

Case Research

July 17, 1979

To: City Council

From: Community Development/Planning *JAB*
CASE 40-Z-79 - AMENDMENT TO COMMUNITY CORE P.C.D.

RECOMMENDATION:

The Planning Commission recommends the City Council approve Case 40-Z-79, an amendment to the Community Core P.C.D., subject to the attached set of stipulations.

The staff concurs with the recommendation of the Planning Commission.

DISCUSSION:

The Planning Commission originally heard this case on June 26th and forwarded the case to the City Council with a recommendation for approval subject to a set of revised stipulations.

Between the time of the Commission meeting and the July 3rd Council meeting, proposed changes were made to the first four stipulations regarding the public use sites. The Council at their July 3rd meeting voted to return the case back to the Planning Commission for their review of the revised stipulations.

No one spoke in opposition at the July 10th Planning Commission meeting. The Commission voted 4-0 (with Mr. Wagoner abstaining) to forward Case 40-Z-79 to the City Council with a recommendation for approval subject to the revised set of stipulations.

CONCURRENCE:

This proposal has been reviewed by and has the concurrence of the Community Development Team.

TJB

T. Bray, C. D. Dept. Head

JA

F. Aleshire, City Manager

ORDINANCE NO. 1269

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 THAT ZONING SHOWN ON ZONING MAP NO. 507 ; AND DECLARING AN EMERGENCY.

WHEREAS, Zoning Case No. 40-Z-79 has been properly noticed for public hearing, pursuant to the requirements of the Scottsdale Zoning Ordinance and the statutes of the State of Arizona, and the necessary hearings thereupon have been completed, and

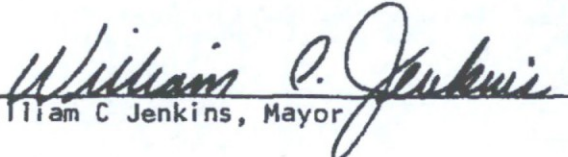
WHEREAS, the Council of the City of Scottsdale instructed the planning staff to prepare an ordinance and map changing the zoning on the property described in Application No. 40-Z-79 as requested by the applicant, and

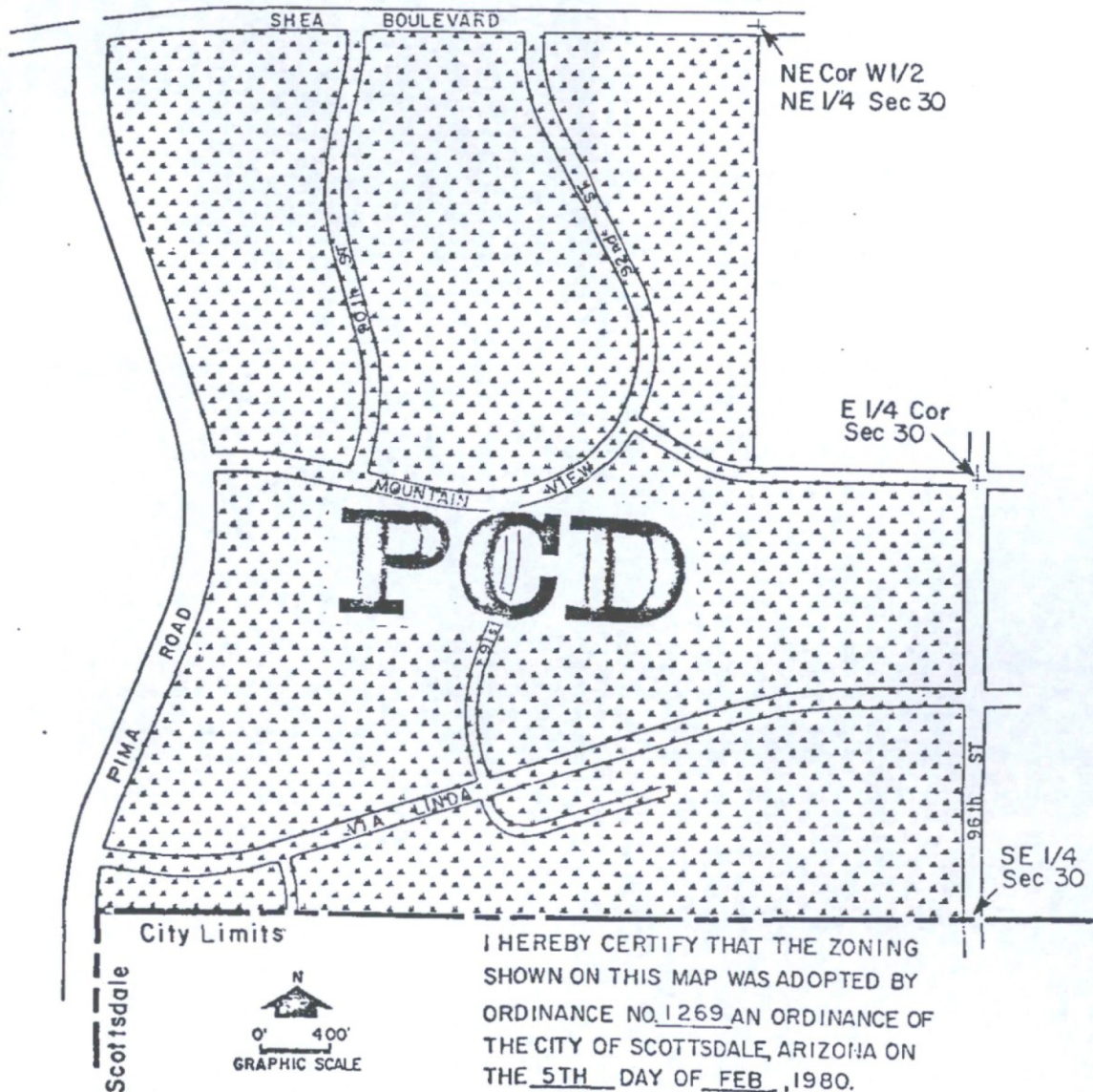
WHEREAS, it is now necessary that the comprehensive zoning map of the City of Scottsdale be amended to conform with the aforesaid decision of the Scottsdale City Council;

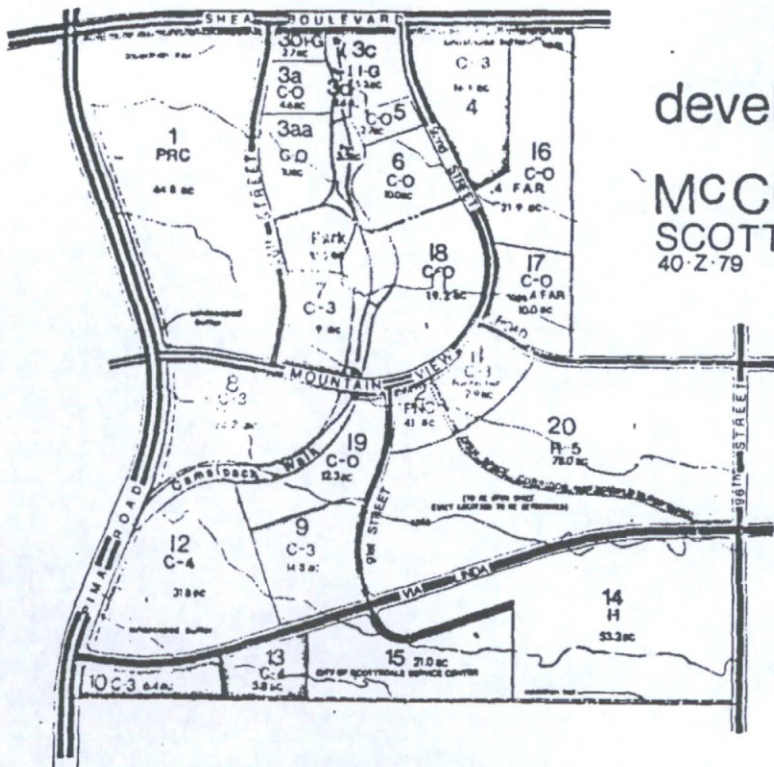
NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Scottsdale, Arizona, that the "District Map" adopted as a part of Ordinance No. 455, showing the zoning district boundaries in the City of Scottsdale, is amended as shown on the attached Zoning Map No. 507 , which map together with all notations, references and other information shown thereon is incorporated as a part of this ordinance and shall have the same force and effect as if fully set forth herein.

WHEREAS, the immediate operation of the provisions of this ordinance is necessary for the preservation of the public peace, health, safety and welfare, an EMERGENCY is hereby declared to exist and this ordinance shall be in full force and effect from and after its final passage and adoption by the City Council.

PASSED AND ADOPTED by the Council of the City of Scottsdale this 5th day of February 1980.


William C Jenkins, Mayor





development plan

MCCORMICK RANCH CENTER
SCOTTSDALE, ARIZONA
40-Z-79

APPROVED

DEN F. LOUISER
GENERAL MANAGER DATE

WILLIAM C. JENKINS
MAYOR DATE

LEGEND

- Equestrian Trail ————
- Bike Path ————
- Grade Separated Crossing *

LAND USE ALLOCATION

PARCEL	LAND USE	COMPARABLE EXISTING ZONING	TOTAL ACRES	AVERAGE TOTAL UNITS PER NET ACRE	TOTAL UNITS
1	Planned Regional Center	PRC	64.8	-	-
2	Neighborhood Center	PNC	4.1	-	-
4,7,8,9,10,11	Commercial	C-3	75.2	-	-
12,13	General Commercial	C-4	37.6	-	-
14,15	Employment	I-1	74.2	-	-
16,17,18,19	Office	C-O	63.4	-	-
3a,3aa,5	Health Related	C-O	17.1	-	-
20	Multi-Family	R-5	78.0	18	1248
6,3b,3c	Health Related	I-G	17.9	-	-
3d	Park/Camelback Walk	R1-43	25.2	-	-
Major R/W			59.3	-	-
Total			516.8		1248

The application is submitted as a PL District under Section 5.010 of the Scottsdale Zoning Ordinance and under the "conformity" location and certification of the applicant. The site, plan, and certification of each of these parcels will be examined and certified by the Planning and Zoning Commission for each parcel to determine the appropriate zoning and development requirements thereof.



