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Ordinance 4295

Planning Commission Hearing 12/14/2016 City Council Hearing 03/7/2017

Case History

613-PA-2016

23-ZN-2016

6922 Mixed Use

Item 3

CITY COUNCIL REPORT

Meeting Date: General Plan Element: General Plan Goal:

March 7, 2017 Land Use Create a sense of community through land uses

ACTION

6922 Mixed Use 23-ZN-2016

Request to consider the following:

 Adopt Ordinance No. 4295 approving a Zoning District Map Amendment from Central Business, Downtown Overlay (C-2 DO) to Downtown/Downtown Multiple Use – Type 2 Downtown Overlay (D/DMU-2 DO) zoning with Amended Development Standards on a +/- 2,063 square foot site located at 6922 E. 5th Avenue.

Goal/Purpose of Request

The applicant's proposal would allow for a new four-story mixed-use development containing 1,281 square feet of non-residential floor area and 3,827 sq. ft. of upper floor residential space, with Amended Development Standards for building setbacks, building location and stepbacks.

Key Items for Consideration

- Project represents significant reinvestment and revitalization of the property
- Consistency with General Plan, Downtown Plan, Downtown Urban Design and Architectural Guidelines
- No known opposition
- Planning Commission heard this case on December 14, 2016 and recommended approval with a vote of 7-0

OWNER

KB on 5th LLC 480-599-7543

APPLICANT CONTACT

Brian Stark Ben Knowles 602-505-9116

Action Taken



LOCATION

6922 East 5th Avenue

BACKGROUND

General Plan

The General Plan Land Use Element designates the property as Mixed-use Neighborhoods. This category includes higher density housing combined with office and retail uses, often in mixed-use structures, such as this proposal. Mixed-use neighborhoods also are located in areas with access to multiple modes of transportation. The site is also located in a growth area, as designated by the Growth Areas Element of the General Plan. Growth areas are those that are best able to accommodate future growth and have a focus on enhanced transportation systems and infrastructure.

Character Area Plan

The Downtown Future Land Use map of the Downtown Plan designates the site as Downtown Multiple Use Type 2 and it is within the Arizona Canal Conceptual Urban Neighborhood. The Downtown Multiple Type 2 land use encourages new development, redevelopment and infill that strengthens the Downtown's mix of uses and activities through mutually supportive uses. The land use also seeks vertically mixed land uses with redevelopment that is located adjacent to the Arizona Canal.

Zoning

The site is zoned Central Business Downtown Overlay (C-2 DO). The C-2 district allows for retail, office and personal services. The Downtown Overlay district encourages dwelling units in mixed-use developments and stimulates sustainable live/work lifestyles in an urban environment.

Context

The subject property is located at 6922 East 5th Avenue, which is located within the western end Scottsdale's Downtown area, along East 5th Avenue between North Goldwater Boulevard and East Indian School Road. Please refer to context graphics attached.

Adjacent Uses and Zoning

- North: Arizona Canal zoned Central Business Downtown Overlay (C-2 DO), and further north are existing single family residential homes zoned Single Family Residential (R1-10) and attached townhouse and Townhouse Residential (R-4).
- South: East 5th Avenue, and further south are existing retail and office buildings zoned Downtown / Office Commercial – Type 2 Planned Block Development Overlay Downtown Overlay (D/OC-2 PBD DO)
- East: Office building zoned Central Business Downtown Overlay (C-2 DO)
- West: Mixed use office/residence zoned Downtown / Office Residential Type 2 Downtown Overlay (D/OR-2 DO)

Other Related Policies, References:

Scottsdale General Plan 2001, as amended Downtown Plan Downtown Urban design and Architectural Guidelines Zoning Ordinance 35-DR-1976: Approved office building on subject property

APPLICANTS PROPOSAL

Development Information

٠	Existing Use:	Office building
٠	Proposed Use:	Office building with one residence
٠	Parcel Size:	2,063 square feet (.047 acre)
•	Building Height Allowed:	36-feet (with the current C-2 zoning), 66 feet with the proposed D/DMU-2 zoning
•	Building Height Proposed:	53-feet inclusive of rooftop appurtenance
٠	Parking Required:	2 spaces (no new parking stalls required)
•	Parking Provided:	2 spaces
٠	Gross Floor Area Ratio Allowed:	1.3
•	Gross Floor Area Ratio Provided:	0.34
•	Density Allowed:	3.94 dwelling units (50 dwelling units per acre)
٠	Density Proposed:	1 dwelling unit

IMPACT ANALYSIS

Land Use

The General and Downtown Plan's designations encourage new developments, redevelopment and infill that strengthen the Downtown's mix of uses and activities through mutually supportive land uses. The applicant's narrative includes a summary of the development and how the requested zoning conforms to the policies of both the General and Downtown Plans.

The proposed use for the site area is a mixed-use development that contains both residential and non-residential land uses in one building. The proposed zoning designation of Downtown / Multiple Use – Type 2 Downtown Overlay (D/DCC-2 DO) allows the proposed uses, and is consistent with the General Plan and Downtown Plan. In addition, the proposed development is consistent with the Downtown Plan as it pertains to maintaining a 24-hour mixed use center with a variety of housing types in Downtown area (DP LU 1.2, DP LU 1.3, DP LU 6.1 and DP LU 6.2).

Amended Development Standards

Included as part of this application, the owner is requesting Amended Property Development

Standards. In accordance with the Downtown district, the City Council may approve amendments to the Property Development Standards that conform to the Downtown Plan and Downtown Plan Urban Design & Architectural Guidelines (DUDAG). The proposed amendments that are requested pertain to the setbacks, stepbacks, and setback/building location/stepback exceptions requirements (Exhibit B to Attachment). The setback and building location exception standards are to ensure street frontages that provide consistency between neighboring properties. The proposed development addresses the intent of these standards by maintaining and incorporating a setback and building location that is consistent with the neighboring properties, which promotes a coherent and consistent street frontage that is pedestrian oriented with a setback pattern of similar building locations and variations (DP CD 5, 5.1, M3.3, and DUDAG Goal 7, A8, A9).

The stepbacks and stepback exceptions standards are to assist with a building's perceived height and bulk. The proposed development addresses the intent of these standards by stepped back upper portion of the building to toward the interior of the site, treating the building's form with a composition of smaller parts and including a defined base, middle, and top (DP CD 1.4, 1.8, 8.1, and 8.2, DUDAG Goal 4, and B1). In addition, the proposed development standards and design assisting in mitigating the building size in comparison to the adjacent buildings.

Traffic

East 5th Avenue is an unclassified commercial street. The Transportation Department has reviewed the application and has determined that the proposed plan will not negatively impact the capacity of the affected alley and streets, and parking will be provided on-site.

Water/Sewer

The City's Water Resources Department has reviewed this application and has determined that there is adequate water and waste water services to serve the development.

Public Safety

The Fire Department has reviewed this application and has determined that there is adequate ability to provide fire and emergency services to the development. The nearest fire station is located at 7522 East Indian School Road.

Community Involvement

Staff and the applicant have mailed notifications to property owners within 750 feet of the site, and the applicant held an open house on August 29, 2016. Seven residents attended the open house. A copy of the applicant's Citizen Involvement Report is included as Attachment #10.

OTHER BOARDS AND COMMISSIONS

Planning Commission

Planning Commission heard this case on December 14, 2016 and recommended approval with a vote of 7-0.

Staff's Recommendation to Planning Commission

Staff recommended that the Planning Commission find that the Zoning District Map Amendment and Amended Development Standards are consistent and conform to the Downtown Plan,

Downtown Urban Design and Architectural Guidelines, and conform to the adopted General Plan, and make a recommendation to City Council for approval per the attached stipulations.

City Council

On February 21, 2017, the City Council continued this application to the March 7, 2017 City Council hearing at request of the applicant with a vote of 7-0.

STAFF RECOMMENDATION

Recommended Approach:

Adopt Ordinance No. 4295 approving a Zoning District Map Amendment from Central Business, Downtown Overlay (C-2 DO) to Downtown/Downtown Multiple Use – Type 2 Downtown Overlay (D/DMU-2 DO) zoning with amended development standards on a +/- 2,063 square foot site located at 6922 E. 5th Avenue.

RESPONSIBLE DEPARTMENT

Planning and Development Services Current Planning Services

STAFF CONTACT

Dan Symer, AICP Senior Planner 480-312-4218 E-mail: dsymer@ScottsdaleAZ.gov

APPROVED BY mer AICP, Report Author

Tim Curtis, AICP, Current Planning Director

480-312-4210, tcurtis@scottsdaleaz.gov

Randy Grant, Director Planning and Development Services 480-312-2664, rgrant@scottsdaleaz.gov

<u>2/17/2017</u> Date

Date 241/17

ATTACHMENTS

- 1. Context Aerial
- 1A. Aerial Close-Up
- 2. Ordinance No. 4295 **Exhibit 1: Stipulations** Exhibit A to Exhibit 1: Site Plan Exhibit B to Exhibit 1: Amended Development Standards Exhibit 2: Zoning Map
- 3. Applicant's Narrative
- 4. General Plan Land Use Map
- 5. Downtown Future Land Use Map
- 6. Current Zoning Map
- 7. Building Elevations
- 8. Perspectives
- 9. Citizen Involvement
- 10. City Notification Map
- 11. December 14, 2016 Planning Commission Minutes





ORDINANCE NO. 4295

100.00.0

AN ORDINANCE OF THE 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. 23-ZN-2016 FROM CENTRAL BUSINESS, DOWNTOWN OVERLAY (C-2 DO) TO DOWNTOWN/DOWNTOWN MULTIPLE USE—TYPE 2 DOWNTOWN OVERLAY (D/DMU-2 DO) ZONING WITH AMENDED DEVELOPMENT STANDARDS ON A +/- 2,063 SQ. FT. SITE LOCATED AT 6922 E 5TH AVENUE.

WHEREAS, the Planning Commission held a hearing on December 14, 2016;

WHEREAS, the City Council held a hearing on March 7, 2017; 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. 23-ZN-2016.

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

Section 1. That the "District Map" adopted as a part of the Zoning Ordinance of the City of Scottsdale, showing the zoning district boundaries, is amended by rezoning a +/- 2,063 sq. ft. located at 6922 E 5th Avenue and marked as "Site" (the Property) on the map attached as Exhibit 2, incorporated herein by reference, from Central Business, Downtown Overlay (C-2 DO) to Downtown/Downtown Multiple Use---Type 2 Downtown Overlay (D/DMU-2 DO) zoning with amended development standards.

<u>Section 2</u>. That the above rezoning 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 _____ day of , 2017.

By:

ATTEST:

CITY OF SCOTTSDALE, an Arizona Municipal Corporation

W.J. "Jim" Lane

Mayor

By:

Carolyn Jagger City Clerk

APPROVED AS TO FORM: OFFICE OF THE CITY ATTORNEY By:

Bruce Washburn, City Attorney By: Joe Padilla, Deputy City Attorney



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

Text deletions indicated with a **bold strikethroughs**, and text in are additions in **bold letters** are modifications made after the Planning Commission's recommendation to the City Council.

