

**Application  
Narrative  
Cash Transmittal  
Pre-Application  
Pre-App Narrative  
Pre-App Cash Transmittal  
Development Standards**

## SCOTTSDALE QUARTER BLOCK L

WPG/ LENNAR  
NELSEN PARTNERS, INC.  
9/30/2016

### PROJECT NARRATIVE

We are excited to bring forward the last vacant parcel, Block L for completion of the Master Plan for Scottsdale Quarter. Block L is the central block adjacent to the Quad and 73<sup>rd</sup> Place on the West, bound by North and South Streets respectively and Dial/73<sup>rd</sup> Blvd on the East. The development has been successful in fulfilling the vision it created when the property was zoned back in 2005, and subsequently approved by the Development Review Board in the previous phases. The project was built during difficult economic times and in 3 main phases and has proved to be a success.

The current project is consistent with the approved site plan. As part of phase III, Block L will integrate 6 stories of luxury residential units above +/- 63,813 SF of one and potentially two-story retail on the ground floor. The project will have 2 levels of above and 2 levels of below grade parking, shielded and fully integrated with the architecture of the project. The building massing will be consistent with the current approved master plan. Our request will NOT change the height (90' max.) or density for the project (600 units)

Our request is simple, we would like stipulation #5 that limits us to .8 FAR for Residential to be stricken from our case, thus allowing the current FAR of 1 to rule for the whole project. The current stipulation is inconsistent to realize the density allowed on the site. This action will remedy this condition and allow us to complete the last remaining parcel of Scottsdale Quarter.

Currently Block K provides for 275 units and Block L will provide 300 units for a total of 575 units. When completed Block L will complete the vision for the development, extending the pedestrian realm (The Quad) and creating a dynamic mixed-use project that will combine high-end sophisticated retail, restaurants and luxury residential uses for people to shop and live. We believe this project will enhance and solidify Scottsdale Quarter as the premier mixed-use retail environment in Scottsdale.

### AMENDED DEVELOPMENT STANDARDS

The PRC District established enhanced design criteria for amended development standards that provide for increased height and floor area ratio in the PRC district. These criteria will be discussed below, following the proposed amended development standards.

#### C. Maximum amended development standards

**18-ZN-2013#2**  
**09/30/16**

1. Floor area ratio:

- a. Maximum 1.0 of all lots within the Development Plan boundary.
- b. A floor area ratio higher than 1.0 may be located on the portion of the Development Plan where the amended floor area ratio is located. However, the overall Development Plan shall not exceed a floor area ratio of 1.0.

2. Building height (including rooftop appurtenances). Maximum: 90 feet.

D. Additional requirements

1. The following requirements are applicable to the amended development standards where shown on the development Plan:
  - a. Vertically integrated mixed use is required.

**This proposal is for a vertically-integrated mixed use of retail, office, residential, and structured parking both above grade and below. The majority of the parking consists of 2 levels below grade with 364 cars, and 146 above grade in two levels. There are two main building masses connected by below grade parking and bridges that connect the office component with above grade parking on Block M, and provide future underground utility connection to the retail that will occur in Block L. The above grade parking is architecturally screened with green screen and architectural elements taken from the building design. Thus, the retail, residential, office, and structured parking are vertically integrated with multiple connected components that are architecturally consistent.**

- b. Nondensity based land use distribution: five percent of the total gross floor area shall be nondensity based uses located within the story at grade.

**The total building size for block L & M is approximately +/-513,225 square feet, and five percent of that number is 24,190.65 square feet. The current plan shows 65,229 square feet of retail space at grade and level 2 of block L & M, in excess of the required amount for amended standards and in no case will it be less than the requirement.**

- c. Density based uses or guest unit distribution. Minimum: 20 percent of the total gross floor area shall be density based uses or guest units, or a combination of the two.

**Density based uses must meet a standard of twenty percent of the total floor area, or in this case 102,456 square feet. The current plan shows +/-235,412 square feet, an**

**in no event will it be less than the requirement.**

d. Open Space.

- i. Additional: Equal to or greater than 0.05 multiplied by the land area where the amended development standards are located on the Development Plan.
- ii. Placement: The additional open space shall be placed in the same location as the amended development standards.