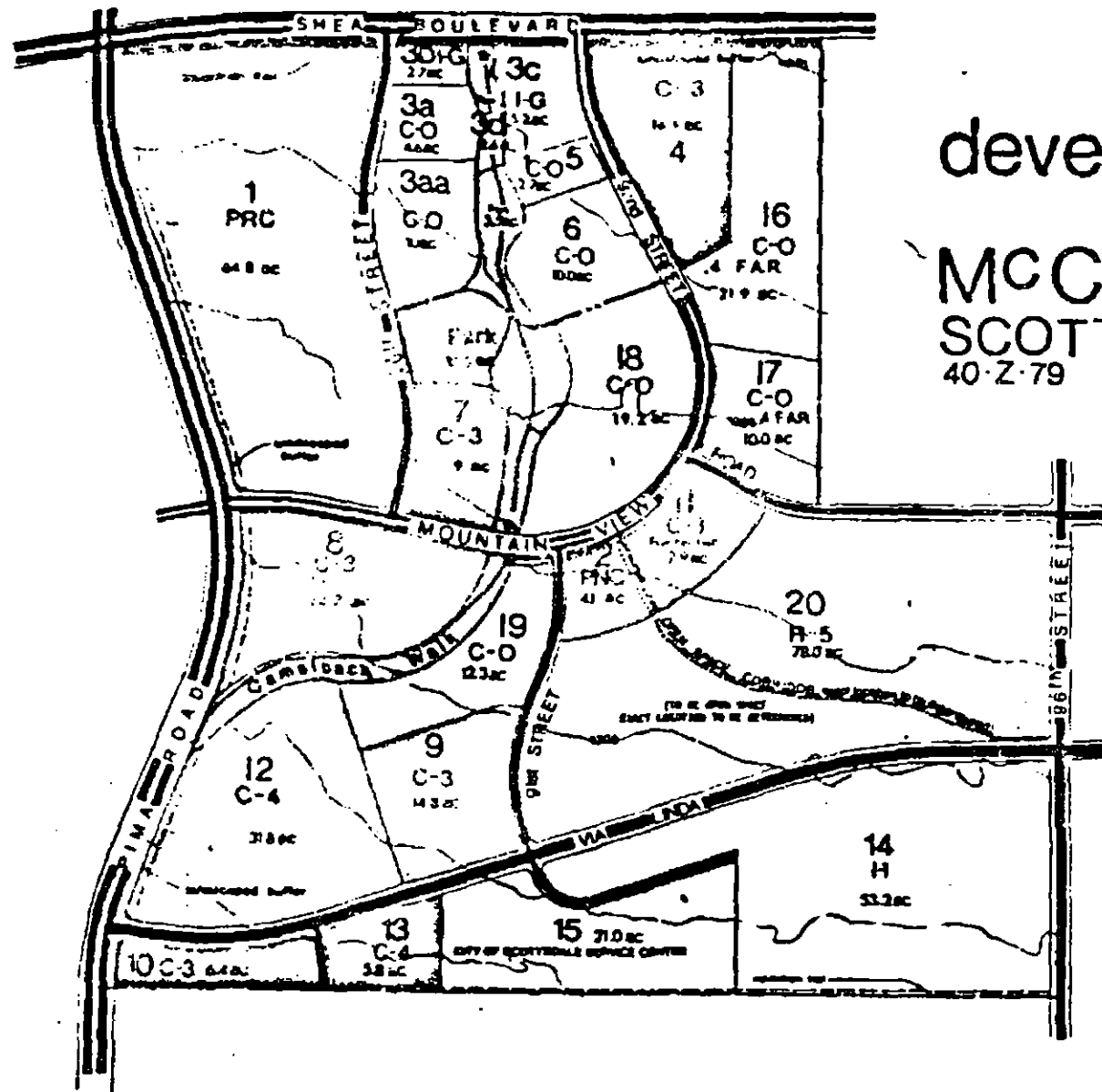
NORTH 0 200 400 800 1200 2000
SCALE IN FEET

Planners: A. Wayne Smith & Associates rev 6-26-79
11-16-79

40-Z-79

development plan

MCCORMICK RANCH CENTER
SCOTTSDALE, ARIZONA
40-Z-79



APPROVED

DEN T. LOUSER
GENERAL MANAGER DATE

WILLIAM C. JENKINS
MAYOR DATE

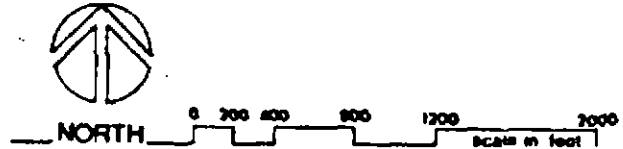
LEGEND

- Equestrian Trail _____
- Bike Path _____
- Grade Separated Crossing *

LAND USE ALLOCATION

PARCEL	LAND USE	COMPARABLE EXISTING ZONING	TOTAL ACRES	AVERAGE UNITS PER NET ACRE	TOTAL UNITS
1	Planned Regional Center	PRC	64.8	-	-
2	Neighborhood Center	PNC	4.1	-	-
4,7,8,9,10,11	Commercial	C-3	75.2	-	-
12,13	General Commercial	C-4	37.6	-	-
14,15	Employment	I-1	74.2	-	-
16,17,18,19	Office	C-0	63.4	-	-
3a,3aa,5	Health Related	C-0	17.1	-	-
20	Multi-Family	R-5	78.0	16	1248
6,3b,3c	Health Related	I-G	17.9	-	-
3d	Park/Camelback Walk	R1-43	25.2	-	-
Major R/W			59.3	-	-
Total			516.8	-	1248

The application is submitted as a PL District under Section 5.2105 of the Scottsdale Zoning Ordinance and shall show the "approximate" location and configuration of the various uses proposed. The size, shape, and configuration of each of these parcels will be changed and modified to conform with planning and/or site plan approvals for each district to accommodate the precise engineering and development requirements thereof.



Planners: A. Wayne Smith & Associates rev 6-26-79
11-16-79

40-Z-79

March 18, 1980

Ordinance No. 1269

To: City Council

From: Community Development/Planning

FAB

ORDINANCE #1269 - ADOPTING CASE 40-Z-79

RECOMMENDATION

It is recommended that the City Council approve Ordinance #1269, adopting Case 40-Z-79, an amendment to the McCormick Ranch Center PCD at the southeast corner of Pima Road and Shea Boulevard subject to the attached stipulations.

DISCUSSION

The Community Core PCD was originally approved as Case 57-Z-74. It was subsequently amended by Case 20-Z-77. This proposal further amended the approved development plan. The major changes included an increase in the size of the PRC site and pinpointing the location of the Corporation Yard site. The Staff recommended approval subject to the original set of stipulations.

At their July 10, 1979 meeting, the Planning Commission forwarded the case to the City Council with a recommendation for approval subject to a revised set of stipulations.

At their July 17, 1979 meeting, the City Council approved Case 40-Z-79, subject to the attached stipulations. All stipulations which were required to be satisfied prior to zoning adoption have been met and consequently, adoption is now in order.

At the City Council hearing of February 5, 1980, the City Council continued this adoption to February 25, 1980, pending a discussion of the McCormick Ranch deficiencies scheduled for Council Study Session review on the 25th of February.

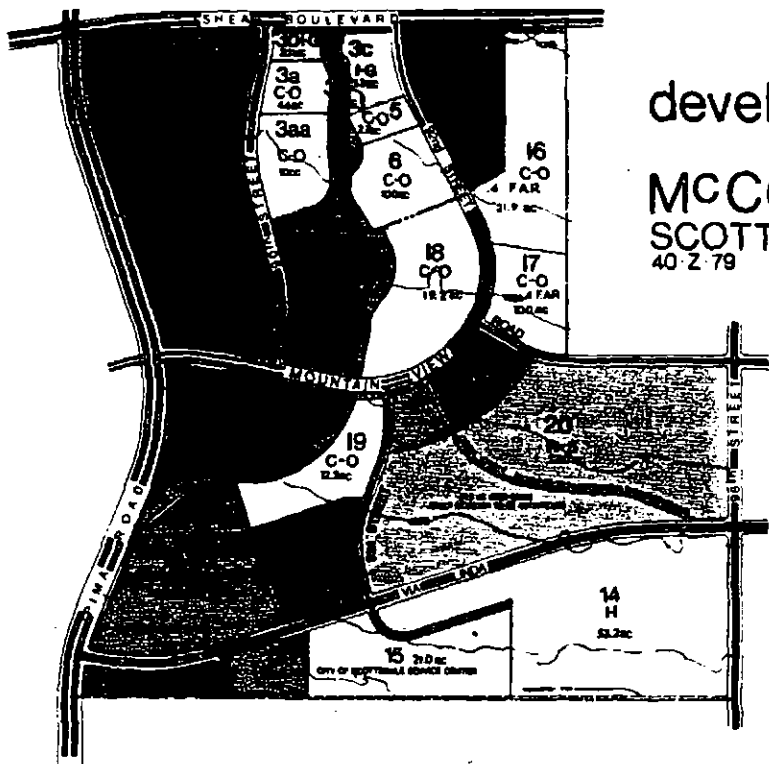
At the City Council hearing of February 25th, the City Council formed a Subcommittee to review the McCormick Ranch "Outstanding Improvements/Deficiencies". Action on this ordinance was deferred to the March 18th meeting to allow the Subcommittee an opportunity to review the list of "Outstanding Improvements/Deficiencies".


George Britton, Acting C.D. Dept. Head


Tim Bray, Acting City Manager

Action Taken: Approved - OK - by unanimous vote

7-ZN-2018
06/07/18



development plan

MCCORMICK RANCH CENTER SCOTTSDALE, ARIZONA 40-Z-79

APPROVED

DEAN T. LOUSEY
GENERAL MANAGER

WILLIAM C. JENNIS
MANAGER

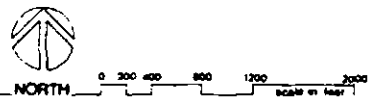
LEGEND

- Equestrian Trail
- Bike Path
- Grade Separated Crossing

LAND USE ALLOCATION

PARCEL	LAND USE	COMMISSIBLE EXISTING ZONING	TOTAL ACRES	OVERAGE UNITS PER NET ACRE	TOTAL UNITS
1	Planned Regional Center	PRC	64.8	-	-
2	Neighborhood Center	PNC	4.1	-	-
4, 7, 8, 9, 10, 11	Commercial	C-3	75.2	-	-
12, 13	General Commercial	C-4	37.6	-	-
14, 15	Employment	I-1	76.2	-	-
16, 17, 18, 19	Office	C-O	63.4	-	-
3a, 3aa, 5	Health Related	C-O	17.1	-	-
20	Multi-Family	R-5	78.0	16	1248
6, 3b, 3c	Health Related	I-G	17.9	-	-
3d	Park/Camelback Walk	Rt-43	25.2	-	-
Major R/W			59.3	-	-
Total			516.8		1248

The application is submitted as a 10 District under Section 21B of the Scottsdale zoning ordinance and shall be "submitted" together and configuration of the same. The staff, plans, and configuration of each of these parcels will be changed and modified to conform with zoning and other plan generally for such district as to be adopted and approved by the planning and development department.