SITE DESIGN

- CONFORMANCE TO CONCEPTUAL SITE PLAN. Development shall conform with the conceptual site plan submitted by Stark James and with the city staff date of 10/19/16, attached as Exhibit A to Exhibit 1. Any proposed significant change to the conceptual site plan, as determined by the Zoning Administrator, shall be subject to additional action and public hearings before the Planning Commission and City Council.
- CONFORMANCE TO AMENDED DEVELOPMENT STANDARDS. Development shall conform with the amended development standards pertaining to setbacks, stepbacks, and setback/building location/stepback exceptions with the city staff date of 10/19/16, attached as Exhibit B to Exhibit 1. Any change to the development standards shall be subject to additional public hearings before the Planning Commission and City Council.
- BUILDING HEIGHT LIMITATIONS. No building on the site shall exceed 46-53-feet in height inclusive of roof top appurtenance, measured as provided in the applicable section of the Zoning Ordinance.
- 4. DWELLING UNITS OR TRAVEL ACCOMMODATION UNITS. The maximum number of dwelling units or travel accommodation units is one (1). Additional units may be allowed provided that the owner provide additional parking in accordance with the Zoning Ordinance, and the building complies with the applicable building and fire code requirements.
- 5. GROUND FLOOR FRONT BUILDING SETBACK. The midpoint corner of the ground floor of the building nearest to East 5th Avenue shall be setback a minimum of twelve (12) feet from the back of the curb of East 5th Avenue as indicate on Exhibit A to Exhibit 1. The southeast and southwest corners of the ground floor of the building shall be setback a minimum of sixteen (16) feet from the back of the curb of the East 5th Avenue as indicate on Exhibit A to Exhibit 1.

INFRASTRUCTURE AND DEDICATIONS

 CIRCULATION IMPROVEMENTS. Prior to any permit issuance for the development project the owner shall make the required dedications.

Case 23-ZN-2016

 STREETS. Dedicate the following right-of-way and construct the following street improvements:

Street Name	Street Type	Dedications	Improvements	Notes and Requirements
East 5 th Avenue	Unclassified Local Commercial Street	Existing 40-foot northwest half street	Existing	a.1., a.2.
Alley	Alley	Two (2) additional feet for a total southeast 10- foot half alley	Pavement	a.1., a.3., a.4.

- a.1. All street improvements (curb, gutter, sidewalk, curb ramps, driveways, pavement, concrete, etc.) shall be constructed in accordance with the applicable City of Scottsdale's Supplements to the Maricopa Association of Governments (MAG) Uniform Standard Specifications and Details for Public Works Construction, and Maricopa Association of Governments (MAG) Uniform Standard Specifications and Details for Public Works Construction and the Design Standards and Policies Manual.
- a.2. The property owner shall remove and replace any broken sidewalk abutting East 5th Avenue to match the existing widths.
- a.3. Prior to issuance of any building permits for the development project, the owner shall dedicate to the City additional right of way so that a total of a 10 foot wide southeast half alley right of way is provided abutting the property.
- a.4. The property owner shall mill and pave the alley directly adjacent to the property.

7. EASEMENTS.

a. EASEMENTS CONVEYED BY SEPARATE INSTRUMENT. Prior to issuance of any building permit for the development project, each easement conveyed to the city separate from a final plat shall be conveyed by an instrument or map of dedication subject to city staff approval, and accompanied by a title policy in favor of the City, in conformance with the Design Standards and Policies Manual.

CANAL

CANAL WALK



GENERAL NOTES Ordinance No. 4295 Exhibit A to Exhibit 1 KEY NOTES 23-ZN-2016 BOYOLE PARKING, ONE RUNG & BRACED FER 10/19/2016 Page 1 of 1 PROJECT INFORMATION PROJECT NAME 6022 MORED LINE OT ADDRESS BOOTTBOALE AT B 178-48-040 VALLEY PLAN 04 00 INT ZONG 0.00 B.OOR AREA 1.8 B.OOR AREA BATTO AZ 85251 173-48-040 ш 1173 8 ----000 8F 328 SF 8,827 SF 8,434 SF -----SCOTTSDALE A.P.N. 2 SPACES RECUI TYALOW BO LINTER TY PROMOTO 4.21 UNITEACH GLINED OUTDOOR LANKS BRACE -OBED GUTDOOR LINNS SPACE 1,200 8 DEVELOPMENT REVIEW BOARD # 613-PA-2016 VICINITY MAP --2 2 ------1.0 A OVERALL SITE PLAN

AMENDED DEVELOPMENT STANDARDS FOR VALLEY PLAZA, CASE # 23-ZN-2016

Sec. 5.3006. - Property development standards.

C.

Setbacks from public streets, except alleys.

1.

The minimum setback from public streets (except alleys) is shown in Table 5.3006.C.

The setback is measured from the back of curb.

Minimum Setback for Buildings Adjacent to Public Streets, except alleys				
Minimum Building Setback				
30 feet				
30 feet				
40 feet				
40 feet				
20 feet				
16 FEET				

Ordinance No. 4295 Exhibit B to Exhibit 1 Page 1 of 4 23-ZN-2016 10/19/16

All other public streets and public street segments in the Type 1 Area	14 feet
All other public streets and public street segments in the Type 2 Area	20 feet
Note: See the Downtown Plan Urban Design & Architectural Guidelines for lopublic streets and setbacks above.	ocations of the

F.

Building location.

1.

A building adjacent to a public street (except alleys) shall be located as follows:

b.

In a Type 2 Area, at least twenty-five (25) percent of the:

i.

Length of the building façade shall be shall be located at the minimum setback;

ii.

Length of a building façade at grade and up to a height of thirty (30) feet shall be set back at least ten (10) additional feet; and

iii.

Area of the building façade at grade and up to a height of thirty (30) feet shall be located at the minimum setback.

c.

IN A TYPE 2 AREA WITH A LOT WIDTH OF THIRTY (30) FEET OR LESS, THE LENGTH AND AREA OF THE BUILDING FAÇADE AT GRADE AND UP TO THIRTY THREE (33) FEET SHALL BE LOCATED AT THE MINIMUM SETBACK.

H.

Stepbacks.

IN A TYPE 2 AREA WITH A LOT WIDTH OF THIRTY (30) FEET OR LESS

THE STEPBACK PLANE SHALL INCLINE AT A RATIO OF 3:1, BEGINNING THIRTY THREE (33) FEET ABOVE THE MINIMUM SETBACK FROM A PUBLIC STREET (EXEPT ALLEYS).

b.

a.

THE STEPBACK PLANE SHALL INCLINE AT A RATIO OF 4:1, BEGINNING THIRTY THREE (33) FEET ABOVE THE MINIMUM SETBACK FROM AN ALLEY.

C.

THE STEPBACK PLANE SHALL INCLINE AT A RATIO OF 4:1, BEGINNING THIRTY THREE (33) FEET ABOVE A SIDE PROPERTY LINE WHEN ABUTTED TO AN ADJACENT BUILDING.

I.

Exceptions to building location, setback, prevailing setback and stepback standards.

3.

Subject to design approval by the Development Review Board, in a Type 2 Area, a maximum fifteen (15) feet exception to stepback and setback standards above the first floor (not specified in 1.2. above), is allowed for projections that:

a.

A MAXIMUM FIFTEEN (15) FEET EXCEPTION TO STEPBACK AND SETBACK REQUIREMENTS ABOVE THE FIRST FLOOR IS ALLOWED FOR PROJECTIONS THAT Are less than fifty (50) percent of the length of the segment of the building façade where the projections occur; and

b.

A MAXIMUM FIFTEEN (15) FEET EXCEPTION TO STEPBACK AND SETBACK REQUIREMENTS ABOVE THE FIRST FLOOR IS ALLOWED FOR PROJECTIONS THAT Are less than thirty-three (33) percent of the surface area of the segment of the building facade where the projections occur; AND

C.

A MAXIMUM SIX (6) FOOT ENCROACHMENT INTO THE GROUND FLOOR STEPBACK/SETBACK IS ALLOWED IF THE ENCROACHMENT IS LESS THAN FIFTY (50) PERCENT OF THE LENGTH OF THE SEGMENT OF THE BUILDING FAÇADE WHERE THE ENCROACHMENT OCCURS, AND THE ENCROACHMENT IS OFFSET INTERNALLY FROM THE SETBACK BY AN EQUIVALENT SQUARE FOOTAGE.

> Ordinance No. 4295 Exhibit B to Exhibit 1 Page 3 of 4

7.

The minimum setback from public street (except alleys) shall be equal to the average prevailing setback of all buildings on the same frontage, but in a Type 2 Area, not less than sixteen (16) feet.

10.

7.

Where the building location requirements in F.1. above can not be met due to the location of the street line, the following shall apply:

a.

In a Type 1 Area, at least fifty (50) percent of the:

i.

Length of the building façade shall be located at the street line; and

ii.

Area of the building façade at grade and up to a height of thirty (30) feet shall be located at the minimum setback.

b.

In a Type 2 Area, at least twenty-five (25) percent of the:

i.

Length of the building façade shall be shall be located at the street line;

ii.

Length of a building façade at grade and up to a height of thirty (30) feet shall be set back at least ten (10) additional feet; and

iii.

Area of the building façade at grade and up to a height of thirty (30) feet shall be located at the minimum setback.

C.

IN A TYPE 2 AREA WITH A LOT WIDTH OF THIRTY (30) FEET OR LESS, THE LENGTH AND AREA OF THE BUILDING FAÇADE AT GRADE AND UP TO THIRTY THREE (33) FEET SHALL BE LOCATED AT THE MINIMUM SETBACK.



e Antonio de Carlos de



November 4, 2016

RE: 6922 Mixed Use Rezoning/Amendments #23-ZN-2016 6922 East 5th Avenue Scottsdale, AZ 85251

ZONING DISTRICT MAP AMENDMENT NARRATIVE:

Overview:

The 6922 Mixed Use project is located on a site that is currently zoned as C2 D0 with a maximum building height of 36'. The current Downtown District that applies to this area is Downtown Multiple Use-Type 2 (D/DMU-2) which stipulates the building's setback and stepback requirements.

Purpose:

This application is to rezone the property to D/DMU-2 in order to achieve an allowable building height of 44'. There will also be requested amendments to the zoning ordinance to allow the building to enter into the stepback area as defined in Section 5.3006.

COMPLIANCE WITH GENERAL PLAN:

The intent of this design is to respond to the architectural character of the surrounding buildings as outlined in the General Plan, providing a mix of commercial and residential use, while responding sensitively to surrounding single family properties

The small proposed residence, within walking distance of the neighboring arts district and shopping areas, will contribute to the larger plan in promoting diversity and neighborhood vitality. Furthermore, it will add to the urban character, consisting of mixed use and higher density residential properties, and will address issues of pedestrian orientation, shade, and interaction with the street. It will also take into account relationships to new and existing building structures and layout of adjacent lots.

LAND USE GOAL 4: Maintain a balance of land uses that support a high quality of life, a diverse mixture of housing and leisure opportunities and the economic base needed to secure resources to support the community.

