

**Correspondence Between  
Staff and Applicant  
Approval Letter**



## Planning & Development Services

7447 East Indian School Road  
Scottsdale, Arizona 85251

August 6, 2018

12-DR-2018  
Chris Neal  
Chris Neal  
6501 E. Greenway Pkwy #103-707  
Scottsdale, AZ 85254

### RE: DRB APPROVAL NOTIFICATION

Case Reference No: 12-DR-2018 Toca Madera

The Development Review Board approved the above referenced case on August 2, 2018. For your use and reference, we have enclosed the following documents:

- Approved Stipulations/Ordinance Requirements
  - Accepted Case Drainage Report
  - Construction Document Submittal Requirements/Instructions
  - This approval expires two (2) years from date of approval if a permit has not been issued, or if no permit is required, work for which approval has been granted has not been completed.
  - These instructions are provided to you so that you may begin to assemble information you will need when submitting your construction documents to obtain a building permit. For assistance with the submittal instructions, please contact your project coordinator, Bryan Cluff, 480-312-2258.
  - Table: "About Fees"
    - A brief overview of fee types. A plan review fee is paid when construction documents are submitted, after which construction may begin. You may review the current years fee schedule at: <http://www.scottsdaleaz.gov/bldgresources/Fees/default.asp>
- Please note that fees may change without notice. Since every project is unique and will have permit fees based upon its characteristics, some projects may require additional fees. Please contact the One Stop Shop at 480-312-2500.

Finally, please note that as the applicant, it is your responsibility to distribute copies of all enclosed documents to any persons involved with this project, including but not limited to the owner, engineers, architect, and developer.

Sincerely,

Bryan Cluff  
Senior Planner  
bcluff@ScottsdaleAZ.gov

## About Fees -

The following table is intended to assist you in estimating your potential application, plan review, and building permit fees. Other fees may also apply, for example Water Resources non-Residential Development, Parking-in-Lieu Fees, or Assessment District Fees; and those fees are not listed in this package the plan review staff is responsible for determining additional applicable fees.

Type of Activity	Type of Fee	Subcategory	When paid?
Commercial	Application	<ul style="list-style-type: none"> <li>▪ Preapplication, Variance, Zoning Appeal, Continuance, Development Review Board, ESL, General Plan, Rezoning, Sign Review, Special Event, Staff Approval, Temporary Sales Trailer, Use Permit, or Zoning Text Amendment</li> </ul>	At time of application submittal
	Plan Review	<ul style="list-style-type: none"> <li>▪ Commercial, foundation, addition, tenant improvement/remodel</li> <li>▪ Apartments/Condos</li> <li>▪ Engineering site review</li> <li>▪ Signs</li> <li>▪ Plat fees</li> <li>▪ Misc. Plan Review</li> <li>▪ Lot Tie/Lot Split</li> <li>▪ Pools &amp; Spas</li> <li>▪ Recordation</li> </ul>	At time of construction document submittal
	Building Permit	<ul style="list-style-type: none"> <li>▪ Commercial addition, remodel, tenant improvement, foundation only, shell only</li> <li>▪ Fence walls or Retaining walls</li> <li>▪ Misc. Permit</li> <li>▪ Signs</li> </ul>	After construction document approval and before site construction begins
Residential	Application	<ul style="list-style-type: none"> <li>▪ Preapplication, Variance, Zoning Appeal, Continuance, Development Review Board, ESL, General Plan, Rezoning, Sign Review, Special Event, Staff Approval, Temporary Sales Trailer, Use Permit, or Zoning Text Amendment</li> </ul>	At time of application submittal
	Plan Review	<ul style="list-style-type: none"> <li>▪ Single family custom, addition, remodel, standard plans</li> <li>▪ Engineering site review</li> <li>▪ Misc. plan reviews</li> </ul>	At time of construction document submittal
	Building Permit	<ul style="list-style-type: none"> <li>▪ Single family custom, addition, remodel, detached structure, standard plans</li> <li>▪ Fence walls or Retaining walls</li> <li>▪ Misc. Permit</li> <li>▪ Signs</li> </ul>	After construction document approval and before site construction begins

ND Enterprises, LLC.  
6501 E. Greenway Pkwy  
#103-707  
Scottsdale, AZ 85254  
P (480) 297-5577

Date: 5.8.2018

Attn: Bryan Cluff, senior planner

Re: Toca Madera @ Scottsdale Fashion Square  
12-DR-2018

City comments dated 4/19- Responses in **Bold**.

