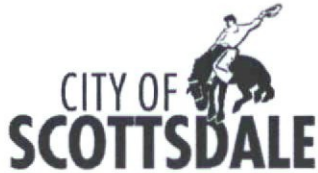


**Correspondence Between
Staff and Applicant
Approval Letter**



Planning & Development Services

7447 East Indian School Road
Scottsdale, Arizona 85251

October 23, 2018

14-DR-2018

Attn: Michele Hammond

Berry Riddell, LLC

6750 E. Camelback Road Suite 1

Scottsdale, AZ 85251

RE: DRB APPROVAL NOTIFICATION

Case Reference No: 14-DR-2018 Wolff Legacy Scottsdale

The Development Review Board approved the above referenced case on October 18, 2018. For your use and reference, we have enclosed the following documents:

- Approved Stipulations/Ordinance Requirements
- Accepted Basis of Design Reports
- 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, Meredith Tessier, 480-312-4211.
- 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,

Meredith Tessier
Senior Planner
mtessier@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"> ▪ 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 	At time of application submittal
	Plan Review	<ul style="list-style-type: none"> ▪ Commercial, foundation, addition, tenant improvement/remodel ▪ Apartments/Condos ▪ Engineering site review ▪ Signs ▪ Plat fees ▪ Misc. Plan Review ▪ Lot Tie/Lot Split ▪ Pools & Spas ▪ Recordation 	At time of construction document submittal
	Building Permit	<ul style="list-style-type: none"> ▪ Commercial addition, remodel, tenant improvement, foundation only, shell only ▪ Fence walls or Retaining walls ▪ Misc. Permit ▪ Signs 	After construction document approval and before site construction begins
Residential	Application	<ul style="list-style-type: none"> ▪ 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 	At time of application submittal
	Plan Review	<ul style="list-style-type: none"> ▪ Single family custom, addition, remodel, standard plans ▪ Engineering site review ▪ Misc. plan reviews 	At time of construction document submittal
	Building Permit	<ul style="list-style-type: none"> ▪ Single family custom, addition, remodel, detached structure, standard plans ▪ Fence walls or Retaining walls ▪ Misc. Permit ▪ Signs 	After construction document approval and before site construction begins



Current Planning Department
7447 E. Indian School Rd.
Scottsdale, AZ 85251


Development Review Board Meeting Memorandum


Item No. 5

Topic: Wolff Legacy Scottsdale (14-DR-2018) Amended Stipulations and typographical error.

Action Requested: To include in the Development Review Board motion a reference to the attached amended stipulations.

Meeting Date: October 18, 2018

From: Meredith Tessier, Senior Planner 

Through: Steve Venker, Development Review Board Coordinator 

Summary:

The intent of this memo is to inform the Development Review Board of typographical errors and amended stipulations. As shown in Attachment A, the amended Development Review Board stipulations are in ~~strike through~~ and additions are in **bold**.

Attachment A: 14-DR-2013 Amended Stipulations

**AMENDED Stipulations for the
Development Review Board Application:
Wolff Legacy Scottsdale
Case Number: 14-DR-2018**

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

AMENDED DEVELOPMENT STANDARDS APPROVED BY THE DEVELOPMENT REVIEW BOARD WITH ELIMINATIONS IN ~~STRIKETHROUGH~~ AND ADDITIONS IN **BOLD** DUE TO TYPOGRAPHICAL ERRORS

APPLICABLE DOCUMENTS AND PLANS:

Except as required by the Scottsdale Revised Code (SRC), the Design Standards and Policies Manual (DSPM), and the other stipulations herein, the site design and construction shall substantially conform to the following documents:

1. Architectural elements, including dimensions, materials, form, color, and texture shall be constructed to be consistent with the building elevations submitted by Davis Architecture, with a city staff date of 08/29/2018.
 - a. The location and configuration of all site improvements shall be consistent with the site plan submitted by Sustainability Engineering Group with a city staff date of 08/29/2018.
 - b. Landscape improvements, including quantity, size, and location shall be installed to be consistent with the preliminary landscape plan submitted by Collaborative V Design Studio, Inc., with a city staff date of 08/29/2018.
 - c. The case drainage report submitted by Sustainability Engineering Group and accepted in concept by the Stormwater Management Department of the Planning and Development Services.
 - d. The water and sewer basis of design report submitted by Sustainability Engineering Group and accepted in concept by the Water Resources Department.