Response: This mixed-use project will contribute to the diversity of residential use in that it will introduce lower density single family residential into an area that currently is primarily commercial. Other proposed developments in the area are trending in the way of higher density multi-family, further adding to the residential diversity. In addition, the proposed commercial space on the lower level will supplement the opportunity for business to be conveniently located within easy walking distance of other nearby residential development.

6922 EAST 5TH AVENUE #200 SCOTTSDALE ARIZONA 85251 OFFICE 480.994.7340 FAX 480.994.7344 W W W . STAR K JA M E S . C O M

LAND USE GOAL 9: Provide a broad variety of land uses that create a high level of synergy within mixed-use neighborhoods.

Response: Currently, this area of 5th Avenue is alive and active during business hours and practically abandoned after 5:00 pm. The introduction of residential development will help to invigorate the area and stimulate business/retail beyond the 8-hour working day, which in turn will create a greater diversity of amenities within walking distance.

LAND USE GOAL 7: Sensitively integrate land uses into the surrounding physical and natural environments, the neighborhood setting, and the neighborhood itself.

Incorporate appropriate land use transitions to help integrate into surrounding neighborhoods.

Response: The low density of the proposed development will provide a smooth transition between the single-family residential neighborhoods northwest across the canal and existing/proposed commercial and multi-family developments along and southeast of 5th Avenue.

NEIGHBORHOODS GOAL 4: *Preserve and enhance the unique sense of neighborhood found in diverse areas of Scottsdale through neighborhood conservation.*

• Guide revitalization, redevelopment, and infill (new development in established areas) development to ensure that such development efforts are context-appropriate to the surrounding neighborhoods.

Response: Although we are proposing an increase in building height relative to the single family neighborhood to the north, the Arizona Canal provides a wide buffer between the two. The first floor of our building sits several feet below the Canal embankment, further reducing the visual impact. Due to the larger lot sizes across 5th Avenue, future developments may be built as high as 66'. Our proposed building at 44' therefore will act as a transition between the residential development outside of the Downtown Area and future development within the Downtown Area.

COMPLIANCE WITH CHARACTER AREA PLAN:

Per the Character Area Plan, the proposed building will be part of the development within the Multiple Use area adjacent to the Arizona Canal, incorporating vertically mixed land uses that activate the Canal with both visitors and residents year-round.

The building is consistent with other development in the Downtown Core, which is comprised of the lowest intensity of Downtown development in the Fifth Avenue, Marshall Way, Craftman's Court, Main Street, and Old Town areas. Retaining the small lot development pattern and active ground level land uses of the Downtown Core are some of the primary elements that give Downtown Scottsdale its most identifiable character.

We believe that this project will help to encourage the new development, redevelopment and infill that strengthens Downtown Scottsdale's mix of uses and activities through the development of mutually supportive land uses within the Downtown Multiple Use urban neighborhoods.

GOAL LU 1: MAINTAIN DOWNTOWN SCOTTSDALE AS THE COMMERCIAL, CULTURAL, CIVIC, AND SYMBOLIC CENTER OF THE COMMUNITY TO ENSURE A VIBRANT MIX OF MUTUALLY SUPPORTIVE LAND USES.

Response: Currently, this area of 5th Avenue is alive and active during business hours and practically abandoned after 5:00 pm. The introduction of residential development will help to invigorate the area and stimulate business/retail beyond the 8-hour working day, which in turn will create a greater diversity of amenities within walking distance.

GOAL LU 2: PROMOTE THE DEVELOPMENT OF DOWNTOWN AS A COLLECTION OF MIXED-USE URBAN NEIGHBORHOODS.

Policy LU 2.1. As a General Plan designated Mixed-Use Neighborhood, Downtown Scottsdale should offer efficiencies of strong access to multiple modes of transportation and major regional access and services, focus on human scale development, accommodate higher density housing combined with complementary office or retail uses, and accommodate vertical mixed-use structures.

Response: The lower density of the proposed development will provide a smooth transition between the single-family residential neighborhoods northwest across the canal and existing/proposed commercial and multi-family developments along and southeast of 5th Avenue. The project's adjacency to the Arizona Canal multiuse path helps to further integrate it with pedestrian use. The proposed entry courtyard creates a shaded area while engaging the street/sidewalk and establishing a sense of human scale. The ground level office/retail will invigorate this area of 5th Avenue, bringing ground-level commercial use similar to that east of Goldwater and integrating it with 3 stories of higher density residential above. With multiple Valley Metro bus stops within walking distance and access to Scottsdale Trolley routes servicing the Downtown Area, the location of the proposed project makes it convenient for access to other office/retail amenities within the Downtown area.

GOAL LU 6: PROMOTE DIVERSITY IN DOWNTOWN HOUSING OPTIONS.

Policy LU 6.1. Develop a variety of housing types such as apartments, condominiums, lofts, town homes, patio homes, and live/work units.

Policy LU 6.2. Recognize the need for housing developments that are large scale projects with numerous units and amenities, as well as small infill projects with a limited number of units.

Response: This mixed-use project will contribute to the diversity of residential use in that it will introduce lower density single family residential into an area that currently is primarily commercial. Other proposed developments in the area are trending in the way of higher density multi-family, further adding to the residential diversity. In addition, the proposed commercial space on the lower level will supplement the opportunity for business to be conveniently located within easy walking distance of other nearby residential development.

GOAL LU 7: SUPPORT A MIX OF LAND USES THAT PROMOTE A SUSTAINABLE DOWNTOWN. Policy LU 7.1. Support Downtown sustainability by encouraging vertical mixed-use development that offers land uses in close proximity to one another.

Policy LU 7.2. Encourage development to make cost effective use of existing urban resources such as infrastructure systems, underutilized sites, buildings, and transportation networks.

Response: The redevelopment of this site from an aging commercial building to a vibrant, urban residential development will bring housing and synergy to the western segment of Downtown Scottsdale utilizing existing infrastructure systems and transportation networks that run near and adjacent to the Property.

GOAL GD 1: THE DESIGN CHARACTER OF ANY AREA SHOULD BE ENHANCED AND STRENGTHENED BY NEW DEVELOPMENT THAT PROMOTES CONTEXTUAL COMPATIBILITY.

GOAL CD 8: IMPLEMENT HIGH QUALITY DESIGN IN DOWNTOWN ARCHITECTURE.

Response: The lower density of the proposed development will provide a smooth transition between the single-family residential neighborhoods northwest across the canal and existing/proposed commercial and multi-family developments along and southeast of 5th Avenue.

The activity of the commercial first floor unit is evident from the street through the extensive use of glass along the 5th Avenue façade. Variation at the ground floor level is created by the setback of the entry area, creating a shaded entry court which integrates with the streetscape and is softened by the use of low water use native landscaping. Bike parking further integrates the streetscape, encouraging multiple modes of transportation.

The upper floors have a direct connection to the street and surrounding panoramas through the use of extensive glass on the north and south elevations. Balconies act as outdoor living areas for each floor, further strengthening the connection between private and public. The mass of the building is broken down by deep balconies, variations in façade setback, and further stepping back of the fourth story on all sides.

The simplified use of materials, exposed steel, glass and smooth stucco, creates a modern aesthetic while a muted palette compliments other more southwest-themed traditional structures in the area.

Four-sided architecture:

While the most prominent elevations are the south, addressing 5th Avenue, and the north, addressing the canal, all four sides respond to their surroundings in unique ways. The third floor of the west elevation matches the height of the modern structure to the west, creating an impression of continuity, while the more exposed east elevation will complement the lighter color palette of the lower buildings to the east. Also expressed on the east elevation is the vertical circulation component, containing the elevator and stairs and further breaking up the mass of this elevation.

The northwest-facing elevation takes advantage of views across the Canal of Camelback Mountain, while the southeast-facing elevation addresses the streetscape, providing protection through deep shaded balconies. Large amounts of glass on both elevations bring daylight into the space while creating a sense of transparency that further breaks up the mass of the building.

GOAL CD 2: DEVELOPMENT SHOULD SENSITIVELY TRANSITION IN SCALE, HEIGHT, AND INTENSITY AT THE DOWNTOWN PLAN BOUNDARY AND BETWEEN ADJOINING URBAN NEIGHBORHOODS OF DIFFERING DEVELOPMENT TYPES.

Policy CD 2.1. The scale of existing development surrounding the Downtown Plan boundary should be acknowledged and respected through a sensitive edge transition buffer, established on a location specific basis, that may include transitional development types, landscape buffers, and sensitive architectural design solutions to address building mass and height.

Response: The lower density of the proposed development will provide a smooth transition between the single-family residential neighborhoods northwest across the canal and existing/proposed commercial and multi-family developments along and southeast of 5th Avenue. Although we are proposing an increase in building height relative to the single family neighborhood to the north, the Arizona Canal provides a wide buffer between the two. The first floor of our building sits several feet below the Canal embankment, further reducing the visual impact. Due to the larger lot sizes across 5th Avenue, future developments may be built as high as 66'. Our proposed building at 44' therefore will act as a transition between the residential development outside of the Downtown Area and future development within the Downtown Area.

GOAL CD 3: DOWNTOWN DEVELOPMENT SHOULD RESPECT AND RESPOND TO THE UNIQUE CLIMATE AND CONTEXT OF THE SOUTHWESTERN SONORAN DESERT.

Response: Variation at the ground floor level along 5th Avenue is created by the setback of the entry area, creating a recessed entry court which provides shade for pedestrians and further integrates the building with the streetscape. This is softened and complimented by planters containing low water use native landscaping.

GOAL CD 5: CREATE COHERENT AND CONSISTENT STREET SPACES.

Response: While the proposed building allows a portion of the existing structure at the ground floor level along 5th Avenue to remain within the setback, this is offset by the deeper setback of the entry area, creating a recessed entry court which provides shade for pedestrians and further integrates the building with the streetscape. This is softened and complimented by planters containing low water-use native landscaping. Upper floors with deep balconies provide additional layers of shade to the street below and create a variation of depth which breaks down the building mass to address human scale. This is consistent with adjacent structures along the streetscape, which contain shaded court and seating areas that interact with the pedestrian environment.

GOAL CD 9: DEVELOPMENT SHOULD INCORPORATE SUSTAINABLE BUILDING PRACTICES AND PRODUCTS.

Response: Portions of the existing structure will be preserved and maintained to reduce the impact of the building and limit construction waste. The large amount of glass will enhance natural daylighting while limiting the requirements for artificial lighting use. The exposure of this glass along the southeast-facing elevation will be protected and shaded by deep overhanging balconies. Cross-ventilation will be provided through the open floor plan and operable windows/doors at opposite ends of the space. Planters containing low water-use native landscaping will soften the shaded entry courtyard.

GOAL EV 2: PROMOTE PRIVATE INVESTMENT AND ATTRACT NEW DEVELOPMENT TO DOWNTOWN.

Policy EV 2.1. Encourage new development and reinvestment that maintains Downtown's economic edge in the region.

Policy EV 2.2. Promote a mix of daytime/nighttime activities year-round through new development that includes vertically mixed land uses and a diverse range of housing development.

Policy EV 2.3. Encourage private reinvestment through flexible policies, practices, and incentives that work with the private sector to respond to functional and economic changes in the Downtown.

Policy EV 2.4. Promote the retention of existing major Downtown employers and accommodate their future expansion needs.

