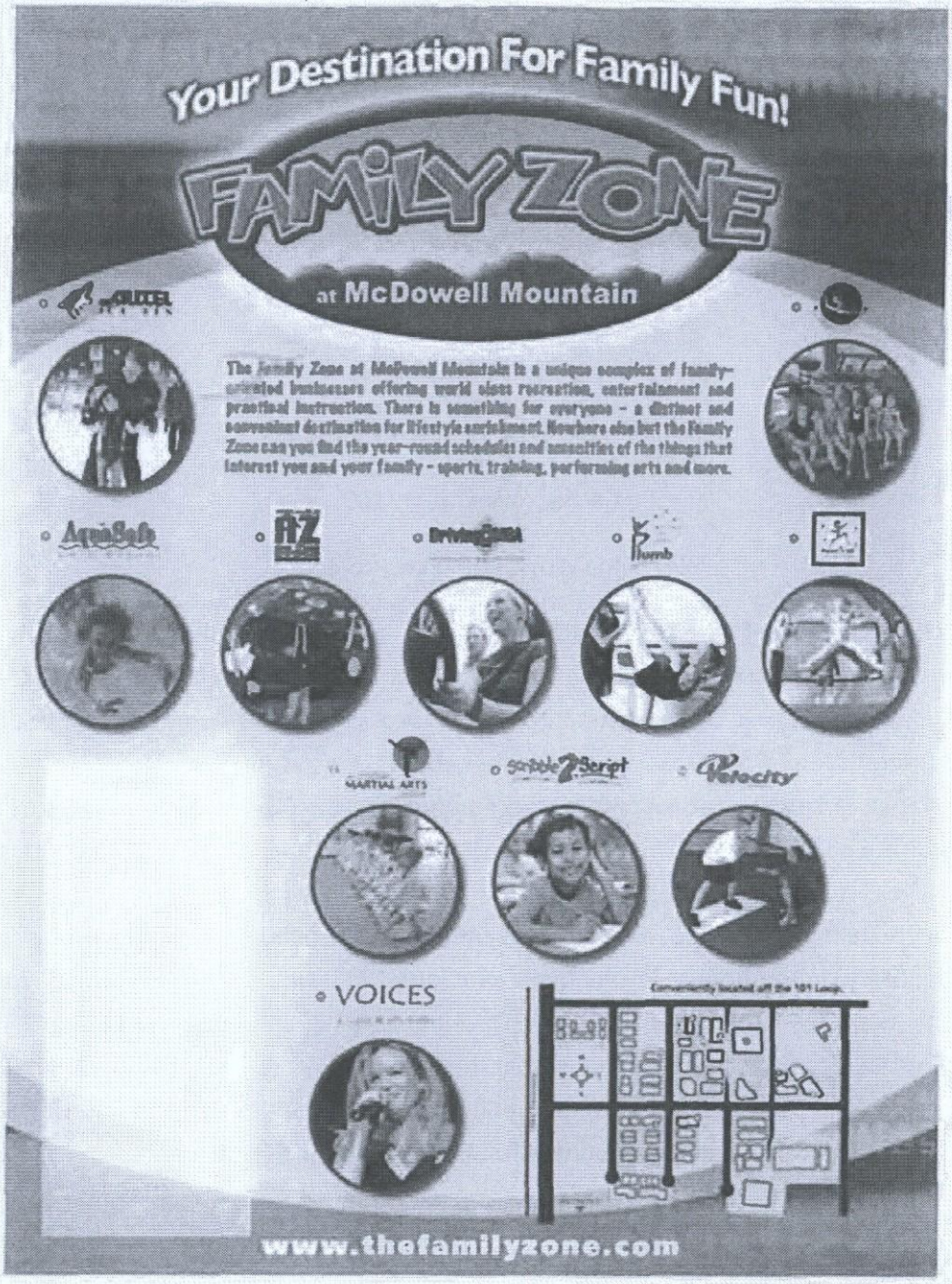
Re: Bahia Work, Live, Play Project

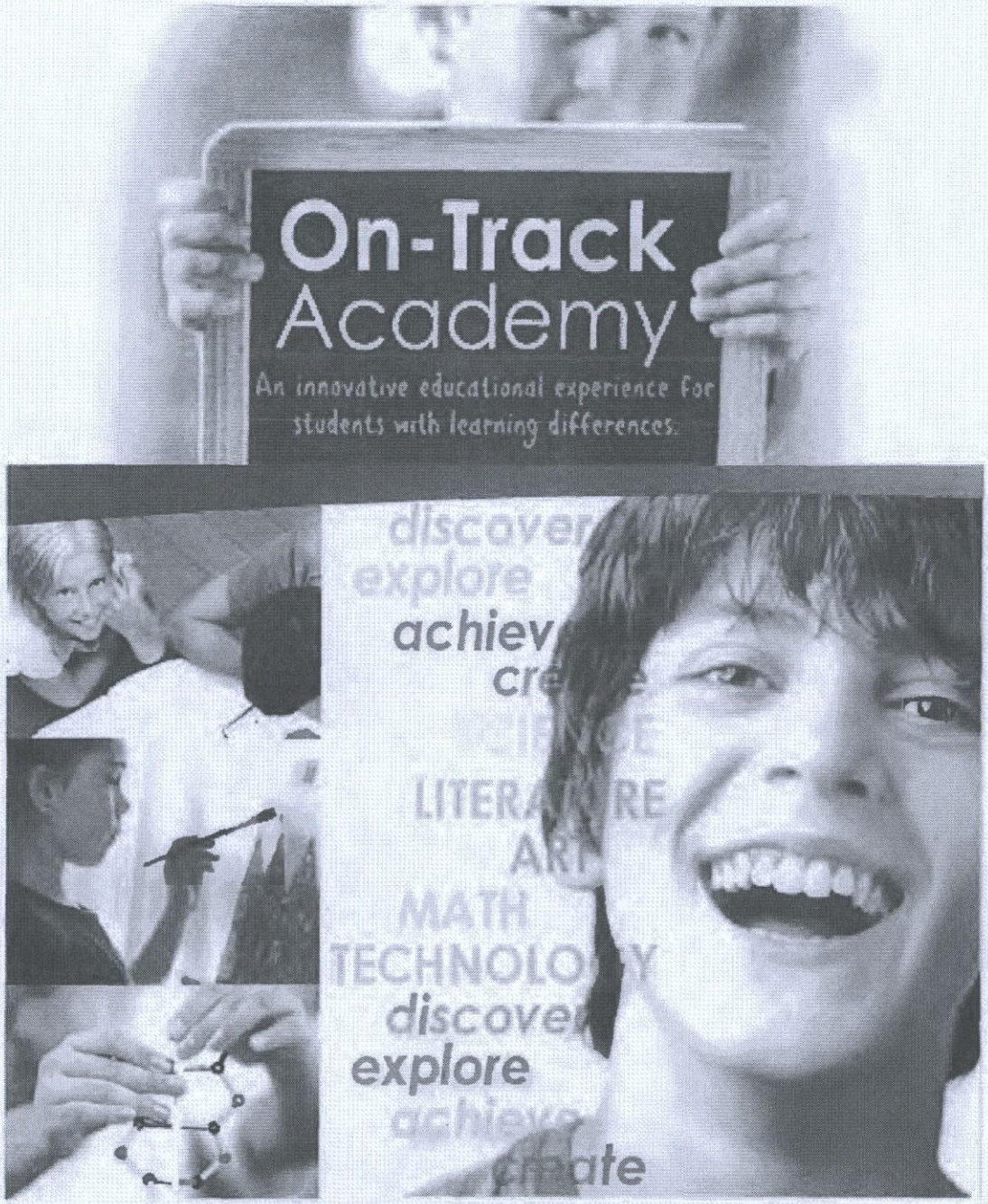
Based on the PCP Zoning, in order to achieve greater density and taller building heights, a developer can make contributions to the City of Scottsdale to benefit the Public. The Bahia Work Live Play project will be making contributions of $754,986.60 to pick up an additional 72,945.6 square feet and $113,850.00 to add an extra 11 feet in height for the project. This brings Catclar Investments total contribution amount to the City of Scottsdale, for public benefit, to $868,836.60.

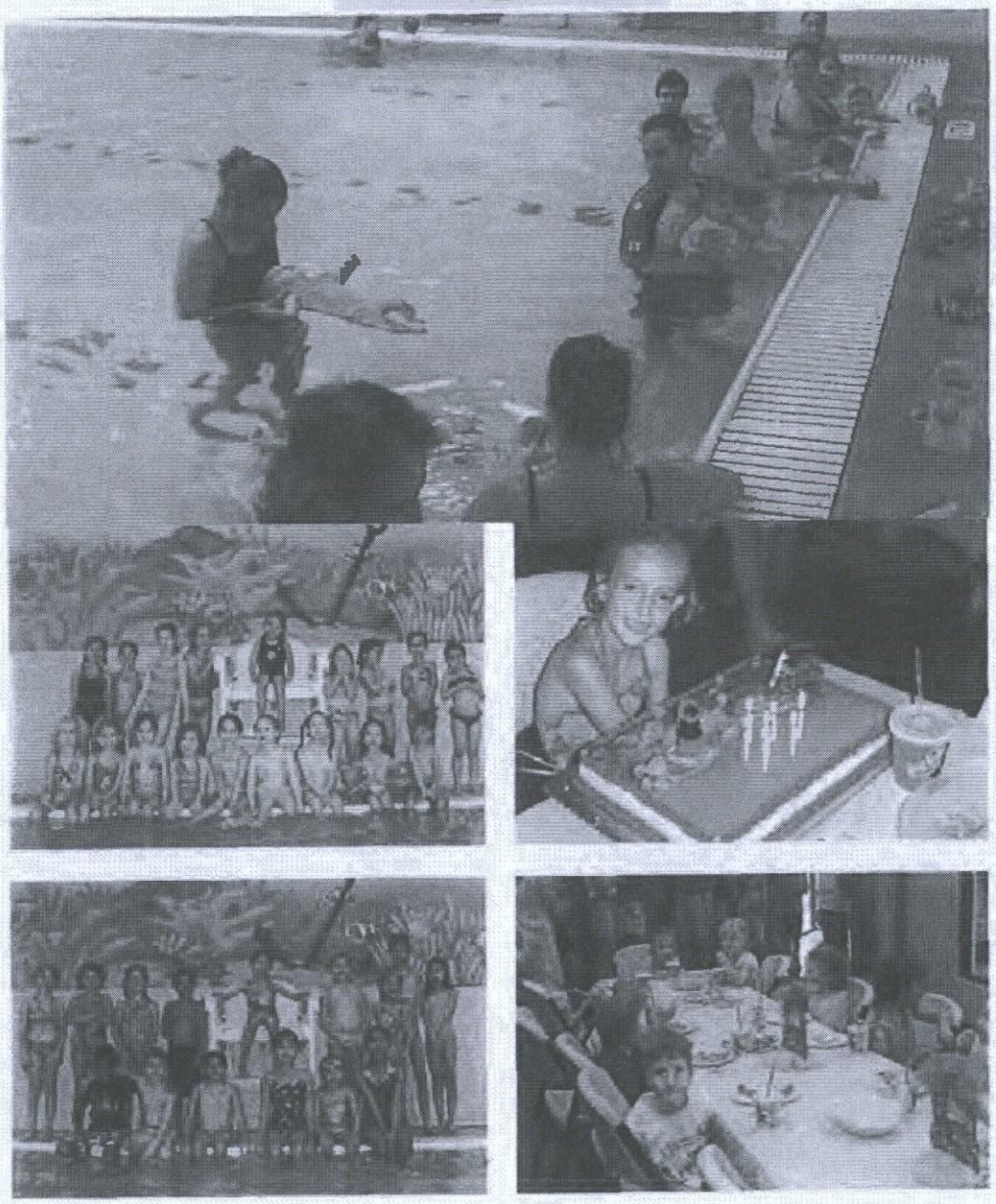
Under the PCP Zoning and Sec. 5.4008 Statutes there are approved uses to which these funds can be allocated. These "Bonus development standards" must be selected by the developer, approved by the City, and included in the Development Agreement. Additionally, these improvements are required to be located within the Greater Airport Character Area. Exhibit A, attached hereto, illustrates examples of each requested allocation. Exhibit B demonstrates the calculations utilized to arrive at the amount of funds allocated for the bonuses.

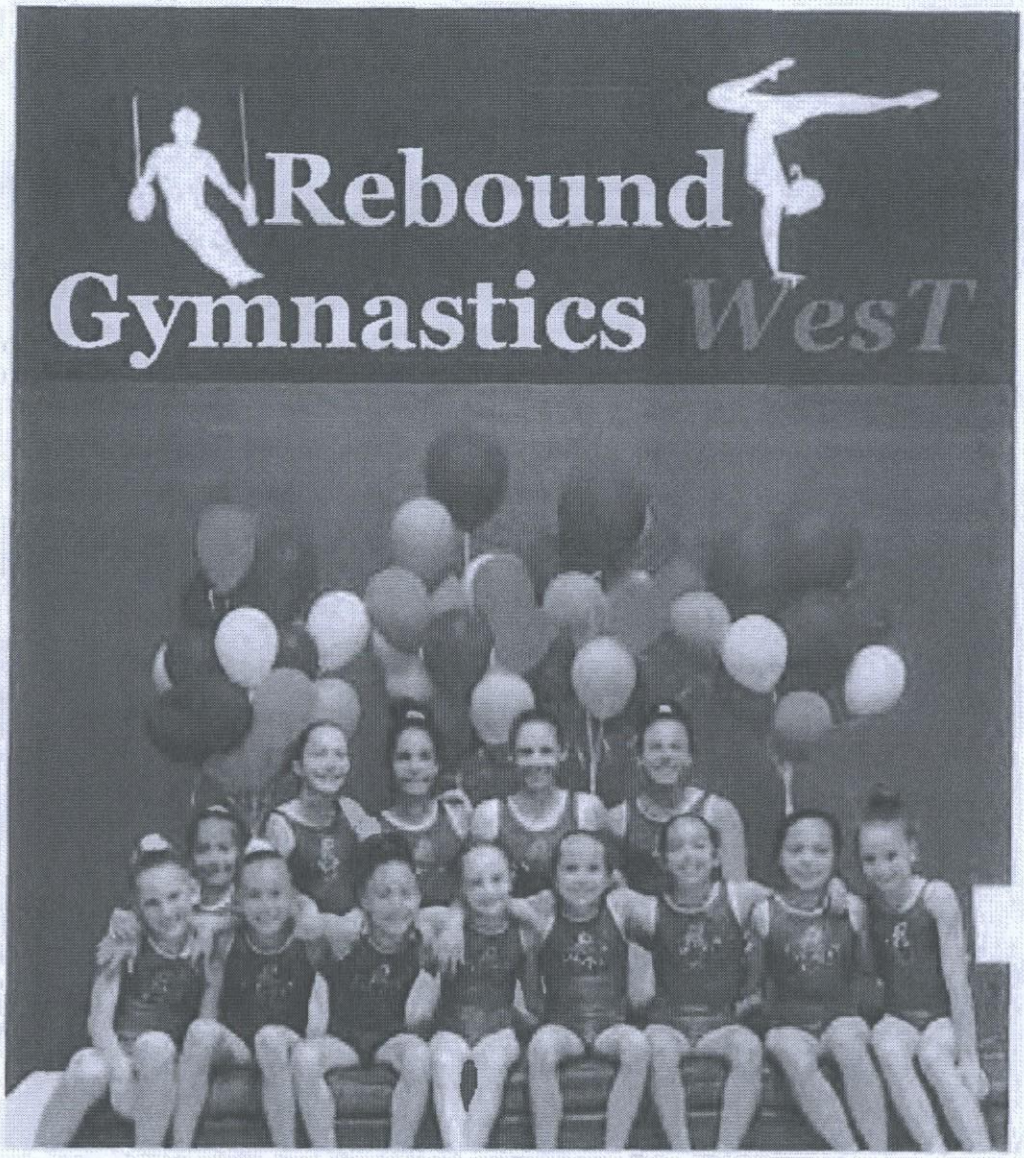
After diligent research Catclar Investments LLC is hereby requesting that our contribution to the City of Scottsdale, for the benefit of the public, be allocated in the following manner:

CATCLAR INVESTMENTS LLC
16621 N 91ST STREET #101 SCOTTSDALE, AZ 85260


Your Destination For Family Fun!
FAMILY ZONE
at McDowell Mountain
The Family Zone at McDowell Mountain is a unique complex of family-oriented businesses offering world class recreation, entertainment and practical instruction. There is something for everyone - a distinct and convenient destination for lifestyle entertainment. Nowhere else but the Family Zone can you find the year-round schedules and amenities of the things that interest you and your family - sports, training, performing arts and more.
AquaSafe
Thumb
MARTIAL ARTS
Scribble2Script
Velocity
VOICES
Conveniently located off the 101 Loop.
www.thefamilyzone.com


On-Track
Academy
An innovative educational experience for students with learning differences.
discover
explore
achiev
LITERA RE
ART
MATH
TECHNOLO Y
discover
explore




Rebound
Gymnastics WesT

Plumb

Performing Arts Center

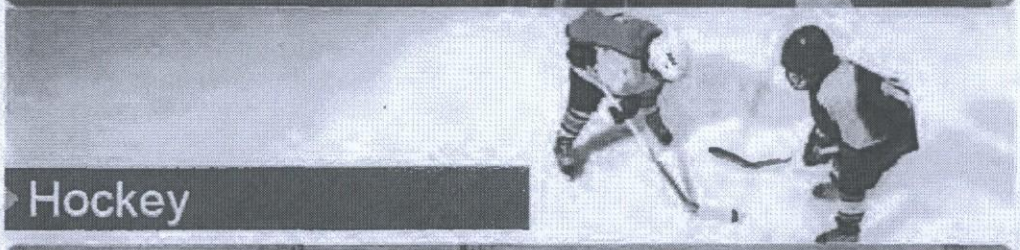
Teen and Senior Company

PPAC is very proud of our Teen and Senior Company. They are comprised of young dancers ages 13 through17. This is an elite group that takes over 20 hours of dance classes per week and performs and competes locally, regionally, and nationally. Members of this line have been asked to dance at the prestigeous " Joyce Theater " in New York City the past three years. They have also won many national awards and titles.

ICE DEN

SCOTTSDALE

480-585-7465

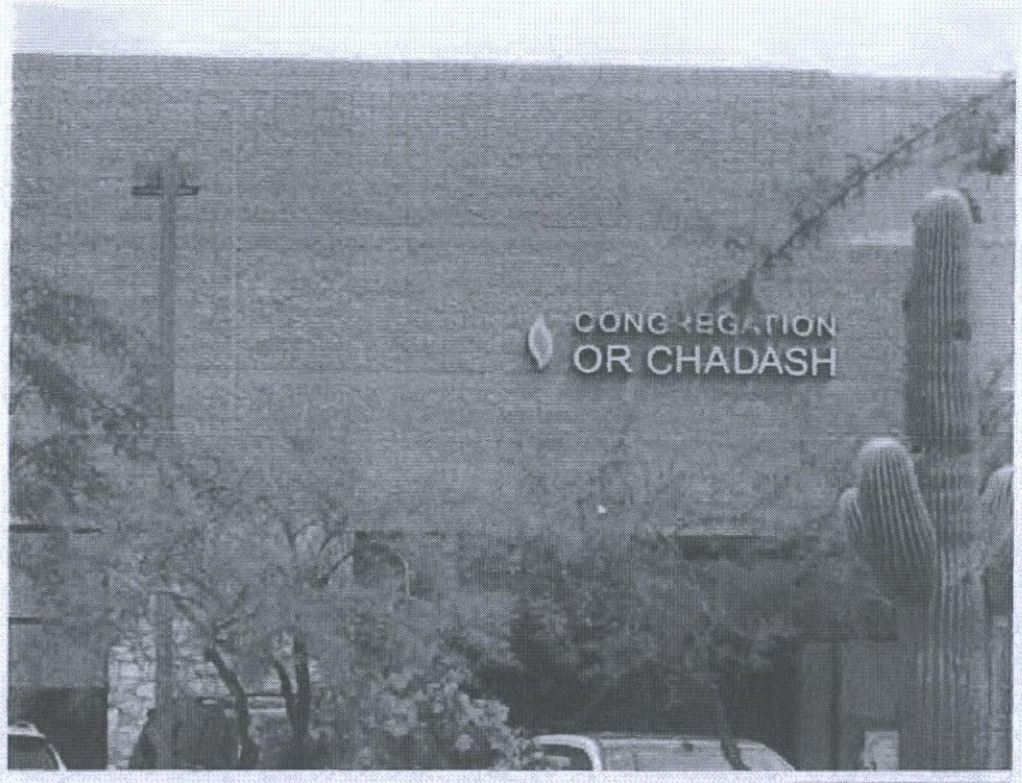


INDOOR CLIMBING

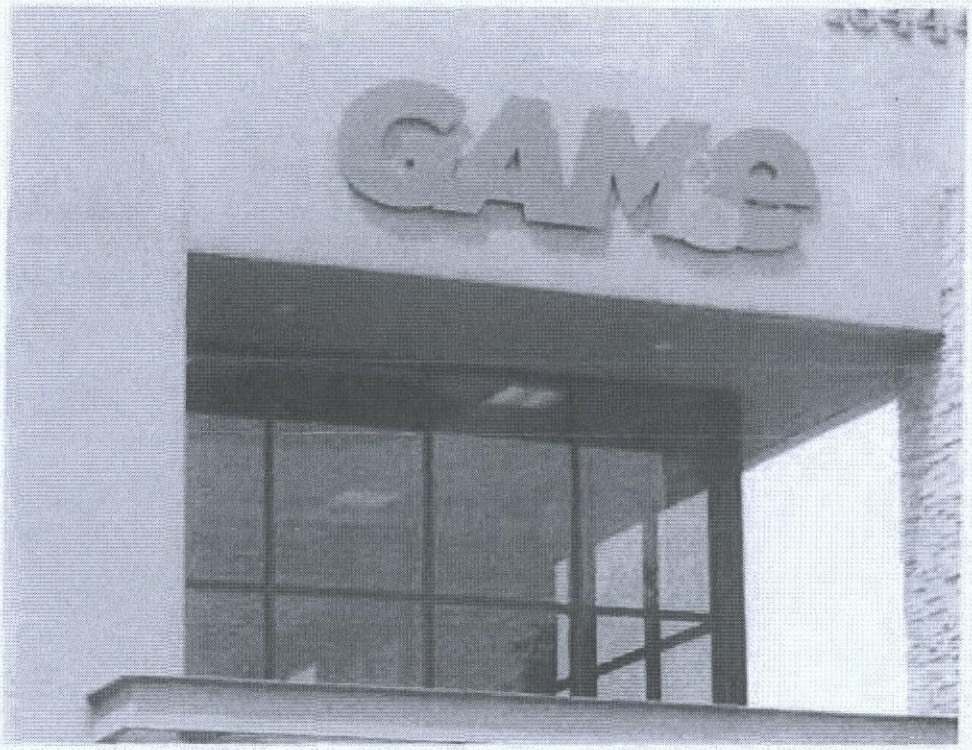
AZ ON THE ROCKS

SCOTTSDALE, AZ

WWW.AZONTHEROCKS.COM


CONGREGATION
OR CHADASH

AMBIANT
DANCE


GAME

Driving MBA

ENDURANCE
REHAB
FITNESS 5
#107
NINJITSU
RZ

reality today is that there are more students and parents that drive to this site everyday than employees. Based on demographics shared with us from a broker in the business park and the architect that designed most of the, its estimated that there are around 500 employees that work in this area that is south of Bell Rd. and north of Westworld.

In contrast there are over 1500 students and that is just between Scottsdale Preparatory and Notre Dame, this does not include On-Trac Academy, the U of A Eller campus nor Driving MBA. The amount of students in this immediate area far outweighs the amount of employees, at least 3 to 1. In addition, children and adults come to this area through out the day to participate in sports, weight lifting, martial arts, language learning, swimming lesson, physical therapy, skating lessons, educational activities, rock climbing, conditioning, biking, dental care and tutoring just to name a few. Students from other public and private school make use of the offering here in "the Family Zone", which offers almost every service a family could need, except for living space.

The Family Zone contains the following 33 businesses, to name a few:

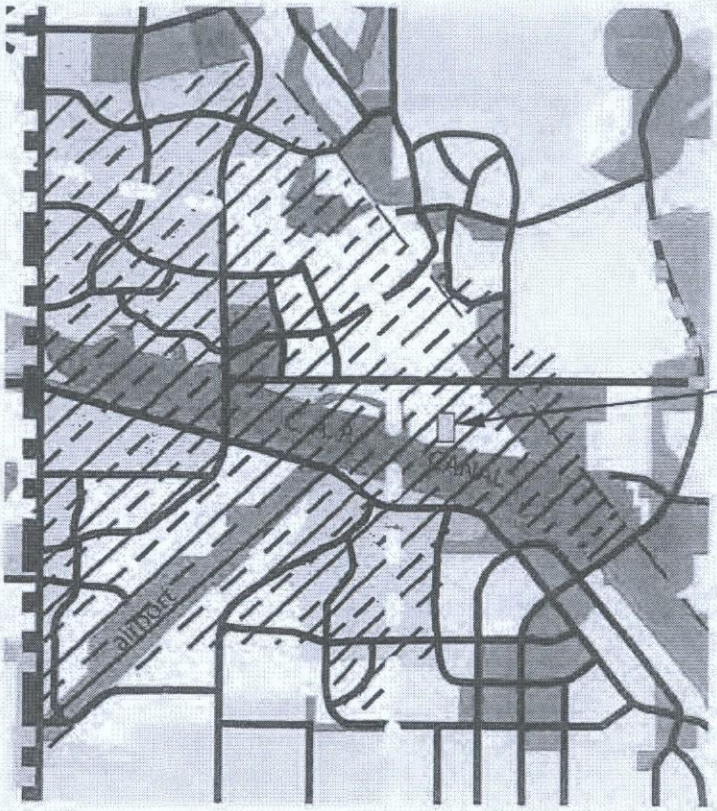
Ambiant Dance Studio	Fitness 5	Little Bohemian
Arizona Outback Adventures	A+ Nannies	The Rise Scottsdale
Optimum Performance Training	Ice Den	On-Trac Academy
FROGS Physical Therapy	Mint Conditioning	Or Chadesh
Pump It Up Parties	Aqua Safe Swim	AZ on the Rocks
Plumb Performing Arts	Ninjitsu	Scottsdale Martial Arts
American Elite Gymnastics	Scribble to Script	Velocity
Phoenix Rise Professional GL	Voices	Scottsdale Education Center
Rebound Gymnastics West	Oxford Learning	Young Champions of America
Convenant Community Church	Faster	Active Body Worx
Charity Benefits Unlimited	Endurance Rehab	iLearn & Succeed

Family Zone Narrative

History:
With the arrival of Westworld, the entire area north of the Canal, west of 94th st and east of the 101 freeway became zoned I-1 Industrial and a targeted Employment area under the Horseman's Park zoning case (33-ZN-2000). In the 14 years that has elapsed since that rezoning, big changes have happened. With proximity to the 101 highway, the Greater Airpark Area has been a magnet for offices and services, especially within the west side of the 101 freeway.

While the City designated the east side of the 101 freeway to be an industrial area, it instead has turned into a recreational area to serve the nearby residents. In the 14 years since the I-1 zoning was put into place (changing from the original R-35 zoning), large residential developments have been built all around Westworld in every direction. The Market determined that this would be a place where people wanted to live. The only problem was that there weren't any amenities for these growing households. A solution presented itself; The Family Zone sprung up organically to fill a void in the market. With high office vacancies across the Phoenix Valley, the market determined that it could make this area work best if it moved toward offering services to families. Spaces reserved for Industrial offices were converted to activity and recreational centers.

Family & Student Zone:
The Bahia Work + Live + Play project is located in what most commonly is called "The Family Zone" due to the abundance of activity centers for children and families. While the City may still consider the vision of this area being an industrial zone, the



Proposed GP Use

BAHIA WORK LIVE PLAY

SCOTTSDALE, ARIZONA

618-PA-2014

Existing GP Use

BAHIA WORK LIVE PLAY

SCOTTSDALE, ARIZONA

618-PA-2014

normal operation and instead will add to the livelihood of the surrounding area bringing jobs and revenue.

- The commercial and residential mix will increase the visibility of this site and bring attention to the existing retail and attractions.

- The granting of the requested rezoning will not be contrary to the objectives of the General Plan.

- There are positive traffic impacts from the property uses.

- The project fits with the commercial owners already in place; it fits within the General Plan and will strengthen the community.

VI. Conclusion

In summary, the applicant is seeking a Non-Major GPA to the 2001 General Plan from Employment to Mixed-Use Neighborhoods, a Non-Major GPA to the GACAP from EMP to AMU-R and rezoning from PCD I-1 to PCD – PCP/AMU-R on a 4.3 +/- gross acre site located at the southwest corner of 92nd Street and Bahia in the Horseman's Park master plan.

The applicant intends to create a mixed-use work, live, Play development, the The Bahia Project by creating a unique development that consists of 64 individual ground level office spaces with loft-style residential above. Additionally the applicant intends to create an office/retail hub at the corner of 92nd and Bahia which will include business/employment support services such as a coffee shop and/or a lunch and dinner restaurant. The commercial corner will also have office conference space available for the loft owners as well as tenants in the area. Fourteen additional work/live units will be provided above the corner building.

As mentioned above, the knowledge-based worker makes up an estimated 30% of the American workforce (and growing), and are known for their contribution towards creating new ideas and new technology. These workers crave a work/live option that is different than the traditional workplace and household environment. One that affords them a flexible schedule and independent loft concept like the cutting edge experience proposed for The Bahia Project work, live, Play development; a development that promotes sustainability, reduced trip generation, environment responsibility and professional synergy.