**In order to qualify for amended development standards the area to which the amended standards would apply must exceed the base open space requirement by five percent. The base requirement for Blocks L and M is 66,640 square feet of open space, and the proposal is to provide more than +/- 76,000 square feet of open space, we are providing 8% more the number needed to qualify for amended standards within the site for which amended standards are requested.**

e. Building massing at the perimeter of the Development Plan

- i. Stepbacks adjacent to a residential boundary

**There are no residential districts abutting the site so this standard does not apply.**

- ii. Stepbacks where not located adjacent to a residential boundary.

(1) Front yard. Minimum: Building height of 60 feet or less is as required in Section 5.2606. F.l.a. Building heights greater than 60 feet, the minimum is as follows: 1:1 vertical rise to horizontal run, beginning at the point where the 60 feet of building height can be located.

(2) Side and rear yards. Minimum: Building height of 60 feet or less is as required in section 5.2606.F.l.b. Building heights greater than 60 feet, the minimum is as follows: 2:1 vertical rise to horizontal run, beginning at the point where the 60 feet of building height can be located.

**The proposal meets the standard of 2:1 for building height greater than 60 feet.**

- iii. Building facade length. Maximum 200 feet without an offset or recess in the building wall plane.
- iv. Building facade offset or recess. Minimum 20 feet in depth projecting away from the street for a minimum distance equivalent to 20 percent of the building width, and angled between 90 degrees and 45 degrees to the building and wall plane.

**No building facade exceeds 200 feet in length without an offset of at least 20 feet. There is a setback of 20 feet on the east side of the building to meet the standard for offset or recess. In addition, architectural elements provide both vertical and horizontal articulation to present an interesting or pedestrian-activated building on all four sides.**

f. Parking.

- i. Underground parking structures are required and shall be integrated into the building as determined by the Development Review Board.
- ii. Above-ground parking structures may be provided and shall be fully concealed from the public view through integration of the parking structure into the building and the use of architecturally integrated materials as determined by the Development Review Board.

**As previously indicated, the above-grade parking is screened by a combination of green screen and architectural elements found elsewhere on the building. In addition, dense landscaping provides further screening. These materials are consistent with screening previously used successfully in Scottsdale Quarter.**

2. Scottsdale's Green Building Program. The development shall be in compliance with Scottsdale's Green Building Program requirements.

**The submitted Development Plan demonstrates compliance with the criteria above that provide for a floor area ratio of 1.0 and a building height of 90 feet inclusive of rooftop appurtenances.**

Development standards shall be amended as follows:

Sec. 5.2606. - Property development standards.

B. Floor area ratio.

1. Nondensity based land uses. Maximum: 1.0 of the net lot area of the Development Plan.
2. Dwelling units. Maximum: 50 percent of the gross floor area of the Development Plan's nondensity based land uses, not to exceed 512,278 square feet.

C. Building height (~~excluding rooftop appurtenances~~). Maximum 90 feet, **inclusive of rooftop appurtenances.**



## Request for Site Visits and/or Inspections Development Application (Case Submittals)

This request concerns all property identified in the development application.

Pre-application No: 579 - PA - 2016

Project Name: Scottsdale Quarter - Block L

Project Address: 15125 North Scottsdale Road

### STATEMENT OF AUTHORITY:

1. I am the owner of the property, or I am the duly and lawfully appointed agent of the property and have the authority from the owner to sign this request on the owner's behalf. If the land has more than one owner, then I am the agent for all owners, and the word "owner" refer to them all.
2. I have the authority from the owner to act for the owner before the City of Scottsdale regarding any and all development application regulatory or related matter of every description involving all property identified in the development application.

### STATEMENT OF REQUEST FOR SITE VISITS AND/OR INSPECTIONS

1. I hereby request that the City of Scottsdale's staff conduct site visits and/or inspections of the property identified in the development application in order to efficiently process the application.
2. I understand that even though I have requested the City of Scottsdale's staff conduct site visits and/or inspections, city staff may determine that a site visit and/or an inspection is not necessary, and may opt not to perform the site visit and/or an inspection.