Policy EV 2.5. Promote additional employment opportunities that will attract a variety of office and commercial development to Downtown.

Policy EV 2.7. Attract and retain a broad array of economic activities that widen the appeal of Downtown and strengthen the city's tax base.

Response: This mixed-use project will contribute to the diversity of residential use in that it will introduce lower density single family residential into an area that currently is primarily commercial. Other proposed developments in the area are trending in the way of higher density multi-family, further adding to the residential diversity. In addition, the proposed commercial space on the lower level will supplement the opportunity for business to be conveniently located within easy walking distance of other nearby residential development. Currently, this area of 5th Avenue is alive and active during business hours and practically abandoned after 5:00 pm. The introduction of residential development will help to invigorate the area and stimulate business/retail beyond the 8-hour working day, which in turn will create a greater diversity of amenities within walking distance. There are currently no other similar larger-scale single family residential developments like this in the Downtown Core. This project will spur similar development, appealing to professionals looking to bring their business downtown.

JUSTIFICATIONS FOR REQUESTED AMENDMENTS TO ZONING ORDINANCE:

TABLE 5.3006.C.

Minimum Setback for Buildings Adjacent to Public Streets, except alleys:

DOWNTOWN MULTIPLE USE WHERE LOT WIDTH IS 30 FEET OR LESS: 16' FROM BACK OF CURB

The reasoning for this request is to ease the square footage restrictions for small lots which share street frontage with large adjacent lots, while still providing setback variation among facades along the same street frontage.

5.3006.F.1.c.

IN A TYPE 2 AREA WITH A LOT WIDTH OF THIRTY (30) FEET OR LESS, THE LENGTH AND AREA OF THE BUILDING FAÇADE AT GRADE AND UP TO THIRTY THREE (33) FEET SHALL BE LOCATED AT THE MINIMUM SETBACK.

The reasoning for this request, as above, is to ease the square footage restrictions for small lots which share street frontage with large adjacent lots, while still providing setback variation among facades along the same street frontage. In addition, the increase to the 33' height in this case, would allow the 3rd floor of the proposed building at 6922 East 5th Avenue to align with the top of the adjacent parapet at 6916 East 5th Avenue.

5.3006.H.7.

IN A TYPE 2 AREA WITH A LOT WIDTH OF THIRTY (30) FEET OR LESS

a.

THE STEPBACK PLANE SHALL INCLINE AT A RATIO OF 3:1, BEGINNING THIRTY THREE (33) FEET ABOVE THE MINIMUM SETBACK FROM A PUBLIC STREET (EXEPT ALLEYS).

b.

THE STEPBACK PLANE SHALL INCLINE AT A RATIO OF 4:1, BEGINNING THIRTY THREE (33) FEET ABOVE THE MINIMUM SETBACK FROM AN ALLEY.

C.

THE STEPBACK PLANE SHALL INCLINE AT A RATIO OF 4:1, BEGINNING THIRTY THREE (33) FEET ABOVE A SIDE PROPERTY LINE WHEN ABUTTED TO AN ADJACENT BUILDING.

The reasoning for this request is to ease the square footage restrictions for the upper floors of small lots which share street frontage with large adjacent lots, while still providing variation of height and depth among facades along the same street frontage.

5.3006.1.3.c.

Subject to design approval by the Development Review Board, in a Type 2 Area:

A MAXIMUM SIX (6) FOOT ENCROACHMENT INTO THE GROUND FLOOR STEPBACK/SETBACK IS Allowed if the Encroachment is less than FIFTY (50) percent of the length of the segment of the Building Façade where the Encroachment occurs, and the

ENCROACHMENT IS OFFSET INTERNALLY FROM THE SETBACK BY AN EQUIVALENT SQUARE FOOTAGE.

The reasoning for this request is to allow a portion of the existing building to remain within the 16' setback and to compensate for this encroachment, push a portion of that façade back, maintaining the intent for a dynamic façade and creating a shaded entry courtyard that addresses the street.

5.3006.I.10.c.

IN A TYPE 2 AREA WITH A LOT WIDTH OF THIRTY (30) FEET OR LESS, THE LENGTH AND AREA OF THE BUILDING FAÇADE AT GRADE AND UP TO THIRTY THREE (33) FEET SHALL BE LOCATED AT THE MINIMUM SETBACK.

The reasoning for this request, as above, is to ease the square footage restrictions for small lots which share street frontage with large adjacent lots, while still providing setback variation among facades along the same street frontage. In addition, the increase to the 33' height in this case, would allow the 3rd floor of the proposed building at 6922 East 5th Avenue to align with the top of the adjacent parapet at 6916 East 5th Avenue.

Summary:

The goal is to meet the intent of the Downtown Plan Urban Design & Architectural Guidelines. It is understood that the regulations were put in place to preserve the small lots and preclude buildings from being built too large or too tall. A large majority of the adjacent lots in this neighborhood would allow 66' tall buildings since their sites are much larger than the proposed site. This project is located on the smallest lot on the street and because of this, the current zoning would only allow a 30' tall building due to the stepbacks. Although this rezoning case is asking for a building height of 44', it would still be one of the shorter buildings when surrounding buildings are redeveloped and built to the allowable height. The proposed building would also respect the intent of the stepbacks, pushing the fourth floor back from the line of the lower floors adding to an already dynamic façade. This approach follows the guidelines of section B1 and zoning section 5.3006.F.b providing variations in the building to the West, and provide a shaded entry courtyard that activates the sidewalk.

Thank you for your consideration,

Brian Stark, LEED AP



















August 29, 2016

RE: Neighborhood Open House Meeting #613-PA-2016 6922 East 5th Avenue Scottsdale, AZ 85251

The meeting commenced at 6:00 p.m. In attendance were neighborhood residents Rick Whalen, Joe Martin, Tony Siegle, David Perry, Greg Campbell, property owners Bruce and Kim Raskin, and Brian Stark and Ben Knowles of Stark James LLC.

Rick Whalen, Joe Martin and Greg Campbell, all of whom live on Lafayette Blvd. on the opposite side of the canal, came initially with some concerns about the proposed height of the building and visibility into their back yards. A slide show was presented demonstrating the project's consistency with the intention of the code, along with renderings of the proposed building, showing stepbacks from property lines.

David Perry, owner of the adjacent property at 6928 E 5th Avenue, said that he was glad to see new development corning in to the area.

All in attendance came up to the second floor of the existing building to get an idea of the view across the canal, and there was a general consensus that visibility was not a significant issue.

Afterward, the group went across the canal to the home of Rick Whalen to get a view across the canal to the proposed building site.

 6922 EAST 5TH AVENUE #200

 SCOTTSDALE ARIZONA 85251

 OFFICE
 480.994.7340

 FAX
 480.994.7344

 W W W.STARKJAMES.COM

ATTACHMENT #9

23-ZN-2016 9/2/2016



August 18, 2016

RE: 6922 Mixed Use Rezoning Pre-Application #613-PA-2016 6922 East 5th Avenue Scottsdale, AZ 85251

OPEN HOUSE MEETING:

Monday, August 29th at 6:00 p.m., 6922 E. 5th Ave., Scottsdale, AZ 85251

Dear neighbor,

This letter is being sent in regards to a Zoning District Map Amendment application to be submitted for 6922 East 5th Avenue. The proposed application is to rezone the property to allow for a new four-story mixed use building containing office/retail space on the ground floor and three stories of residential above.

Overview:

The 6922 Mixed Use project is located on a site that is currently zoned as Central Business Downtown Overlay (C-2 DO). The current Downtown District that applies to this area is Downtown/Downtown Multiple Use-Type 2 (D/DMU-2).

Purpose:

This application is to rezone the property to D/DMU-2 in order to allow a building height of 44 feet. There will also be a requested amendment to the stepback requirements of the D/DMU-2 property development standard (Section 5.3006.I.3) to allow the building to enter into the stepback area.

The goal is still to meet the intent of the Downtown Plan Urban Design & Architectural Guidelines. It is understood that the regulations were put in place to preserve the small lots and preclude buildings from being built too large or too tall. A large majority of the adjacent lots in this neighborhood would allow 66' tall buildings since these sites are much larger than the proposed site. This project is located on the smallest lot on the street. Due to the lot size the current C-2 DO stepback requirements would only allow a 30 foot' tall building. This height is taller than other buildings in the area; but, is much less than buildings that are planned across the street. The proposed building would also respect the intent of the stepbacks by pushing the fourth floor back from the line of the lower floors, adding to an already dynamic façade. This approach follows the guidelines of section B1 and Zoning Section 5.3006.F.b providing variations in the building's façade. The building will follow section A1.2 by aligning to the form and height of the adjacent building to the west, and provide a shaded entry courtyard that activates the sidewalk.

If you have any questions, please feel free to call me at 602.505.9116 or email me at <u>bnan@starkjames.com</u>. You can also contact Dan Symer of the City of Scottsdale Zoning Department at 480-312-4218 or email at <u>dsymer@scottsdaleaz.gov</u>. or you may find additional project information at <u>https://eservices.scottsdaleaz.gov/bldgresources/PreApp/Search</u>.

Thank you,

Brian Stark, LEED AP

 6922 EAST 5TH AVENUE #200

 SCOTTSDALE ARIZONA 85251

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 480.994.7340

 FAX
 480.994.7344

 W W W.STAR KJAMES.COM

23-ZN-2016 9/2/2016
City Notifications – Mailing List Selection Map



Approved 1/11/17 (lc)



SCOTTSDALE PLANNING COMMISSION KIVA-CITY HALL 3939 DRINKWATER BOULEVARD SCOTTSDALE, ARIZONA

WEDNESDAY, DECEMBER 14, 2016

SUMMARIZED MEETING MINUTES

PRESENT: Matthew Cody, Vice Chair David Brantner, Commissioner Ali Fakih, Commissioner Michael J. Minnaugh, Commissioner Larry S. Kush, Commissioner Paul Alessio, Commissioner Prescott Smith, Commissioner

STAFF:

Tim Curtis Joe Padilla Greg Bloemberg Jesus Murillo Keith Niederer Bryan Cluff Dan Symer

CALL TO ORDER

Vice Chair Cody called the regular session of the Scottsdale Planning Commission to order at 5:05 p.m.

ROLL CALL

A formal roll call was conducted confirming members present as stated above.

* Note: These are summary action minutes only. A complete copy of the meeting audio is available on the Planning Commission page on ScottsdaleAZ.gov, search "Planning Commission"

Planning Commission Regular Meeting Minutes December 14, 2016 Page 2 of 4

MINUTES REVIEW AND APPROVAL

 Approval of November 9, 2016 Regular Meeting Minutes including the Study Session.

COMMISSIONER BRANTNER MOVED TO APPROVE THE NOVEMBER 9, 2016 REGULAR MEETING MINUTES INCLUDING THE STUDY SESSION, SECONDED BY COMMISIONER ALESSIO, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SEVEN (7) TO ZERO (0).

CONTINUANCE AGENDA

2. 4-GP-2016 (Scottsdale Heights)

Request by applicant to continue to the January 11, 2017 meeting.