#### Zoning Ordinance and Scottsdale Revised Code Significant Issues

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

1. Please indicate the location and method of screening for all above ground mechanical and utility equipment, as well as any ground and roof mounted mechanical equipment, in accordance with the Plan & Report Requirements for Development Applications and Zoning Ordinance Sections 7.105 and 7.200.B, Alt exterior mechanical, utility, and communications equipment shall be screened by a parapet that matches the architectural characteristics, color, and finish of the building. Parapet height for roof-mounted units shall be equal to or exceed the height of the tallest unit. **Response: The mechanical units have been relocated and roof areas recessed to avoid view of rooftop units, a screen is also provided.**

2. Please provide information and details related to the roof drainage system, which demonstrate compliance with Zoning Ordinance Section 7.105. Roof drainage systems shall be interior to the buildings, except that overflow scuppers are permitted. If overflow scuppers are provided, they shall be integrated with the architectural design. Areas that are rooftop drainage shall be designed and constructed to minimize erosion or staining of nearby building walls and directs water away from the building foundations. **Response: All roof drains will be internal type only and will discharge per city ordinance.**

3. Please provide building elevations that comply with the Plan & Report Requirements for Development Applications, in accordance with Zoning Ordinance Section 1.305. There may be comments regarding the building elevations after the complete elevations have been received and reviewed. **Response: See updated building elevations and sections.**

4. Please provide a site and building lighting plan and photometric plan which identifies all new lighting proposed for the pad and demonstrates consistency with Section 7.600. of the Zoning Ordinance and the City of Scottsdale Lighting Design Guidelines. **Response: See below from electrical engineer.**

#### **Outdoor Lighting Summary:**

**Parking Lot Lighting:** The parking lot lighting is part of the mall. There is no parking lot lighting that is part of this project. Therefore, a photometric is not provided.

**Exterior Building Lighting:** There will be two exterior wall sconces at the main entrance and landscape and façade lighting mounted at the grade level.

**Table 7.602.A.2 of the Scottsdale Code of Ordinances:**

Table 7.602.A.2. Additional Standards for Other Outdoor Lighting

Total Initial Lumens of All Light Sources Within a Luminaire	Lighting Shield	Direct Downward	Full Cutoff
1600 or less	Yes <sup>1</sup> , No	Yes <sup>1</sup> , No <sup>2</sup>	No
Over 1600 to 3050	Yes	Yes <sup>1</sup> , No <sup>2,3</sup>	No
Over 3050	Yes	Yes	Yes

The exterior lighting mounted on the building will be less than 1600 lumens. The requirements state that if these fixtures are mounted higher than 8-feet above grade, they need to be directed downward. The sconces will be direct down light only.

Low level landscape and façade lighting, where used, will be rated less than 1600 lumens per fixture to comply with the requirements.

It does not appear that Table 7.602.A.1 applies to this project since it is not located in an ESL District or F-O District.

5. Please revise the site plan to identify the location of the fire riser room in accordance with the Design Standards & Policies Manual Section 6-1.504(1). **Response: Fire riser room has been identified on the site plan, Sheet C101, and the utility plan Sheet C401. See floor plan on A2.0**

6. Please revise the site plan to demonstrate required FDC spacing in accordance with Fire Ord. 4283,912. **Response: FDC has been identified on the utility plan Sheet C401.**

#### Significant Policy Related Issues

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

#### Site Design:

7. Please revise the site plan to re-route the valet drop-off on the west side of the building in accordance with the Design Standards & Policies Manual Section 2-1.305. The proposed configuration creates a head-on conflict at the northwest corner of the building. **Response: The valet drop-off on the west side of the building has been re-routed. See Civil site plan.**

8. On the site plan and hardscape plan, please utilize a dashed or dotted line to show the locations and dimensions of bicycle parking spaces and rack design, in conformance with City of Scottsdale Standard Detail No. 2285. Modify the location of bicycle parking spaces and racks if they conflict with accessible paths, utility equipment, light fixtures, landscape and irrigation improvements, or structural components of the building. For additional detail, please refer to the Plan & Report Requirements for Development Applications and the Design Standards & Policies Manual Section 21.808.B. **Response: The bike rack has been revised to utilize a dash line for the required clearance. In addition, the correct bike rack has been provided on the plan set.**

9. Please revise the site plan to identify the location of the refuse enclosure that will serve this restaurant pad. The refuse area must be designed in conformance with the Design Standards & Policies Manual Section 2-1.309. Since this is a restaurant, grease containment must also be provided in conformance with City of Scottsdale Standard Detail No. 2147-1. **Response: Please see the Overall Site Plan, Sheet C100, that is provided with this package. The trash compactor near PAD C will be utilized for refuse associated with this site. Please see the utility plan, sheet C401 for the location of the sand/oil separator. A detail is also provided on sheet C103. The oil containment room can be seen on sheet P2.**

10. Please revise the site plan to identify the location of the grease, oil, and sand interceptor in accordance with the Design Standards & Policies Manual Section 7-1.411.