Property owner/Property owners agent: Paul E. Gilbert

Print Name

Paul E. Gilbert  
Signature

### City Use Only:

Submittal Date: \_\_\_\_\_ Case number: \_\_\_\_\_

### Planning and Development Services

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

18-ZN-2013 #2  
8/18/2016



Current Planning Services  
Long Range Planning Services

**NOTICE OF INSPECTION RIGHTS**  
**A.R.S. § 9-833**

**You have the right to:**

- Have the City staff member present a photo ID.
- Have the City staff member state the purpose for the planning inspection and legal authority to conduct it.
- Know the amount of inspection fees if applicable.
- An on-site representative may accompany the City staff member during the inspection except during confidential interviews and may:
  - Receive copies of any documents taken during the inspection.
  - Receive a split of any samples taken during the inspection.
  - Receive copies of any analysis of the samples taken when available.
- Be informed if statements are being recorded.
- Be given notice that any statements may be used in an inspection report.
- Be presented with a copy of your inspection rights.
- Be notified of the due process rights pertaining to an appeal

**You are hereby notified and informed of the following:**

- The inspection is conducted pursuant to the authority of A.R.S § 9-462.05. and/or Scottsdale Revised Code, Appendix B, Article I. Section 1.203.
- Any statements made by anyone interviewed during this inspection may be included in the inspection report.
- Information on appeal rights related to this inspection is found under Scottsdale Revised Code, Appendix B, Article I. Section 1.801.
- There is no inspection fee associated with this inspection.

I acknowledge I have been informed of my inspection rights. If I decline to sign this form, the inspector(s) may still proceed with the inspection.

If I have any questions, I may contact the City staff member, Bryan D. Cluff

at the following number 480-312-2258

Signature: Paul E. Gilbert Date: 8/18/16

Printed Name: Paul E. Gilbert

Check box if signature refused

Copy of Bill of Rights left at: \_\_\_\_\_

A.R.S § 9-833. Inspections; applicability

- A. A municipal inspector or regulator who enters any premises of a regulated person for the purpose of conducting an inspection shall:
1. Present photo identification on entry of the premises.
  2. On initiation of the inspection, state the purpose of the inspection and the legal authority for conducting the inspection.
  3. Disclose any applicable inspection fees.
  4. Except for a food and swimming pool inspection, afford an opportunity to have an authorized on-site representative of the regulated person accompany the municipal inspector or regulator on the premises, except during confidential interviews.
  5. Provide notice of the right to have:
    - (a) Copies of any original documents taken from the premises by the municipality during the inspection if the municipality is permitted by law to take original documents.
    - (b) A split or duplicate of any samples taken during the inspection if the split or duplicate of any samples, where appropriate, would not prohibit an analysis from being conducted or render an analysis inconclusive.
    - (c) Copies of any analysis performed on samples taken during the inspection.
  6. Inform each person whose conversation with the municipal inspector or regulator during the inspection is tape recorded that the conversation is being tape recorded.
  7. Inform each person interviewed during the inspection that statements made by the person may be included in the inspection report.
- B. On initiation of, or two working days before, an inspection of any premises of a regulated person, except for a food and swimming pool inspection that has up to one working day after an inspection, a municipal inspector or regulator shall provide the following in writing or electronically:
1. The rights described in subsection A of this section.
  2. The name and telephone number of a municipal contact person available to answer questions regarding the inspection.
  3. The due process rights relating to an appeal of a final decision of a municipality based on the results of the inspection, including the name and telephone number of a person to contact within the municipality and any appropriate municipality, county or state government ombudsman.
- C. A municipal inspector or regulator shall obtain the signature of the regulated person or on-site representative of the regulated person on the writing prescribed in subsection B of this section indicating that the regulated person or on-site representative of the regulated person has read the writing prescribed in subsection B of this section and is notified of the regulated person's or on-site representative of the regulated person's inspection and due process rights. The municipality shall maintain a copy of this signature with the inspection report. Unless the regulated person at the time of the inspection is informed how the report can be located electronically, the municipality shall leave a copy with the regulated person or on-site representative of the regulated person. If a regulated person or on-site representative of the regulated person is not at the site or refuses to sign the writing prescribed in subsection B of this section, the municipal inspector or regulator shall note that fact on the writing prescribed in subsection B of this section.
- D. A municipality that conducts an inspection shall give a copy of, or provide electronic access to, the inspection report to the regulated person or on-site representative of the regulated person either:
1. At the time of the inspection.
  2. Notwithstanding any other state law, within thirty working days after the inspection.
  3. As otherwise required by federal law.