The proposed mix of uses will enhance the local and regional economic base. The Property is surrounded by a variety of employment, recreational, office, instructional/education and service related business in the Scottsdale Airpark and there is a strong demand for this unique work/live concept.

This is a very unique and exciting project, support from potential patrons of the restaurant. Based on data provided by 3rd party experts, this project will be not only a commercial success but will exemplify the vision that the City hopes to achieve in the area.

The project meets and exceeds the expectations of the City:

- Located within the General Plan targeted "Growth Area", a Mixed Use Commercial designation will allow for the best use of the site.

- The granting of the proposed zoning will be positive for the public welfare and will enhance the character of the neighborhood.

- It will benefit the existing tenants in the area and the general public. The commercial operations will not disturb nor be detrimental to the public in its

3. *In the case of proposed commercial, institutional, recreational and other non-residential uses, that such development will be appropriate in area, location and overall planning to the purpose intended; and that such development will be in harmony with the character of the surrounding areas.*

Response: Bahia complements these sensitive design principles in the following ways:

- 30' landscape buffer and setback along Bahia per the Horseman's Park development plan
- Hierarchy of building massing with stepped three and four-story concept
- Pedestrian connectivity along the street frontages and throughout the project
- Connectivity to larger open space network
- Place-making design concepts
- Activation of the street frontages with office/retail at the hard corner of 92nd and Bahia
- Completely unique rooftop studios and gardens

Horseman's Park Amended Development Standards

Pursuant to the height and FAR bonuses requested under the PCP district (see section IV above), the City has requested that we amend the Horseman's Park PCD for this 4.3 acres site accordingly. The amendments are as follows.

- **Height**
  Current maximum building height: 42 feet inclusive of mechanical
  Proposed maximum building height: 65 feet inclusive of mechanical

- **Floor Area Ratio**
  Current maximum FAR: 0.4
  Proposed maximum FAR: 1.2

33-ZN-2000 Stipulation Modifications

1. Maximum Building Height. Unless otherwise stipulated, the maximum building height shall be ~~thirty-six (36) feet and a maximum of forty-two (42) feet~~ **65 FEET INCLUSIVE OF** ~~for~~ mechanical **EQUIPMENT AND** screening **FOR THE PROPERTY LOCATED AT THE SOUTHWEST CORNER OF 92ND AND BAHIA.**

2. Floor Area Ratio. Maximum floor area ratio shall be ~~0.40~~ **1.2 FOR THE 4.3+/- ACRE PROPERTY LOCATED AT THE SOUTHWEST CORNER OF 92ND AND BAHIA.**

V. Horseman's Park PCD Findings

Before approval or modified approval of an application for a proposed P-C District, the Planning Commission and the City Council must find:

A. *That the development proposed is in substantial harmony with the General Plan, and can be coordinated with existing and planned development of surrounding areas.*

Response: This application is in harmony with the General Plan and GACAP as outlined in section III above as well has the established Horseman's Park development plan. Further, the proposed development plan is compatible with the surrounding employment core established in the area. Developing a unique work, live, Play project will further bolster the economic stability of the established employment, recreation, and commercial services in the area.

B. *That the streets and thoroughfares proposed are suitable and adequate to serve the proposed uses and the anticipated traffic which will be generated thereby.*

Response: External roadways adjacent (or near) to the property include the Loop 101, a regional transportation corridor to the west and Bell Road, a minor arterial to the north. These transportation corridors maintain more than sufficient capacity to accommodate proposed vehicle trips for the The Bahia Project work, live, Play development. A complete traffic analysis is provided with the application.

C. *The Planning Commission and City Council shall further find that the facts submitted with the application and presented at the hearing establish beyond reasonable doubt that:*

1. *In the case of proposed residential development, that such development will constitute a residential environment of sustained desirability and stability; that it will be in harmony with the character of the surrounding area; and that the sites proposed for public facilities, such as schools, playgrounds and parks, are adequate to serve the anticipated population. The Planning Commission and City Council shall be presented written acknowledgment of this from the appropriate school district, the Scottsdale Parks and Recreation Commission and any other responsible agency.*

2. *In the case of proposed industrial or research uses, that such development will be appropriate in area, location and overall planning to the purpose intended; and that the design and development standards are such as to create an industrial environment of sustained desirability and stability.*

Bonus for Increase FAR

The applicant intends to utilize the bonus provision for floor area ratio (FAR) by applying the formula provided in Section 5.4008. Bonus Development Standards increasing the base PCP FAR of 0.8 to 1.2 (72,946 s.f.). Application of the formula is outlined below:

TCE / 1.035 X 0.1=SQBA

SQBA=square feet of gross floor area bonus

TCE=total construction cost estimate of the improvement

The developer proposes to allocate $754,987 in the form of a direct monetary contribution to the City of Scottsdale.

$754,987 / 1.035 X 0.1= 72,946 s.f.

Based on the application of the formula the developer will gain an additional 72,946 s.f. of gross building area by providing $754,987 to the City.

Bonus for Increased Building Height

The applicant intends to utilize the bonus provision for Building Height by applying the formula provided in Section 5.4008. Bonus Development Standards increasing the base PCP building height from 54 feet to 65 feet (additional 11 feet) to accommodate additional square footage and mechanical appurtenances. Application of the formula is outlined below:

TCE / 1.035 X 0.0001 = FBH

FBH = Feet of Building Height Bonus

TCE = total construction cost estimate of the improvement

The developer proposes to allocate $113,850 in the form of a direct monetary contribution to the City of Scottsdale.

$113,850 / 1.035 X 0.0001= 11 ft of additional height.

Based on the application of the formula the developer will gain an additional 11 feet of building height by providing $113,850 to the City.

Allocations of these funds will be identified in the Development Agreement.

movement of people by locating them close to employment and retail services, thereby minimizing vehicular trips on the regional transportation network.

D. *Promote architectural excellence and creative design through development standards that create high quality character for structures, site plans, and streetscapes.*

E. *Promote adjacent neighborhoods through strict development standards while encouraging innovative site planning and environmental sensitivity throughout the PCP district.*

Response: The Bahia Project' design embodies an Airpark appropriate building with materials and colors that are compatible to existing fabric of the Airpark character while providing unique detailing and presence. The developer intends to create a three and four-story mixed-use development with Southwestern contemporary elevations in keeping with the surrounding character. The site is designed in a cohesive manner that provides visual and physical connectivity through the architectural styles and the hardscape/landscape design.

F. *Provide an open space framework of enhanced streetscapes, functional pedestrian spaces, enhanced view corridors and other public environmental amenities.*

Response: This project promotes the value of usable open space on several levels. The proposed development will place emphasis on the pedestrian and create a walkable community and connectivity to the surrounding land uses. Additionally, the project provides abundant open space with slightly over 26% of the site (this calculation excludes parking lot landscaping and private outdoor open space). On-site open space includes gathering spaces, common amenities, private outdoor living and work spaces, perimeter landscape buffers, parking lot landscaping and meaningful pockets of internal open space to create privacy for owners, as well as a and a visual oasis and an attractive setting for the buildings.

Promote environmental stewardship and sustainability through the application of recognized and established environmentally responsible building techniques and desert appropriate design approaches.

Response: The Airpark is predominately an employment core area. Integrating the proposed work, live, Play land use will provide an opportunity for Scottsdale business owners to embrace the employment and service core area of the City in a different way. The location of the Property not only provides an opportunity for this unique mixed-use concept in the employment core, but also provides connectivity to the businesses and services established in the nearby area that will enhance their sustainability. The Bahia Project will promote an integrated, sustainable character for the area contributing towards the work, goals and policies identified in the GACAP. The project will create a sustainable, walk-friendly environment that takes advantage of the huge employment and support service base which surrounds the Property.

area. The design symbolizes this by pulling from different design features and creating a continuity of textures and aesthetics while adding features like decorative paving, public art, hanging gardens, shared plazas and other civic amenities.

The purpose of the PCP district is to promote, encourage, and accommodate innovatively designed and master-planned mixed-use developments within the GACAP. The PCP district should:

A. *Accommodate mixed-use commerce and employment centers.*

B. *Provide a dynamic complement to the employment cores with support retail, service, tourism, cultural, and residential uses.*

Response: The proposed PCP zoning will allow for the integration of a work, live, Play development on the subject 4.3+/- acre site. This development strongly contributes to the mixed-use sustainable character of the Scottsdale Airpark and complements the existing commerce and employment uses as well as the recreation, retail and service uses of the surrounding area.
The proposed development accomplishes a range of goals including the integration of high quality, vibrant architecture and innovative site planning, creating pedestrian synergy with ground level commercial uses, and providing an employment/living mixed-use concept that reduces trip generation and fits well within the existing employment context.

C. *Promote efficient and safe traffic circulation system through the inclusion of a mix of complementary uses and provisions for multiple modes of travel.*

Response: While being focused on bringing employment to the site, the Work/Live use lends itself to lower traffic than other commercial uses such as office condos. The automobile circulation on site will be kept to minimum as owners will stay and work on site. The incorporation of the restaurant on the site should actually increase pedestrian circulation both on site and from the surrounding site during peak hours for lunch and dinner, complimentary to the times currently being used by Scottsdale Preparatory to drop off and pick up students. We have made great efforts to help Scottsdale Prep improve their traffic circulation and have been spearheading the process of working with the City. Based on the preliminary traffic study data, the work/live concept is the best use to keep employment onsite but decrease traffic from a traditional office use. The restaurant/retail will cause some traffic but will be largely during lunch and dinner, at completely opposite times from the Scottsdale Preparatory pick up and drop off.

The site plan sufficiently addresses the proper circulation plan for both fire and sanitation.

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 proposed development promotes vehicular trip reduction and a sustainable, walkable community. The residential land use integrated in this Airpark location increases the efficient

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 work, live, Play philosophy enhanced with proposed combination of uses
- Building design includes context appropriate massing, architecture and materials
- Special attention given to pedestrian linkages both internal to the site and along the perimeter to emphasize connectivity
- Compatibility with surrounding context
- Site and building design focused 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 abundant open space with 49,200 s.f. or 26.2% of the site (all inclusive).

There will be gathering areas where minds can come together in an environmentally friendly setting. The Rooftop studios will be completely unique in Scottsdale as well and will capitalize on the incredible views of the McDowell Mountains. Also, while the townhouses and condos will have a contemporary look and feel, the undertones will be industrial, with roll up garage doors and metal frames, to keep the look and feel similar to the surrounding area.

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 neighboring land uses. One of the lighting goals will be to provide appropriate low-level pedestrian scale lighting (bollard and foot lighting) for pedestrians walking at night. The lighting will be integrated with the abundant desert landscaping proposed with this development.

IV. Planned Airpark Core Development (PCP)

This application includes a range of exhibits including the site plan, elevations, renderings, solar shade studies, pedestrian/vehicular circulation plan, landscape plan, and civil engineering information which demonstrate the character and high-level of design proposed for this site.

The building is a contemporary, modern, dynamic place with a Scottsdale Airpark identity that will draw people with its strong architectural identity. Using the Sonoran desert environment as the inspiration, there is cohesion in the landscaping and green spaces. The natural washes on the site collect and transfer the waters from all over the

show off the natural Sonoran beauty and give guests to the area, the ability to appreciate these incredible vistas. The project will proudly showcase the combination of natural shapes, textures and materials from this region and incorporate shade structures.

Special attention has been given to the site planning and building aesthetic for 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.*
>
> ***Policy EP 5.4*** *Encourage landscape improvements that limit the amount of turf area and make optimal use of indigenous adapted desert plants.*

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 context appropriate setting for the buildings.

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*

Environmental Planning

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

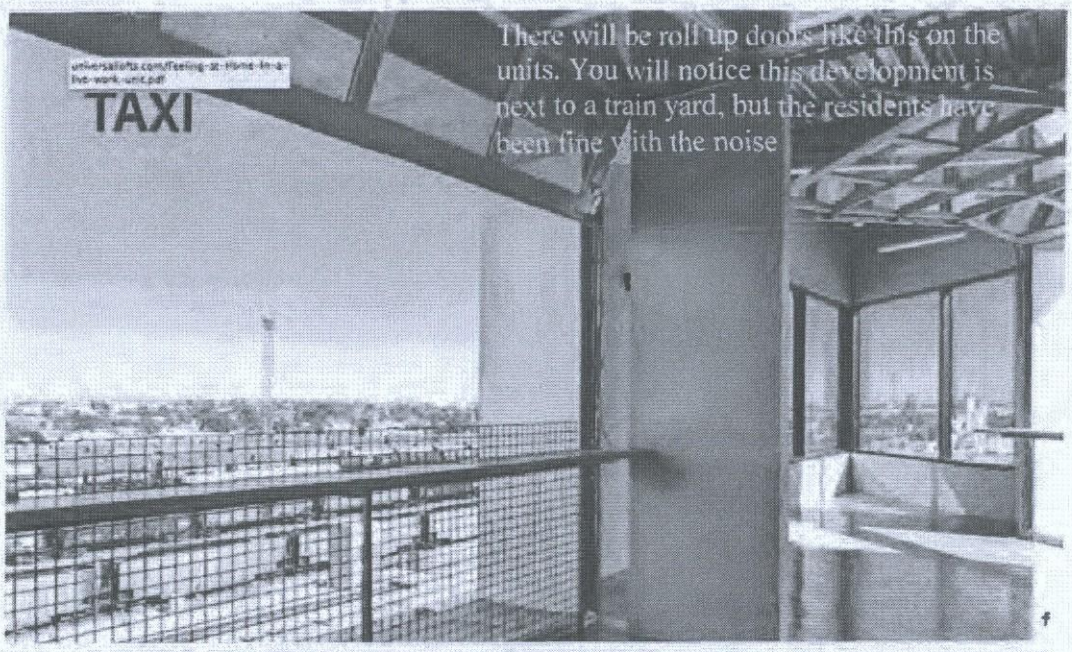
Response: In conjunction with H&S International, Greey Pickett has created a landscape design plan that will create a distinct landscape character for this enclave of work/live units that blends the features of the area in a cohesive and coherent manner. With a judicious use of water as a design element, there has been an intentional preference to surround the project with native plants.

