

**Correspondence Between
Staff and Applicant
Approval Letter**



October 14, 2016

Steven Bruckal
Bruckal Developments
4500 N. 32nd Street Suite 100F
Phoenix, AZ 85018

Re: 11-ZN-2016
70th & Earl I Townhomes

Dear Steven Bruckal,

This is to advise you that the case referenced above was approved at the October 10, 2016 City Council meeting. The Ordinance No. 4277 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 480-312-7713.

Sincerely,

Brad Carr, AICP
Senior Planner



Planning and Development Services Division

7447 East Indian School Road
Scottsdale, Arizona 85251

7/19/2016

Steven Bruckal
Bruckal Developments
4500 N. 32nd Street Suite 100F
Phoenix, AZ 85018

RE: Determination of a Planning Commission hearing

Dear Mr. Bruckal:

Your Development Application 11-ZN-2016, 70th & Earll Townhomes, is scheduled on the August 24, 2016 Planning Commission hearing agenda.

You may be required to make a presentation to the Planning Commission. If you choose to present your application to the Planning Commission utilizing a Power Point presentation, please submit the electronic file to your project coordinator by 1:00 p.m. on Monday, August 22, 2016. Please limit your presentation to a maximum of 10 minutes.

A subsequent letter with your site post requirements will be sent shortly after the required text has been verified. Typically, this is approximately twenty-one (21) days before a hearing date.

The Planning and Development Services Division has had this application in review for 46 Staff Review Days.

Thank you,

Brad Carr, AICP
Senior Planner

C: Case File

Applicant's Response (June 21, 2016)



5/26/2016

Steven Bruckal
Bruckal Developments
4500 N. 32nd Street Suite 100F
Phoenix, AZ 85018

RE: 11-ZN-2016
70th & Earll Townhomes

Dear Mr. Bruckal:

The Planning & Development Services Division has completed the review of the above referenced development application submitted on 4/19/2016. The following **1st Review Comments** represent the review performed by our team, and is intended to provide you with guidance for compliance with city codes, policies, and guidelines related to this application.

Zoning Ordinance and Scottsdale Revise Code Significant Issues

The following code and ordinance related issues have been identified in the first review of this application, and shall be addressed in the resubmittal of the revised application material. Addressing these items is critical to scheduling the application for public hearing, and may affect the City Staff's recommendation. Please address the following:

Zoning:

1. Please address the option to rezone the southern 8 feet of the property located to the north of the subject site (3126 N. 70th Street) from R1-7 to R-5, which would remove the required 15 foot setback adjacent to an R1 district for the subject site. (Zoning Ordinance, Sec. 1.303. & Sec. 1.304.)
 - A. ***Response: It has been determined that the "R1-7" north of the site is an error in that the alley was part of the subdivision north of the subject property and never attached to the subject property. Therefore, when the alley was abandoned it reverted to the zoning (R-5) of the parent property to the north.***
2. Please revise the development plans to remove the site driveways from the provided overall open space and frontage open space for the site. (Zoning Ordinance, Sec. 3.100)
 - B. ***This has been done with a revised site plan to be resubmitted.***