RELEVANT CASES:

Ordinance

- A. At the time of review, the applicable General Plan, Zoning and Minor Subdivision cases for the site were: 47-Z-87, 7-GP-2017, 23-ZN-2017, 2-MD-2018.

ARCHAEOLOGICAL RESOURCES:

Ordinance

- B. Any development on the property is subject to the requirements of Scottsdale Revised Code, Chapter 46, Article VI, Section 46-134 - Discoveries of archaeological resources during construction.

ARCHITECTURAL DESIGN:

Ordinance

- C. No paint colors shall have a Light Reflective Value (LRV) greater than thirty-five (35) percent and exterior paint and material colors shall not exceed a value of six (6) and a chroma of six (6) as indicated in the Munsell Book of Color.
- D. Building height shall not exceed forty-eight (48) feet, excluding rooftop appurtenances, measured from existing natural terrain prior to grading.

DRB Stipulations

- 2. Surface materials of walls, retaining walls or fences shall be compatible with the main building.
- 3. All exterior window glazing shall be recessed a minimum of fifty (50) percent of the wall depth, including glass windows within any tower/clerestory elements. The amount or recess shall be measured from the face of the exterior wall to the face of the glazing, exclusive of external detailing. With the final plan submittal, the developer shall provide head, jamb and sill details clearly showing the amount of recess for all window types.
- 4. All exterior doors shall be recessed a minimum of thirty (30) percent of the wall depth, the amount of recess shall be measured from the face of the exterior wall to the face of the glazing, exclusive of external detailing. With the final plan submittal, the developer shall provide head, jamb and sill details clearly showing the amount of recess for all door types.
- 5. At time of final plans, the applicant shall demonstrate that shade structure materials have a density of seventy-five (75) percent or greater to maximize the effectiveness of the shade structure.

SITE DESIGN:

Ordinance

- E. Pursuant to 23-ZN-2017, Maximum dwelling units shall not exceed 175 dwelling units, and the maximum density shall not exceed 12.5 dwelling units per acre.
- F. Pursuant to 23-ZN-2017, a Scenic Corridor easement shall be provided along Pima Road with an average width of 100 feet.
- G. Pursuant to 23-ZN-2017, a Desert Scenic Roadway setback shall be provided along East **Legacy Boulevard** ~~Bell Road and North Thompson Peak Parkway~~. The Desert Scenic Roadway setback shall be a minimum width of thirty-five (35) feet and an average width of fifty (50) feet, measured from right-of-way. Unless otherwise approved by the Development Review Board, the Desert Scenic Roadway setback shall be left in a natural condition.

- H. Pursuant to 47-Z-87 & 23-ZN-2017, the owner shall dedicate to the City a continuous Vista Corridor Easement to cover any watercourse with a peak flow rate of 750 cubic feet per second or greater, based on the 100-year – 2-hour rain event. The minimum width of the easement shall be 50 feet wide or more to accommodate the wash flow and shall include any existing low flow channels, all major vegetation, and the area between the tops of the banks of the watercourse. If there are areas within the wash which are disturbed by development, the wash area shall be restored as closely as possible to their natural, pre-development state.
- I. The design and construction of walls along the Vista Corridor shall comply with 47-Z-87.