Request by owner for a non-major General Plan amendment to the City of Scottsdale General Plan 2001 from Commercial to Urban Neighborhoods on +/- 14acres of a +/- 15.5-acre site located at 7225 East Dove Valley Road. Staff contact person is Keith Niederer, 480-312-2953. Applicant contact person is John Berry, 480-385-2727.

3. 9-ZN-2016 (Scottsdale Heights)

Request by applicant to continue to the January 11, 2017 meeting.

Request by owner for a Zoning District Map Amendment from Central Business District, Environmentally Sensitive Lands (C-2 ESL) to Medium Density Residential, Environmentally Sensitive Lands (R-3 ESL) on +/- 14-acres of a +/- 15.5-acre site located at 7225 East Dove Valley Road. Staff contact person is Keith Niederer, 480-312-2953. Applicant contact person is John Berry, 480-385-2727.

4. 10-AB-2016 (Scottsdale Heights Roadway Easement Abandonment)

Request by applicant to continue to the January 11, 2017 meeting.

Request by owner to abandon the eastern 30-feet of a 55-foot-wide roadway easement along the western edge of a property located at 7225 E. Dove Valley Road, with Central Business District, Environmentally Sensitive Lands (C-2 ESL) zoning. Staff contact person is Keith Niederer, 480-312-2953. Applicant contact person is John Berry, 480-385-2727.

Item No's 2, 3, and 4: Move to continue cases 4-GP-2016, 9-ZN-2016 and 10-AB-2016 to the January 11, 2017 meeting by a vote of four (4) to zero (0). Motion by Commissioner Brantner, 2nd by Commissioner Alessio. Commissioner Fakih and Commissioner Smith recused themselves.

* Note: These are summary action minutes only. A complete copy of the meeting audio is available on the Planning Commission page on ScottsdaleAZ.gov, search "Planning Commission" Planning Commission Regular Meeting Minutes December 14, 2016 Page 3 of 4

EXPEDITED AGENDA

- 5. Approval of the Planning Commission 2017 Calendar.
- 6. 19-ZN-2002#5 (BCB Group Investments)

Request by owner for a Zoning District Map Amendment from Planned Community, Planned Regional Center (PCD PRC) District to Planned Community, Planned Regional Center, Planned Shared Development (PCD PRC PSD) District on a +/-10-acre site located at the northeast corner of Scottsdale Road and Chauncey Lane. Staff contact person is Greg Bloemberg, 480-312-4306. Applicant contact person is Alexandra Schuchter, 480-947-8830.

7. 18-ZN-2013#2 (Scottsdale Quarter - Block L & M)

Request by applicant for a Zoning District Map Amendment to delete stipulation #5 from the previously approved zoning case for Phase III Blocks L & M of Scottsdale Quarter (18-ZN-2013), regarding floor area for residential uses on a +/-23.52 acre site, as well as site plan modifications in the Development Plan for Block L, on a +/- 6.07 acre site located at the northwest corner of E. Butherus Drive and N. 73rd Street. Staff contact person is Bryan Cluff, 480-312-2258. Applicant contact person is Paul Gilbert, 480-429-3000.

8. 20-ZN-2016 (Quail Crest Estates)

Request by owner for a Zoning District Map Amendment from Single-family Residential, Environmentally Sensitive Lands (R1-130 ESL), to Single-family Residential, Environmentally Sensitive Lands (R1-70 ESL) zoning on a +/-16.7-acre site located at the southeast corner of N. 132nd Street and E. Quail Track Road. Staff contact person is Jesus Murillo, 480-312-7849. Applicant contact person is Keith Nichter, 480-994-0994.

9. 21-ZN-2016 (Main Street Scottsdale Development)

Request by owner for a Zoning District Map Amendment from Central Business, Downtown Overlay and Parking P-2; Passenger Vehicle Parking, Downtown Overlay (C-2/DO and P-2/DO) to Downtown/Downtown Multiple Use – Type 2 (D/DMU-2 DO) zoning on a +/-1.93- acre site located at the southeast corner of North 69th Street and East Main Street, and approximately 95 feet east of the northeast corner North 69th Street and East 1st Street (6903, 6909, 6915, and 6939 E. Main Street and 6914, 6920, and 6930 E. 1st Street). Staff contact person is Dan Symer, AICP, 480-312-4218. Applicant contact person is John Berry, 480-385-2727.

Item No. 9: Recommended to City Council for approval of case 21-ZN-2016, by a vote of 6-0; Motion by Commissioner Brantner, per the staff recommended stipulations after determining that the proposed Zoning District Map Amendment is consistent and conforms with the adopted General Plan, 2nd by Commissioner Fakih. Commissioner Smith recused himself.

* Note: These are summary action minutes only. A complete copy of the meeting audio is available on the Planning Commission page on ScottsdaleAZ.gov, search "Planning Commission" Planning Commission Regular Meeting Minutes December 14, 2016 Page 4 of 4

10. 23-ZN-2016 (6922 Mixed Use)

Request by owner for a Zoning District Map Amendment from Central Business, Downtown Overlay (C-2 DO) to Downtown/Downtown Multiple Use—Type 2 Downtown Overlay (D/DMU-2 DO) zoning with amended development standards on a +/- 2,063 sq. ft. site located at 6922 E 5th Avenue. Staff contact person is Dan Symer, AICP, 480-312-4218. Applicant contact person is Brian Stark, 602-505-9116.

Item No's 5, 6, 7, 8 and 10: Move to approve the 2017 Planning Commission Calendar, and make a recommendation to City Council for approval of cases 19-ZN-2002#5, 18-ZN-2013#2, 20-ZN-2016 and 23-ZN-2016, by a vote of 7-0; Motion by Commissioner Brantner, per the staff recommended stipulations including revisions to case 20-ZN-2016, after determining that the PCD findings have been met, and the proposed Zoning District Map Amendments, Development Plan and Amended Development Standards are consistent and conform with the adopted General Plan, 2nd by Commissioner Alessio.

ADJOURNMENT

With no further business to discuss, the regular session of the Planning Commission adjourned at 5:18 p.m.

* Note: These are summary action minutes only. A complete copy of the meeting audio is available on the Planning Commission page on ScottsdaleAZ.gov, search "Planning Commission"

PLANNING COMMISSION REPORT



Meeting Date: General Plan Element: General Plan Goal: December 14, 2016 Land Use Create a sense of community through land uses

ACTION

6922 Mixed Use 23-ZN-2016

Request to consider the following:

 A recommendation to City Council regarding a request by owner for Zoning District Map Amendment from Central Business, Downtown Overlay (C-2 DO) to Downtown/Downtown Multiple Use – Type 2 Downtown Overlay (D/DMU-2 DO) zoning with amended development standards on a +/- 2,063 square foot site located at 6922 E. 5th Avenue.

Goal/Purpose of Request

The applicant proposal would allow for a new four-story mixed-use development containing 1,281 square feet of non-residential floor area and 3,827 s.f. of upper floor residential space, with Amended Development Standards for building setbacks, building location and stepbacks.

Key Items for Consideration

- Consistency with General Plan and Downtown Plan
- Consistency with the Downtown Urban Design and Architectural Guidelines
- No known opposition

OWNER

KB on 5th LLC 480-599-7543

APPLICANT CONTACT

Brian Stark Ben Knowles 602-505-9116



LOCATION

Action Taken

en _____

6922 East 5th Avenue

BACKGROUND

General Plan

The General Plan Land Use Element designates the property as Mixed-use Neighborhoods. This category includes higher density housing combined with office and retail uses, often in mixed-use structures, such as this proposal. Mixed-use neighborhoods also are located in areas with access to multiple modes of transportation. The site is also located in a growth area, as designated by the Growth Areas Element of the General Plan. Growth areas are those that are best able to accommodate future growth and have a focus on enhanced transportation systems and infrastructure.

Character Area Plan

The Downtown Future Land Use map of the Downtown Plan designates the site as Downtown Multiple Use Type 2 and it is within the Arizona Canal Conceptual Urban Neighborhood. The Multiple Type 2 land use encourages new development, redevelopment and infill that strengthens the Downtown's mix of uses and activities through mutually supportive uses. The land use also seeks vertically mixed land uses with redevelopment that is located to the Arizona Canal.

Zoning

The site is zoned Central Business Downtown Overlay (C-2 DO). The C-2 district allows for retail, office and personal services. The Downtown Overlay district encourages urban design forms to accommodate dwelling units in mixed-use developments and stimulates sustainable live/work lifestyles in an urban environment.

Context

The subject property is located at 6922 East 5th Avenue, which is located within the western end Scottsdale's Downtown area, along East 5th Avenue between North Goldwater Boulevard and East Indian School Road. Please refer to context graphics attached.

Adjacent Uses and Zoning

- North: Arizona canal zoned Central Business Downtown Overlay (C-2 DO), and further north are existing single family residential homes zoned Single Family Residential (R1-10)and attached townhouse and Townhouse Residential (R-4).
- South: East 5th Avenue, and further south are existing retail and office buildings zoned Downtown / Office Commercial – Type 2 Planned Block Development Overlay Downtown Overlay (D/OC-2 PBD DO)
- East: Office building zoned Central Business Downtown Overlay (C-2 DO)
- West: Mixed use office/residence zoned Downtown / Office Residential Type 2 Downtown Overlay (D/OR-2 DO)

Other Related Policies, References:

Scottsdale General Plan 2001, as amended

Downtown Plan Downtown Urban design and Architectural Guidelines Zoning Ordinance 35-DR-1976: Approved office building on subject property

APPLICANTS PROPOSAL

Development Information

٠	Existing Use:	Office building
٠	Proposed Use:	Office building with one residence
٠	Parcel Size:	2,063 square feet (.047 acre)
•	Building Height Allowed:	36-feet (with the current C-2 zoning), 66 feet with the proposed D/DMU-2 zoning
٠	Building Height Proposed:	46-feet inclusive of rooftop appurtenance
•	Parking Required:	2 spaces (no new parking stalls required)
٠	Parking Provided:	2 spaces
٠	Gross Floor Area Ratio Allowed:	1.3
٠	Gross Floor Area Ratio Provided:	0.34
٠	Density Allowed:	3.94 dwelling units (50 dwelling units per acre)
٠	Density Proposed:	1 dwelling unit

IMPACT ANALYSIS

Land Use

The General and Downtown Plan's designations encourage new developments, redevelopment and infill that strengthen the Downtown's mix of uses and activities through mutually supportive land uses. The applicant's narrative includes a summary of the development and how the requested zoning conforms to the policies of both the General and Downtown Plans.

The proposed use for the site area is a mixed-use development that contains both residential and non-residential land uses in one building. The proposed zoning designation of Downtown / Multiple Use – Type 2 Downtown Overlay (D/DCC-2 DO) allows the proposed uses, and is consistent with the General Plan and Downtown Plan. In addition, the proposed development is consistent with the Downtown Plan as it pertains to maintaining a 24-hour mixed use center with a variety of housing types in Downtown area (DP LU 1.2, DP LU 1.3, DP LU 6.1 and DP LU 6.2).