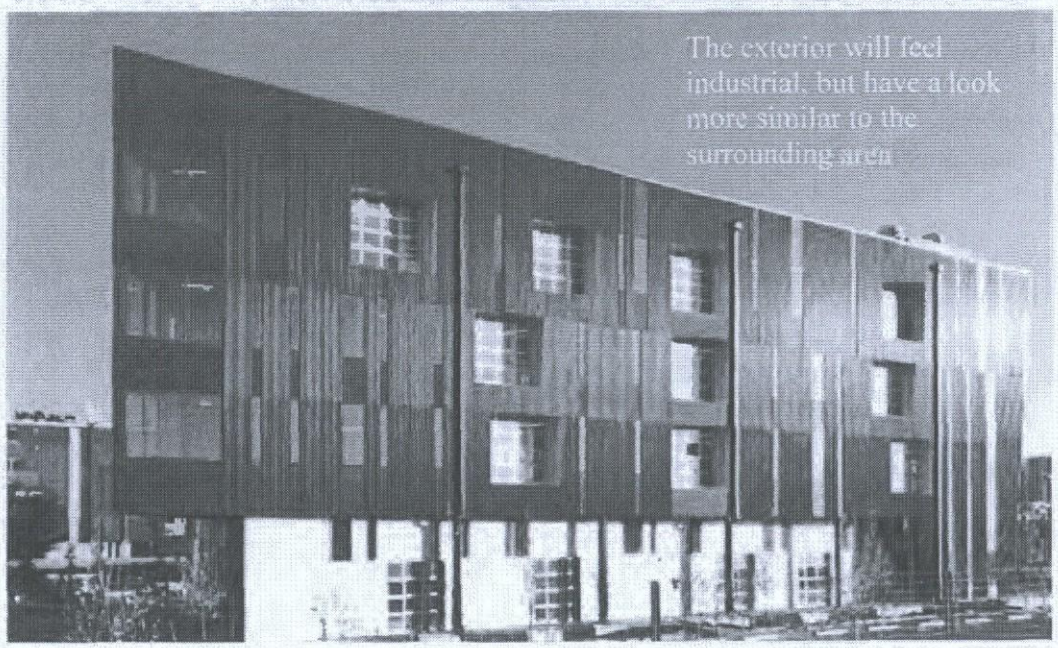
The landscaping for the proposed development will be in accordance with the existing City approved landscape palette found in nearby developments including. Low water-use indigenous plants and trees will be used throughout the project. Turf areas will be limited to interior areas for active and passive 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: Sensitive to the evolving context of this area over time, this development will maximize the views of the scenic McDowell mountains and the surrounding desert landscape. With rooftop garden and work spaces, this project will be able to adequately

TAXI was the brainchild of Mickey Zeppelin and his son Kyle, who saw a need to create a community that fostered the use of creative spaces for the new workforce. The campus has become a catalyst for collaboration and communication amongst businesses, residences and the community, making it more than a place to work or live, but something that is truly unique.





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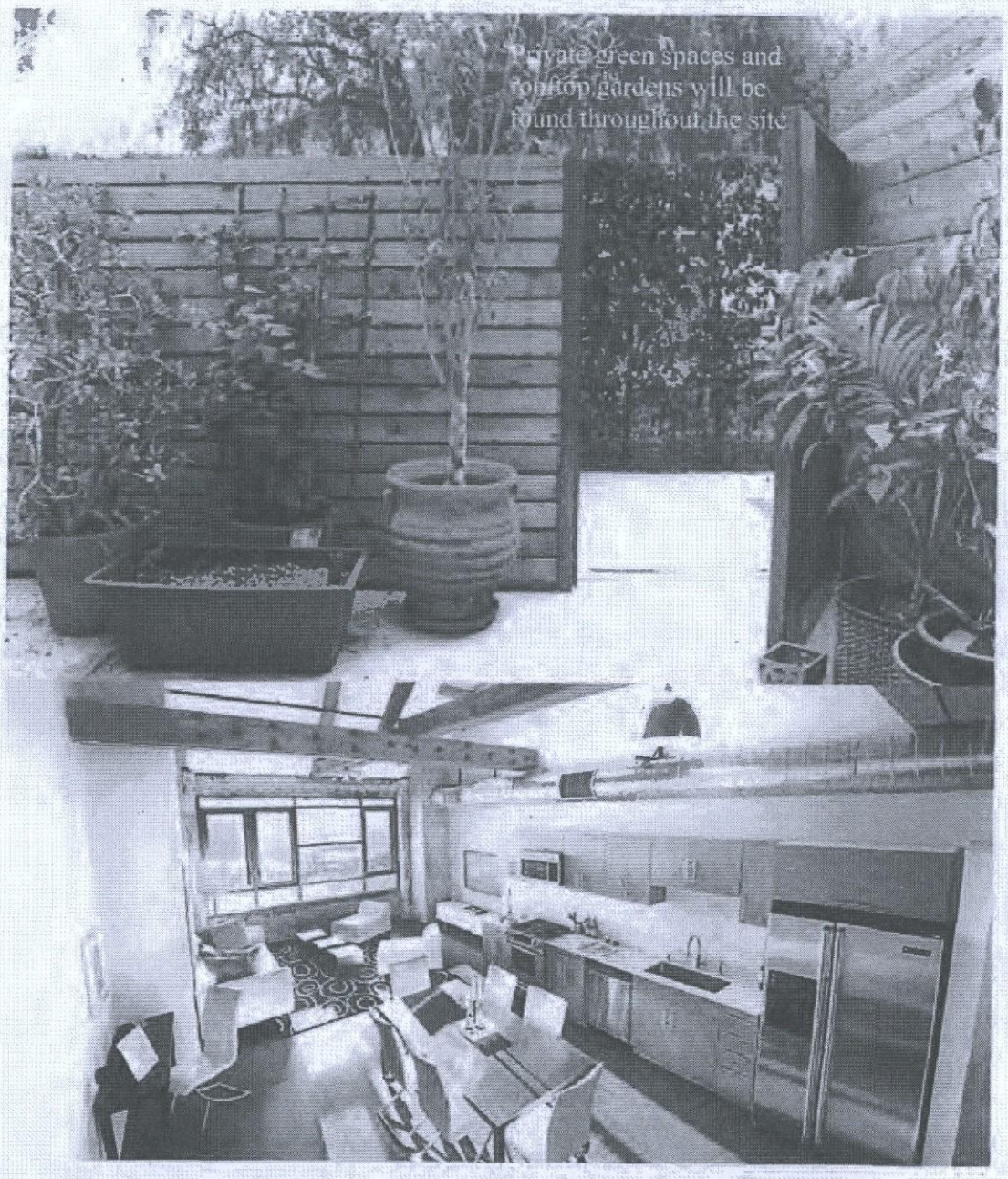
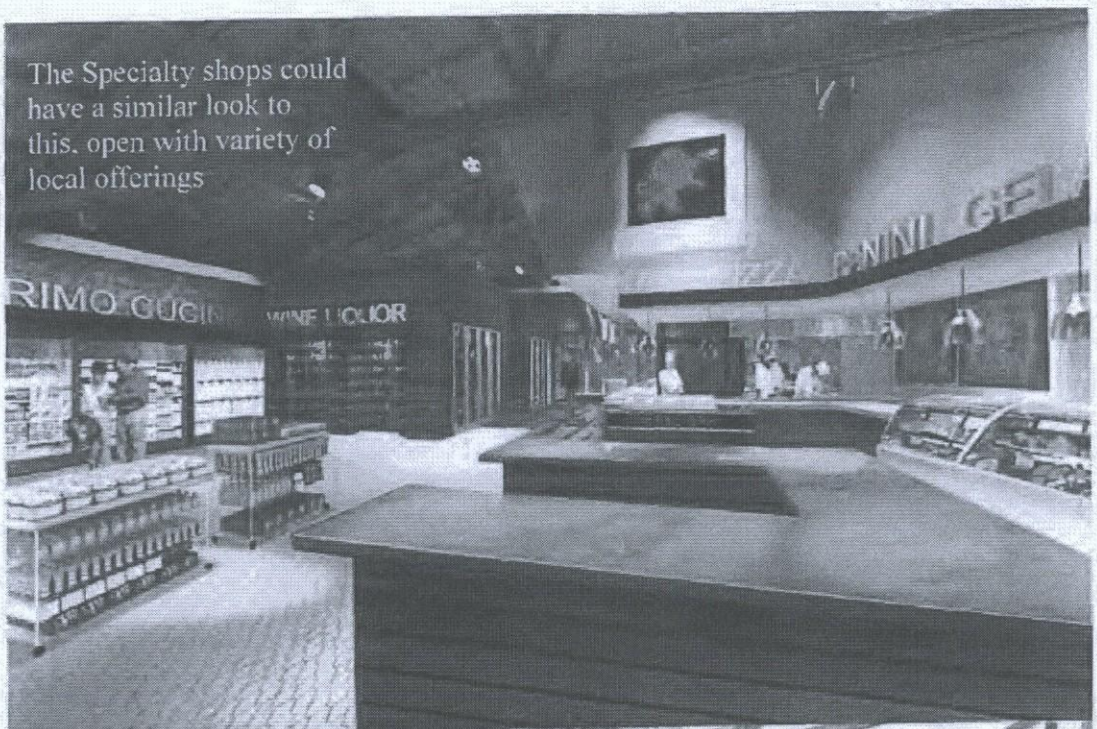


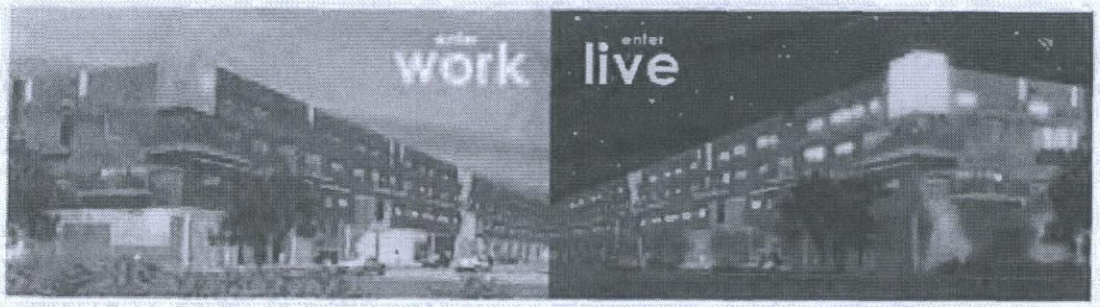
TAXI in Colorado - Home to residents and over 80 creative businesses, TAXI is a mixed-use community rife with inspiration. The campus, which is still expanding, is made up of six buildings and amenities, including a fitness center, cafe, coffee shop, salon, early childhood education center, outdoor cinema, one-of-a kind pool and community garden, which are designed to keep the community connected.

Its gritty, urban location may seem off the beaten path, but what was once the heart of Denver's industry has transformed a former industrial site.

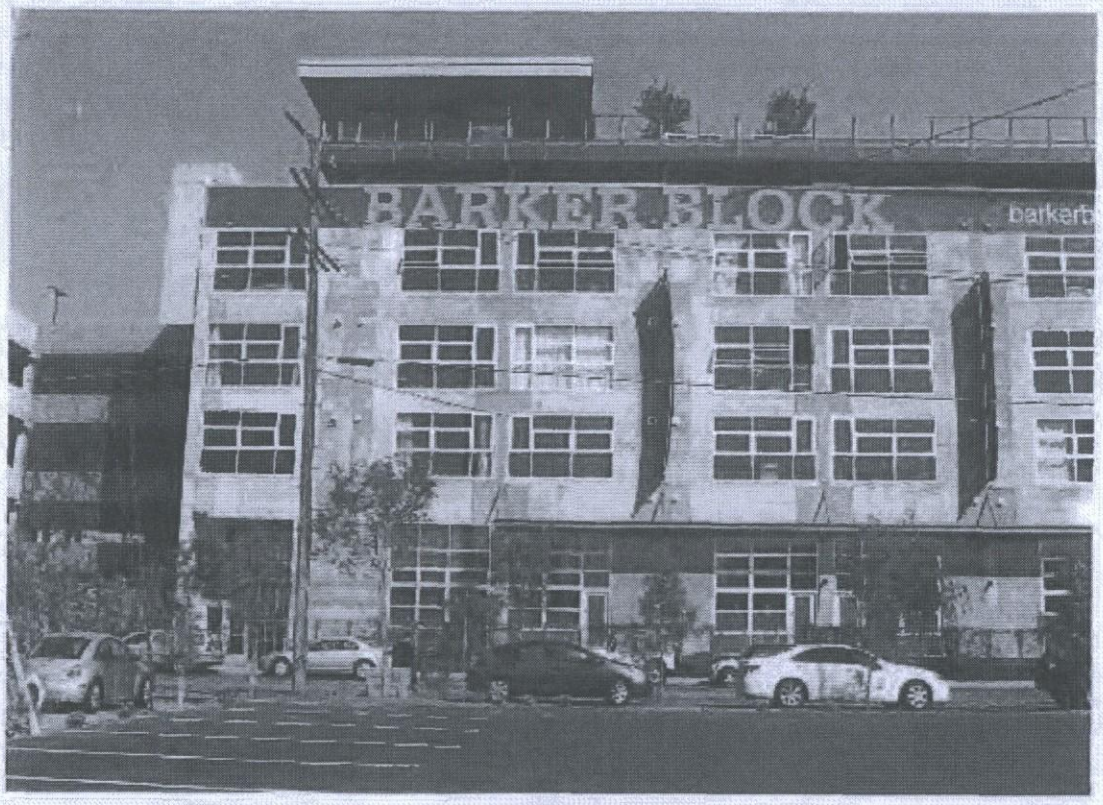


Date Revised: October 1, 2014

Examples of Successful Mixed Use projects that Bahia has analyzed:



Barker Block in LA – 309 units total, 241 work/live units. Barker Block is an award winning development by the KOR Group to combine the wants and desires of a new generation with the legacy of an older generation. Almost an entirely new build, the KOR Group has reinterpreted the warehouse and industrial yard to include residential housing and foster community. Saving the façade of the old Barker Block furniture factory, the development has succeeded in creating the neighborhood character that millennials are looking for.



Date Revised: October 1, 2014

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 work, live, Play land use concept achieves this policy on several levels. The construction of new development will generate significant building permit fees and revenue for the City of Scottsdale as well as increased sales tax revenue for the City. Also, the integration of 78 work/live units will capture 78 individual offices in one location not including the support conference space and restaurant/retail space on the ground floor of the commercial hub at the corner of the site. The work/live units are ideal for the small business owner including but not limited to insurance agents, engineers, architect, artists, accountants, computer programmers, graphic designer, web designers, writers, tutoring, college coach/counseling, psychologists, therapist, counselors sports agents, real estate professionals, and healthcare executives.