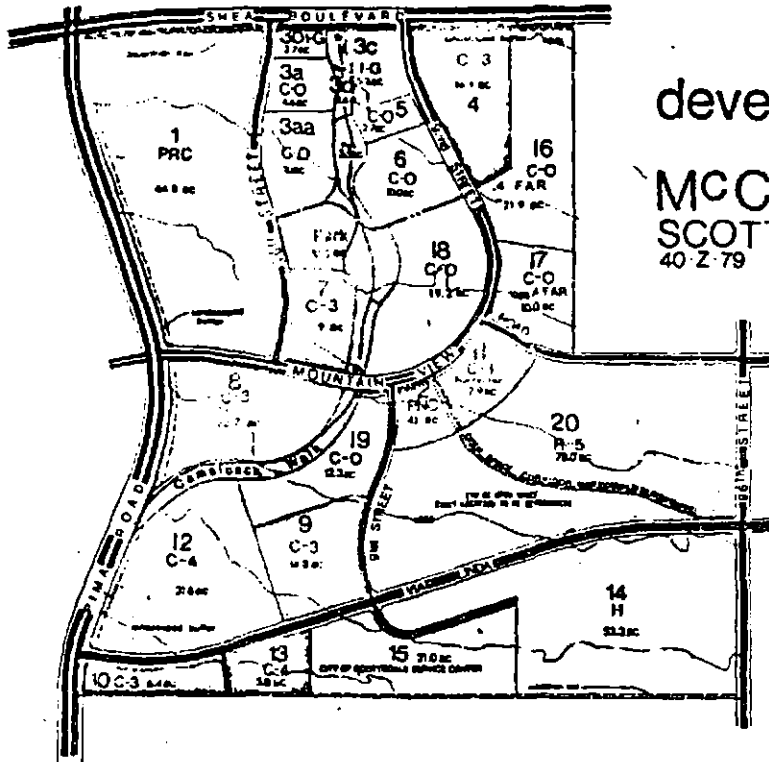


Planners: A Wayne Smith & Associates rev 6 26 79
11-16-79

40-Z-79

development plan

MCCORMICK RANCH CENTER
SCOTTSDALE, ARIZONA
40-Z-79



APPROVED

LAND USE ALLOCATION

DATE

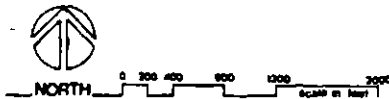
DATE

LEGEND

- Equestrian Trail
- Bike Path
- Grade Separated Crossing *

PARCEL	LAND USE	ZONING	COMPARABLE EXISTING (ACRES)	TOTAL ACRES	APPROXIMATE TOTAL SQUARE FEET	TOTAL SQUARE FEET
1	Planned Regional Center	PRC	648	-	-	-
2	Neighborhood Center	PRC	4.1	-	-	-
4,7,8,9,10,11	Commercial	C-3	752	-	-	-
12,13	General Commercial	C-4	378	-	-	-
14,15	Employment	I-1	742	-	-	-
16,17,18,19	Office	C-0	634	-	-	-
3a,3aa,5	Health Related	C-0	171	-	-	-
20	Multi-Family	R-5	780	96	1248	-
6,3b,3c	Health Related	I-G	179	-	-	-
3d	Park/Camelback Walk	R1-43	252	-	-	-
Major R/W			593	-	-	-
Total			5168	-	-	1248

The application is submitted as a 1/4 Section after Section 5.020 of the Scottsdale zoning ordinance and shall be "partially" located and designated as of the same. The map, plan, and specifications of each of these parcels will be prepared and submitted to the Planning and Zoning Commission and also approved for each parcel to be submitted to the Planning and Zoning Commission.



Planners: A. Wayne Smith & Associates rev. 6-26-79
11-18-79

40-Z-79

February 5, 1980

To: City Council

From: Community Development/Planning *LAB*

ORDINANCE #1269 - ADOPTING CASE 40-Z-79

RECOMMENDATION

It is recommended that the City Council approve Ordinance #1269, adopting Case 40-Z-79 an amendment to the McCormick Ranch Center PCD at the southeast corner of Pima Road and Shea Boulevard subject to the attached stipulations.


DISCUSSION

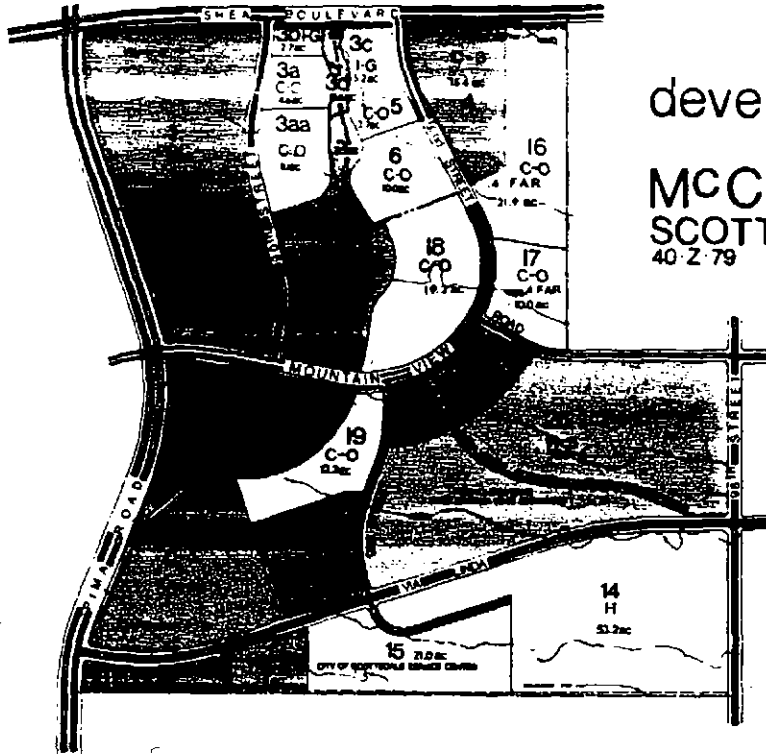
The Community Core PCD was originally approved as Case 57-Z-74. It was subsequently amended by Case 20-Z-77. This proposal further amended the approved development plan. The major changes included an increase in the size of the PRC site and pinpointing the location of the Corporation Yard site. The staff recommended approval subject to the original set of stipulations.

At their July 10, 1979 meeting, the Planning Commission forwarded the case to the City Council with a recommendation for approval subject to a revised set of stipulations.

At their July 17, 1979 meeting, the City Council approved Case 40-Z-79 subject to the attached stipulations. All stipulations which were required to be satisfied prior to zoning adoption have been met and consequently, adoption is now in order.


George Britton, Acting C. D. Dept. Head


Tim Bray, Acting City Manager



development plan

MCCORMICK RANCH CENTER
SCOTTSDALE, ARIZONA
40-Z-79

APPROVED

LAND USE ALLOCATION

DON F. LOUISE
GENERAL MANAGER

DATE

WILLIAM C. J. HARRIS
MAYOR

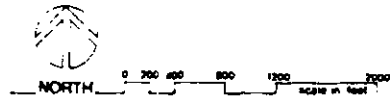
DATE

LEGEND

- Equestrian Trail
- Bike Path
- Grade Separated Crossing

PARCEL	LAND USE	COMPARABLE EXISTING ZONING	TOTAL ACRES	AVERAGE UNITS PER NET ACRE	TOTAL UNITS
1	Planned Regional Center	PRC	64.8	-	-
2	Neighborhood Center	PNC	4.1	-	-
4,7,8,9,10,11	Commercial	C-3	75.2	-	-
12,13	General Commercial	C-4	37.6	-	-
14,15	Employment	I-1	74.2	-	-
16,17,18,19	Office	C-O	63.4	-	-
3a, 3aa, 5	Health Related	C-O	17.1	-	-
20	Multi-Family	R-5	78.0	16	1248
6, 3b, 3c	Health Related	I-G	17.9	-	-
3d	Park/Camelback Walk	R1-43	25.2	-	-
	Major R/W		59.3	-	-
Total			516.8		1248

The development is subject to a 10-foot setback from the 5.7% of the Substantive...
 (Note: The text is partially obscured and difficult to read fully.)