11-ZN-2016
6/23/16

3. Revise the site plan so that a yard of not less than fifteen (15) feet shall be maintained on the north side of the property abutting the R1-7 Zoning District and on the west side of Parcel 130-15-036 abutting the alley and R1-7 Zoning District. Please refer to Zoning Ordinance Section 5.704(D)(1).
- C. As noted above there is no R1-7 zoning to the north. As to the other notation, that will be addressed with a Board of Adjustment submittal that will be resolved before the DRB application will be submitted.**
4. Please revise the building elevations so that the dwelling units will be single story, in compliance with Zoning Ordinance Section 5.704(B)(2).
- D. This is based on a misreading of the ordinance. The ordinance section states that the DRB can consider such an action. In the long history of R-3 development in Scottsdale there is no record of such action having been taken.**
5. Please submit a revised copy of the Citizen Review Report summary to include details of the most recent public outreach efforts, including any additional public comments that may have been received. (Zoning Ordinance, Sec. 1.305(C)(2)(b))
- E. This will be included in the resubmittal. No significant comments either in support or opposition have been received either through the open house meeting or by other means.**
6. Please provide a copy of the notification to the school district with the next submittal. (Zoning Ordinance, Sec. 1.500.)
- F. This will be included in the resubmittal.**
7. Please provide a revised Project Narrative that provides the correct number of dwelling units in the rezoning area (7) instead of the 6 currently listed in the Project Narrative and to rectify discrepancies for site square footages between the development plans and the Project Narrative. (Zoning Ordinance, Sec. 1.303.)
- G. This is clarified in the revised narrative. There are portions of a unit as calculated on each parcel independently that when combined yield more than one additional unit.**

Fire:

8. Please revise the development plans to demonstrate minimum drive aisle width of 24 feet. (Fire Ord. 4045, 503.2.1)
- H. The revised plans included this revision.**
9. Please revise the development plans to demonstrate fire hydrant spacing, existing and proposed. (Fire Ord. 4045, 507.5.1.2)
- I. The revised plan provides the location of the nearest fire hydrant. There are another 5 hydrants within 250-300 feet of the properties located to the south, west and northwest.**

Significant Policy Related Issues

The following policy related issues have been identified in the first review of this application. Even though some of these issues may not be critical to scheduling the application for public hearing, they may affect the City Staff's recommendation pertaining to the application and should be addressed with the resubmittal of the revised application material. Please address the following:

Historic Preservation:

10. Based on the age of the building and the adobe construction materials of the building, the Gunkel House is on the Scottsdale Historic Preservation Program list of properties that are eligible for historic property designation. Prior to issuance of any permits for this development proposal the developer shall utilize the National Park Service Historic American Buildings Survey (HABS) Guidelines for Historical Reports to prepare and submit documentation of the Gunkel House. The historical report shall be prepared using the outline format as described in the HABS Guidelines.
- J. Such documentation will be provided before any DRB application is submitted. There are likely no official records of the original construction of the structure since it was built prior to incorporation of Scottsdale and well before the site was annexed into the city.***

Site Design:

11. Please revise the site plan so that the dwelling units will face the street, with pedestrian access between the dwelling units and the street and vehicle parking areas that will be accessed from the alley, in order to provide a pedestrian-friendly design for this development. Please refer to the Southern Scottsdale Character Area Plan.
- K. This site is so small that this is not really a way to encourage pedestrian activity. No unit is more than 90 feet from 70th street, which is a distance much less than that of most multi-family properties in the area. A great many of the recent multi-family projects completed or under construction in the vicinity of this site have used similar site plan approaches. The building plans will include 'eyes on the street' through windows and balconies. Sidewalks from the street to the units have been incorporated in the revised plans. Given the nature of nearby uses and major inefficiencies in such an approach, the applicant chooses to retain the original orientation.***
12. Please provide a site plan that complies with the Plan & Report Requirements for Development Applications. There will be comments regarding the site plan after it has been received and reviewed by staff. Please refer to Zoning Ordinance Section 1.303.
- L. See the revised site plan. Not sure what this is actually referring to.***

Landscape Design:

13. Please provide a preliminary landscape plan that complies with the provisions of Zoning Ordinance Section 10.200, and that includes all information as listed on the Plan & Report Requirements for Development Applications. There will be comments regarding the preliminary landscape plan after it has been received and reviewed by staff. Please refer to Zoning Ordinance Section 1.303
- M. A landscaping concept statement has been added to the narrative. The full landscape plan will be incorporated in the future DRB application. Given the small size of this site an accurate plan can only be done once additional civil engineering design has been completed.***

Circulation:

14. Please revise the development plans to show widening of the sidewalk along N. 70th Street to a minimum width of 6 feet per Scottsdale Revised Code 47-21 and 47-22, the 2008 Transportation Master Plan Chapter 7-Section 8, and the Design Standards and Policies Manual Section 5-3.100.
- N. This has been included in the revised plan.***

15. Please revise the development plans to provide a 5-foot back up area at the end of dead-end parking aisles per Design Standards and Policies Manual Section 2-1.809, Figure 2.1-4.