When compared with other uses that might have gone forward on this site (mini-storage or school fields), this mixed use plan is clearly better for the City and the surrounding property owners. The integration of new development will enhance the City's revenue streams and bring financial benefits to Scottsdale businesses. Business owners/ residents require services, goods, food, and entertainment and draw from local businesses and resources. By creating a walkable environment that already has abundant 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 range of land uses proposed under this application complements the existing mixed-use character of the Scottsdale Airpark. The Airpark as a whole creates a unique opportunity to foster interrelated land uses and promote the work, live, Play concept, which is memorialized numerous times in the GACAP. Additionally, the surrounding employment core and the nearby retail development provide regional appeal for future owners. This application is driven by the site's surrounding land uses and a strong market demand for this type of mixed-use found in so many major cities. Business and housing trends indicate a fundamental shift away from traditional homeownership and business operations as a result of the growing tech generation and their desire for a true work/live experience and alternative mixed-use options that fit their lifestyle. Below are a few successful examples of work, live, Play developments throughout the United States:

Greater Airpark Transit Connections
GACAP Page 34

Date Revised: October 1, 2014

Community Mobility

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

Response: Bell Road (an Airpark Signature Corridor) is approximately ¼ mile north of the Property is designated as a Pedestrian/Bicycle and trail corridor in the GACAP. Additionally, the Loop 101 and Old Verde Canal (both within ¼ mile of the Property) are designated as trail corridors. Frank Lloyd Wright Boulevard, which is approximately ½ mile to the south, is also designated as a Pedestrian/Bicycle trail corridor on the GACAP Pedestrian/Bicycle Network plan. All of these streets provide a framework for pedestrian and bicycle connections in the immediate area. The development will create a sustainable, walk-friendly environment for its owners with functional, internal pedestrian connections between site amenities and other land adjoining land uses. The Horseman's Park PCD has a network of sidewalks that provide connectivity to the surrounding area. Bicycle storage will be provided on site in the individual unit garages and via bike racks near the retail/restaurant use at the hard corner.

> ***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.*

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

Response: The site plan has been designed in a manner that pays particular attention to the pedestrian view corridors of the McDowell Mountains as well as connections for the bicyclist along the perimeter of the site. The mixed-use nature of proposed development promotes vehicular trip reduction and a sustainable, walkable community. Work, live, play 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 following page) designates this Property as the "Westworld" activity center. Westworld is a huge benefit to this area and is steps from the development site.

The project site is over 1 mile from the Scottsdale Airport, equally well over 6,000 ft from the end of the runway.

Date Revised: October 1, 2014

Airport Information

Scottsdale Airport Noise Contours (2009)
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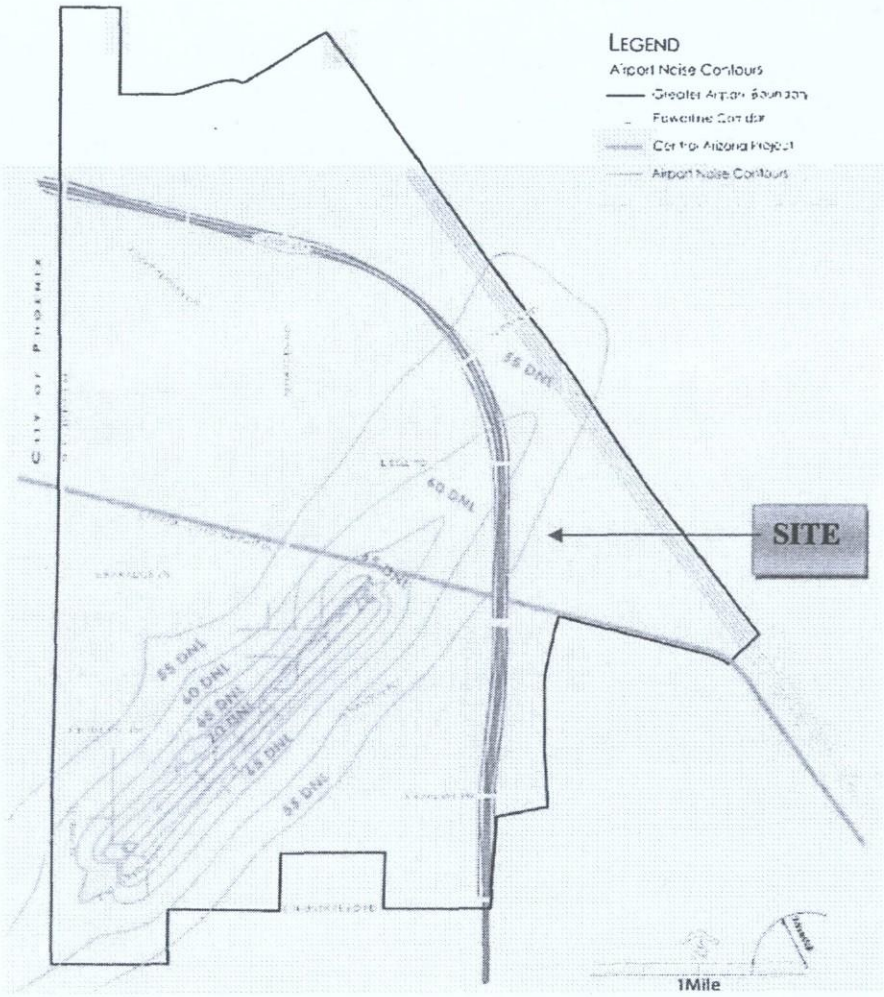
Noise contours surrounding the Scottsdale Airport denote day-to-night (DNL) average noise levels. Noise sensitive uses are not encouraged in 55 DNL and higher areas. These contours are often updated to reflect new noise levels as a result of new aircraft technologies.



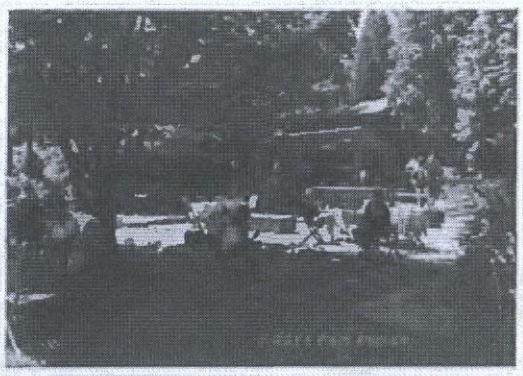
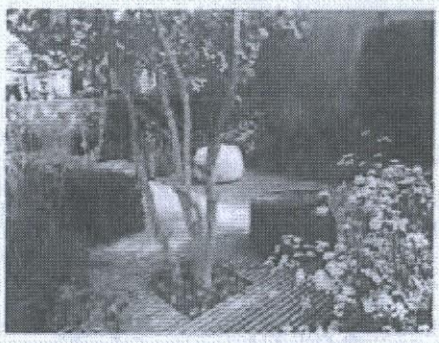
Sound from the highway and airport approaches has been considered and will be included in the CC&R's. Consequently, these concerns have also been incorporated within the design elements of the project. The following graphic is taken from the Scottsdale Airport, the project site is located outside of the Flight path for both incoming and departing aircraft from Scottsdale Airport.

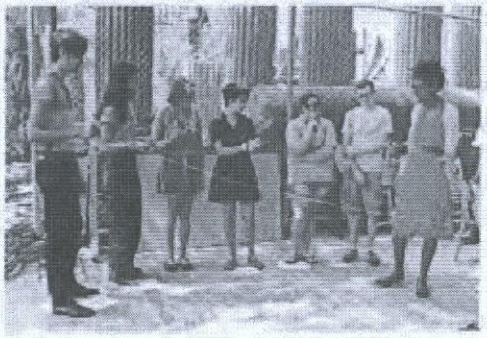
air quality. The amount of industrial waste that goes into the air and the ground will be reduced and offset by having the work/live included in this area.

The Property is located outside the 55 DNL line (see the Scottsdale Airport Noise Contours Map below) and the buildings will be designed with upgraded building materials and insulation to provide appropriate sound attenuation. Multi-modal transportation options will be available to the The Bahia Project owners to include, but not limited to, walking, bicycling, driving and public transit. The Property is located just east of the Loop 101, which provides regional access. Bell Road, which is ¼ mile to the north, is designated as a potential future transit route on the Greater Airpark Transit Connections map in the GACAP. The GACAP Pedestrian/Bicycle Network plan shows planned trail connectivity along the Loop 101, Bell Road and along the Old Verde Canal, all of which are within ¼ mile of the Property. A transit park and ride facility is located at the Scottsdale and Thunderbird Road approximately 2.5 miles away. Lastly, there are no heavy industrial, noisy uses in the Horseman's Park employment core that would be in conflict with the proposed use. The surrounding land uses include a range of non-industrial commercial-type office and support services as opposed to traditional warehouse and manufacturing uses typically found in I-1, Industrial Park settings.

> ***Policy NH 3.3*** *Support the integration of workforce housing and a diversity of dwelling types within the Greater Airpark.*
>
> ***Policy NH 3.3.3*** *Encourage live-work units in the Airpark Mixed Use-Residential and Regional Tourism Future Land Use Areas in the Greater Airpark.*

Response: The proposed development will provide a unique office/residential mixed-use experience for the business owners of Scottsdale. As noted above and throughout the GACAP, the work/live concept is promoted and supported in AMU-R areas. The proposed GPA will maintain the integrity of the employment core by keeping an employment base on site as the primary use with the residential component being secondary.



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 uses will support the work, live, play philosophy emphasized 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: Keeping the employment on site will reduce traffic congestion. The type of employment located on site will also be a benefit to the community because the work space is not appropriate for industrial uses, so the site will actually improve air quality versus an industrial use on site. Being environmentally conscious, the project will have more landscaping and gardens on the site than are required which will also improve the

services and other essential services. The integration of employment/service and residential land uses on this site does not detract from the overall employment core character of the Airpark. Rather, it provides a land use balance creating a strong sustainable employment and service node essential to the continued success of the Airpark.

> ***Policy NH 2.3*** *Incorporate gathering spaces and recreational opportunities into the design of mixed-use development to support a high quality of life for Greater Airpark residents.*
>
> ***Policy NH 2.4*** *Promote opportunities for parks, open space, and trail connections within new mixed-use development and as a part of the redevelopment of existing property.*

Response: Being centrally located in the neighboring employment center, the project has the unique ability to improve the quality of life, connect the surrounding developments and be a gathering place. It will create a place that will draw visitors from all over the Valley. Living in this area also benefits those who fly regularly in and out of Scottsdale Airport, attend events at Westworld like the Polo matches, Arabian Horse Shows, Barrett Jackson, enjoy golf and attend the annual Waste Management Open, hike the McDowell Mountains or bike the many trails; all of these are within walking distance and bring visitors from around the world here. The development provides design elements that cater to the pedestrian and provide an urban character through the use of building design, signage, connectivity, landscaping, open spaces, hardscape and lighting. Each work/live loft building cluster will occupy six units which open onto a central courtyard space in which to gather, work, share ideas and/or relax. Additionally, the development will provide a separately located common outdoor amenity with pool for the owners. The site plan design includes a network of sidewalks that tie to the perimeter sidewalks along 92nd and Bahia and to the greater pedestrian network as described in NH 3.2. Below are some images of courtyard gathering concepts that inspired the unique The Bahia Project design.

capture 78 individual offices in one location not including the support conference space and restaurant/retail space on the ground floor of the commercial hub at the corner of the site. The prioritizing of an employment based work/live land use concept within this established Horseman's Park PCD is evidenced through the proposed development plan. The integration of residential is intended to supplement and serve the existing and growing employment base of the Scottsdale Airpark.

> ***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 development will place emphasis on the pedestrian and create a walkable community and connectivity to the surrounding land uses. Additionally, the project provides abundant open space with slightly over 26.2% of the site (this calculation excludes parking lot landscaping and private outdoor open space). On-site open space includes gathering spaces, common amenities, private outdoor living and work spaces, perimeter landscape buffers, parking lot landscaping and meaningful pockets of internal open space to create privacy for owners, as well as a and a visual oasis and an attractive setting for the buildings. With the community's quality of life in mind, the preliminary plan is to incorporate a community garden and may have a tie in with Scottsdale Preparatory.

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 will be offered through the commercial piece of the development. Essential administrative, convenience, meeting and local markets services will be offered. The mix of land uses proposed under this application are a natural fit and complement the fabric of existing land uses in the Airpark and welcomed by owners in the area.

> ***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 work, live, play concept, which is the fundamental vision for the proposed The Bahia Project development concept. Additionally, the designated commercial area is intended to be compatible and offer support to the employment uses of the Greater Airpark, through specialty shops like a FedEx store, conference space, administrative

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 Bahia Project development intends to utilize 65' (permitted 54' in height without bonuses) inclusive of mechanical allowed by the PCP ordinance to create a three and four-story development with Southwestern contemporary elevations complementary to the character of the adjacent Scottsdale Airpark. The aim is to keep the look and feel that has given Scottsdale that small town character by protecting the existing unique character of this mature area and promoting the continuity it has, while blending in newer elements. The pedestrian experience will be strengthened with linkages between the different communities. In addition, there will be a very high quality of architecture that will tie the project together.

The buildings have been designed in a manner that provides a hierarchy of masses and sensitivity to the pedestrian. Appropriate architectural detailing and materials include industrial finishes pulling from the color palette of nearby buildings which have been carefully selected to uphold the unique character and context of the surrounding area and characterize elements of the Sonoran Desert. The project will create a sustainable, walk-friendly environment that takes advantage of the substantial employment and retail base which surrounds the Property.

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.*

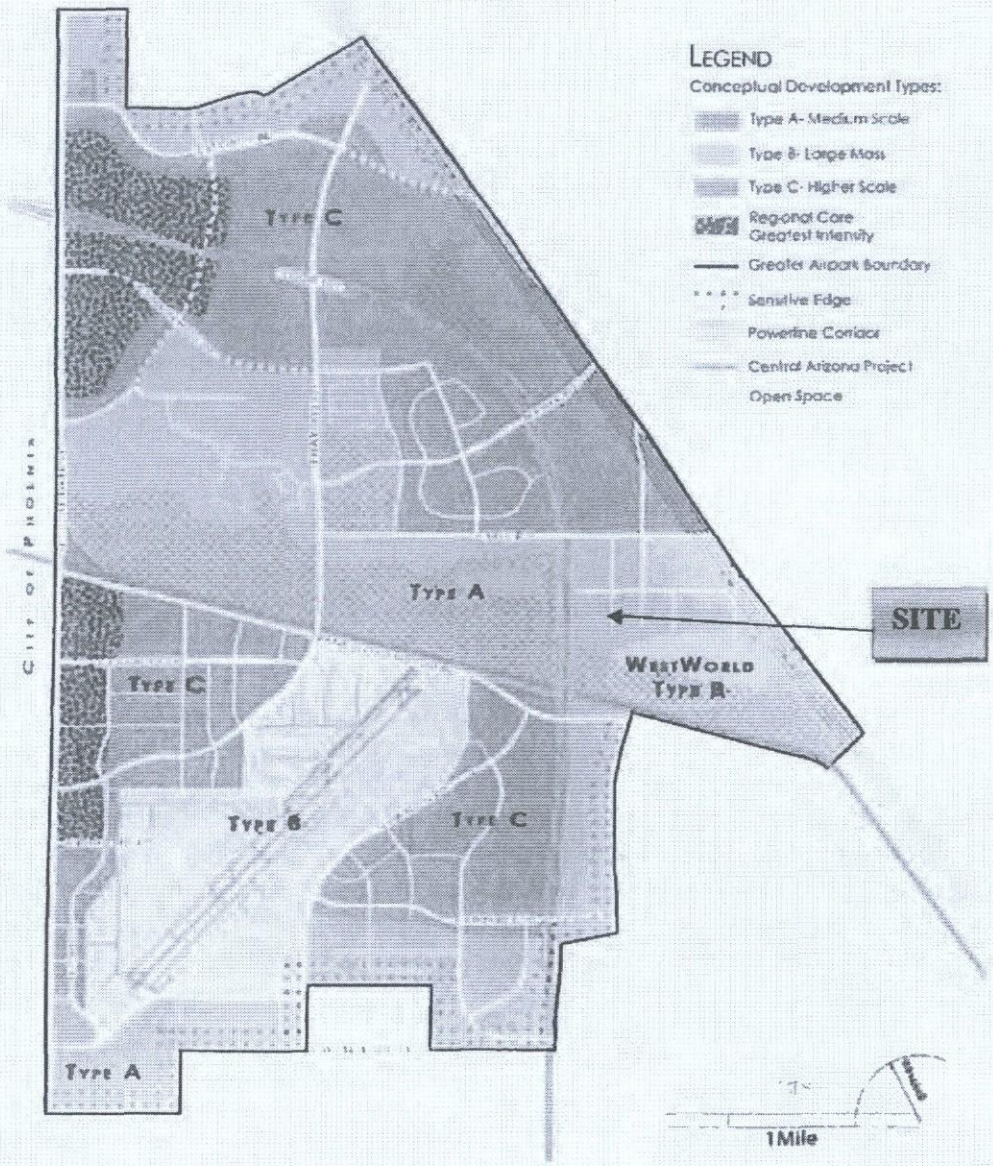
Response: The project is designed for the property's highest and best use, which will have a positive effect on the surrounding businesses and properties. In fact, several property owners in this area that have been shown the plan are very excited about the development because they believe it will revitalize and bring value to the area, as well as uses that are currently lacking such as restaurant, retail and residential. With new office buildings being built at Scottsdale Quarter and other areas, vacancies are already high in this area. This project will create renewed interest and visibility in this area, bring exposure and visibility to the area and surrounding uses. Adding these new uses will help solidify this area as a "Core" and will catalyze positive change and new life into the area. As mentioned above, the proposal to utilize the PCD PCP ordinance is desired because it allows for greater height and flexibility in development standards than the existing PCD I-1 zoning with respect the proposed development. The PCD PCP zoning will allow the applicant to create a unique, work, live, play community for the of Scottsdale community and not only meets but exceeds the goals and policies of the GACAP.

