

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

City of Scottsdale - Development Review Board

Project Location: Scottsdale Fashion Square - 4500 North Scottsdale Road, Scottsdale, AZ 85251

Property Details: Commercial - Retail

Pre-Application Narrative - Retail (*Partial for LL integration into complete Application Narrative*)

Revision to Barney's DRB Submittal (*to be determined by LL*)

25 October 2016

The proposed design submitted for review is for a new 17,000 gross square feet high-end retail store located at Scottsdale's Fashion Square Mall. Situated along North Scottsdale Road, the new store will replace the southeast corner of the existing Barney's structure and will have a strong, open retail presence that will help further activate the eastern wing of the mall and the adjacent streetscape. The transparent, human-scale massing of the proposed retail space has been designed to provide a welcomed contrast to its surrounding two-story volumes, reducing the existing overall bulk along North Scottsdale Road and will introduce a unique threshold experience into the mall.

The main design features of the store include a split-level store layout, a terraced public plaza, and a heroic cantilevered shade canopy.

The split-level store layout divides the store into two distinct but connected zones. The upper level, directly accessible from the main level of the mall and from along Scottsdale road, is focused on merchandise display and sale. Connected through internal stairs and elevator, the lower, more public level will contain a large digital wall and forum seating and will connect to a terraced plaza oriented to the south. The plaza bolsters the existing pedestrian and public space network, which includes the adjacent restaurants outdoor dining areas and extends further south to the canal and Scottsdale's Historic Old Town. Designed with the potential to host small community performances and events, the tiered plaza along with the interior forum will establish itself as a public amenity and civic space – a community living room.

Further, new sustainable landscaping (i.e. "Low Water Using Plants") will be integrated with the existing landscaping to provide for a unified appearance and buffer along the North Scottsdale Road as well as introduce a landscape linkage between the pedestrian zone along the arterial road and the vehicular/pedestrian entry into the Mall property resulting in a series of spaces available for public enjoyment.

Unifying the building massing and providing for a unique architectural feature, a perforated horizontal trellis extends from the store's interior to cover the exterior walk and southern plaza. The geometry of the trellis apertures will be calibrated to respond to site-specific sun angles and will provide much needed shielding from the desert sun and improve the stores energy performance and the comfort level of its interior and exterior spaces. Other sustainable features being considered include underfloor air displacement, water retention, evaporative cooling, as well as desert adaptive landscaping to minimize irrigation requirements.

The materiality of the project will be regionally inspired with a simple color/texture palette and strike an appropriate balance between opacity and transparency. The materials being considered for the opaque surfaces are light colored ultra-high performance concrete panels (UHPC) or a light colored stone veneer for the walls and a cast light colored UHPC for the perforated trellis. The light colored surfaces and sun-filtering trellis are reminiscent of material palette and masonry screens seen in traditional desert architecture. The glass specified on the project will be recessed to take advantage of the trellis shadowing, clear with minimal reflection, color and tinting to maximize visibility into the store showcasing the activity within. Material consistency spanning between the interior and exterior of the design will help further emphasize the desire to blur the boundary between the public and retail experience transcending the function of the space beyond its primary use.

Development Application

Development Application Type:

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

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

Project Name: PHASE 10 REMODEL

Property's Address: 4500 N. SCOTTSDALE ROAD

Property's Current Zoning District Designation:

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

Owner: <u>SCOTTSDALE FASHIONS SQ. LLC</u>	Agent/Applicant: <u>ANDY GREENWOOD</u>
Company: <u>MACERICH</u>	Company: <u>MACERICH</u>
Address: <u>11411 N. TATUM BLVD.</u>	Address: <u>11411 N. TATUM BLVD.</u>
Phone: <u>602.953.6200</u> Fax:	Phone: <u>602.953.6338</u> Fax:
E-mail: <u>SCOTT.NELSON@MACERICH.COM</u>	E-mail: <u>ANDY.GREENWOOD@MACERICH.COM</u>
Designer: <u>ANTHONY GUARALDO</u>	Engineer:
Company: <u>ENNEAD ARCHITECTS, LLP</u>	Company:
Address: <u>320 W. 13TH STREET NY, NY</u>	Address:
Phone: <u>212.807.7171</u> Fax:	Phone: Fax:
E-mail: <u>AGUARALDO@ENNEAD.COM</u>	E-mail:

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

- This is not required for the following Development Application types: AN, AB, BA, II, GP, TA, PE and ZN. These applications¹ will be reviewed in a format similar to the Enhanced Application Review methodology.

<input checked="" type="checkbox"/> Enhanced Application Review:	I hereby authorize the City of Scottsdale to review this application utilizing the Enhanced Application Review methodology.
<input type="checkbox"/> Standard Application Review:	I hereby authorize the City of Scottsdale to review this application utilizing the Standard Application Review methodology.

Scott Nelson
Owner Signature

Andy Greenwood
Agent/Applicant Signature

Official Use Only

Submittal Date:

Development Application No.:

20-DR-2017
04/07/17

Planning, Neighborhood & Transportation

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

City of Scottsdale's Website: www.scottsdaleaz.gov



Review Methodologies

The City of Scottsdale maintains a business and resident friendly approach to new development and improvements to existing developments. In order to provide for flexibility in the review of Development Applications, and Applications for Permitting, the City of Scottsdale provides two methodologies from which an owner or agent may choose to have the City process the application. The methodologies are:

1. Enhanced Application Review Methodology

Within the parameters of the Regulatory Bill-of-Rights of the Arizona Revised Statutes, the Enhanced Application Review method is intended to increase the likelihood that the applicant will obtain an earlier favorable written decision or recommendation upon completion of the city's reviews. To accomplish this objective, the Enhanced Application Review allows:

- the applicant and City staff to maintain open and frequent communication (written, electronic, telephone, meeting, etc.) during the application review;
- City staff and the applicant to collaboratively work together regarding an application; and
- City staff to make requests for additional information and the applicant to submit revisions to address code, ordinance, or policy deficiencies in an expeditious manner.