O. This has been included in the revised plans.

16. Please revise the development plans to provide commercial refuse enclosure per Design Standards and Policies Manual Section 2-1.804 and COS Standard Detail 2146. Show truck turning movements on site plan to show that refuse pick up can be performed per DSPM requirements.

P. This has been included in the revised plans.

17. Please revise the development plans to use CL-1 Type driveways for both site entrances, Standard Detail #2256. (DSPM, Sec. 5-3.200; DSPM, Sec. 5-3.205)

Q. This has been included in the revised plans.

Fire:

18. Please revise the development plans to demonstrate commercial turning radii (25' inner/49' outside/55' bucket swing). (DSPM, Sec. 2-1.802(5))

R. This has been included through the inclusion of the driveway type as noted in #17.

19. Please revise the development plans to note that fire lane surface will support 83,000 lbs GVW. (DSPM, Sec. 2-1802(3))

S. This has been included in the revised plans.

Other:

20. Please add a column to the table on p. 3 of the project narrative that shows the density for each property surrounding the subject property. (Zoning Ordinance, Sec. 1.303.)

T. This has been included in the revised narrative. For the most part this proposal is slightly to much less dense than most adjacent of nearby properties.

21. Please revise the project narrative to address the undergrounding of all existing above grade utilities with the site's redevelopment. (Zoning Ordinance, Sec. 1.303.)

U. There is one pole about 18 feet north of the southwest corner of the southern property (not part of the rezoning) that is in the alley. Given the age of adjacent properties and their relationship to the alley, it is impractical for this applicant to underground such facilities. All other utilities along the alley and across the 70th Street frontage have already been placed underground.

Considerations

The following considerations have been identified in the first review of this application. While these considerations are not critical to scheduling the application for public hearing, they may improve the quality and may reduce the delays in obtaining a decision regarding the proposed development. Please consider addressing the following:

Building Elevation Design:

22. While this is a rezoning and is likely to be addressed with the Development Review Board submittal, consider Goal CD 3 in the Southern Scottsdale Character Area Plan (SSCAP) and provide additional windows, colors, or architectural features on the west and east elevations,

and on the second floor of the north elevations, so as to architecturally activate these elevations.

V. The elevations will be refined prior to DRB application and these comments will be incorporated.

Technical Corrections

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

Circulation:

23. Please revise the development plans to provide bike parking near the entrance in addition to the bike parking shown near the common area per Design Standards and Policies Manual Section 2-1.808.

W. This has been included in the revised plans.

24. Please revise the development plans and project narrative to address how visitor parking is being handled with no visitor parking provided on site. (Zoning Ordinance, Sec. 1.204.)

X. There is on-street parking permitted on local streets and this is how visitor parking is handled by uses within this block as well as nearby multi-family projects of similar size.

25. Please revise the development plans to address conflict with southern driveway and existing street light and trolley stop on N. 70th Street. Show relocation of existing street light and trolley stop further north near the intersection with E. Earll Drive on site plan. (Zoning Ordinance, Sec. 1.204.)

Y. This has been noted on the revised plans (this refers to the future development area not part of the rezoning application). The trolley stop should actually be moved slightly south due to possible conflicts at and next to the 70th Street and Earll Drive intersection.

26. Please revise the development plans to extend the sidewalks into the site at site driveways. (Zoning Ordinance, Sec. 1.204.)