Policy LU 6.1 *Prioritize employment uses over residential uses in the Greater Airpark.*

Response: Although this request is to amend the General Plan, GACAP and zoning map to allow for supporting residential uses on the Property, the primary land use for this Property will remain employment. The integration of 78 work/live units will

Greater Airpark Development Types (2009)
GACAP Page 17

Development Types guide the physical form of the Greater Airpark, and policies for each type are denoted in the Land Use Chapter.



building heights in the immediate area range from 30 to 55 feet. Just north of Bell the 125-acre Epicenter development plan, which was approved by City Council in 2008, allows building up to 56 feet in height.

Although this site is designated in a Type A area, the context of Westworld and the surrounding established building heights for this site proves to be compatible with respect to Bahia's proposed massing and height. It's also important to note that the proposed maximum building height of 65 feet is only for the corner building, the vast majority of the site will maintain a maximum building height of 40 feet. Additionally, the scale and building footprints of the proposed structures are far less than the surrounding buildings in the Horseman's Park PCD.

strengthen the existing collection of uses in the Airpark area including but not limited to a number of office, recreational, and education uses.

The integration of 78 work/live loft units in the Scottsdale Airpark will capture 78 individual offices in one location not including the support conference space and restaurant/retail hub on the ground floor at the corner of the site. Contrary to the belief that adding residential ("live") will erode the employment core, the office ("work") component is the primary basis for the proposed development plan which will bring 78 or more businesses/working professionals together in one cohesive, collaborative development creating an incubator for creative thought, professional interaction, and knowledge-based synergy.

While the EMP land use designation is being modified in this application to allow for the integration of residential land uses, the core use is still employment based providing opportunities for businesses to locate in the heart of the Scottsdale Airpark with close proximity to regional multi-modal transportation via the Loop 101. It is important to note that the employment aspect (the work component) of the proposed work/live concept is the priority of this development. The future owners will be choosing to live where their work dictates. They will be choosing a modern, cutting-edge work space where the motivating factor is based on employment and a convenient lifestyle vs. having a separate home miles away from the office with extensive commute times. Further the GACAP states that "employment is appropriate adjacent to the Aviation Land Use area and within the Airport's 55 DNL areas and higher" [emphasis added]. It is important to note this site is not adjacent to Aviation and is located outside of the 55 DNL.

> ***Goal LU 4*** *Utilized development types to guide the physical and built form of the Greater Airpark (see Development Types Map)*

The Conceptual Development Type Map (see following page) designates the Property as "Type A – Medium Scale" which is defined in the GACAP as follows (emphasis added):

> ***Type A*** *development denotes areas appropriate for medium-scale developments. Type A may represent lower-scale residential developments existing in the area north of the Central Arizona Project Aqueduct and south of the Loop 101 Freeway. In other areas of the Greater Airpark, Type A may represent developments that are of a higher-scale than uses on the outside of the Greater Airpark boundary but of a lower-scale than the Type B or C areas.*

Response: This proposed development, located within the Type A classification, provides appropriate massing with three and four-story building heights 40' and 65' respectively (inclusive of mechanical). The units are split between 12 buildings on site with meaningful, useable open space between. Additionally, this site is adjacent to the Type B Westworld area (see Development Types Map below), which is a large multi-purpose public recreational facility utilized year round with heights reaching up to 65-80 feet. Buildings in the Horseman's Park master plan are permitted up to 42 feet in the surrounding area and up to 70 feet in height adjacent to the Loop 101 and Bell Road. The

promoting the work, live, play philosophy. The proposed development accomplishes a range of goals including the integration of high quality, vibrant architecture and innovative site planning, creating pedestrian synergy with ground level commercial uses, and providing an employment/living mixed-use concept that reduces trip generation, supports existing area uses, and complements the surrounding context.

> ***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. Integrating the proposed work, live, play land use concept will provide an opportunity for business owners in Scottsdale to have the unique experience of living and working in this well-established employment and service core area of the City. The project's aim is to create community connections that don't currently exist and likely will not exist without this project. It will offer supporting services and uses to the area, increasing the economic efficiency of the area.. The location of the Property not only provides an opportunity for working and housing in the employment core, but also connectivity to the retail and restaurants established in the nearby developments that will enhance their sustainability. The Bahia Project will promote an integrated, sustainable character for the area contributing towards the work, live, play goals identified in the GACAP.

> ***Policy LU 1.8*** *Prevent erosion of Greater Airpark Employment land uses through land uses regulations, such as limiting retail and restaurants in areas designated for employment.*

Response: The applicant agrees that maintaining the employment core is essential to the viability of the Scottsdale Airpark and it is important to understand that the basis of the proposed project is primarily commercial offices with ancillary residential lofts above. Further, the developer intends to create CC&Rs to provide additional regulations regarding the commercial office component and limitation on residential to ensure that the main level is maintained and operated as an employment use. The idea is to keep the approved I-1/employment-type uses that currently govern this site, but extend the zoning to allow the residential piece to compliment employment on site. The project could build out the I-1, but it will be a greater benefit to the community and the City if residential is supplemented above these uses.

In addition to the comments under Policy LU 1.2 above, the proposed development accomplishes a range of GACAP goals by creating pedestrian synergy that will complement the surrounding employment context. This development is being achieved by utilizing the newly revamped PCP district which was approved by City Council in December 2013. The PCP allows for the flexibility in development standards and encourages mixed-use developments. This ordinance was specifically designed to implement the GACAP and this proposed development is the second application in the Airpark to utilize this zoning district in its newly drafted form. The goal is to provide a unique employment/retail/living concept in the core of the Horseman's Park PCD to help

GACAP Definitions (emphasis added):

> ***Employment*** *includes an array of office, commercial, warehousing, and light industrial land uses that provide opportunities for business enterprises, as well as regional and local jobs. These areas should have access to regional multi-modal transportation systems including access for truck traffic and transit facilities. Residential is not appropriate in employment areas. Employment is appropriate adjacent to the Aviation land use are and within the Airports 55 DNL areas of higher.*

The primary reason for the requested GPA from EMP to AMU-R is to allow for the integration of residential into the existing employment land base while maintaining the employment character as the primary function of the Property. This Property is not located adjacent to the Aviation land use nor is it within the 55 DNL (or higher). Therefore, the integration of residential in a mixed-use work/live setting that supports the employment core of Horseman's Park areas is appropriate pursuant to the specific development plan provided with this application and described in detail throughout this document.

> ***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, multifamily rental units and corporate housing [emphasis added].*

The statement above suggests that uses north of the CAP should include a broader range of businesses with a collection of land uses that have an integrated mixed-use character such as at Bahia. The AMU-R area is approximately 990 acres of the GACAP area and the EMP area is approximately 1185 acres. This change in land use designation is a 0.338% reduction to the EMP designation; a negligible change.

Land Use

> ***Policy LU 1.1*** *Maintain and expand the diversity of land uses in the Greater Airpark*

Response: The proposal for a work, live, play development on the 4.3+/- acre site will maintain the employment/office core land use while bringing a unique residential component to this Horseman's Park/ Airpark location. The GACAP highlights repeatedly that characteristics of successful mixed-use developments include a range of land uses

those areas. The range of land uses proposed under this application complements the existing mixed-use character of the Scottsdale Airpark. The Airpark as a whole creates a unique opportunity to foster interrelated land uses and promote the work, live, play concept, which is memorialized numerous times in the GACAP. Additionally, the surrounding employment core and nearby retail development provide regional appeal for future owners. This application is driven by the site's surrounding land uses and a strong market demand for this type of mixed-use found in so many major cities. Business and housing trends indicate a fundamental shift away from traditional homeownership and business operations as a result of the growing tech generation and their desire for a true work/live experience and alternative mixed-use options that fit their lifestyle.

Scottsdale, which is known as a progressive, market responsive community has an opportunity to offer a cutting edge mixed-use work/live development for the business owners and residents of Scottsdale. As mentioned in the introduction, the Intellectual Class are knowledge-based workers with advanced degrees that work in a range of fields including, but not limited to, business, research, finance, technology, healthcare, legal, design, real estate and education, and make up an estimated 30% of the American workforce (and growing), whose economic function is to create new ideas, new technology and/or creative content. The Intellectual Class is also known for its departure from a traditional workplace environment and environmentally aware principals. These workers crave a flexible schedule and independent work/living concept much like the experience proposed for the Bahia Project.

Greater Airpark Character Area Plan Goals & Policies

The 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."

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 Non-Major GPA on a 4.3+/- acre site from EMP to AMU-R to allow for a work, live, play development in an area that is already designated for a mix of uses (ie: office, employment, retail, recreation, instructional/educational land uses). The Property is just east of the Loop 101, which provides regional access. This Property is located outside the 55 DNL line, which is appropriate for residential land uses, however, new construction will feature appropriate noise attenuation through the use of upgraded building materials and insulation, disclosure to residents and an avigation easement in conformance with the City's requirements.

Response: The Horseman's Park West PCD area was established through a zoning approval in 2001 and has since grown to include a range of uses that support the regional character of the Airpark and nearby residential communities. The integration of the Bahia work/live concept will maintain the integrity of the employment core by keeping an employment base on site as the primary use with the residential component being secondary.

This application is driven by the site's surrounding land uses and a strong market demand for this type of mixed-use found in so many major cities. Business and housing trends indicate a fundamental shift away from traditional homeownership and business operations as a result of the growing tech generation and their desire for a true work/live experience and alternative mixed-use options that fit their lifestyle.

Community Mobility (CM) Goal 5 *– Relieve traffic congestion.*

Response: As mentioned above, the Property is just east of the Loop 101, which provides regional access. The Bahia work/live concept will lend itself to create alternative modes of transportation, such as by foot and bicycle. The developer will be placing an emphasis on the use of bicycles to exploit the extensive collection of trails the City created throughout this entire area.

H (Housing) Goal 4 *– Encourage housing development that provides for "live, work and play" relationships as a way to reduce traffic congestion, encourage economic expansion and increase overall quality of life for our residents.*

Response: The proposed development implements the City's desire to create this work/live relationship, it will exceed this goal and achieve a level of connection with the area that no other plan for this parcel can attain. This vacant parcel will achieve Housing Goal 4 and create value and a sense of place for the entire area. The project consists of high quality, vibrant architecture and innovative site planning, creating pedestrian synergy with ground level commercial uses, and providing an employment/living mixed-use concept that reduces trip generation and fits well within the existing employment context. The Property is just east of the Loop 101, which provides regional access.

H Goal 4, Policy 7 *- Explore opportunities for new or redeveloped housing to serve the employment base.*

Response: The mix of surrounding businesses creates a unique opportunity for an owner on site to have a personal commercial office and residence in the same area their showroom/warehouse/shop or studio is located. For example, a future owner might be a current office condo tenant who has a media business based out of 2400 sf but could have private meetings in their ground level commercial office or in the restaurant/conference center, before going across the street and filming the commercial. The work/live uses will never replace the industrial warehouse spaces across the street but will instead serve

surrounding context. Jogging, biking, hiking and other outdoor sports can all be enjoyed within a mile from the project site. There will also be an increase of sidewalk and trail usage as a result of this new connectivity.

> ***LU Goal 9, Policy 2*** *- Promote residential uses that support the scale and function of retail, commercial and employment uses within these neighborhoods, including the use of mixed-use structures (retail or office on lower level and residential uses on upper levels).*

Response: The request for a Non-Major GPA on a 4.3+/- acre site from EMP to AMU-R to allow for a work, live, play development in an area that is already occupied by a mix of uses (ie: office, employment, retail, recreation, instructional/educational land uses). The Bahia Project is a true mixed-use development with a combination of uses in one structure derived from the original work/live concept where old vacated warehouse buildings in urban area were transformed into working and living environments all under one roof. This project is the embodiment of this policy and plays off this concept by providing the same flexible space and collaboration ideal for the knowledge-based worker's lifestyle. While the conference area and specialty shops are an amenity to the owners of the work/live units, in turn, the residential uses on the site will be the driver for the success of the commercial and retail uses on site.

> ***LU Goal 9 Policy 4*** *– Encourage compact mixed-use, pedestrian oriented development patterns, at urban densities, that limit the demand for parking and unnecessary automobile trips, and support alternative modes of mobility.*

Response: Work, live, play 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 and limiting the demand for parking and fitting well within the existing employment context of the Scottsdale Airpark.

> ***Neighborhoods (N) Goal 4*** *– Preserve and enhance the unique sense of neighborhood found in diverse areas of Scottsdale through neighborhood conservation.*

Response: This area of the Horseman's Park PCD is commonly referred to by parents and business owners in the area as the "family zone" due the abundant variety of recreation and academic support services including, but not limited to, AZ on the Rocks, Aquasafe Swim School, Rebound Gymnastics, Scottsdale Martial Arts, On-Trac Academy, the Ice Den, Mountainside Fitness, and Phoenix Rise Crossfit just to name a few.