Planners: A. Wayne Smith & Associates rev 6 26 79
11-16-79

40-Z-79

FINAL STIPULATIONS FOR CASE 40-2-79 AS APPROVED BY
THE CITY COUNCIL ON JULY 17, 1979

1. The ten (10) acre community center site shall be dedicated to the City prior to December 31, 1979. The applicant shall be responsible for the improvement of that portion of the community center site which is within Camelback Walk drainageway at such time as Camelback Walk drainageway south of the site is improved. That portion of Camelback Walk drainageway which is within the community center site shall be graded and improved to a basic landscaped condition including ground cover, trees and an irrigation system. For the improvement of the remainder of the community center site, the applicant shall donate \$50,000 to the City at the time of site dedication.
2. A twenty-one (21) acre site to contain the service center for the northern part of the City shall be located in the I-1 parcel generally as shown on Exhibit A. The Development Plan shall be revised accordingly prior to the adoption of zoning for Parcels 2, 10, 11, 12, 13, 14, 15, and 20. A portion of the facility consisting of forty (40) percent of the area (8.4 acres) shall be dedicated by the applicant prior to December 31, 1979. Prior to December 31, 1979, the applicant shall sell to the City the balance of the site (12.6 acres). A price of \$176,500 has been computed by the City and the applicant.
3. The applicant shall provide improved access and utilities (water and sewer) to the service center site by December 31, 1980 and the community center site by December 31, 1984.
4. The public service center site and community center site shall be free from all deed restrictions, except a ten (10) year restriction for public use only. Any facility constructed on these public parcels will conform to the Scottsdale Zoning Ordinance and shall be subject to Development Review Board review and approval. Development of the service center shall generally conform to the development standards of the surrounding industrial properties. The City will submit the service center perimeter wall and landscape design for review and approval by the McCormick Ranch Architectural Review Committee.
5. Areas shall be keyed to the comparable zoning districts as shown on the Development Plan.
6. The property development standards of the comparable zoning districts shall apply except as modified in the letter of transmittal with the following limitation:
 - A. Development on the C-0 parcel west of Sentry Insurance shall be limited to two-story structures with a maximum Floor Area Ratio (F.A.R.) of .4.
 - B. Building height in the eastern 300 feet of the I-1 parcel shall be limited to a maximum of 24 feet, and not more than one-half ($\frac{1}{2}$) of the total roof area of any one development shall exceed 18 feet in height.
 - C. Development of the C-3 and C-0 parcels within the activity hub shall have a minimum F.A.R. of .4.
7. To facilitate better access to the "activity hub" from the property to the east, there shall be an open space corridor extending from the northwest corner of 96th Street and Via Linda to the community center as shown on the Development Plan.
8. A landscaped buffer averaging 100 feet in depth, with a minimum of 75 feet shall be established and maintained for the entire frontages of Shea Blvd. and Pima Road. In the case of the P.R.C. parcel, a maximum of 30 feet of the average 100 feet can be applied to the frontage open space requirement of the parcel. In the case of the remaining Shea and Pima frontage parcels, the landscape buffer can be considered to provide the frontage open space requirement for that frontage. In neither case shall the landscape buffer reduce the total open space requirements of the individual parcels.

9. Use of the 20.7 acre C-3 parcel at the southeast corner of Pima and Mt. View shall be limited to home improvement uses or other uses with similar traffic generation characteristics.

10. Prior to the first application for Development Review, the applicant shall provide a Bike Path/Equestrian Master Plan. There shall be public access to the bike path system.

Bike paths shall be provided as follows:

A. Within the open space corridors.

B. As part of the Shea Blvd. street improvements, the applicant shall be responsible for one-half ($\frac{1}{2}$) of the cost of a bikeway/drainageway and pedestrian underpass where Camelback Walk crosses Shea Blvd.

C. A grade-separated pedestrian, bicycle and drainage crossing shall be provided where Camelback Walk crosses Mt. View.

D. Adjacent to Shea Blvd., Via Linda, and 96th Street, unless deleted by the adopted Circulation Element of the General Plan.

Equestrian Trails shall be provided as follows:

A. Adjacent to Shea Blvd. from Pima to the east property line.

B. Along the entire length of the south property line.

11. Site plans for the planned commercial parcels shall be approved by the Planning Commission and City Council via the public hearing process prior to Development Review Board approval.

12. We would encourage all parcels within the activity hub to incorporate into their developments an eventual residential density of ten (10) dwelling units per acre. Such residential uses shall not be included in the calculations of the ultimate floor area ratio.

13. Prior to the first application for Development Review, the applicant shall submit a Master Streetscape Plan.

14. Prior to application for Development Review approval of any adjacent parcel, the applicant shall submit improvement plans and a schedule of improvement for Camelback Walk.

15. As part of the improvement plans for buildings, streets, water and sewer lines and other physical improvements, the appropriate developer shall submit a soils analysis, particularly noting shrink-swell potential and permeability.

16. Prior to the first application for Development Review approval, the applicant shall submit a survey which locates and identifies existing significant vegetation: i.e., trees of 4 inch or greater in caliper and cactus 6 feet or greater in height. Existing significant vegetation shall be retained where feasible. Adjacent landscaping shall be compatible in character and type.

17. Prior to the adoption of zoning, the applicant shall submit a revised plan which reflects the stipulations and which includes the property which was included in the original P.C.D., but is an exception to this application.

18. Prior to any application for Development Review approval, certain revised Master Plans shall be submitted by the applicant and approved by the City of Scottsdale. These Master Plans shall include:

A. A Master Wastewater Plan prepared by a registered engineer, conforming with the City's Wastewater Master Plan, and acceptable to the City. The applicant's Wastewater Master Plan shall:

1. Locate and size all necessary wastewater/sewer facilities.

2. Provide a table specifying the timing and responsible party for construction of the necessary wastewater facilities.

- 18.
3. Provide a time phased demand analysis showing flow requirements, and
 4. Conform with the City's adopted wastewater plans.
- B. A Water Master Plan, prepared by a registered engineer and acceptable to the City. The Water Master Plan shall:
1. Conform with the City's adopted water system master plans
 2. Locate and size water system components
 3. Indicate the timing and responsible party for the construction of the water system
 4. Identify source(s) of supply, and
 5. Provide an analysis, including peak and fire-flow requirements, indicating the timing of demand
- C. A Master Drainage and Flood Control Plan (Schedule for construction)
- D. The developer shall submit a Grading Master Plan prepared by a registered engineer and approved by the City of Scottsdale. The Grading Master Plan shall include:
1. The phasing and timing of all master development grading
 2. Provisions for interim sediment and erosion control until final improvements are built.

19. Shea Boulevard improvements shall commence as set forth in the agreement of November 18, 1976 between Kaiser Aetna and the City of Scottsdale.
20. Street improvements for other arterial and major collectors shall be required by the applicant of this zoning case as adjacent parcels develop in an orderly manner as approved by the Development Review Board. In no case shall any development be approved without full width improved street access unless otherwise approved by the Development Review Board. Further, Via Linda must be improved to Pima Road prior to the issuance of any building permits for the R-5 parcel, and at the time of occupancy of sixty (60) percent of the permitted dwelling units, Via Linda improvements shall be completed between Pima and 96th Street.
21. Any additional access to Shea Boulevard not shown on the approved Development Plan must be approved by the Development Review Board and shall not be provided a median break except as approved by the Development Review Board.
22. As part of the street improvements, the applicant shall be responsible for the entire cost of the design and installation of the traffic signals for the following locations and schedule:

<u>Location</u>	<u>Schedule</u>
A. 90th St. & Shea Blvd.	(Prior to the occupancy of any portion of the P.R.C. or within six months of the date written notification is received from the City stating the signal is warranted.
B. Pima Road & Mt. View	
C. 90th St. & Mt. View	
D. 92nd St. & Shea Blvd.	(Within six months of the date written notification is received from the City stating the signal is warranted.
E. Pima Road & Via Linda	
F. 91st St. & Mt. View	

23. Signals along Mt. View and Shea Blvd. shall be intertied with underground electrical conduit.
24. As part of the street improvements all intersections shall be provided with signal conduit and pull boxes.

25. Right-of-way requirements for the various streets shall be dedicated according to the following schedule:

<u>Roadway Segment</u>	<u>R.O.W.</u>	<u>Cross Section To Back of Curb</u>
A. Shea Blvd.	65' ($\frac{1}{2}$)	48' ($\frac{1}{2}$)*
B. Pima Road	95' ($\frac{1}{2}$)	48' + Shoulder ($\frac{1}{2}$)*
C. Mt. View (Pima to 92nd St.)	110'	69'
D. Mt. View (92nd St. to Sentry Pl.)	60'	41'
E. Mt. View (Sentry Pl. to 96th St.)	30' ($\frac{1}{2}$)	20.5' ($\frac{1}{2}$)
F. Via Linda (Pima to 96th St.)	110'	69'
G. 90th St. (South of Via Linda)	90'	61'
H. 90th St. (Shea to Mt. View)	110'	69'
I. 91st St. (Mt. View to Via Linda)	60'	41'
J. 92nd St. (Shea to Mt. View)	110'	69'
K. 96th St. (Mt. View to Via Linda)	55' ($\frac{1}{2}$)	34.5' ($\frac{1}{2}$)
L. 96th St. (South of Via Linda)	45' ($\frac{1}{2}$)	**

* Improvements shall be as set forth in the agreement of November 18, 1976, between Kaiser-Aetna and the City of Scottsdale.

** To be determined at the time of Development Review approval or tentative plat approval of adjacent parcels.

26. The applicant shall dedicate by map of dedication the right-of-way for all collector and arterial streets shown on the approved development plan prior to zoning adoption.
27. As part of the paving plans, bike paths and sidewalks where required shall be included. The applicant shall be responsible for construction of all streets shown on the approved development plan with their related improvements, including street lights.
28. Domestic water requirements shall be provided as required by City Code and applicable regulations. The applicant shall be required to construct and dedicate all water lines and pumping/booster facilities necessary to serve his development. Water facilities shall conform to the City's adopted water system master plans. The City may participate in water facility oversizing or may require the applicant to oversize. Payback agreements in accordance with City Code may be provided for any oversize costs incurred by the applicant in excess of those water facility costs needed to serve the development.
29. The applicant shall be required to construct and dedicate at his expense all sewer facilities as required by City Code and necessary to serve his development. Sewer facilities shall conform to the City's adopted wastewater plans. The City may participate in sewer facility oversizing/overdepth or may require the applicant to oversize/overdepth. Payback agreements in accordance with City Code may be provided for any oversize/overdepth costs incurred by the applicant in excess of these sewer line and facility costs needed to serve the development. All development shall be connected to the sanitary sewer.
30. As part of the street improvements the applicant shall be responsible for improvements to City standards of any required medians. Improvement plans shall be submitted and approved at the time of submittal of the paving plans.
31. No building permits shall be issued prior to the installation of an approved and operational water system serving that building site.

32. The applicant understands and agrees that in addition to constructing water and sewer facilities as provided herein, he or subsequent purchasers shall also be required to pay any water development fee, sewer connection charge and/or development tax which is applicable at the time building permits are granted.

Each development lot shall be considered individually when computing the sewer connection charge. The charge will be required of each individual lot at the time of Development Review Board approval of a building proposal for that lot, and will be subject to ordinance requirements at the time of approval, with the charge to be paid at the time of the issuance of a building permit.