Z. This has been included in the revised plans.

Water and Waste Water:

27. Please refer to the red-line comments on the site plan for items that must be addressed at the time of the Development Review Board submittal.

AA. So noted and considered.

Please resubmit the revised application requirements and additional information identified in Attachment A, Resubmittal Checklist, and a written summary response addressing the comments/corrections identified above as soon as possible for further review. The City will then review the revisions to determine if the application is to be scheduled for a hearing date, or if additional modifications, corrections, or additional information is necessary.

PLEASE CALL 480-312-7000 TO SCHEDULE A RESUBMITTAL MEETING WITH ME PRIOR TO YOUR PLANNED RESUBMITTAL DATE. DO NOT DROP OFF ANY RESUBMITTAL MATERIAL WITHOUT A SCHEDULED MEETING. THIS WILL HELP MAKE SURE I'M AVAILABLE TO REVIEW YOUR RESUBMITTAL AND PREVENT ANY UNNECESSARY DELAYS. RESUBMITTAL MATERIAL THAT IS DROPPED OFF MAY NOT BE ACCEPTED AND RETURNED TO THE APPLICANT.

The Planning & Development Services Division has had this application in review for 28 Staff Review Days since the application was determined to be administratively complete.

These **1st Review Comments** are valid for a period of 180 days from the date on this letter. The Zoning Administrator may consider an application withdrawn if a revised submittal has not been received within 180 days of the date of this letter (Section 1.305. of the Zoning Ordinance).

If you have any questions, or need further assistance please contact me at 480-312-7713 or at bcarr@ScottsdaleAZ.gov.

Sincerely,

Brad Carr, AICP
Senior Planner

ATTACHMENT A
Resubmittal Checklist

Case Number: **11-ZN-2016**

Please provide the following documents, in the quantities indicated, with the resubmittal (all plans larger than 8 ½ x11 shall be folded):

- One copy: COVER LETTER – Respond to all the issues identified in the 1st Review Comment Letter
- One copy: Revised CD of submittal (PDF format)
- Three copies: Revised Narrative for Project

Context Aerial with the proposed Site Plan superimposed

Color 1 24" x 36" 1 11" x 17" 1 8 ½" x 11"

Site Plan:

9 24" x 36" 1 11" x 17" 1 8 ½" x 11"

Open Space Plan:

1 24" x 36" 1 11" x 17" 1 8 ½" x 11"

Elevations:

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Landscape Plan:

B/W 1 24" x 36" 1 11" x 17" 1 8 ½" x 11"

Floor Plans:

1 24" x 36" 1 11" x 17" 1 8 ½" x 11"

Floor Plan worksheet(s):

1 24" x 36" 1 11" x 17" 1 8 ½" x 11"



5/26/2016

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RE: 11-ZN-2016
70th & Earll Townhomes

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1. Please address the option to rezone the southern 8 feet of the property located to the north of the subject site (3126 N. 70th Street) from R1-7 to R-5, which would remove the required 15 foot setback adjacent to an R1 district for the subject site. (Zoning Ordinance, Sec. 1.303. & Sec. 1.304.)
2. Please revise the development plans to remove the site driveways from the provided overall open space and frontage open space for the site. (Zoning Ordinance, Sec. 3.100)
3. Revise the site plan so that a yard of not less than fifteen (15) feet shall be maintained on the north side of the property abutting the R1-7 Zoning District and on the west side of Parcel 130-15-036 abutting the alley and R1-7 Zoning District. Please refer to Zoning Ordinance Section 5.704(D)(1).
4. Please revise the building elevations so that the dwelling units will be single story, in compliance with Zoning Ordinance Section 5.704(B)(2).