- E. The inspection report shall contain deficiencies identified during an inspection. Unless otherwise provided by law, the municipality may provide the regulated person an opportunity to correct the deficiencies unless the municipality determines that the deficiencies are:
  - 1. Committed intentionally.
  - 2. Not correctable within a reasonable period of time as determined by the municipality.
  - 3. Evidence of a pattern of noncompliance.
  - 4. A risk to any person, the public health, safety or welfare or the environment.
- F. If the municipality allows the regulated person an opportunity to correct the deficiencies pursuant to subsection E of this section, the regulated person shall notify the municipality when the deficiencies have been corrected. Within thirty working days of receipt of notification from the regulated person that the deficiencies have been corrected, the municipality shall determine if the regulated person is in substantial compliance and notify the regulated person whether or not the regulated person is in substantial compliance, unless the determination is not possible due to conditions of normal operations at the premises. If the regulated person fails to correct the deficiencies or the municipality determines the deficiencies have not been corrected within a reasonable period of time, the municipality may take any enforcement action authorized by law for the deficiencies.
- G. A municipality's decision pursuant to subsection E or F of this section is not an appealable municipal action.
- H. At least once every month after the commencement of the inspection, a municipality shall provide the regulated person with an update, in writing or electronically, on the status of any municipal action resulting from an inspection of the regulated person. A municipality is not required to provide an update after the regulated person is notified that no municipal action will result from the municipality's inspection or after the completion of municipal action resulting from the municipality's inspection.
- I. This section does not authorize an inspection or any other act that is not otherwise authorized by law.
- J. This section applies only to inspections necessary for the issuance of a license or to determine compliance with licensure requirements. This section does not apply:
  - 1. To criminal investigations and undercover investigations that are generally or specifically authorized by law.
  - 2. If the municipal inspector or regulator has reasonable suspicion to believe that the regulated person may be or has been engaged in criminal activity.
  - 3. Inspections by a county board of health or a local health department pursuant to section 36-603.
- K. If a municipal inspector or regulator gathers evidence in violation of this section, the violation shall not be a basis to exclude the evidence in a civil or administrative proceeding, if the penalty sought is the denial, suspension or revocation of the regulated person's license or a civil penalty of more than one thousand dollars.
- L. Failure of a municipal employee to comply with this section:
  - 1. Constitutes cause for disciplinary action or dismissal pursuant to adopted municipal personnel policy.
  - 2. Shall be considered by the judge and administrative law judge as grounds for reduction of any fine or civil penalty.
- M. A municipality may adopt rules or ordinances to implement this section.
- N. This section:
  - 1. Shall not be used to exclude evidence in a criminal proceeding.
  - 2. Does not apply to a municipal inspection that is requested by the regulated person.



# Submittal Fee

DENNIS M. NEWCOMBE

SCOTTSDALE QUARTER - BLOCK L

Project Name: ↓ Pre-App#: 579-PP-2016

Fee Type: REZONING Fee Amount: \$ 745.00

Staff Name: ALEX ARVETZ Signature: [Signature] Phone: 2592 Date: 8/18/16

## Planning, Neighborhood & Transportation Division

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 • Phone: 480-312-2500 • Fax: 480-312-7088



# City of Scottsdale Cash Transmittal

## # 107568

107568  
 00927094  
 8/18/2016 PLN-18TOP  
 KHANAS HPTC600512  
 8/18/2016 3:01 PM  
 \$745.00

**Received From :**

Beus Gilbert PLLC Attorneys At Law  
 701 N 44TH ST  
 PHOENIX, AZ 85008  
 480-429-3002

**Bill To :****Reference #** 579-PA-2016**Issued Date** 8/18/2016**Address** 15125 N SCOTTSDALE RD**Paid Date** 8/18/2016**Subdivision** SCOTTSDALE QUARTER, REPLAT OF LOTS 3 AND 4**Payment Type** CREDIT CARD**Marketing Name** Lot Number 3A**Cost Center****MCR** 1202-18 County No**Metes/Bounds** No**APN** 215-56-422 Gross Lot Area 0**Water Zone****Owner Information** NAOS Lot Area 0**Water Type**

SDQ III BK-L LLC Net Lot Area

**Sewer Type**

180 E. Broad St. 21st Floor Number of Units 1

**Meter Size**

Columbus, OH 43215 Density

**QS** 35-45

614-887-5642

Code	Description	Additional	Qty	Amount	Account Number
3170	REZONING APPLICATION		1	\$745.00	100-21300-44221

SIGNED BY DENNIS NEWCOMBE ON 8/18/2016

Total Amount

**\$745.00**

(When a credit card is used as payment I agree to pay the above total amount according to the Card Issuer Agreement.)