CITY COUNCIL REPORT



MEETING DATE: August 29, 2006

ITEM NO. 31 GOAL: Coordinate Planning to Balance Infrastructure

SUBJECT

McCormick Ranch Condos - 14-GP-2005 and 22-ZN-2005

REQUEST

Request:

1. To approve a non-major General Plan Amendment from "Office" to "Urban Neighborhoods" on a 2.79 +/- acre parcel located at 8301 Via Paseo del Norte.
2. To rezone from Commercial Office, Planned Community District (C-O PCD) to Multiple Family District, Planned Community District (R-5 PCD) on a 2.79 +/- acre parcel located at 8301 Via Paseo del Norte.
3. To adopt Resolution No. 6963 affirming the above General Plan Amendment.
4. To adopt Ordinance No. 3689 affirming the above rezoning.

Key Items for Consideration:

- The proposal changes the land use from office use to high-density residential use.
- There are no changes to allowable building heights (36-feet), however the applicant proposes three-story buildings in an area having one and two-story buildings.
- Impacts to traffic, infrastructure, and other services will be negligible.
- McCormick Ranch Property Owners' Association has approved this request.
- There is no known opposition to this request.
- Planning Commission recommended approval, 5-1.

7-ZN-2018
06/07/18

Related References:

Case 3-ZN-2005 and Case 3-UP 2005 amended standards for the adjacent Paseo Village Center and approved a Conditional Use Permit for a health studio.

OWNER

International Capital Partners
480-682-1785

APPLICANT CONTACT

Laura Swann
International Capital Partners
480-682-1785

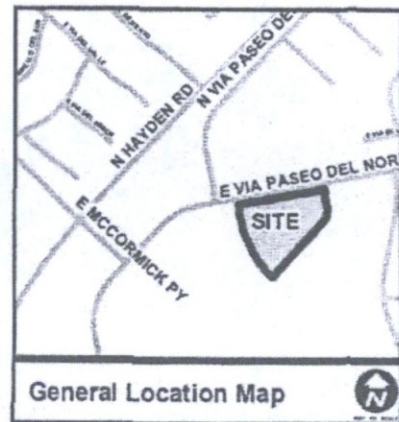
LOCATION

8301 E. Via Paseo Del Norte

BACKGROUND

General Plan.

The General Plan Land Use Element designates the property as Office. The



Office designation includes a variety of office uses, and provides mixed-use opportunities when located between commercial and residential neighborhoods. The immediate surrounding area is designated for Urban Neighborhoods to the north and east, Commercial to the west, and Developed Open Space to the south.

Zoning.

In 1971, this site was zoned Commercial Office, Planned Community District (C-O PCD) as part of the larger McCormick Ranch development. The C-O PCD allows development of a variety of office and related uses adjacent to other commercial areas.

Context.

The 2.79-acre site is located near the N. Hayden Road and E. McCormick Parkway intersection, northeast of the Paseo Village Shopping Center in McCormick Ranch Master Planned Community. The current office site contains 27,100 square feet of office space. Direct access to the site is available using two driveways off of Via Paseo Del Norte. An open space corridor lies to the southwest of this site and provides access to a park to the south.

The surrounding multi-family buildings have two story heights. The condominium development to the southeast of the site has a density of 18 units per acre, and its nearest residential unit is approximately 50 feet from this site boundary.

Adjacent Uses and Zoning:

- North Multi-family residential, zoned R-5 PCD
- South Open Space/Shoshone Municipal Park, zoned O-S PCD
- East Multi-family residential, zoned R-5 PCD
- West Paseo Village Commercial Center, zoned C-1 PNC PCD

**APPLICANT'S
PROPOSAL****Goal/Purpose of Request.**

This is a request to redevelop an existing office site into a multi-family residential development. This application has two parts:

1. **General Plan Amendment.** The proposed change in the General Plan from Office to Urban Neighborhoods is necessary to allow multi-family residential development on this property.
2. **Rezoning.** The proposed rezoning from Commercial Office, Planned Community Development District (C-O PCD) to Multiple Family Residential, Planned Community Development District (R-5 PCD) is also necessary to allow the proposed multi-family residential development on this property.

The proposed development is a new 2-3 story residential condominium complex having 36 units, with two access driveways from Via Paseo Del Norte. The existing office development has underperformed over the years and the property owner has determined that locating multi-family residential on this property will serve as a better land use.

Development Information.

- Existing Use: Offices
- Proposed Use: Multi-family residential condominiums
- Buildings/Description: 9 buildings proposed
- Parcel Size: 2.79 acres
- Building Height Allowed: 36 feet
- Building Height Proposed: 31 to 35 feet (2 to 3 stories)
- Density: 36 units (13 dwelling units per acre)
- Parking Required/Provided: 68 spaces/77 spaces

IMPACT ANALYSIS

Land Use.

General Plan

The proposed General Plan amendment proposes to replace the 2.79-acre Office designation with an Urban Neighborhoods designation, and extends the existing Urban Neighborhoods area to the north and east. The Urban Neighborhoods designation includes areas of multi-family dwellings/apartments having a density usually more than eight dwellings units per acre. These higher densities are generally located near commercial centers, and care must be taken to minimize impacts on other residential areas and traffic.

This proposed amendment eliminates the potential for office uses at this site. A change from an office to a residential focus on this property is relatively small and is not anticipated to have a significant economic stability impact. Also, both office and multi-family residential uses provide similar roles of transitioning from the higher intense commercial uses to the west to the residential areas to the northeast. Any loss of the potential office services allowed by the existing office designation may be absorbed by the adjacent commercial center, which will continue to provide commercial services and a healthy balance of land uses to the surrounding community.

The proposed amendment conforms with the applicable guiding principles of the General Plan by adding residential opportunities that will help support nearby commercial centers, by providing land uses compatible with the area, and maintaining a transition between higher intensity commercial uses and residential uses.

Zoning

The rezoning to the Multiple Family Residential District (R-5 PCD) provides a residential component that will help support the nearby commercial centers as well as a transition from the commercial uses to the west and the residential area to the northeast. The additional residential units will also integrate with the existing neighborhood, and the location of the development provides new residents with direct access to the adjacent open space and park network. The proposed building heights will exceed the existing heights of the adjacent two-

story residential buildings in the abutting developments to the north and east by 6 to 11 feet. However, the proposed 35-foot height is consistent with allowable 36-foot heights of the surrounding C-1 and R-5 Districts, and no negative impacts are anticipated. The proposed density of 13 dwelling units per acre is less than the density of the residential development to the southeast.

Planned Community District (PCD) Findings.

The PCD is designed and intended to enable and encourage the development of large tracts of land so as to achieve land development patterns that will maintain and enhance the physical, social and economic values of an area. The master development plan is an integral part of the PCD. Before approval or modified approval of an application for a proposed PCD, the Planning Commission and the City Council must find:

- A. That the development proposed is in substantial harmony with the General Plan of the City of Scottsdale, and can be coordinated with existing and planned development of surrounding areas.
- B. That the streets and thoroughfares proposed are suitable and adequate to serve the proposed uses and the anticipated traffic which will be generated thereby.
- C. The Planning Commission and City Council shall further find that the facts submitted with the application and presented at the hearing establish beyond reasonable doubt that:
 - 1. In the case of proposed residential development, that such development will constitute a residential environment of sustained desirability and stability; that it will be in harmony with the character of the surrounding area; and that the sites proposed for public facilities are adequate to serve the anticipated population.

Traffic.

McCormick Parkway runs from Scottsdale Road to where it terminates east of Hayden Road at Via Paseo Del Norte. McCormick Parkway is classified as a minor collector east of Hayden Road. It currently has two through lanes with median separation in the vicinity of the site. The posted speed limit on McCormick Parkway in the vicinity of the site is 40 mph.

Via Paseo Del Norte is classified as a minor collector, and is a two-lane roadway that makes a loop that begins and ends at McCormick Parkway. This two-mile long loop serves several residential developments in McCormick Ranch. The posted speed limit on Via Paseo Del Norte the vicinity of the site is 30 mph. The intersection of McCormick Parkway and Via Paseo Del Norte is unsignalized.

The proposed 36-unit multi-family development will continue to have direct access to the site using two driveways off of Via Paseo Del Norte. The trip generation calculations were done up to a potential of 40 dwelling units, and indicate the project will generate approximately 234 daily trips, with 18 trips generated during the a.m. peak hour and 21 trips generated during the p.m. peak hour. The comparison of trip generation between commercial land use and the proposed residential land use is as follows:

TRIP GENERATION COMPARISON TABLE

LAND USE	QUANTITY	UNITS	DAILY Total	AM Peak Hour	PM Peak Hour
C-O - Office	27.15	1,000 SF	299	42	41
R-5 - Multi-family	40	Dwelling Units	234	18	21
Difference			-65	-24	-20

Analysis of the trip generation demonstrates the proposed residential development would generate 65 fewer trips daily trips than the current development on the site. The reduction of dwelling units to 36 further reduces the trips generated from this project. Therefore, the redevelopment on the site will not have further impact on the area's roadway network, and there are no additional site improvements necessary for this development.

Water/Sewer.

Water and sewer service lines do exist within E. Via Paseo Del Norte and there are no anticipated impacts associated with this request.

Police/Fire.

The nearest fire station is located two miles of this site at 7339 E. McDonald Drive (Station 603). Fire and police services are available to serve the project.

Schools District comments/review.

Scottsdale Unified School District has been notified of this application and has indicated that there are adequate school facilities to accommodate the projected number of additional students generated by the proposed rezoning.

Open space.

Open space will be provided on site, and new development will connect to the existing open space and park network adjacent to this site.

Community Involvement.

Surrounding property owners have been notified, the site has been posted, and the McCormick Ranch Property Owners' Association has approved this request. There is no known opposition, and there have been no comments other than general inquiries.

Community Impact.

The proposed change from an office to a residential use will be compatible with the surrounding commercial and residential uses and will also increase the residential opportunities in the area to help support the nearby commercial center. The location of the development will also provide new residents with direct access to the adjacent open space and park network. Impacts to traffic, infrastructure, and other services will be negligible.

Staff Recommendation.