> ***N Goal 5*** *– Promote and encourage context appropriate new development in established areas of the community.*

smaller building footprints than many of the larger surrounding office buildings and ample open space/outdoor amenity space for the owners and users.

LU Goal 5 Policy 8 *– Encourage that land uses with the highest intensity be located in areas conducive to alternative modes of transportation.*

Response: The Property is just east of the Loop 101, which provides regional access. The proposed mixed-use work/live concept will lend itself to create alternative modes of transportation, such as by foot and bicycle. The developer will be placing an emphasis on the use of bicycles to exploit the wonderful trails the City created throughout this entire area that create numerous connections to nearby neighborhoods, schools, support services and commercial centers. See pedestrian circulation exhibit for connectivity to these trail amenities.

LU Goal 8 Policy 3 *– Promote development patterns and standards that are consistent with the surrounding uses and reinforce an area's character.*

Response: The proposed development pattern for Bahia is compatible and consistent with the established development patterns in the area with respect to scale, height, massing, and building character. The surrounding context of building heights range from 30-55 feet and extend up to 65-80 feet on the Westworld property directly to the south. Buildings in the Horseman's Park master plan are permitted up to 42 feet in the surrounding area and up to 70 feet in height adjacent to the Loop 101 and Bell Road. Just north of Bell the 125-acre Epicenter development plan, which was approved by City Council in 2008, allows building up to 56 feet in height. The proposed maximum building height of 65 feet is only for the corner building and the majority of the site will maintain a maximum building height of 40 feet. Additionally, the scale and building footprints of the proposed structures are far less than the surrounding buildings in the Horseman's Park PCD.

LU Goal 9 *– Provide a broad variety of land uses that create a high level of synergy within mixed-use neighborhoods.*

Response: Currently the land uses seen between Westworld and Bell road are mostly office condos with little to no variety in form or architecture. There is a great variety of business types, but using descriptive words like "broad" or "high level of synergy" fall very short of what we have today. The proposal for a work, live, play development on the 4.3+/- acre site will maintain the employment/office core land use while bringing a unique residential component to this Horseman's Park/ Airpark location which will create the "synergy" that is severely lacking. The GACAP highlights repeatedly that characteristics of successful mixed-use developments include a range of land uses promoting the work, live, play philosophy. The proposed development accomplishes a range of goals including the integration of high quality, vibrant architecture and innovative site planning, creating pedestrian presence with ground level commercial uses, and providing an employment/living mixed-use concept that reduces trip generation during peak hours in the morning and early afternoon and valuably complements the

4. Water/Wastewater Infrastructure Criteria

If a proposal to change the planned land use category results in the premature increase in the size of a master planned water transmission or sewer collection facility, it will qualify as a major amendment.

Response: The proposed change in land use does not result in a premature increase in the water and sewer master plan for Horseman's Park, and therefore, does not trigger a major amendment.

2001 General Plan Goals & Policies

Land Use (LU) Goal 3 *– Encourage the transition of land uses from more intense regional and citywide activity areas to less intense activity areas within local neighborhoods.*

Response: The proposed work/live concept is an ideal transitional land use with respect to the collection of non-industrial uses in the surrounding area including, but not limited to, FROGS Physical Therapy, iWired, Plumb Studios, AZ on the Rocks, Aquasafe Swim School, Rebound Gymnastics, Scottsdale Martial Arts, Devstar Realty, Artistic Design Family Dentistry, On-Trac Academy, the Ice Den, Mountainside Fitness, and Phoenix Rise Crossfit. This area is commonly referred to by parents and businesses in the area as the "family zone" due to the large amount of support services for the 1600+ students attending the nearby Norte Dame Prep and Scottsdale Prep campuses. The uses that have developed in this area of Horseman's Park include uses that are permitted in the I-1 zoning district, but are more closely aligned with retail support services and offices vs. traditional manufacturing and warehousing. This collection of land uses along with the proposed Bahia development provide activities, services and office options for nearby residents in Horseman's Park and Windgate Ranch master planned communities as well as serving Scottsdale on a community-wide basis.

LU Goal 3 Policy 6 *– Encourage the transitions between different land uses and intensities through the use of gradual land use changes, particularly where natural and man-made buffers are not available.*

Response: The Bahia site consists primarily of 40-foot tall structures with the exception of the building at the corner of 92nd and Bahia that reaches up to 65 feet in height to accommodate a range of services including business/employment support services such as a coffee shop, FedEx store and/or a lunch and dinner restaurant. There will be 14 additional work/live units above the corner commercial building. The commercial corner will also have office conference space available for the work/live owners as well as tenants in the area. The work/live units provide a unique building and land use concept that integrates well within the context of the Horseman's Park PCD by providing much

Non-Major GPA Determination

The current 2001 General Plan land use designation for the site is Employment with a Regional Use overlay. The requested GPA is a Non-Major GPA based on the criteria set forth in the General Plan (change in Character Area Criteria) which does not trigger a Major GPA. A detailed explanation of how this proposal is consistent with the 2001 General Plan and Greater Airpark Character Area Plan ("GACAP") is provided below.

1. Change in Land Use Category
A change in the land use category on the land use plan that changes the land use character from one type to another as delineated in the land use category table (page 20 of the General Plan).

Response: The current 2001 General Plan designation is Employment land use category with a Regional Use Overlay and the requested GPA is to the Mixed Use land use category with a Regional Use Overlay. Both of these land use categories are in Group E, and therefore, do not trigger a major amendment.

2a. Area of Change Criteria
A change in the land use designation that includes the following gross acreages:
** Planning Zones A1, A2, B 10 acres or more*
** Planning Zones C1, C2, C3, D, E1, E2, and E3 15 acres or more*

Response: The Planning Zone designated for this Property is C1 Zone and is less than 15 acres (4.3 acres), and therefore, does not trigger a major amendment.

3. Character Area Criteria
Character areas have been added to the city's planning process in order to recognize and maintain the unique physical, visual and functional conditions that occur in distinct areas across the community. The city recognizes that these form a context that is important to the lifestyle, economic well-being and long term viability of the community. These areas are identified by a number of parameters including but not limited to building scale, open space types and patterns, age of development and topographic setting.

If a proposal to change the land use category has not been clearly demonstrated by the applicant to comply with the guidelines and standards embodied within an approved character area plan it will be considered a major amendment.

Response: Based on the responses and written justification below regarding the GACAP, the proposed GPA does not trigger a major amendment. The current employment land use designation will be not only maintained but enhanced with the proposed work/live concept.

4. *Preserve Meaningful Open Space*
5. *Seek Sustainability*
6. *Advance Transportation*

Response:

1. Value Scottsdale's Unique Lifestyle & Character- Scottsdale is world famous for its golf and resort lifestyle. The work/live uses designated here will be hassle free living similar to what is experienced at some of the larger resorts but it also combines the office and employment mix so business owners and workers can enjoy the resort experience from the comfort of their home. The "small-town feel" will be enhanced as a little enclave of entrepreneurial professionals is created on site. Additionally, Scottsdale is known as a home-base for entrepreneurs and self-made business professionals and prides itself as a community where professionals work, reside, recreate and raise their families. The "incubator" aspect of the proposed development will foster the next generation of Scottsdale-made entrepreneurs by establishing a new collaborative and creative environment for the growing Intellectual Class.

2. Support Economic Vitality- Two previous plans to utilize this property were advanced; car storage and sports fields. Neither would have increased the tax or employment base for the City nor the transactions that a restaurant, café, shops and employment base will. Consequently, this project will help decrease vacancies and raise property values in the area.

3. Enhance neighborhoods- The site has long been vacant and underutilized. This is partially due to the current PCD I-1 zoning and restrictive FAR inhibiting a feasible development plan. This project will increase pedestrian traffic and connectivity of the different areas, as well as bring a central meeting place and other support services not currently in existence. It will be a significant benefit to the property owners in the area. Refer to the pedestrian circulation exhibit included with the development plan.

4. Preserve Meaningful Open Space- We are dedicating over one-fourth of the site to meaningful open space, not only to provide the owners of the work/live units with a beautifully landscaped property but also to showcase the surrounding area and the beautiful Sonoran Desert.

5. Seek Sustainability- Many of the design features will speak to the commitment to be more sustainable, for example, North/South orientation to conserve electricity. Other efforts will be with certain green building materials and native landscaping.

6. Advance Transportation- Having mixed uses will lend itself to create alternative modes of transportation, such as by foot and bicycle. We will be placing an emphasis on the use of bicycles to exploit the wonderful trails the City created throughout this entire area that create incredible connections to nearby neighborhoods and commerce centers but are currently underutilized.

aligned with retail support services and offices vs. traditional manufacturing and warehousing.

In April 2000, the City Council approved case 8-ZN-2000 (Horseman's Park-Gentry) which rezoned the subject property from R1-35 to C-2 and I-1 to allow for the development of an office building and retail/restaurant pad which was never constructed. The request was consistent with the underlying General Plan land use designation of Minor Employment with a Regional Use Overlay. Subsequently, in March 2001, the Horseman's Park PCD was approved by City Council for the larger area generally east of the Loop 101, south of Bell Road, north of Westworld and west of McDowell Mountain Ranch (excluding State Land parcels). The PCD addressed the existing zoning by applying a PCD overlay to all the underlying zoning and creating a master development plan for the area. At the same time the City of Scottsdale's General Plan from 2001 designates this area as a "Growth Area" in which to implement mixed uses. To quote the General Plan directly, it aims to "Create techniques that allow for mixed-use activity within designated growth areas". In January 2008, case 4-ZN-2007 was approved by City Council rezoning the C-2 underlying designation at the hard corner back to I-1 under the Horseman's Park PCD for the development of a mini-storage facility; a use that would have generated 2 jobs on the 4.3+/- acre site.

III. 2001 General Plan / Greater Airpark Character Area Plan /

2001 General Plan

The General Plan sets forth a collection of goals and approaches intended to integrate the Guiding Principles into the planning process and provide as a framework for proposed development and the built environment. These goals and approaches are, however, not intended to be static or inflexible and the General Plan clearly recognizes this by stating: **"The General Plan is designed to be a broad, flexible document that changes as the community needs, conditions and direction change."** *(emphasis added)* It is with this inherent flexibility in mind that the proposed non-major GPA not only meets but exceeds the goals and approaches established by the City in the General Plan. Additionally, it is important to recognize that the current General Plan is a 13 year old document and the City must also grow and change to respond to the evolving business world and lifestyle needs of the up and coming Intellectual Class.

General Plan - Six Guiding Principles:

This request is for a non-major General Plan Amendment to the land use category and map contained in the Land Use Element of the General Plan. Per the City's 2001 General Plan, six Guiding Principles articulate how the appropriateness of a land use change to the General Plan is to be qualified. These six Guiding Principles are as follows:

1. *Value Scottsdale's Unique Lifestyle & Character*
2. *Support Economic Vitality*
3. *Enhance Neighborhoods*

As such, the development team intends to integrate a similar concept to "MOD" (located at Central and Thomas in Phoenix), which combines an "executive suite" model with a lounge/café membership group. MOD has done extensive market research and developed their concept for an open work environment with secure WiFi, printing, copying, scanning and full concierge services to serve a specific need and demographic. They have seen the trend of up and coming executives working remotely and in alternative office accommodations vs. the traditional office scenario. Technology has played a large role in allowing individuals to work from any location. As a result, the idea of having a traditional office outside of the home is diminishing and an alternative type of office/gathering space has shifted to concepts like MOD designed for the new Intellectual Class. The Bahia project offers the best of all worlds by providing individual private offices for working, a flexible loft floor plan for living and working, and offering membership areas where private meeting rooms and board rooms are available, which is serviced by the ground level restaurant/coffee bar space below.

About Catclar Investments

Catclar Investments is a local real estate development company with previous experience working with the City of Scottsdale to improve in-fill lots. Out of everywhere in the country, Catclar's President Irene Clary choose to work, live and raise a family in Scottsdale because she believes in the opportunities here. With a focus on building strong relationships with municipal officials and the neighboring communities, Catclar is able to create successful, quality driven, and environmentally friendly development projects that further enhance the communities within which they are situated. With over 25 years of experience in all facets of Development, the team at Catclar knows how to successfully bring a project to fruition, achieving the highest and best use for the property, while also complementing the surrounding community.

Additionally, the project includes H&S International, a renowned Architectural team who has over received awards for its design and execution of its architectural genius.

II. Existing Improvements/History

The Property constitutes 4.3 +/- gross acres and is bordered by Bahia Drive (previously Aire Libre) on the north and 92nd Street on the east. The site is surrounded by PCD I-1 and PCD C-3 zoning with a combination of non-industrial office, recreation and educational uses including, but not limited to, FROGS Physical Therapy, iWired, Plumb Studios, AZ on the Rocks, Aquasafe Swim School, Rebound Gymnastics, Scottsdale Martial Arts, Devstar Realty, Artistic Design Family Dentistry, On-Trac Academy, the Ice Den, Mountainside Fitness, and Phoenix Rise Crossfit. This area is commonly referred to as the "family zone" by families and businesses in the area due to the large amount of support services for the 1600+ students attending the nearby Norte Dame Prep and Scottsdale Prep schools. The uses that have developed in this area of Horseman's Park include uses that are permitted in the I-1 zoning district, but are more closely

The meeting areas are intended for shared work areas, corporate leisure events, small social events, and a reception area. The uniqueness of the plan has been received well by neighbors in the area and its mix of uses serves to supporting the City's vision of developing a high growth area and destination along the 101 Corridor.

With spectacular McDowell Mountain views, seamless yet sophisticated architectural styling, a prestigious location and highly sought after attention to detail, the Bahia Work, Live, Play project is positioned to be one of the premier communities in the Scottsdale Airpark. There has been and continues to be an evolution of land uses in this targeted growth area but this one will demonstrate and infuse practical uses for its location.

The 4.3+/- gross acre Property is currently undeveloped, vacant land which is owned by Spensa, LLC. Spensa intended to build a mini-storage facility on this land (pursuant to case 4-ZN-2007) which would be allowed by right under the PCD I-1 zoning district. The proposed use is more in keeping with the employment core and employment based uses indicative of the GACAP, Horseman's Park master plan and Scottsdale Airpark as a whole.

The Airpark as a whole creates a unique opportunity to foster interrelated land uses and promote the work, live, play concept, which is memorialized numerous times in the GACAP. Additionally, the surrounding employment core and nearby retail development provide regional appeal for future owners. With the ease of accessibility, proximity to education, medical, retail, entertainment, the airport, sports venues and training facilities, this community has it. It's a welcome change and a necessary compliment to its surroundings.

This application is driven by the site's surrounding land uses and a strong market demand for this type of mixed-use found in so many major cities. Business and housing trends indicate a fundamental shift away from traditional homeownership and business operations as a result of the growing tech generation and their desire for a true work/live experience and alternative mixed-use options that fit their lifestyle. A market study has been provided with the application.