Generally, the on-going communication and the collaborative work environment will allow the review of an application to be expedited within the published Staff Review Time frames.

2. Standard Application Review Methodology:

Under the Standard Application Review, the application is processed in accordance with the Regulatory Bill-of-Rights of the Arizona Revised Statutes. These provisions significantly minimize the applicant's ability to collaboratively work with City Staff to resolve application code, ordinance, or policy deficiencies during the review of an application. After the completion the city's review, a written approval or denial, recommendation of approval or denial, or a written request for additional information will be provided.

The City is not required to provide an applicant the opportunity to resolve application deficiencies, and staff is not permitted to discuss or request additional information that may otherwise resolve a deficiency during the time the City has the application. Since the applicant's ability to collaboratively work with Staff's to resolve deficiencies is limited, the total Staff Review Time and the likelihood of a written denial, or recommendation of denial is significantly increased.

In addition to the information above, please review the Development Application, and/or the Application for Permitting flow charts. These flow charts provide a step-by-step graphic representation of the application processes for the associated review methodologies.

Note:

1. Please see the Current Planning Services and Long Range Planning Services Substantive Policy Statements and Staff Review Timeframes for Development Applications, number III.



§9-834. Prohibited acts by municipalities and employees; enforcement; notice

- A. A municipality shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule, ordinance or code. A general grant of authority does not constitute a basis for imposing a licensing requirement or condition unless the authority specifically authorizes the requirement or condition.
- B. Unless specifically authorized, a municipality shall avoid duplication of other laws that do not enhance regulatory clarity and shall avoid dual permitting to the maximum extent practicable.
- C. This section does not prohibit municipal flexibility to issue licenses or adopt ordinances or codes.
- D. A municipality shall not request or initiate discussions with a person about waiving that person's rights.
- E. This section may be enforced in a private civil action and relief may be awarded against a municipality. The court may award reasonable attorney fees, damages and all fees associated with the license application to a party that prevails in an action against a municipality for a violation of this section.
- F. A municipal employee may not intentionally or knowingly violate this section. A violation of this section is cause for disciplinary action or dismissal pursuant to the municipality's adopted personnel policy.
- G. This section does not abrogate the immunity provided by section 12-820.01 or 12-820.02.



110333

CMALDONADOHP600G1028
4/7/2017 3:27 PM
\$0.00

Received From :

THE MACERICH COMPANY
PO BOX 2172/ 401 WILSHIRE BLVD FLOOR 7
SANTA MONICA, CA 90401
602-953-6250

Bill To :

THE MACERICH COMPANY
PO BOX 2172/ 401 WILSHIRE BLVD FLOOR 7
SANTA MONICA, CA 90401
602-953-6250

Reference #	889-PA-2016	Issued Date	4/7/2017
Address	7014 E CAMELBACK RD	Paid Date	4/7/2017
Subdivision	SCOTTSDALE FASHION SQUARE AMENDED	Payment Type	NA
Marketing Name		Cost Center	
MCR	1201-08	Jurisdiction	SCOTTSDALE
APN	173-37-009	Water Zone	
Owner Information		Water Type	
MACERICH/SCOTTSDALE FASHION SQUARE LLC/E		Sewer Type	
401 WILSHIRE BL		Meter Size	
SANTA MONICA, CA 90401			
310-294-2900			

Code	Description	Additional	Qty	Amount	Account Number
3165	DEVELOP REVIEW APPLICATION		1	\$460.00	100-21300-44221
3642	FASHION SQUARE DEV REV FEE CRDT		1	(\$460.00)	100-21300-44221

City of Scottsdale
7447 E. Indian School Rd.
Scottsdale, AZ 85251
(480) 312-2500
One Stop ShopDate: 4/7/2017 Cashier: CMALDONADO
Office: PLN-1STOP Mach ID: HP600G10282
Tran #: 12 Batch #: 59803Receipt: 01005269 Date: 4/7/2017 3:27 PM
110333
3165 DEVELOP REVIEW APP \$460.00
3642 FASHION SQUARE DEV REV (\$460.00)

TENDERED AMOUNTS:

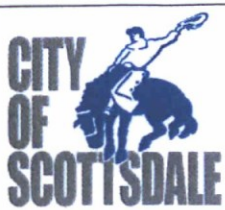
Cash Tendered: \$0.00
Transaction Total: \$0.00Thank you for your payment.
Have a nice day!20-DR-2017
04/07/17

SIGNED BY ANDY GREENWOOD ON 4/7/2017

Total Amount

\$0.00

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



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

This request concerns all property identified in the development application.

Pre-application No: 889 - PA - 2016

Project Name: PHASE 10 REMODEL

Project Address: 4500 N. SCOTTSDALE ROAD

STATEMENT OF AUTHORITY:

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

STATEMENT OF REQUEST FOR SITE VISITS AND/OR INSPECTIONS

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

Property owner/Property owners agent: SCOTT NELSON
Print Name

[Signature]
Signature

City Use Only:

Submittal Date: _____ Case number: _____

20-DR-2017
04/07/17

Planning and Development Services

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



Current Planning Services
Long Range Planning Services

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

You have the right to:

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

You are hereby notified and informed of the following:

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

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

If I have any questions, I may contact the City staff member, _____
at the following number _____.

Signature: [Signature] Date: 4/4/17

Printed Name: Andy Greenwood

☐ Check box if signature refused

Copy of Bill of Rights left at: _____

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

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

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