Staff recommended that the request is in substantial harmony with the General Plan, that the Planned Community District (PCD) findings have been satisfied, and recommends approval of the General Plan amendment and rezoning request subject to the attached stipulations

OTHER BOARDS AND COMMISSIONS

Planning Commission

The Planning Commission heard this case on June 28, 2006. Commissioners agreed that the new development would be beneficial for the area, and expressed concern that the proposed three-story buildings exceed the two-story heights of the adjacent multi-family buildings and single-story buildings nearby. The Commission also discussed stipulating conformance to the presented site plan as part of the approval of this case, however, the Commission decided that those details would be considered by the Development Review Board. One person spoke at the hearing and expressed frustration with the developer over the treatment of existing business operators in the existing office building.

Planning Commission recommended approval, 5-1

RECOMMENDATION

Approval subject to the attached stipulations

RESPONSIBLE DEPT(S)


Planning and Development Services Department
Current Planning Services

STAFF CONTACT(S)

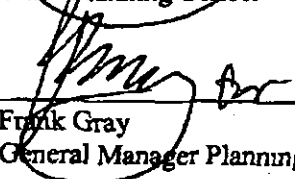
Tim Curtis, AICP
Principal Planner
480-312-4210
E-mail tcurtis@ScottsdaleAZ.gov

Randy Grant
Chief Planning Officer
480-312-7995
E-mail rgrant@ScottsdaleAZ.gov

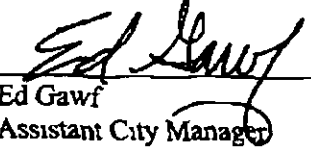
APPROVED BY



Randy Grant
Chief Planning Officer
8/3/06
Date



Frank Gray
General Manager Planning and Development Services
8/3/06
Date



Ed Gawf
Assistant City Manager
8/10/06
Date

ATTACHMENTS

- 1 Applicant's Narrative
- 2 Context Aerial
- 2A Aerial Close-Up
- 3 Resolution No 6963
Exhibit 1 Land Use Map
- 4 Ordinance No 3689
Exhibit 1 Stipulations
Exhibit 2 Zoning Map
- 5 Additional Information
- 6 Citizen Involvement
- 7 City Notification Map
- 8 June 28, 2006 Planning Commission Minutes
- 9 Site Plan

**General Plan Amendment Narrative
Veritas at McCormick Ranch
8233 East Via Paseo Del Norte
Parcel # 177-03-222
Case No. 14-GP-2005**

**Request for Minor General Plan Amendment Change
From Office to Urban Neighborhood**

I. Introduction

The subject property (the Property), consisting of 2.37 acres at 8233 Via Paseo Del Norte in Scottsdale, is currently zoned as C-O/PCD. This request is to amend the General Plan to allow an R5-PCD use on the Property.

The Property is located in the McCormick Ranch planned development, close to and easily accessible from the intersection of Hayden Road and McCormick Ranch Parkway. The Property is adjacent to existing, well established multi-family residential development (R-5/PCD) on the north and east sides of the Property, a community park (O-S/PCD) to the south and a neighborhood shopping center (C-1/PNC/PCD) to the west. Between the Property and adjacent property to the south and east, there is a drainage easement. The surface of the Property slopes from northeast to southwest.

There is currently an existing office complex on the subject property. The office complex is not visible from nearby Hayden Road, and is located on a minor collector street on the edge of an intensely developed residential area. These factors contribute to chronic under utilization, demonstrating a lack of economic viability, sustainability in its current use and a fundamental incompatibility with the neighboring residential area. The proposed General Plan Amendment and rezoning would allow the property to be redeveloped as a residential condominium project, a more sustainable use for the property and more supportive of General Plan goals. In addition, the proposed redevelopment would be completely consistent with and in the best interests of the surrounding property uses as well as with the McCormick Ranch area as a whole, which will be substantiated with the supporting documentation to this amendment request.

II. Guiding Principles of the General Plan

The General Plan of the City of Scottsdale is a tool used to control development in the City of Scottsdale by establishing essential principles used to guide the planning process in the City. CityShape 2020, a comprehensive review of the General Plan, establishes six guiding principles to be utilized when determining if a proposed land use is appropriate. The six guiding principles are (1) Character and Lifestyle, (2) Economic Vitality, (3) Neighborhoods, (4) Open Space, (5) Sustainability, and (6) Transportation.



This request is for a minor General Plan Amendment to the Land Use Map contained in the Land Use element of the General Plan. The six guiding principles of the General plan determine whether or not a land use change to the General Plan is appropriate for the particular site. This narrative contains a discussion of how the application of the six guiding principles of the General Plan support a land use change from Office to Urban Neighborhood.

The current designation, Office, is part of the most intense category of land use, an "E", as designated in the land use category matrix. The proposed project would be an Urban Neighborhood, considered part of the "C", creating in essence a reduction in the intensity of the development of the Property. The Property is not located within a commercial core in the City of Scottsdale and therefore a decrease in the intensity of the site would positively influence the neighbors surrounding the site.

III. Character and Lifestyle

The Character and Lifestyle Guiding Principle is comprised of two separate elements, the Character and Design Element and the Land Use Element. The Character Design Element seeks to promote high quality development and redevelopments in the City of Scottsdale. The project must be sustainable, striking a balance between the natural desert settings, historically significant sites and the surrounding area. The proposed project is not located in desert setting nor is it a historical site so the discussion of the Character and Design Element Principle is focused on the design of the project, community character, and the surrounding areas.

The Land Use Element of the General Plan is devoted to maintaining a balance of commercial land, residential districts, recreational areas, and open space in the City of Scottsdale. The Property is not located in a regional employment center. In fact, the General Plan has designated the largest portion of the City for residential use. By constructing a residential infill development project, the natural spaces in the outlying areas of the City can be preserved.

A. Character and Design Element

1. **Determine the appropriateness of all development in terms of community goals surrounding area character and the specific context of the surrounding neighborhood.**

Response: The proposed project satisfies the community goal of promoting developmental infill, taking advantage of the existing infrastructure already in place. The character of McCormick Ranch at large and the immediate vicinity in particular is of a largely residential nature. The character of the proposed multi-family project will fit in well with the predominant surrounding land use. The design elements integrated into the planning of the site and the buildings will not only be consistent with that of the surrounding neighborhood, but an updated enhancement as well. Currently on the site

there is a small office building complex To the north and east of the project, the property is zoned R-5 PCD To the south of the Property is a public park with walking paths, zoned OS-PCD To the west, there is a commercial center with a C-1 PNC PCD zoning Because the proposed project is surrounded on two sides by R-5 zoning, a General Plan Amendment from Office to Urban Neighborhood will fit in well

- 2. Review the design of all development proposals to foster quality design that enhances Scottsdale as a unique southwestern community.**

Response: The proposed project will be subject to approval from both the Development Review Board of the City of Scottsdale as well as the Architectural Review Committee of the McCormick Ranch Property Owner's Association The members of the Development Review Board are appointed to by the Mayor and City Council will evaluate the site plan as well as the architectural character of the project and ensure it is compatible with the surrounding areas

- 3. Identify Scottsdale's historic archeological and cultural resources, promote awareness of them for future generations, and support their preservation and conservation.**

Response The Property is not designated as historic, archeologically or culturally significant As a result, no extraordinary preservation is necessary when determining the whether this Amendment to the General Plan is appropriate

- 4. Encourage "streetscapes" for major roadways that promote the City's visual quality and character and blend into the character of the surrounding area.**

Response The proposed project is located on Via Paseo Del Norte, which is a minor collector street within McCormick Ranch The front of the Property, along Via Paseo del Norte, will integrate more than 50% of the required open space The sidewalk along Via Paseo del Norte will encourage foot traffic both to and from the Property The orientation of the buildings along Via Paseo Del Norte will provide an interesting architectural feel for the project.

- 5. Build upon the significant role that arts have played in shaping our community's image and lifestyle by maximizing the potential of public art to enrich the daily lives of the people that live in or visit Scottsdale.**

Response: Public art is not anticipated in connection with the proposed project. The site is located off the major arterials and is only 2.4 acres in size.

- 6. Recognize the value and visual significance that landscaping has upon the character of the community and maintain standards that result in substantial material landscaping that reinforce the character of the City.**

Response: Mature, well-maintained landscaping is a staple in the McCormick Ranch area. The landscaping plan for the proposed development will be consistent with that theme, but with concern for water conservation in terms of the selection of vegetation to be used. In an effort to incorporate the area with the public parks and walkways south and east of the site, the proposed project will have almost 50% of the site dedicated to landscaped open space.

- 7. Encourage sensitive outdoor lighting that reflects the needs and character of different parts of the City.**

Response: The lighting needs for the proposed project will be similar to the R-5/PCD properties to the north and west of the site, but updated to reflect current codes and ordinances. Lighting will be an important subtle, ambient element to the design, but highly respectful to sensitivities of surrounding property.

B. Land Use Element

- 1. Recognize Scottsdale's role as a major regional economic and social center, featuring business, tourism, and cultural activities.**

Response: Due to a negative location for the intended use, the existing office buildings on the Property have been chronically under utilized, and therefore, proven to be unsustainable. The vacancy rates of the buildings are much higher than the average office vacancy rate for the City of Scottsdale. The site is located on a minor collector street, invisible from both Hayden Road and McCormick Ranch Parkway, the significant streets in the vicinity of the Property. As such, the location of the Property is a significant detriment for the sustainable economic viability of the current use. On the other hand, a lack of visibility from a major arterial is considered a positive for a residential community.

Because more and more people are moving to Scottsdale, there is a need for additional residences. The proposed project will allow for more people who work in Scottsdale to live there as well. Additionally, with additional housing in an established area in the center of the city, out-of-state residents would also be attracted and undeveloped land is not being disturbed. Additional residents will contribute to the tax base of the city, allowing for more construction of parks and recreational amenities, thus attracting even more out of town visitors.

- 2. Coordinate land uses effecting regional networks (mobility, economic, and open space) with adjacent jurisdictions to maintain the integrity and efficiency of each network.**

Response: The Property is located in the City of Scottsdale but close to the border if the Salt River Pima Native American Reservation. Because of the location of the proposed project, no work with adjacent jurisdictions will occur.

- 3. Encourage the transition of land uses for more intense, regional and citywide activity areas within local neighborhoods.**

Response: The proposed project clearly provides an appropriate transitional land use from the commercial properties to the west, off of McCormick Parkway and Hayden. Contiguous open space to the property would be better utilized, as a neighborhood amenity, with permanence and stability of occupancy that the proposed multi-family use provides.