Scottsdale, which is known as a progressive, market responsive community has an opportunity to offer a cutting edge mixed-use work/live development for the business owners and residents of Scottsdale. The "Intellectual Class" and/or "Millennial Generation" are knowledge-based workers with advanced degrees that work in a range of fields including, but not limited to, business, research, finance, technology, healthcare, legal, and education, and make up an estimated 30% of the American workforce (and growing), whose economic function is to create new ideas, new technology and/or creative content. The Intellectual Class is also known for its departure from a traditional workplace environment and environmentally aware principals. These workers crave a flexible schedule and independent work/living concept much like the experience proposed for the Bahia development.

I. Purpose of Request

This request is for a Non-Major General Plan Amendment ("GPA") to the 2001 General Plan from Employment to Mixed Use Neighborhoods, a Non-Major GPA to the Greater Airpark Character Area Plan ("GACAP") from Employment ("EMP") to Airpark Mixed Use - Residential ("AMU-R") and rezoning from Planned Community District – Industrial Park ("PCD I-1") to Planned Community District – Planned Airpark Core Development /Airpark Mixed Use - Residential ("PCD – PCP/AMU-R") on a 4.3 +/- gross acre site located at the southwest corner of 92nd Street and Bahia (the "Property") in the Horseman's Park master plan.

The Bahia Work, Live, Play is envisioned to be a convergence of modern design with an industrial practicality. The site is in the process of being purchased by the applicant, Catclar Investments LLC. After several meetings with City officials, the applicant has diligently worked to implement the feedback from various departments within the City.

The applicant intends to create a mixed-use work, live, play development, by creating a unique development that consists of 64 individual ground level office spaces with loft-style residential above. The work/live units will have variety for the selective Entrepreneur, the target demographic for these unique spaces. There will be units with both 3 and 4 floor options, as well as lofts. The ground floor will include 2 parking spots per unit and approximately 400 to 450 sf. of office workspace. The floors above will feature creative work/live spaces and have the addition of rooftop studios to round out the work/live opportunities. Having rooftop studios is extremely rare in the Valley and will offer stunning views in every direction. There will be atrium courtyard areas spread throughout the site. They are designed as open space with green areas built to incorporate artwork from local artists living on site. The balance of the amenities includes a pool and multiple areas for soft seating. The design will be contemporary with an industrial feel, including elements like roll up garage doors and metal framing.

Additionally, the applicant intends to create an office/retail hub at the corner of 92nd and Bahia which will include business/employment support services such as a coffee shop, FedEx store and/or a lunch and dinner restaurant. There will be 14 additional work/live units above the corner commercial building. The commercial corner will also have office conference space available for the loft owners as well as tenants in the area.

There will be a centralized executive office with Concierge Services that will be an integral component of the development in which all unit owners would be members. The space will be about 1,500 square feet and have a reception area, small conference room and a mailroom complete with FedEx services. The front desk would have a receptionist during business hours who will greet visitors who come to meet with the owners of the Live / Work offices. All activity comes through this area to ensure safety and professionalism. The receptionist will call over to the owner and let the member know they have someone waiting for them. Additional for pay services would include answering calls, booking additional office usage and secretarial work. During non working hours there would be FOB controlled access and all office bookings would be done by way of a website. Outside members may be invited to join for a fee.

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Bahia Work / Live / Play Development Project

Project Narrative/Development Plan

SWC of 92nd Street & Bahia

Two Non-Major General Plan Amendments

&

Rezoning

Prepared by:
Berry Riddell & Rosensteel
John V. Berry, Esq.
Michele Hammond, Principal Planner

Prepared for:
Catclar Investments

14-ZN-2014 &
6-GP-2014
10/1/2014

Date Revised: October 1, 2014

Bahia Work/Live/Play
Development Plan

6-GP-2014 and 14-ZN-2014

Exhibit A
Resolution No. 9958

RESOLUTION NO. 9958

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK OF THE CITY OF SCOTTSDALE AND ENTITLED "BAHIA WORK LIVE PLAY DEVELOPMENT PLAN."

WHEREAS, State Law permits cities to declare documents a public record for the purpose of incorporation into city ordinances; and

WHEREAS, the City of Scottsdale wishes to incorporate by reference amendments to the Zoning Ordinance, Ordinance No. 455, by first declaring said amendments to be a public record.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. That certain document entitled "Bahia Work Live Play Development Plan," attached as Exhibit A, three copies of which are on file in the office of the City Clerk, is hereby declared to be a public record. Said copies are ordered to remain on file with the City Clerk for public use and inspection.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this 2nd day of December, 2014.

ATTEST:

CITY OF SCOTTSDALE, an Arizona municipal corporation

By:_____
Carolyn Jagger, City Clerk

By:_____
W. J. "Jim" Lane, Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

Bruce Washburn, City Attorney
By: Joe Padilla, Senior Assistant City Attorney

ATTACHMENT #3

Current Planning Services

One Civic Center
7447 E Indian School Road, Suite 105
Scottsdale, AZ 85251

MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Greg Bloemberg, Senior Planner

THROUGH: Tim Curtis, AICP, Current Planning Director

DATE: 11/18/2014

SUBJECT: **Bahia Work Live Play Project (6-GP-2014 & 14-ZN-2014)**

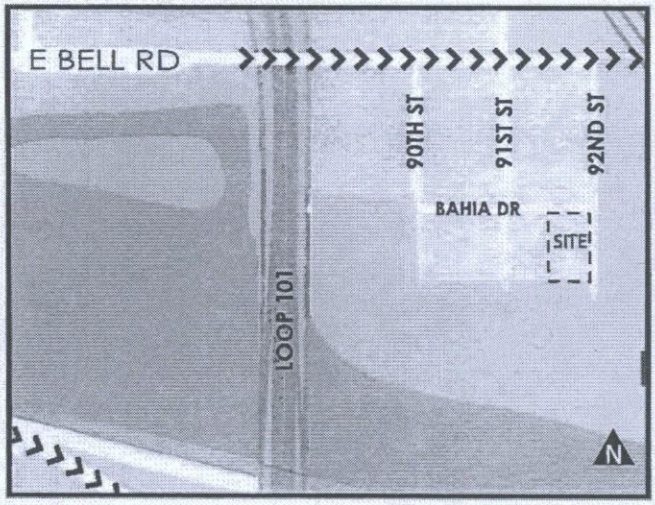
Ordinance No. 4184 and Resolution No.s 9952 and 9969 that includes Development Agreement No. 2014-188-COS, scheduled to the December 2, 2014 City Council will be provided in the supplemental packet.

ATTACHMENT #2

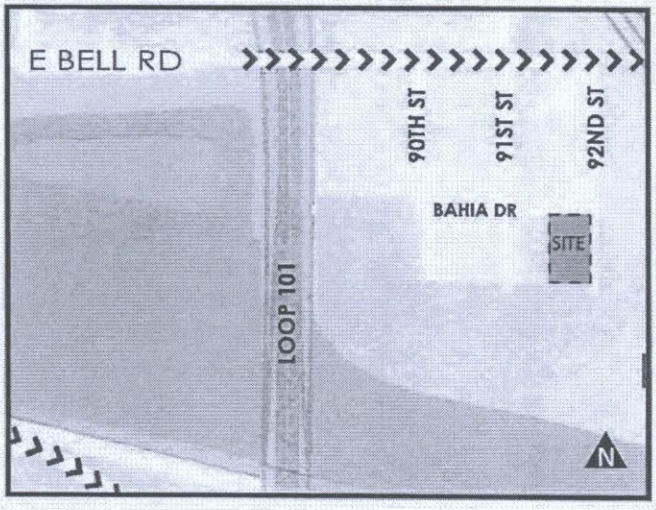
Case: 6-GP-2014 - Greater Airpark Character Area Plan Land Use Plan Map

Bahia Live Work Play Project

From Land Use Designation:
Employment (EMP)



To Land Use Designation:
Airpark Mixed Use-Residential (AMU-R)



LEGEND

Land Use Plan:

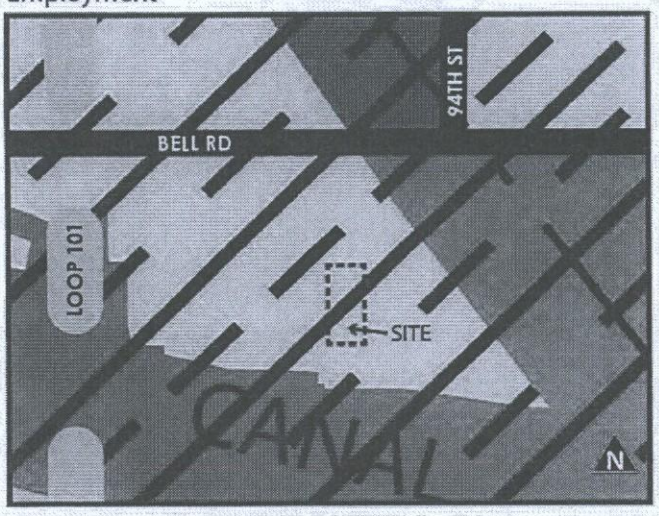
- Airpark Mixed Use-Residential (AMU-R)
- Airpark Mixed Use (AMU)
- Regional Tourism (RT)
- Employment (EMP)
- Aviation (AV)
- Open Space (OS)
- AV or AMU
- Greater Airpark Boundary
- Signature Corridor
- Powerline Corridor
- Central Arizona Project

Exhibit 2
Resolution No. 9952
Page 1 of 1

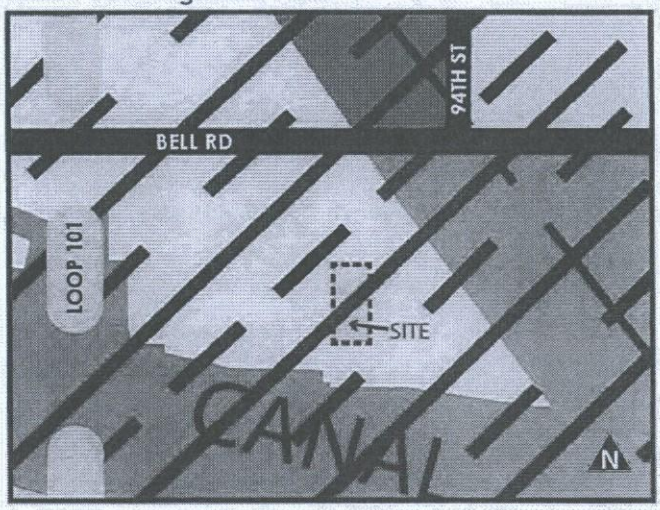
Case: 6-GP-2014 - City of Scottsdale General Plan 2001 Land Use Map

Bahia Live Work Play Project

From Land Use Designation:
Employment



To Land Use Designation:
Mixed-Use Neighborhoods



Land Use Map Legend

- Rural Neighborhoods
- Suburban Neighborhoods
- Urban Neighborhoods
- Mixed-Use Neighborhoods
- Resorts/Tourism
- Regional Use District
- Commercial
- Office
- Employment
- Natural Open Space
- Developed Open Space (Parks)
- Developed Open Space (Golf Courses)
- Cultural/Institutional or Public Use

Section 3. That copies of the General Plan and Greater Airpark Character Area Plan Amendments shall be on file in the Office of the City Clerk, located at 3939 North Drinkwater Boulevard, Scottsdale, Arizona.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this 2nd day of December, 2014.

ATTEST:

By:_____
Carolyn Jagger
City Clerk

CITY OF SCOTTSDALE, an Arizona municipal corporation

By:_____
W.J. "Jim" Lane
Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By:_____
Bruce Washburn, City Attorney
By: Joe Padilla, Senior Assistant City Attorney

RESOLUTION NO. 9952

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, ADOPTING AN AMENDMENT TO THE CITY OF SCOTTSDALE 2001 GENERAL PLAN CONCEPTUAL LAND USE MAP FROM EMPLOYMENT TO MIXED-USE NEIGHBORHOODS, AND A NON-MAJOR GENERAL PLAN AMENDMENT TO CHANGE THE GREATER AIRPARK CHARACTER AREA PLAN FUTURE LAND USE MAP FROM EMPLOYMENT (EMP) TO AIRPARK MIXED USE-RESIDENTIAL (AMU-R) ON A 5.1+/- GROSS ACRE SITE LOCATED AT 16576 N. 92ND STREET.

WHEREAS, the City Council, through its members and staff, has solicited and encouraged public participation in the development of the General Plan amendment, consulted and advised with public officials and agencies as required by Arizona Revised Statutes Section 9-461.06, transmitted and submitted a review copy of the general plan amendment proposal to each agency required by ARS Section 9-461.06 and all persons or entities who made a written request to receive a review copy of the proposal, and considered comments concerning the proposed amendment and alternatives; and

WHEREAS, the Planning Commission held a hearing on November 12, 2014 concerning the General Plan Amendment; and

WHEREAS, the City Council, held a public hearing on December 2, 2014, and has incorporated, whenever possible, the concerns expressed by all interested persons.

NOW, THEREFORE, LET IT BE RESOLVED, by the City Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. That the City Council hereby amends the General Plan Conceptual Land Use Map for the City of Scottsdale, for the property located at 16576 N. 92nd Street for a 5.1+/- gross acre site from Employment to Mixed-Use Neighborhoods, and approves a non-major General Plan Amendment to the Greater Airpark Character Area Plan Future Land Use Map from Employment (EMP) to Airpark Mixed Use-Residential (AMU-R) Land Use Designation for the above described property.

Section 2. That the above amendments are described in Case No. 6-GP-2014 (relating to zoning case 14-ZN-2014) and on Exhibits 1 and 2 attached hereto and incorporated by this reference.

ATTACHMENT 1

ATTACHMENTS

1. Resolution No. 9952
   Exhibit 1. General Plan Land Use Map (existing and proposed)
   Greater Airpark Character Area Plan Future Land Use Map (existing and proposed)
2. Ordinance No. 4184
   Exhibit 1. Stipulations
   Exhibit 2. Zoning Map
3. Resolution No. 9958
   Exhibit 1. Bahia Work/Live/Play Development Plan
4. Resolution No. 9969
5. Development Agreement No. 2014-188-COS
6. Additional Information
7. Context Aerial

7A. Aerial Close-Up

8. Greater Airpark Character Area Plan Conceptual Development Types Map
9. Part 150 Airport Influence Zones Map
10. Part 150 Noise Contours Map
11. Noise Flight Tracking Map (by altitude)
12. Noise Flight Tracking Map (by operation)
13. Noise Study Summary
14. Market Study Overview
15. Traffic Impact Summary
16. Citizen Involvement
17. City Notification Map
18. October 8, 2014 Airport Advisory Commission Meeting Minutes
19. November 12, 2014 Planning Commission Minutes

RESPONSIBLE DEPARTMENTS

Planning and Development Services
Current Planning Services and Long-Range Planning Services

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APPROVED BY

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Taylor Reynolds, Report Co-Author — Date: 11/13/14

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Tim Curtis, AICP, Current Planning Director — Date: 11/16/2014
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Randy Grant, Director — Date: 11/17/14
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