11-ZN-2016
6/23/16

5. Please submit a revised copy of the Citizen Review Report summary to include details of the most recent public outreach efforts, including any additional public comments that may have been received. (Zoning Ordinance, Sec. 1.305.C.2.b.)
6. Please provide a copy of the notification to the school district with the next submittal. (Zoning Ordinance, Sec. 1.500.)
7. Please provide a revised Project Narrative that provides the correct number of dwelling units in the rezoning area (7) instead of the 6 currently listed in the Project Narrative and to rectify discrepancies for site square footages between the development plans and the Project Narrative. (Zoning Ordinance, Sec. 1.303.)

Fire:

8. Please revise the development plans to demonstrate minimum drive aisle width of 24 feet. (Fire Ord. 4045, 503.2.1)
9. Please revise the development plans to demonstrate fire hydrant spacing, existing and proposed. (Fire Ord. 4045, 507.5.1.2)

Significant Policy Related Issues

The following policy related issues have been identified in the first review of this application. Even though some of these issues may not be critical to scheduling the application for public hearing, they may affect the City Staff's recommendation pertaining to the application and should be addressed with the resubmittal of the revised application material. Please address the following:

Historic Preservation:

10. Based on the age of the building and the adobe construction materials of the building the Gluck House has been on the Scottsdale Historic Preservation Program list of properties that are eligible for historic property designation.
11. Prior to issuance of any permits for this development proposal the developer shall submit an historic context and architectural building survey report for the Gluck House. The historic context and architectural building survey report shall include information regarding the construction materials and methods for the Gluck House.

Site Design:

12. Please revise the site plan so that the dwelling units will face the street, with pedestrian access between the dwelling units and the street and vehicle parking areas that will be accessed from the alley, in order to provide a pedestrian-friendly design for this development. Please refer to the Southern Scottsdale Character Area Plan.
13. Please provide a site plan that complies with the Plan & Report Requirements for Development Applications. There will be comments regarding the site plan after it has been received and reviewed by staff. Please refer to Zoning Ordinance Section 1.303.

Landscape Design:

14. Please provide a preliminary landscape plan that complies with the provisions of Zoning Ordinance Section 10.200, and that includes all information as listed on the Plan & Report Requirements for Development Applications. There will be comments regarding the preliminary landscape plan after it has been received and reviewed by staff. Please refer to Zoning Ordinance Section 1.303

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20. Please revise the development plans to note that fire lane surface will support 83,000 lbs GVW. (DSPM, Sec. 2-1802(3))

Other:

21. Please add a column to the table on p. 3 of the project narrative that shows the density for each property surrounding the subject property. (Zoning Ordinance, Sec. 1.303.)
22. Please revise the project narrative to address the undergrounding of all existing above grade utilities with the site's redevelopment. (Zoning Ordinance, Sec. 1.303.)

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If you have any questions, or need further assistance please contact me at 480-312-7713 or at bcarr@ScottsdaleAZ.gov.

Sincerely,



Brad Carr, AICP
Senior Planner

**ATTACHMENT A
Resubmittal Checklist**

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- Floor Plan worksheet(s):

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Community & Economic Development Division
Planning, Neighborhood & Transportation

7447 East Indian School Road
Scottsdale, Arizona 85251

Date: 4-19-2016
Contact Name: STEVE BRUCKAL
Firm name: BRUCKAL DEVELOPMENTS
Address: 4500 N. 32ND STREET #100F
City, State Zip: PHOENIX, AZ

RE: Application Accepted for Review.

1120 - PA - 2015

Dear MR. BRUCKAL:

It has been determined that your Development Application for REZONING has been accepted for review.

Upon completion of the Staff's review of the application material, I will inform you in writing or electronically either: 1) the steps necessary to submit additional information or corrections; 2) the date that your Development Application will be scheduled for a public hearing or, 3) City Staff will issue a written or electronic determination pertaining to this application. If you have any questions, or need further assistance please contact me.

Sincerely,

Name: BRAD CARR
Title: SR. PLANNER
Phone number: 480.312.7718
Email address: bcarr@scottsdaleaz.gov

11-ZN-2016
04/19/16