DRB Stipulations

6. Final plan approval is subject to staff approval and recordation of final plat (2-MD-2018).
7. All drive aisles that are fire lanes shall have a width of twenty-four (24) feet.
8. With the final plan submittal, the owner shall provide grading and revegetation plans which shows the contouring and revegetation of cuts and fills that blends with the surrounding terrain to the satisfaction of plan review staff. If bare native rock surfaces are proposed, the owner shall provide a methodology by which natural patina is applied to all rock surfaces.
9. With the final plan submittal, the owner shall provide wall elevations and details to show the undulation of all walls on-site to follow the natural terrain, to the satisfaction of plan review staff.
10. The shared screen wall located along the future development pad shall not conflict or cross any future and/or existing easements including, but not limited to; Scenic Corridor, Utility, Natural Area Open Space easement, and Non-motorized Public Access Easement. Final placement of the wall shall not disrupt pedestrian circulation and is subject to the satisfaction of plan review staff.
11. At time of final plans, the applicant shall demonstrate that the shared screen wall located along the perimeter of the future development pad located at the southwest corner of the overall site terminates at the required 50-foot-wide Desert Scenic Roadway Setback along Legacy Boulevard and the required 100-foot-wide Scenic Corridor Easement along Pima Road.

NATURAL AREA OPEN SPACE (NAOS):

Ordinance

- J. Pursuant to 23-ZN-2017, the development shall dedicate a minimum of 3.02 acres of Natural Area Open Space.

DRB Stipulations

12. At time of final plans, the owner shall dedicate 3.02 acres of Natural Area Open Space.
13. All areas delineated as undisturbed NAOS shall be left undisturbed, except that additional plant materials, indigenous to the site may be introduced to the NAOS.
14. The NAOS easement shall exclude all man-made structures and material including but not limited to, sidewalks, headwalls, rip rap, and walls.

15. Trails located within Natural Area Open Space shall be minimally improved, hand dug and shall have minimum impact on plants identified in the Native Plant Ordinance. The trail design and location are subject to the DSPM Section 8-3.200 and satisfactory of plan review staff.

LANDSCAPE DESIGN:

Ordinance

- K. The property owner shall obtain approval of a Salvage/Native Plant Plan Application and obtain a permit to remove any tree.
- L. Pursuant to 47-Z-87, plant materials that are not indigenous to the area shall not exceed twenty-five (25) feet in height and shall be limited to yards enclosed by walls and solid fences that are a minimum three (3) feet in height.

DRB Stipulations

16. Prior to the issuance of a building permit, the owner shall submit landscape improvement plans that demonstrate how the salvaged vegetation from the site will be incorporated into the design of the landscape improvements.
17. A temporary irrigation system is required in re-vegetated NAOS areas. This system shall be disconnected once the plant material is established and shall not exceed a period of three years.

EXTRIOR LIGHTING:

Ordinance

- M. Pursuant to 23-ZN-2017, the maximum height of any outdoor lighting source, except any light sources for patios and/or balconies, shall be 16 feet above the adjacent finished grade.
- N. All exterior luminaires shall have integral lighting shield and be directed downward, including landscape lighting.
- O. All exterior luminaires mounted eight (8) feet or higher, above finished grade, shall be directed downward and have an integral lighting shield.
- P. Any exterior luminaire with a total initial lumen output greater than 1600 lumens shall have an integral lighting shield.
- Q. Any exterior luminaire with a total initial lumen output of greater than 3050 lumens shall be directed downward and comply with the Illuminating Engineering Society of North America (IES) requirements for full cutoff.

DRB Stipulations

18. All exterior luminaires shall meet all IES requirements for full cutoff and shall be aimed downward and away from property line except for sign and landscape lighting.
19. All fixtures and associated hardware, including poles, shall be flat black or dark bronze.
20. Incorporate the following parking lot and site lighting into the project's design:

- a. The maintained average horizontal luminance level, at grade on the site, shall not exceed 2.0 foot-candles. All exterior luminaires shall be included in this calculation.
 - b. The maintained maximum horizontal luminance level, at grade on the site, shall not exceed 8.0 foot-candles. All exterior luminaires shall be included in this calculation.
 - c. The initial vertical luminance at 6-foot above grade, along the entire property line shall not exceed 0.8 foot-candles. All exterior luminaires shall be included in this calculation.
21. The total lumen per luminaire shall not exceed 24,000 lumens.
 22. The pre-curfew lighting design hours shall be defined as dusk to 10:00 PM, and the post-curfew lighting design hours shall be defined as 10:00 PM to dawn. All exterior lights shall be turned off during the post-curfew except for lights for security purposes.
 23. A programmable timer, and photocells shall control the pre- and post-curfew lights; photocells shall be mounted on the north side of the building. The programmable timer may contain a maximum 1-hour manual over ride with an automatic turn off for after hours, and special events use only.
 24. No lighting shall be permitted in dedicated NAOS, Scenic Corridor, Vista Corridor, or Desert Scenic Roadway Setback easements.

AIRPORT:

Ordinance

- R. Prior to the issuance of any permit, the owner shall dedicate an Avigation Easement, in a form acceptable to the City Attorney, or designee.

DRB Stipulations

25. With the construction document submittal, the owner shall submit an FAA FORM 7460-1 to the FAA for any proposed structures, appurtenances and/or individual construction cranes that penetrate the 100:1 slope. The elevation of the highest point of those structures, including the appurtenances, must be detailed on the FAA form 7460-1 submittal. The owner shall provide Aviation staff a copy of the FAA determination letter prior to building permit issuance.
26. With the construction document submittal, the owner shall submit an aircraft noise and overflight disclosure notice that is to be provided occupants, potential homeowners, employees and/or students. Prior to the issuance of a permit, not including a native plant permit, the aircraft noise and overflight disclosure notice shall be in a form acceptable to the Scottsdale Aviation Director.
27. With the construction document submittal, the owner shall submit plans and documentation demonstrating that the development has been designed shall be constructed to reduce interior to exterior noise by at least 25 decibels, in accordance with the most recent the noise attenuation measures at the time of the construction document submittal and set forth in Section 4.00 of Appendix F of the FAA part 150 noise Compatibility Study, as amended.

STREET DEDICATIONS:

Ordinance

- S. Prior to the issuance of a building permit for the development project, the owner shall make the following fee simple right-of-way dedications to the City of Scottsdale:
- i. A minimum of 55-foot dedication from centerline, along East Legacy Boulevard site frontage for a north street half-right-of-way width.
 - ii. A minimum of 75 feet dedication from centerline, a long North Pima Road site frontage for a west street half-right-of-way.

STREET INFRASTRUCTURE:

Ordinance

- T. All street infrastructure improvements shall be constructed in accordance with this City of Scottsdale Supplement to MAG Specifications and Details, and the Design Standards and Policies Manual.

DRB Stipulations

- ~~U.~~ **28.** Prior to the issuance of a building permit for the development project, the owner shall submit and obtain approval of civil construction documents to construct the following improvements:
- i. EAST LEGACY BOULEVARD
 - ~~a. Construct west bound left turn lane at the existing median opening. Improvements (curb, gutter, sidewalk, pavement, etc.) in accordance with the DSPM figures 2225 and 2226.~~
 - b. Construct an 8-foot-wide trail
 - c. Construct an 8-foot-wide path
 - ii. NORTH PIMA ROAD
 - a. Construct right-turn lane improvements (curb, gutter, sidewalk, pavement, etc.) for the new driveway to be located for the remaining parcel on the corner E. Legacy Boulevard and N. Pima Road in accordance with the DSPM.
 - b. Construct an 8-foot-wide trail
 - c. Construct an 8-foot-wide path
- ~~28.~~ **29.** All public sidewalks shall be integral colored concrete to match Davis, San Diego Buff.
- ~~29.~~ **30.** All curb ramps for public and pedestrian sidewalks that intersect public and private streets, or driveways that intersect public and private streets, shall have truncated domes that are colored to match Frazee Western Reserve (8617N) color, or Sherman Williams (SW7055) Enduring Bronze (246-C7).