Amended Development Standards

Included as part of this application, the owner is requesting Amended Property Development Standards. In accordance with the Downtown district, the City Council may approve amendment to the Property Development Standards that conform to the Downtown Plan and Downtown Plan Urban Design & Architectural Guidelines (DUDAG). The proposed amendments that are requested pertain to the setbacks, stepbacks, and setback/building location/stepback exceptions requirements (Exhibit B to Attachment). The setback and building location exception standards are to assist in providing unified street frontage with supportive relationship between neighboring properties. The proposed development addresses the intent of these standards by maintaining and incorporating a setback and building location that is consistent with the neighboring properties, which promotes a coherent and consistent street frontage that is pedestrian oriented with a setback pattern of similar building locations and variations (DP CD 5, 5.1, M3.3, and DUDAG Goal 7, A8, A9).

The stepbacks and stepback exceptions standards are to assist with a building's perceived height and bulk. The proposed development addresses the intent of these standards by stepped back upper portion of the building to toward the interior of the site, treating the building's form with a composition of smaller parts and including a defined base, middle, and top (DP CD 1.4, 1.8, 8.1, and 8.2, DUDAG Goal 4, and B1). In addition, the proposed development standards and design assisting in mitigating the building size in comparison to the adjacent buildings.

Traffic

East 5th Avenue are unclassified commercial streets. The Transportation Department has reviewed the application and has determined that the proposed plan will not negatively impact the capacity of the affected alley and streets, and parking will be provided on-site.

Water/Sewer

The City's Water Resources Department has reviewed this application and has determined that there is adequate water and waste water services to serve the development.

Public Safety

The Fire Department has reviewed this application and has determined that there is adequate ability to provide fire and emergency services to the development. The nearest fire station is located at 7522 East Indian School Road.

Community Involvement

Staff and the applicant have mailed notifications to property owners within 750 feet of the site, and the applicant held an open house on August 29, 2016. Seven residents attended the open house. A copy of the applicant's Citizen Involvement Report is included as Attachment #10.

STAFF RECOMMENDATION

Recommended Approach:

Staff recommends that the Planning Commission find that the Zoning District Map Amendment and Amended Development Standards are consistent and conform to the Downtown Plan, Downtown Urban Design and Architectural Guidelines, and conform to the adopted General Plan, and make a recommendation to City Council for approval per the attached stipulations.

RESPONSIBLE DEPARTMENT

Planning and Development Services

Current Planning Services

STAFF CONTACT

Dan Symer, AICP Senior Planner 480-312-4218 E-mail: dsymer@ScottsdaleAZ.gov

APPROVED BY

her, AICP, Report Author Sv

Tim Cur , ANCP, Current Planning Director 480-312-4210, tcurtis@scottsdaleaz.gov

dy Grant, Director Planning and Development Services 480-312/2664, rgrant@scottsdaleaz.gov

-30-2016

12/2/2016 Date

ATTACHMENTS

- 1. Context Aerial
- 1A. Aerial Close-Up
- Stipulations
 Exhibit A to Attachment 2: Site Plan
 Exhibit B to Attachment 2: Amended Development Standards
- 3. Applicant's Narrative
- 4. General Plan Land Use Map
- 5. Downtown Future Land Use Map
- 6. Current Zoning Map
- 7. Proposed Zoning Map
- 8. Building Elevations
- 9. Perspectives
- 10. Citizen Involvement
- 11. City Notification Map





Stipulations for the Zoning Application:

6922 Mixed Use

Case Number: 23-ZN-2016

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

SITE DESIGN

- CONFORMANCE TO CONCEPTUAL SITE PLAN. Development shall conform with the conceptual site plan submitted by Stark James and with the city staff date of 10/19/16, attached as Exhibit A to Attachment 2. Any proposed significant change to the conceptual site plan, as determined by the Zoning Administrator, shall be subject to additional action and public hearings before the Planning Commission and City Council.
- CONFORMANCE TO AMENDED DEVELOPMENT STANDARDS. Development shall conform with the amended development standards pertaining to setbacks, stepbacks, and setback/building location/stepback exceptions with the city staff date of 10/19/16, attached as Exhibit B to Attachment 2. Any change to the development standards shall be subject to additional public hearings before the Planning Commission and City Council.
- BUILDING HEIGHT LIMITATIONS. No building on the site shall exceed 46-feet in height inclusive of roof top appurtenance, measured as provided in the applicable section of the Zoning Ordinance.

INFRASTRUCTURE AND DEDICATIONS

- 4. CIRCULATION IMPROVEMENTS. Prior to any permit issuance for the development project the owner shall make the required dedications.
 - a. STREETS. Dedicate the following right-of-way and construct the following street improvements:

Street Name	Street Type	Dedications	Improvements	Notes and Requirements
East 5 th Avenue	Unclassified Local Commercial Street	Existing 40-foot northwest half street	Existing	a.1., a.2.
Alley	Alley	Two (2) additional feet for a total southeast 10- foot half alley	Pavement	a.1., a.3., a.4.

a.1. All street improvements (curb, gutter, sidewalk, curb ramps, driveways, pavement, concrete, etc.) shall be constructed in accordance with the applicable

City of Scottsdale's Supplements to the Maricopa Association of Governments (MAG) Uniform Standard Specifications and Details for Public Works Construction, and Maricopa Association of Governments (MAG) Uniform Standard Specifications and Details for Public Works Construction and the Design Standards and Policies Manual.

- a.2. The property owner shall remove and replace any broken sidewalk abutting East 5th Avenue to match the existing widths.
- a.3. Prior to issuance of any building permits for the development project, the owner shall dedicate to the City additional right-of-way so that a total of a 10 foot wide southeast half alley right-of-way is provided abutting the property.
- a.4. The property owner shall mill and pave the alley directly adjacent to the property.

5. EASEMENTS.

a. EASEMENTS CONVEYED BY SEPARATE INSTRUMENT. Prior to issuance of any building permit for the development project, each easement conveyed to the city separate from a final plat shall be conveyed by an instrument or map of dedication subject to city staff approval, and accompanied by a title policy in favor of the City, in conformance with the Design Standards and Policies Manual. CANAL

CANAL WALK





OVERALL SITE PLAN

AMENDED DEVELOPMENT STANDARDS FOR VALLEY PLAZA, CASE # 23-ZN-2016

Sec. 5.3006. - Property development standards.

C. .

Setbacks from public streets, except alleys.

1.

The minimum setback from public streets (except alleys) is shown in Table 5.3006.C.

The setback is measured from the back of curb.

Table 5.3006.C.				
Minimum Setback for Buildings Adjacent to Public Streets, except alleys				
Street	Minimum Building Setback			
North Drinkwater Boulevard and North Goldwater Boulevard	30 feet			
East Indian School Road	30 feet			
East Camelback Road	40 feet			
North Scottsdale Road in the Downtown Regional Use sub-district	40 feet			
North Scottsdale Road in the Downtown Core, Downtown Multiple Use, Downtown Medical, Downtown Civic Center sub-districts	20 feet			
DMU WHERE LOT WIDTH IS THIRTY (30) FEET OR LESS	16 FEET			

Exhibit B to Attachment 2 23-ZN-2016 10/19/16

All other public streets and public street segments in the Type 1 Area	14 feet		
All other public streets and public street segments in the Type 2 Area	20 feet		
Note: See the Downtown Plan Urban Design & Architectural Guidelines for locations of the public streets and setbacks above.			

F.

Building location.

1.

A building adjacent to a public street (except alleys) shall be located as follows:

b.

In a Type 2 Area, at least twenty-five (25) percent of the:

i.

Length of the building façade shall be shall be located at the minimum setback;

ii.

Length of a building façade at grade and up to a height of thirty (30) feet shall be set back at least ten (10) additional feet; and

iii.

Area of the building façade at grade and up to a height of thirty (30) feet shall be located at the minimum setback.

c.

IN A TYPE 2 AREA WITH A LOT WIDTH OF THIRTY (30) FEET OR LESS, THE LENGTH AND AREA OF THE BUILDING FAÇADE AT GRADE AND UP TO THIRTY THREE (33) FEET SHALL BE LOCATED AT THE MINIMUM SETBACK.

Η.

Stepbacks.

7.

IN A TYPE 2 AREA WITH A LOT WIDTH OF THIRTY (30) FEET OR LESS

a.

THE STEPBACK PLANE SHALL INCLINE AT A RATIO OF 3:1, BEGINNING THIRTY THREE (33) FEET ABOVE THE MINIMUM SETBACK FROM A PUBLIC STREET (EXEPT ALLEYS).

b.

THE STEPBACK PLANE SHALL INCLINE AT A RATIO OF 4:1, BEGINNING THIRTY THREE (33) FEET ABOVE THE MINIMUM SETBACK FROM AN ALLEY.

c.

THE STEPBACK PLANE SHALL INCLINE AT A RATIO OF 4:1, BEGINNING THIRTY THREE (33) FEET ABOVE A SIDE PROPERTY LINE WHEN ABUTTED TO AN ADJACENT BUILDING.

١.

Exceptions to building location, setback, prevailing setback and stepback standards.

3.

Subject to design approval by the Development Review Board, in a Type 2 Area, a maximum fifteen (15) feet exception to stepback and setback standards above the first floor (not specified in I.2. above), is allowed for projections that:

a.

A MAXIMUM FIFTEEN (15) FEET EXCEPTION TO STEPBACK AND SETBACK REQUIREMENTS ABOVE THE FIRST FLOOR IS ALLOWED FOR PROJECTIONS THAT Are less than fifty (50) percent of the length of the segment of the building façade where the projections occur; and

b.

A MAXIMUM FIFTEEN (15) FEET EXCEPTION TO STEPBACK AND SETBACK REQUIREMENTS ABOVE THE FIRST FLOOR IS ALLOWED FOR PROJECTIONS THAT Are less than thirty-three (33) percent of the surface area of the segment of the building façade where the projections occur; AND

C.

A MAXIMUM SIX (6) FOOT ENCROACHMENT INTO THE GROUND FLOOR STEPBACK/SETBACK IS ALLOWED IF THE ENCROACHMENT IS LESS THAN FIFTY (50) PERCENT OF THE LENGTH OF THE SEGMENT OF THE BUILDING FAÇADE WHERE THE ENCROACHMENT OCCURS, AND THE ENCROACHMENT IS OFFSET INTERNALLY FROM THE SETBACK BY AN EQUIVALENT SQUARE FOOTAGE. 7.

The minimum setback from public street (except alleys) shall be equal to the average prevailing setback of all buildings on the same frontage, but in a Type 2 Area, not less than sixteen (16) feet.

10.

Where the building location requirements in F.1. above can not be met due to the location of the street line, the following shall apply:

a.

In a Type 1 Area, at least fifty (50) percent of the:

i.

Length of the building façade shall be located at the street line; and

ii.

Area of the building façade at grade and up to a height of thirty (30) feet shall be located at the minimum setback.

b.

In a Type 2 Area, at least twenty-five (25) percent of the:

i.

Length of the building façade shall be shall be located at the street line;

ii.

Length of a building façade at grade and up to a height of thirty (30) feet shall be set back at least ten (10) additional feet; and

iii.

Area of the building façade at grade and up to a height of thirty (30) feet shall be located at the minimum setback.

C.