As previously stated, the current designation, Office, is part of the most intense category of land use, an "E", as designated in the land use category matrix. The proposed project would be an Urban Neighborhood, considered part of the "C", creating in essence a reduction in the intensity of the development of the Property.

- 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: The proposed development will support a high quality of life by combining a comfortable residential unit with public parks to the south and convenient retail to the west. The proposed project will have a pool area for the residents, allowing them to enjoy the weather in Arizona. The site of the proposed project is small, only 2.4 acres. As a result, the redevelopment options are limited. The project will provide residences to support the commercial areas located throughout the City, especially in Downtown Scottsdale.

- 5. Give developed land use patterns that are compatible with and support a variety of mobility opportunities/choices and service provisions.**

Response: The close proximity to the retail center to the west of the site promotes pedestrian mobility, as do the walkways and green spaces east and south of the project. The project will provide garage parking to all unit owners so that the presence of cars in the proposed project will be limited. The main street through the project will have interesting architectural details, making it seem less like a road and more like an extension of the path system. With the cars parked in the garages, the residents can meander through the project to the adjacent commercial center or onto the pathway to the park. The sidewalks on Via Paseo del Norte encourage foot traffic as well as bicycle use as well.

6. Promote land use patterns that conserve resources such as land, clean air, water and energy to serve all people within the community.

Response: Since redevelopment of the property is being proposed, the public infrastructure for the project is already largely in place. The proposed change in land use actually reduces the traffic impact in the area and has other positive effects on land use impact criteria, such as air quality, waste generation, and conservation of resources. In terms of land use impact, the proposed use will be more beneficial to the surrounding area and to the City as a whole than the existing use.

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

Response: As stated before, the site of the proposed project is surrounded by other residential communities on two sides. This project integrates the surrounding open space of the area with high density residential units. Rather than a parking lot along the exterior of the site and along the greenbelt, the proposed project will provide the surrounding residents with a view of well-landscaped project with buildings that fit the architectural character of the area. As stated previously, other than a few visitor parking spots, the resident parking is concealed in individual garages, increasing the pedestrian-friendly feel and sense of human scale of the proposed project.

8. Encourage land uses that create a sense of community among those who work, live, and play within local neighborhoods.

Response: The proposed residential land use provides housing for that is necessary for those who work in the area. With the traffic congestion in the Phoenix Area, it is advantageous for citizens to live, work, and play in the same general area. The site is located near commercial sites that the new population of the proposed project will support. Because the Scottsdale School District can absorb the increase in students that the proposed project may cause, the area will be able to support a wide range of potential residents, including families with children.

9. Provide a broad variety of land uses that create a high level of synergy within mixed use neighborhoods.

Response: While the proposed project itself is not a mixed use development, it is situated in McCormick Ranch, as a part of its master planned community. The proposed project has already been granted approval for a "Change of Intended Use" by the McCormick Ranch Property Owner's Association. McCormick Ranch includes all of the elements needed to create a synergy between the proposed project and the areas surrounding it.

IV. Economic Vitality

The Economic Vitality Principle of the General Plan is intended to ensure that Scottsdale

remains a desirable place to live, work, and visit into the future. The General Plan supports a dynamic and diversified economic base that will continue to serve and complement the community. The guiding principle of Economic Vitality encompasses seven goals and approaches to assist in determining if a land use proposal advances the City's economic vitality goals.

- 1. Sustain and strengthen Scottsdale's position as a premiere international and national tourism designation and resort community.**

Response: The Property has never been intended to be developed as a resort and it is not being proposed to be developed into a resort or other tourist destination. However, by providing additional residences in close proximity to other resorts in the area, the project may provide a place for people employed in the tourism industry in Scottsdale to live

- 2. Encourage and maintain a high level of diverse, quality, retail, and entertainment activity in Scottsdale that supports the needs of Scottsdale's residents and visitors.**

Response: By changing the land use from Office to Urban Neighborhood, the proposed project will create an additional base to support the retail establishments adjacent to the city, as well as other centers in close proximity. As a result, a greater share of consumer spending will remain in the area of the proposed project than currently exists.

- 3. Encourage and support the diversity of the businesses that contribute to Scottsdale's sales and property tax base so the needed infrastructure, physical amenities, services, and expansion of such services are provided.**

Response: As a revitalization and infill project in the City, most of the public and commercial infrastructure needed by the project is already in place. With the increase in permanent residents to the area, the retail sales tax base will increase.

- 4. Foster new and existing economic activities and employment opportunities that are compatible with Scottsdale's lifestyle.**

Response: The General Plan identifies the need to support companies that are integral to the new economy. Specifically, the plan calls for the expansion of medical and healthcare systems, biomedical research, and development and technology related research and development. Given the limited size of the Property and the City's commitment to fostering new economic activities and employment opportunities in the "new economy", the Property is better utilized to provide housing for those workers who will staff those larger establishments that have been designated in other areas of Scottsdale. In that sense, the proposed use would make a greater contribution to the City's objectives than the underperforming current use.

5. Locate and integrate nonresidential development to improve access and visibility and to protect the integrity of the neighborhoods.

Response: The proposed change in the land use designation for the Property accomplishes this goal of the General Plan by integrating a higher residential land use into an area that is mostly surrounded by lower density residential developments. By eliminating the office that is currently on the property, the intensity of the site as well as the traffic flow to and from the site would decrease.

6. Maintain and develop partnerships that will promote both quality employment and business opportunities.

Response: The proposed project with 36 residential units provides an opportunity for consumers to support the local retail establishments in the area and also provides a concentrated housing area for employees in this area of the City.

7. Sustain a long term economic well being of the City and its citizens through redevelopment and revitalization efforts.

Response: This goal specifically encourages revitalizing development. The project proposed herein exemplifies that goal. Since the current use is under performing, it is not positively contributing to the economic well-being of the City. By changing the land use from Office to Urban Neighborhood, the area can be revitalized. The commercial center to the west has experienced some of the same things as the current office complex on the site. A large new tenant has come into the center and is renovating a large portion which will hopefully reinvigorate the commercial center, much like the proposed project will do for the site.

V. Neighborhoods

The Neighborhood section of the General Plan focuses on three elements essential to preserve, reinforce, and revitalize the core characteristics and stability that defines all neighborhoods. The principle focuses on community involvement, housing and neighborhoods by enumerating five goals and approaches intended to ensure Scottsdale is a desirable place to live, work, play, and visit. The community surrounding the Property has been notified by letter, neighborhood meetings have been held, and all questions and comments so far have been addressed. Since October when the Neighborhood Notification was completed, there has not been any opposition from the neighbors that has been voiced to International Capital Partners, the current owner and developer of the proposed site.

1. Enhance and protect diverse neighborhoods so they are safe and well maintained.

Response: Because the current site is an office complex, it is vacant for more than 12 hours a day. This has proved to be problematic in the past. Because of the lack of

activity in the nighttime hours, the site has been broken into and vandalized. If the proposed land use is accepted, there will be a physical presence on the site twenty-four hours a day, which decrease the likelihood of vandalism and other undesirable activity. By decreasing the attraction to perpetrators of undesirable activity, the surrounding area will receive the direct benefit of being in more secure environment. In addition, a decrease in traffic will provide a safer environment for those who live and travel in the area.

2. Use development and revitalization efforts to provide for long term stability of Scottsdale's mature residential and commercial neighborhoods.

Response: The proposed project is located in a very well-established and mature area of Scottsdale. As a redevelopment project, it will invigorate an area with a use that is new, fresh and yet entirely consistent with the character of the surrounding area. Many residents in the area surrounding the proposed project have been living there for many years. On the other hand, many tenants in the office building currently on the site sign one to two year leases. Because of the lack of visibility of the current commercial center, there is a large amount of turn over with the tenants, which does not support the long term goals of the General Plan Amendment.

3. Sustain long term economical being of the City and its citizens through redevelopment and neighborhood conservation.

Response: The proposed project will add 36 residential units to an area that has not seen much new development in the past few years. The newness and freshness of the proposed project will revitalize and invigorate the existing population of the area in McCormick Ranch, as well as the commercial center next door.

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

Response: Because the proposed project is located within McCormick Ranch, the architectural plans must be reviewed and approved by the Architectural Review Committee to ensure that the sense of the neighborhood is incorporated into the project. The proposed project was designed to fit into the neighborhood. In fact, the residential use will be a much better use than the commercial office considering the surrounding area.

5. Promote and encourage context appropriate new development in established areas of the community.

Response: The proposed redevelopment is particularly proficient at satisfying this goal and approach as the General Plan encourages new development efforts in existing areas in Scottsdale and the use of existing infrastructure while supporting developed areas in a manner that is complementary and sustainable.

VI. Open Space

This principle of the General Plan addresses the city and community wide goals to maintain the open space heritage of Scottsdale and preserve the desert areas of the City. The Open Space principle specifically addresses the importance of the McDowell Mountain Preserve, scenic corridors, natural and urban spaces, and recreational opportunities within the City. The proposed project will indirectly aid the goals of the General Plan by increasing the density in an already established area. By adding additional residential units in a mature area, the development of additional desert areas may be reduced.

The proposed project will incorporate more than double the open space requirement by the City of Scottsdale. In an effort to increase the open space, the project consists of two and three story units (within the height limits of the proposed zoning). This enables the project to achieve its desired density while still enhancing the open space on the Property. The proposed project will continue the tradition of the City of Scottsdale by providing a large amount of open space and integrating the project with the surrounding establishments.

- 1. Protect and improve the quality of Scottsdale's natural and urban environments as defined in the quality and quantity of its open space.**

Response: The proposed project will be located on an existing, fully developed site. The Property is adjacent to well-landscaped and maintained open space within McCormick Ranch. As such, there are no currently existing natural features or open space elements that would be affected by the proposed redevelopment. Moreover, the proposed project incorporates landscaped open spaces and pedestrian elements compatible and contiguous with the open space to the south and east of the site. The proposed project will also promote and support the use of the existing public walkways and parks located throughout the surrounding area.

- 2. Manage a comprehensive open space program that is responsive to public need, delivers high quality customer service, and exemplifies the City's commitment to leadership in environmental affairs**

Response: This goal typically is applicable to larger parcels of land in the context of Master planning. The proposed project is only 2.4 net acres and is located within McCormick Ranch, a well-established, Master-Planned community. This goal is satisfied on a smaller basis by providing additional housing for Scottsdale residents so that they may live in an area with adjacent commercial amenities. The retail sales tax base from the purchases at the commercial establishments funds the development and maintenance of the parks, trails, and recreational facilities. Also, the McCormick Ranch Property Owner's Association fees aid in the establishment and maintenance of the proposed project's surrounding open space.