WATER AND WASTEWATER:

DRB Stipulations

- ~~30.~~ **31.** Before the of civil construction document submittal, the owner shall obtain approval of the master water and wastewater reports from to Water Resources Department. The civil construction document submittal shall be consistent with the approved master water and wastewater reports. Any design that modifies the approved master report requires from the owner a site-specific addendum to the master report, subject to review and approval by City staff.
- ~~31.~~ **32.** Existing water and sewer service lines to this site shall be utilized or shall be disconnected at the main pursuant to the Water Resources Department requirements.

DRAINAGE AND FLOOD CONTROL:

DRB Stipulations

- ~~32.~~ **33.** With the civil construction document submittal, the owner shall submit a final drainage report that demonstrates consistency with the DSPM and the case drainage report accepted in concept by the Stormwater Manager or designee.
- ~~33.~~ **34.** All headwalls and drainage structures shall be integrally colored concrete to blend with the color of the surrounding natural desert.

MULTI-USE TRAILS AND PATHS:

DRB Stipulations

- ~~34.~~ **35.** Prior to ~~any building permit~~ issuance of any **Certificate of Occupancy** for the development project, the owner shall submit and obtain approval of civil construction documents to construct a minimum 8-foot-wide multi-use trail along East Legacy Boulevard and North Pima Road frontages. The alignment of the multi-use trail shall be subject to approval by the city's Transportation General Manager or designee and shall be designed in conformance with the Design Standards and Policies Manual. The owner shall provide signs and markers for all trails as specified in the Design Standards and Policies Manual. The location and design of the signs and markers shall be shown on the civil construction documents.
- ~~35.~~ **36.** Prior to ~~any building permit~~ issuance of any **Certificate of Occupancy** for the development project, the owner shall submit and obtain approval of civil construction documents to construct a minimum 8-foot-wide trail within the 50-foot-wide vista corridor easement located along the western/northern boundary of the parcel. The alignment of the trail shall be coordinated with the Native Plant survey and the COS Planning Department. The owner shall provide signs and markers for all trails as specified in the Design Standards and Policies Manual. The location and design of the signs and markers shall be shown on the civil construction documents.

EASEMENTS DEDICATIONS:

DRB Stipulations

- ~~36.~~ **37.** Prior to the issuance of a building permit for the development project, the owner shall dedicate the following easements to the City of Scottsdale on the final subdivision plat:
- a. A sight distance easement where a sight distance triangle(s) in conformance with figures 5.3-26 and 5.3-27 of Section 5.3 of the DSPM cross on to the property.
 - b. A continuous Vista Corridor Easement to cover any watercourse with a peak flow rate of 750 cubic feet per second or greater, based on the 100-year – 2-hour rain event. The minimum width of the easement shall be 50 feet. The easement shall include, at a minimum, any existing low flow channels, all major vegetation, and the area between the tops of the banks of the watercourse.
 - c. A Scenic Corridor Easement for a Scenic Corridor setback width along Pima Road. The easement shall be a minimum of 100 feet, measured from North Pima Road right-of-way. Unless otherwise approved by the Development Review Board, the Scenic Corridor setback shall be left in a natural condition. The applicant shall relocate transplanted vegetation from the project to the Scenic Corridor wherever feasible.
 - d. A minimum 10-foot-wide public non-vehicle access easement, to accommodate a multi-use trail along East Legacy Boulevard and N. Pima Road frontages, as shown on the site plan submitted with the city staff date of 7/17/2018.
 - e. A continuous Public Non-Motorized Access Easement to the City of Scottsdale to contain the public sidewalk in locations where the sidewalk crosses on to the lot.

ADDITIONAL ITEMS:

Ordinance

- ~~U.~~ **U.** Signs located within a Scenic Corridor require Development Review Board approval.

DRB Stipulations

- ~~37.~~ **38.** Exterior signage is not approved as part of this submittal. All signs require separate review and approval.
- ~~38.~~ **39.** Any flagpoles are subject to separate staff review and approval.