**TO HAVE WATER METER SET - CALL 480-312-5650 AND REFER TO TRANSM**

**18-ZN-2013 #2**  
**8/18/2016**



# Development Application

### Development Application Type:

Please check the appropriate box of the Type(s) of Application(s) you are requesting

Zoning	Development Review	Signs
<input type="checkbox"/> Text Amendment (TA)	<input type="checkbox"/> Development Review (Major) (DR)	<input type="checkbox"/> Master Sign Program (MS)
<input checked="" type="checkbox"/> Rezoning (ZN)	<input type="checkbox"/> Development Review (Minor) (SA)	<input type="checkbox"/> Community Sign District (MS)
<input type="checkbox"/> In-fill Incentive (II)	<input type="checkbox"/> Wash Modification (WM)	Other:
<input type="checkbox"/> Conditional Use Permit (UP)	<input type="checkbox"/> Historic Property (HP)	<input type="checkbox"/> Annexation/De-annexation (AN)
Exemptions to the Zoning Ordinance	Land Divisions (PP)	<input type="checkbox"/> General Plan Amendment (GP)
<input type="checkbox"/> Hardship Exemption (HE)	<input type="checkbox"/> Subdivisions	<input type="checkbox"/> In-Lieu Parking (IP)
<input type="checkbox"/> Special Exception (SX)	<input type="checkbox"/> Condominium Conversion	<input type="checkbox"/> Abandonment (AB)
<input type="checkbox"/> Variance (BA)	<input type="checkbox"/> Perimeter Exceptions	Other Application Type Not Listed
<input type="checkbox"/> Minor Amendment (MA)	<input type="checkbox"/> Plat Correction/Revision	<input checked="" type="checkbox"/> Revision to previously approved

Project Name: Scottsdale Quarter - Block L

case 18-ZN-2013

Property's Address: 15125 North Scottsdale Road

(i.e. stip. deletion / update  
Development Plan).

Property's Current Zoning District Designation: Planned Regional Center ("PRC").

The property owner shall designate an agent/applicant for the Development Application. This person shall be the owner's contact for the City regarding this Development Application. The agent/applicant shall be responsible for communicating all City information to the owner and the owner application team.

Owner: SDQ III BK-L LLC c/o Kenneth Marshall

Agent/Applicant: Paul E. Gilbert / Dennis M. Newcombe

Company: WP Glimcher

Company: Beus Gilbert PLLC

Address: 180 E. Broad St., 21st Floor, Columbus, OH, 43215

Address: 701 N. 44th Street, Phoenix, AZ, 85008

Phone: 614-887-5642 Fax: N/A

Phone: 480-429-3000 Fax: 480-429-3100

E-mail: kenneth.marshall@wpglimcher.com

E-mail: pgilbert@beusgilbert.com /  
dnewcombe@beusgilbert.com

Designer: George A. Melara / Ron Deitrick

Engineer: Boyce H. O'Brien

Company: Nelsen Partners

Company: David Evans and Associates, Inc.

Address: 15210 N. Scottsdale Rd., Suite 300,  
Scottsdale, AZ, 85254

Address: 4600 E. Washington St., Suite 250, Phoenix, AZ 85034

Phone: 480-949-6800 Fax:   
E-mail: gmelara@nelsonpartners.com /  
RDeitrick@nelsonpartners.com

Phone: 602-474-9261 Fax: 602-678-5155

E-mail: bho@deainc.com

Please indicate in the checkbox below the requested review methodology (please see the descriptions on page 2).

- This is not required for the following Development Application types: AN, AB, BA, II, GP, TA, PE and ZN. These applications<sup>1</sup> will be reviewed in a format similar to the Enhanced Application Review methodology.

**Enhanced Application Review:** I hereby authorize the City of Scottsdale to review this application utilizing the Enhanced Application Review methodology.

**Standard Application Review:** I hereby authorize the City of Scottsdale to review this application utilizing the Standard Application Review methodology.

Owner Signature

Agent/Applicant Signature

Official Use Only

Submittal Date:

Development Application No.:

### Planning, Neighborhood & Transportation

7447 East Indian School Road Suite 105, Scottsdale, Arizona 85251 Phone: 480-312-7000 Fax: 480-312-7088

City of Scottsdale's Website: [www.scottsdaleaz.gov](http://www.scottsdaleaz.gov)