IN A TYPE 2 AREA WITH A LOT WIDTH OF THIRTY (30) FEET OR LESS, THE LENGTH AND AREA OF THE BUILDING FAÇADE AT GRADE AND UP TO THIRTY THREE (33) FEET SHALL BE LOCATED AT THE MINIMUM SETBACK.



November 4, 2016

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RE: 6922 Mixed Use Rezoning/Amendments #23-ZN-2016 6922 East 5th Avenue Scottsdale, AZ 85251

ZONING DISTRICT MAP AMENDMENT NARRATIVE:

Overview:

The 6922 Mixed Use project is located on a site that is currently zoned as C2 D0 with a maximum building height of 36'. The current Downtown District that applies to this area is Downtown Multiple Use-Type 2 (D/DMU-2) which stipulates the building's setback and stepback requirements.

Purpose:

This application is to rezone the property to D/DMU-2 in order to achieve an allowable building height of 44'. There will also be requested amendments to the zoning ordinance to allow the building to enter into the stepback area as defined in Section 5.3006.

COMPLIANCE WITH GENERAL PLAN:

The intent of this design is to respond to the architectural character of the surrounding buildings as outlined in the General Plan, providing a mix of commercial and residential use, while responding sensitively to surrounding single family properties

The small proposed residence, within walking distance of the neighboring arts district and shopping areas, will contribute to the larger plan in promoting diversity and neighborhood vitality. Furthermore, it will add to the urban character, consisting of mixed use and higher density residential properties, and will address issues of pedestrian orientation, shade, and interaction with the street. It will also take into account relationships to new and existing building structures and layout of adjacent lots.

LAND USE GOAL 4: Maintain a balance of land uses that support a high quality of life, a diverse mixture of housing and leisure opportunities and the economic base needed to secure resources to support the community.

Response: This mixed-use project will contribute to the diversity of residential use in that it will introduce lower density single family residential into an area that currently is primarily commercial. Other proposed developments in the area are trending in the way of higher density multi-family, further adding to the residential diversity. In addition, the proposed commercial space on the lower level will supplement the opportunity for business to be conveniently located within easy walking distance of other nearby residential development.

6922 EAST 5TH AVENUE #200 SCOTTSDALE ARIZONA 85251 OFFICE 480.994.7340 FAX 480.994.7344 W W W . STARKJAMES.COM

LAND USE GOAL 9: Provide a broad variety of land uses that create a high level of synergy within mixed-use neighborhoods.

Response: Currently, this area of 5th Avenue is alive and active during business hours and practically abandoned after 5:00 pm. The introduction of residential development will help to invigorate the area and stimulate business/retail beyond the 8-hour working day, which in turn will create a greater diversity of amenities within walking distance.

LAND USE GOAL 7: Sensitively integrate land uses into the surrounding physical and natural environments, the neighborhood setting, and the neighborhood itself.

Incorporate appropriate land use transitions to help integrate into surrounding neighborhoods.

Response: The low density of the proposed development will provide a smooth transition between the single-family residential neighborhoods northwest across the canal and existing/proposed commercial and multi-family developments along and southeast of 5th Avenue.

NEIGHBORHOODS GOAL 4: *Preserve and enhance the unique sense of neighborhood found in diverse areas of Scottsdale through neighborhood conservation.*

• Guide revitalization, redevelopment, and infill (new development in established areas) development to ensure that such development efforts are context-appropriate to the surrounding neighborhoods.

Response: Although we are proposing an increase in building height relative to the single family neighborhood to the north, the Arizona Canal provides a wide buffer between the two. The first floor of our building sits several feet below the Canal embankment, further reducing the visual impact. Due to the larger lot sizes across 5th Avenue, future developments may be built as high as 66'. Our proposed building at 44' therefore will act as a transition between the residential development outside of the Downtown Area and future development within the Downtown Area.

COMPLIANCE WITH CHARACTER AREA PLAN:

Per the Character Area Plan, the proposed building will be part of the development within the Multiple Use area adjacent to the Arizona Canal, incorporating vertically mixed land uses that activate the Canal with both visitors and residents year-round.

The building is consistent with other development in the Downtown Core, which is comprised of the lowest intensity of Downtown development in the Fifth Avenue, Marshall Way, Craftman's Court, Main Street, and Old Town areas. Retaining the small lot development pattern and active ground level land uses of the Downtown Core are some of the primary elements that give Downtown Scottsdale its most identifiable character.

We believe that this project will help to encourage the new development, redevelopment and infill that strengthens Downtown Scottsdale's mix of uses and activities through the development of mutually supportive land uses within the Downtown Multiple Use urban neighborhoods.

GOAL LU 1: MAINTAIN DOWNTOWN SCOTTSDALE AS THE COMMERCIAL, CULTURAL, CIVIC, AND SYMBOLIC CENTER OF THE COMMUNITY TO ENSURE A VIBRANT MIX OF MUTUALLY SUPPORTIVE LAND USES.

Response: Currently, this area of 5th Avenue is alive and active during business hours and practically abandoned after 5:00 pm. The introduction of residential development will help to invigorate the area and stimulate business/retail beyond the 8-hour working day, which in turn will create a greater diversity of amenities within walking distance.

GOAL LU 2: PROMOTE THE DEVELOPMENT OF DOWNTOWN AS A COLLECTION OF MIXED-USE URBAN NEIGHBORHOODS.

Policy LU 2.1. As a General Plan designated Mixed-Use Neighborhood, Downtown Scottsdale should offer efficiencies of strong access to multiple modes of transportation and major regional access and services, focus on human scale development, accommodate higher density housing combined with complementary office or retail uses, and accommodate vertical mixed-use structures.

Response: The lower density of the proposed development will provide a smooth transition between the single-family residential neighborhoods northwest across the canal and existing/proposed commercial and multi-family developments along and southeast of 5th Avenue. The project's adjacency to the Arizona Canal multiuse path helps to further integrate it with pedestrian use. The proposed entry courtyard creates a shaded area while engaging the street/sidewalk and establishing a sense of human scale. The ground level office/retail will invigorate this area of 5th Avenue, bringing ground-level commercial use similar to that east of Goldwater and integrating it with 3 stories of higher density residential above. With multiple Valley Metro bus stops within walking distance and access to Scottsdale Trolley routes servicing the Downtown Area, the location of the proposed project makes it convenient for access to other office/retail amenities within the Downtown area.

GOAL LU 6: PROMOTE DIVERSITY IN DOWNTOWN HOUSING OPTIONS.

Policy LU 6.1. Develop a variety of housing types such as apartments, condominiums, lofts, town homes, patio homes, and live/work units.

Policy LU 6.2. Recognize the need for housing developments that are large scale projects with numerous units and amenities, as well as small infill projects with a limited number of units.

Response: This mixed-use project will contribute to the diversity of residential use in that it will introduce lower density single family residential into an area that currently is primarily commercial. Other proposed developments in the area are trending in the way of higher density multi-family, further adding to the residential diversity. In addition, the proposed commercial space on the lower level will supplement the opportunity for business to be conveniently located within easy walking distance of other nearby residential development.

GOAL LU 7: SUPPORT A MIX OF LAND USES THAT PROMOTE A SUSTAINABLE DOWNTOWN. Policy LU 7.1. Support Downtown sustainability by encouraging vertical mixed-use development that offers land uses in close proximity to one another.

Policy LU 7.2. Encourage development to make cost effective use of existing urban resources such as infrastructure systems, underutilized sites, buildings, and transportation networks.

Response: The redevelopment of this site from an aging commercial building to a vibrant, urban residential development will bring housing and synergy to the western segment of Downtown Scottsdale utilizing existing infrastructure systems and transportation networks that run near and adjacent to the Property.

GOAL CD 1: THE DESIGN CHARACTER OF ANY AREA SHOULD BE ENHANCED AND STRENGTHENED BY NEW DEVELOPMENT THAT PROMOTES CONTEXTUAL COMPATIBILITY.

GOAL CD 8: IMPLEMENT HIGH QUALITY DESIGN IN DOWNTOWN ARCHITECTURE.

Response: The lower density of the proposed development will provide a smooth transition between the single-family residential neighborhoods northwest across the canal and existing/proposed commercial and multi-family developments along and southeast of 5th Avenue.

The activity of the commercial first floor unit is evident from the street through the extensive use of glass along the 5th Avenue façade. Variation at the ground floor level is created by the setback of the entry area, creating a shaded entry court which integrates with the streetscape and is softened by the use of low water use native landscaping. Bike parking further integrates the streetscape, encouraging multiple modes of transportation.

The upper floors have a direct connection to the street and surrounding panoramas through the use of extensive glass on the north and south elevations. Balconies act as outdoor living areas for each floor, further strengthening the connection between private and public. The mass of the building is broken down by deep balconies, variations in façade setback, and further stepping back of the fourth story on all sides.

The simplified use of materials, exposed steel, glass and smooth stucco, creates a modern aesthetic while a muted palette compliments other more southwest-themed traditional structures in the area.

Four-sided architecture:

While the most prominent elevations are the south, addressing 5th Avenue, and the north, addressing the canal, all four sides respond to their surroundings in unique ways. The third floor of the west elevation matches the height of the modern structure to the west, creating an impression of continuity, while the more exposed east elevation will complement the lighter color palette of the lower buildings to the east. Also expressed on the east elevation is the vertical circulation component, containing the elevator and stairs and further breaking up the mass of this elevation.

The northwest-facing elevation takes advantage of views across the Canal of Camelback Mountain, while the southeast-facing elevation addresses the streetscape, providing protection through deep shaded balconies. Large amounts of glass on both elevations bring daylight into the space while creating a sense of transparency that further breaks up the mass of the building.

GOAL CD 2: DEVELOPMENT SHOULD SENSITIVELY TRANSITION IN SCALE, HEIGHT, AND INTENSITY AT THE DOWNTOWN PLAN BOUNDARY AND BETWEEN ADJOINING URBAN NEIGHBORHOODS OF DIFFERING DEVELOPMENT TYPES.

Policy CD 2.1. The scale of existing development surrounding the Downtown Plan boundary should be acknowledged and respected through a sensitive edge transition buffer, established on a location specific basis, that may include transitional development types, landscape buffers, and sensitive architectural design solutions to address building mass and height.

Response: The lower density of the proposed development will provide a smooth transition between the single-family residential neighborhoods northwest across the canal and existing/proposed commercial and multi-family developments along and southeast of 5th Avenue. Although we are proposing an increase in building height relative to the single family neighborhood to the north, the Arizona Canal provides a wide buffer between the two. The first floor of our building sits several feet below the Canal embankment, further reducing the visual impact. Due to the larger lot sizes across 5th Avenue, future developments may be built as high as 66'. Our proposed building at 44' therefore will act as a transition between the residential development outside of the Downtown Area and future development within the Downtown Area.

GOAL CD 3: DOWNTOWN DEVELOPMENT SHOULD RESPECT AND RESPOND TO THE UNIQUE CLIMATE AND CONTEXT OF THE SOUTHWESTERN SONORAN DESERT.

Response: Variation at the ground floor level along 5th Avenue is created by the setback of the entry area, creating a recessed entry court which provides shade for pedestrians and further integrates the building with the streetscape. This is softened and complimented by planters containing low water use native landscaping.