**Response: Please see the utility plan, sheet C401 for the location of the sand/oil separator. A detail is also provided on sheet C103. The oil containment room can be seen on sheet P2.**

11. Please revise the site plan to identify the location of the water main and service line (including size) serving the pad. **Response: Please see the utility plan, sheet C401 for the location and information.**

12. Please revise the site plan to identify the location of the sewer main and service line (including size) serving the pad, in accordance with the Design Standards & Policies Manual Section 7.

**Response: Please see the utility plan, sheet C401 for the location and information.**

13. Provide a floor plan or roof plan that indicates and illustrates the location of the roof access ladder, in accordance with the Design Standards & Policies Manual Section 2-1.401.3.

**Response: See revised sheet A2.0 which shows the roof access ladder in Fire riser room at rear of building.**

#### **Building Elevation Design:**

14. Please indicate and illustrate the location of the electrical service entrance section. Service entrance sections (SES) shall be incorporated into the design of the buildings, either in a separate utility room, or the face of the SES shall be flush with the building face. An SES that is incorporated into the building, with the face of the SES flush with the building, shall not be located on the side of a building that is adjacent to a public right-of-way, roadway easement, or private streets, in accordance with the Design Standards and Policies Manual, Section 2-1.402. **Response: See sheet A2.0- electrical service entrance is located at rear of building, finishes used to conceal doors.**

15. Please provide window sections that indicate that all exterior window glazing will be recessed a minimum of fifty (50) percent of the wall depth, including glass curtain walls/windows within any tower/clerestory elements. Demonstrate the amount of recess by providing dimensions from the face of the exterior wall to face of glazing, exclusive of external detailing. Please refer to the Scottsdale Sensitive Design Principle 9 and the Scottsdale Design Guidelines for Office Development, Architecture section, Regional Influence on Design sub-section. **Response: See building and wall sections provided on sheet A5.0 / A7.0 and A7.1. Note that the only exterior glass will be located at the (4) visible gas fireplaces along two sides of the building- see elevations. Noted on color elevations.**

16. Please provide door sections that indicate that all exterior doors will be recessed a minimum of thirty (30) percent of the wall depth, Demonstrate the amount of recess by providing dimensions from the face of the exterior wall to the face of the door frame or panel, exclusive of external detailing. Please refer to the Scottsdale Sensitive Design Principle 9 and the Scottsdale Design Guidelines for Office Development, Architecture section, Regional Influence on Design subsection. **Response: See building and wall sections provided on sheet A5.0 / A7.0 and A7.1. Noted on color elevations.**

#### **Technical Corrections**

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

17. Sheets C102 and H-301 identify two different styles of bike rack details. Please revise the plans to identify one type of bike rack design, preferably City of Scottsdale Standard Detail No. 2285.

**Response: The bike rack has been revised to utilize a dash line for the required clearance. In addition, the correct bike rack has been provided on the plan set.**



18. Please revise the site plan and/or landscape plan to coordinate the sidewalk and landscape area along the north side of the building. The site plan shows the sidewalk adjacent to the building face while the landscape plan shows base planting adjacent to the building with the sidewalk pushed out. The landscape plan consideration is preferable and more consistent with the City of Scottsdale Architectural Design Guidelines. **Response: Both plans have been revised to coordinate site plan bases.**

Building Elevations:

19. Notes and dimensions on the building elevations appear to be 6-point font size, or less. Please revise the notes so that they are 12-point (1/6 inch) font size, in accordance with the Plan & Report Requirements for Development Applications. **Response: Note original submittal was printed on 24x36 per city's document request, however the plans should have been printed on 30"x42". Plans provided at this submittal are at 30x42 making the fonts larger.**

20. To improve readability of the building elevations, please add number notations (0.0, +1.5, -0.5, etc.) that indicate the differences between planer surfaces or utilize thicker and thinner lines to indicate portions of the building that are nearer or farther from view. Please refer to Zoning Ordinance Section 1.303. **Response: See updated elevations on 30"x42" sheets. Planer surfaces notes added on color elevations.**

21. Please provide building elevations that are black line drawings, without any gray tones, so that all copies of the building elevations will be readable. Please refer to the Development Review Board Application Checklist, the Plan & Report Requirements for Development Applications, and Zoning Ordinance Section 1.305. **Response: See blackline elevations provided.**

22. Indicate the locations of all building mounted lighting fixtures on the building elevation drawings, in accordance with the Plan & Report Requirements for Development Applications and Zoning Ordinance Section 1.303. **Response: See note number 4, lights at entry are shown on elevations.**

Please call me with any additional questions.