GOAL CD 5: CREATE COHERENT AND CONSISTENT STREET SPACES.

Response: While the proposed building allows a portion of the existing structure at the ground floor level along 5th Avenue to remain within the setback, this is offset by the deeper setback of the entry area, creating a recessed entry court which provides shade for pedestrians and further integrates the building with the streetscape. This is softened and complimented by planters containing low water-use native landscaping. Upper floors with deep balconies provide additional layers of shade to the street below and create a variation of depth which breaks down the building mass to address human scale. This is consistent with adjacent structures along the streetscape, which contain shaded court and seating areas that interact with the pedestrian environment.

GOAL CD 9: DEVELOPMENT SHOULD INCORPORATE SUSTAINABLE BUILDING PRACTICES AND PRODUCTS.

Response: Portions of the existing structure will be preserved and maintained to reduce the impact of the building and limit construction waste. The large amount of glass will enhance natural daylighting while limiting the requirements for artificial lighting use. The exposure of this glass along the southeast-facing elevation will be protected and shaded by deep overhanging balconies. Cross-ventilation will be provided through the open floor plan and operable windows/doors at opposite ends of the space. Planters containing low water-use native landscaping will soften the shaded entry courtyard.

GOAL EV 2: PROMOTE PRIVATE INVESTMENT AND ATTRACT NEW DEVELOPMENT TO DOWNTOWN.

Policy EV 2.1. Encourage new development and reinvestment that maintains Downtown's economic edge in the region.

Policy EV 2.2. Promote a mix of daytime/nighttime activities year-round through new development that includes vertically mixed land uses and a diverse range of housing development.

Policy EV 2.3. Encourage private reinvestment through flexible policies, practices, and incentives that work with the private sector to respond to functional and economic changes in the Downtown.

Policy EV 2.4. Promote the retention of existing major Downtown employers and accommodate their future expansion needs.

Policy EV 2.5. Promote additional employment opportunities that will attract a variety of office and commercial development to Downtown.

Policy EV 2.7. Attract and retain a broad array of economic activities that widen the appeal of Downtown and strengthen the city's tax base.

Response: This mixed-use project will contribute to the diversity of residential use in that it will introduce lower density single family residential into an area that currently is primarily commercial. Other proposed developments in the area are trending in the way of higher density multi-family, further adding to the residential diversity. In addition, the proposed commercial space on the lower level will supplement the opportunity for business to be conveniently located within easy walking distance of other nearby residential development. Currently, this area of 5th Avenue is alive and active during business hours and practically abandoned after 5:00 pm. The introduction of residential development will help to invigorate the area and stimulate business/retail beyond the 8-hour working day, which in turn will create a greater diversity of amenities within walking distance. There are currently no other similar larger-scale single family residential developments like this in the Downtown Core. This project will spur similar development, appealing to professionals looking to bring their business downtown.

JUSTIFICATIONS FOR REQUESTED AMENDMENTS TO ZONING ORDINANCE:

TABLE 5.3006.C.

Minimum Setback for Buildings Adjacent to Public Streets, except alleys:

DOWNTOWN MULTIPLE USE WHERE LOT WIDTH IS 30 FEET OR LESS: 16' FROM BACK OF CURB

The reasoning for this request is to ease the square footage restrictions for small lots which share street frontage with large adjacent lots, while still providing setback variation among facades along the same street frontage.

5.3006.F.1.c.

IN A TYPE 2 AREA WITH A LOT WIDTH OF THIRTY (30) FEET OR LESS, THE LENGTH AND AREA OF THE BUILDING FAÇADE AT GRADE AND UP TO THIRTY THREE (33) FEET SHALL BE LOCATED AT THE MINIMUM SETBACK.

The reasoning for this request, as above, is to ease the square footage restrictions for small lots which share street frontage with large adjacent lots, while still providing setback variation among facades along the same street frontage. In addition, the increase to the 33' height in this case, would allow the 3rd floor of the proposed building at 6922 East 5th Avenue to align with the top of the adjacent parapet at 6916 East 5th Avenue.

5.3006.H.7.

IN A TYPE 2 AREA WITH A LOT WIDTH OF THIRTY (30) FEET OR LESS

a.

THE STEPBACK PLANE SHALL INCLINE AT A RATIO OF 3:1, BEGINNING THIRTY THREE (33) FEET ABOVE THE MINIMUM SETBACK FROM A PUBLIC STREET (EXEPT ALLEYS).

b.

THE STEPBACK PLANE SHALL INCLINE AT A RATIO OF 4:1, BEGINNING THIRTY THREE (33) FEET ABOVE THE MINIMUM SETBACK FROM AN ALLEY.

C.

THE STEPBACK PLANE SHALL INCLINE AT A RATIO OF 4:1, BEGINNING THIRTY THREE (33) FEET ABOVE A SIDE PROPERTY LINE WHEN ABUTTED TO AN ADJACENT BUILDING.

The reasoning for this request is to ease the square footage restrictions for the upper floors of small lots which share street frontage with large adjacent lots, while still providing variation of height and depth among facades along the same street frontage.

5.3006.I.3.c.

Subject to design approval by the Development Review Board, in a Type 2 Area:

A MAXIMUM SIX (6) FOOT ENCROACHMENT INTO THE GROUND FLOOR STEPBACK/SETBACK IS ALLOWED IF THE ENCROACHMENT IS LESS THAN FIFTY (50) PERCENT OF THE LENGTH OF THE SEGMENT OF THE BUILDING FAÇADE WHERE THE ENCROACHMENT OCCURS, AND THE

ENCROACHMENT IS OFFSET INTERNALLY FROM THE SETBACK BY AN EQUIVALENT SQUARE FOOTAGE.

The reasoning for this request is to allow a portion of the existing building to remain within the 16' setback and to compensate for this encroachment, push a portion of that façade back, maintaining the intent for a dynamic façade and creating a shaded entry courtyard that addresses the street.

5.3006.I.10.c.

IN A TYPE 2 AREA WITH A LOT WIDTH OF THIRTY (30) FEET OR LESS, THE LENGTH AND AREA OF THE BUILDING FAÇADE AT GRADE AND UP TO THIRTY THREE (33) FEET SHALL BE LOCATED AT THE MINIMUM SETBACK.

The reasoning for this request, as above, is to ease the square footage restrictions for small lots which share street frontage with large adjacent lots, while still providing setback variation among facades along the same street frontage. In addition, the increase to the 33' height in this case, would allow the 3rd floor of the proposed building at 6922 East 5th Avenue to align with the top of the adjacent parapet at 6916 East 5th Avenue.

Summary:

The goal is to meet the intent of the Downtown Plan Urban Design & Architectural Guidelines. It is understood that the regulations were put in place to preserve the small lots and preclude buildings from being built too large or too tall. A large majority of the adjacent lots in this neighborhood would allow 66' tall buildings since their sites are much larger than the proposed site. This project is located on the smallest lot on the street and because of this, the current zoning would only allow a 30' tall building due to the stepbacks. Although this rezoning case is asking for a building height of 44', it would still be one of the shorter buildings when surrounding buildings are redeveloped and built to the allowable height. The proposed building would also respect the intent of the stepbacks, pushing the fourth floor back from the line of the lower floors adding to an already dynamic façade. This approach follows the guidelines of section B1 and zoning section 5.3006.F.b providing variations in the building's facade. The building will follow section A1.2 by aligning to the form and height of the adjacent building to the West, and provide a shaded entry courtyard that activates the sidewalk.

Thank you for your consideration,

Brian Stark, LEED AP







ATTACHMENT #7







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August 29, 2016

RE: Neighborhood Open House Meeting #613-PA-2016 6922 East 5th Avenue Scottsdale, AZ 85251

The meeting commenced at 6:00 p.m. In attendance were neighborhood residents Rick Whalen, Joe Martin, Tony Siegle, David Perry, Greg Campbell, property owners Bruce and Kim Raskin, and Brian Stark and Ben Knowles of Stark James LLC.

Rick Whalen, Joe Martin and Greg Campbell, all of whom live on Lafayette Blvd. on the opposite side of the canal, came initially with some concerns about the proposed height of the building and visibility into their back yards. A slide show was presented demonstrating the project's consistency with the intention of the code, along with renderings of the proposed building, showing stepbacks from property lines.

David Perry, owner of the adjacent property at 6928 E 5th Avenue, said that he was glad to see new development coming in to the area.

All in attendance came up to the second floor of the existing building to get an idea of the view across the canal, and there was a general consensus that visibility was not a significant issue.

Afterward, the group went across the canal to the home of Rick Whalen to get a view across the canal to the proposed building site.

 6922 EAS1 5TH AVENUE #200

 SCOTTSDALE ARIZONA 85251

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23-ZN-2016 9/2/2016



August 18, 2016

RE: 6922 Mixed Use Rezoning

Pre-Application #613-PA-2016 6922 East 5th Avenue Scottsdale, AZ 85251

OPEN HOUSE MEETING:

Monday, August 29th at 6:00 p.m., 6922 E. 5th Ave., Scottsdale, AZ 85251

Dear neighbor,

This letter is being sent in regards to a Zoning District Map Amendment application to be submitted for 6922 East 5th Avenue. The proposed application is to rezone the property to allow for a new four-story mixed use building containing office/retail space on the ground floor and three stories of residential above.

Overview:

The 6922 Mixed Use project is located on a site that is currently zoned as Central Business Downtown Overlay (C-2 DO). The current Downtown District that applies to this area is Downtown/Downtown Multiple Use-Type 2 (D/DMU-2).

Purpose:

This application is to rezone the property to D/DMU-2 in order to allow a building height of 44 feet. There will also be a requested amendment to the stepback requirements of the D/DMU-2 property development standard (Section 5.3006.I.3) to allow the building to enter into the stepback area.

The goal is still to meet the intent of the Downtown Plan Urban Design & Architectural Guidelines. It is understood that the regulations were put in place to preserve the small lots and preclude buildings from being built too large or too tall. A large majority of the adjacent lots in this neighborhood would allow 66' tall buildings since these sites are much larger than the proposed site. This project is located on the smallest lot on the street. Due to the lot size the current C-2 D0 stepback requirements would only allow a 30 foot' tall building. This height is taller than other buildings in the area; but, is much less than buildings that are planned across the street. The proposed building would also respect the intent of the stepbacks by pushing the fourth floor back from the line of the lower floors, adding to an already dynamic façade. This approach follows the guidelines of section B1 and Zoning Section 5.3006.F.b providing variations in the building's façade. The building will follow section A1.2 by aligning to the form and height of the adjacent building to the west, and provide a shaded entry courtyard that activates the sidewalk.

If you have any questions, please feel free to call me at 602.505.9116 or email me at <u>brian@starkjames.com</u>. You can also contact Dan Symer of the City of Scottsdale Zoning Department at 480-312-4218 or email at <u>dsymer@scottsdaleaz.gov</u>. or you may find additional project information at <u>https://eservices.scottsdaleaz.gov/bldgresources/PreApp/Search</u>.

Thank you,

Brian Stark, LEED AP

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23-ZN-2016 9/2/2016

City Notifications – Mailing List Selection Map