Sincerely,

*Chris Neal*

Chris Neal  
ND Enterprises, LLC  
480-297-5577  
cneal@neptunedg.com



June 14, 2018

RE: DJ Booth – Music & Entertainment Noise Mitigation

To Whom It May Concern,

In response to the concern raised regarding music/noise disturbing the adjacent residential communities, Toca Madera would like to provide the following clarification and design accommodations:

- Toca Madera is not a traditional nightclub or dance club but restaurant that is focused on a modern take of traditional Mexican cuisine. Toca Madera does incorporate design elements commonly seen in a nightclub atmosphere such as a DJ booth. The DJ booth, although capable of accommodating an actual DJ, will otherwise function as a standalone house music system. This function will include providing ambient music throughout the bar, dining room and outdoor area. As such, the music volume will be at a level typical of a restaurant and dining environment. There will be no dancing on the outdoor patio as it is designed for restaurant dining and a lounge/cocktail environment.
- Additionally, with respect to the proposed design and construction, although identified as an Outdoor Lounge it should be noted that despite being open air it is enclosed by approximately 26 foot high concrete walls. There will also be a retractable awning system above. There will be no direct line of site to the Outdoor Lounge (as a result of the concrete walls) thus minimizing/eliminating any music and noise that would permeate beyond our premises into the neighboring residential communities.

In clarifying the ambient level of the music and the design of the Outdoor Lounge, Toca Madera believes there should be no concern regarding excess volume levels disturbing the neighboring communities.



**ND Enterprises, LLC.**  
6501 E. Greenway Pkwy  
#103-707  
Scottsdale, AZ 85254  
P (480) 297-5577

Date: 6.22.2018

Attn: Bryan Cluff, senior planner

Re: Toca Madera @ Scottsdale Fashion Square  
12-DR-2018

City comments dated 6/5- Responses in **Bold**.

1. Regarding comment #1 from the 1st review letter – The mechanical screen that is mentioned in the response is not clearly identified on the roof plan. Please revise.  
**Response: See color roof plan showing height- no RTU's will be above parapet line**
2. Regarding comment #9 from the 1st review letter – The response given to this comment is not consistent with the requirements of the DS&PM. Since an alternative method for trash design is proposed (more than 100 feet away), please provide a detailed plan and narrative describing how the proposal will accommodate refuse for Toca Madera. This will need to be reviewed and approved by Engineering and Solid Waste. **Response: See letter from landlord indicating approved trash pickup under contract.**
3. Regarding comments #10, 11 and 12 from the 1st review letter - Please show and clearly label these items on the site plan. **Response: See updated civil plans.**
4. Regarding comment #22 from the 1st review letter – The wall sconces are not clearly identified and labeled on the building elevations. **Response: See updated exterior elevations noting model used, photos of light provided as well as cut sheet.**
5. The proposed floor plan identifies a DJ booth. Please provide clarification as to the proposed use of the booth as it relates to the definition of "Live Entertainment" in Section 3.100 of the Zoning Ordinance. If live entertainment is proposed a Conditional Use Permit will be required. Staff has received comments from nearby citizens regarding the proposed DJ booth with concerns regarding loud music disturbing the nearby residential. Please provide description as to how potential noise from music/entertainment will be mitigated. **Response: See letter from The Madera Group**

Please call me with any additional questions.

Sincerely,

**Chris Neal**  
Chris Neal  
ND Enterprises, LLC  
480-297-5577  
cneal@neptunedg.com

Date: 3-13-2018  
Contact Name: TOCA MADERA  
Firm Name: ND. ENTERPRISES, LLC  
Address: 7014 E. CAMELBACK RD.  
City, State, Zip: SCOTTSDALE, AZ 85251

RE: Application Accepted for Review.

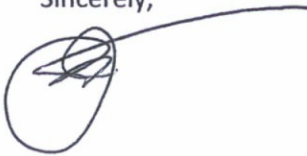
769 - PA - 2017

Dear CHRIS NEAL :

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

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

Sincerely,



Name: JESUS MURILLO FOR BRYAN  
Title: SENIOR PLANNER CITY  
Phone Number: (480) 312 - 7849  
Email Address: murillo @ScottsdaleAZ.gov