3. Acquire and develop open identified (by the City Council) as high priority through land dedication or purchase.

Response This goal is specifically related to the McDowell Mountain Preserve and is unaffected by this General Plan Amendment request. Although as stated previously, the construction of thirty-six additional residential units as an infill project potentially can eliminate the need to use 2.4 acres of undeveloped, native land to build additional housing for Scottsdale residents.

4. Encourage and cooperate with other governmental agencies to preserve and protect regional open space and to acquire, develop, maintain, and operate regional facilities available to people who live, work, and visit the City of Scottsdale.

Response This request will indirectly support this goal of the General Plan and aids the City's approach to preserving open space and the development of regional facilities.

5. Improve the quality of life for all Scottsdale residents by ensuring a wide range of recreational facilities and services.

Response The proposed project will provide additional housing in an area of the City where existing open space and recreational facilities are located. An additional population in the area will provide additional spending, supporting the existing tax base of the area. In addition to fees and assessments from the City, the added taxes collected will aid in the development and maintenance of recreational amenities. As member of the McCormick Ranch Property Owners Association, the proposed project will contribute, through its share of association fee payments, to the high quality of lifestyle amenities and property maintenance that already exists in the area.

6. Cooperate with and support the school districts in the City of Scottsdale to be able to continue access to school sites and facilities for suitable, safe and consistent recreational use and enjoyment.

Response. The Property is not within a mile of a school site. Therefore, this goal of the General Plan appears to be inapplicable.

7. Provide attractive, well maintained recreational park facilities that serve the entire community.

Response. This site is not recognized as being all or part of park facility on the park and trails plan.

8. Provide access to educational, recreational, and cultural services for all residents.

The Preservation and Environmental Planning section of the General Plan is not directly

relevant to the proposed redevelopment of the Property. However, four sections within this area of the General Plan do apply to the project and should be addressed.

1. Reduce energy consumption and promote energy conservation.

Response: The proposed project will incorporate energy efficient products in an effort to conserve energy resources. Among the features that will be incorporated in the new development are Energy Star labeled appliances, high SEER-rated air conditioning equipment, low-e glazing, generous insulation in walls and ceilings and re-circulating pumps on hot water supply lines. It is safe to assume that the energy efficiency of the proposed facilities will be superior to that of the existing, dated improvements already on the Property.

2. Promote local and regional efforts to improve air quality.

Response: Directly west of the Property is a large commercial center. This proximity will encourage the residents to walk to these retail establishments. Also, the Property is surrounded by public green belt pathways which will encourage the residents of the proposed project to walk or ride their bikes rather than to drive around the area. The traffic impact of the proposed development within the existing neighborhood will be less than the current use. A reduction of traffic volume in the area as result of the proposed development will reduce vehicle emissions, thus contributing to improved air quality.

3. Maximize resource recovery and reuse, and promote recycling and promote the use of recycled, recyclable, and renewable resources.

Response: In an effort to conserve resources, material from the current office buildings on the site will be removed and recycled for use in the proposed project as well as in other projects.

4. Protect and conserve native plants as a significant natural and visual resource.

Response: Currently there is no known native vegetation on the Property. As such, this objective likely does not apply to the project. The developer will look for opportunities to relocate or preserve existing, desirable vegetation that currently exists on the Property.

VII. Seek Sustainability

Three chapters of the General Plan address the issue of sustainability. Those three chapters include (1) cost of development (2) growth areas and (3) public services and facilities. All three directly contribute to the long term sustainability of the City.

1. Cost of development.

1. Present quick tabular and graphic analyses and reviews to city elective and appointive bodies and the general public by using fiscal impact modeling.

Response: Because the proposed project is located on a previously developed site, most of the public infrastructure is already in place. The adjacent streets are paved and the municipal water and sewer infrastructure, along with primary power and communications infrastructure, are already in place adjacent to the Property.

The City of Scottsdale has the philosophy that new developments should not be a burden of the City, but rather should "pay for themselves". The developer anticipates the payment of development impact fees as prescribed by ordinance, based on any additions to existing infrastructure that are yet to be determined.

2. Assign a staff liaison from each city department to participate, on an as-needed basis, with the primary management team of a fiscal impact model.

Response: This is not for the applicant to decide but rather a decision to be made by the City staff.

3. Conduct city department evaluation, planning, and budgeting for existing and future levels of public service operations, and the development of infrastructure and capital facilities by the use of fiscal impact modeling.

Response: This is for the applicant to decide but rather a decision to be made by the City staff.

2. Growth areas.

Response: The Property is located in an existing mature, predominately residential area. The project, as proposed, is a classic in-fill redevelopment project. The proposed General Plan Amendment does not conflict with the Growth Areas Section of the General Plan. The proposed residential redevelopment is located outside of the growth areas identified by the General Plan and therefore does not affect future transportation plans and infrastructure systems.

3. Public Services and facilities.

This section of the General Plan has to do with public services, human services, safety issues, public buildings and facilities, and water resources.

The proposed minor amendment to the General Plan and the re-designation of the Property from commercial office to an urban neighborhood supports the goals and approaches listed in the Public Services and Facilities section of the General Plan.

Because the property is located in an established area of the City, fire, police and parametric services are already provided to the site. The residential area surrounding the proposed site is already serviced by the City so the addition of thirty-six residential units will not negatively impact the municipalities.

4. **Establish and maintain an innovative, sustainable solid waste collection, recycling and disposable delivery system present in future generations.**

Response: The property currently participates in the City's solid waste collection, recycling and disposable delivery system. The proposed redevelopment will also utilize the City's waste collection program. The proposed project will contain two enclosed locations for waste containers for use by the development's residents. By redeveloping a site that is currently served rather than developing a vacant site, there will be no extra cost to the City.

5. **Protect the health, safety, and welfare of the public from the impacts of flooding.**

Response: The property of the proposed redevelopment is located in a mature area of the City of Scottsdale that is not identified as having a flood hazard. The property is also not located in a flood plain.

6. **Encourage provision of power and communication systems that match the character of Scottsdale and provide reliable, efficient service for the Scottsdale Citizens, visitors, and businesses.**

Response: The project will provide power and communication systems that are efficient and reliable. Preliminary discussions with utility and communication providers have already occurred. The coordination of utilities, under grounding of materials, and design of power and communication systems will occur during the infrastructure design phase of the project.

7. **Provide city service facilities to meet the governmental, administrative, public safety, emergency, social, human, cultural, informational and maintenance needs of the community.**

Response: No city facilities are associated with this development.

8. **Design public buildings and improve aesthetics of public buildings and facilities to increase appeal as community gathering spaces.**

Response: The proposed project's design will be consistent with the residential character of the established neighborhood. The project architecture will be subject to the approval of the McCormick Ranch Property Owners Association, thus ensuring compatible

architecture with the existing area. The architecture and design of the open space for the project encourage integration between the surrounding residential developments and the public area to the south of the project.

9. Provide recreational opportunities to meet the needs of all areas of the community through public facilities.

Response: While the proposed project does not include a new public recreational facility, the open space of the project enhances the greenbelt path to the east of the site and the large open space public park to the south.

10. Coordinate with the School Districts that serve Scottsdale to plan for and secure school sites and facilities for the delivery of the best elementary and secondary educational programs achievable for the school-age children in the community.

11.

Response: The Scottsdale School District has been notified of the planned use for the Property. They have determined that the proposed project does not negatively affect the District in any way.

VII. Advanced Transportation

The Advanced Transportation section of the General Plan addresses mobility choices to provide alternatives to automobiles and also increase accessibility, improve the air quality, enrich the surrounding community and neighborhoods, and contribute to the overall quality of life in the community. In the Community mobility section of the General Plan, there are twelve goals and approaches identified. The goals and approaches are related to protecting the function and form of regional air and land corridors, protecting the physical integrity of regional networks to reduce the number, length, and frequency of automobile trips. Also addressed in this section of the General Plan is the goal to promote regional diversity and connectivity of mobility choices in an effort to efficiently move people and goods beyond the boundaries of the City, relieving traffic congestion, optimizing mobility, maintaining the high aesthetic quality expected in Scottsdale, emphasizing live, work and play opportunities, and protecting neighborhoods from the negative impact of regional and citywide networks. The final piece of the Advanced Transportation chapter of the General Plan encourages diversity throughout the neighborhoods of the City while allowing for different mobility needs as a result.

As stated throughout, the proposed project will allow for additional residents to live closer to the middle of the City, rather than living on the outskirts and commuting long distances for work and play. The proposed project provides the opportunity to allow for residents to live, work, shop, and play within walking distance. Located in a well-established, master-planned area of Scottsdale, the proposed project will integrate with the surrounding open space and walking pathways, discouraging the use of automobiles. The commercial area adjacent to the project would benefit by an increase of residents in

the area, especially since the area is so pedestrian friendly.

The Property is located near the intersection of McCormick Parkway and Hayden Road. The stoplight at the intersection has a left turn arrow, allowing for easy access to McCormick Parkway for those who are traveling Southbound on Hayden Road. The City has classified Hayden Road as a major arterial and McCormick Parkway as a major collector in that area. The Property is located on Via Paseo Del Norte, a minor collector that is also the eastern terminus of McCormick Ranch Parkway. If the proposed change occurs, there would be a reduction in the amount of traffic leaving the site by as many as 65 trips per day, as determined by the engineering firm of Wood, Patel and Associates. The decrease in traffic will be beneficial to other residents in the area.

In addition to the retail center to the west of the proposed project, there are numerous retail areas within only a few miles of the project. Because of the central location of the proposed project, all the amenities needed by the residents are nearby, thus decreasing the need to drive long distances.

VIII. Conclusion/Summary

The General Plan is comprised of twelve elements, each of which provides goals and approaches to protect the best interest of the City of Scottsdale. When those goals and approaches are satisfied, it provides the basis for a change in the Land Use Map of the General Plan. This application to change the General Plan designation of the Property from Office to Urban Neighborhood satisfies virtually every applicable goal and approach identified in the twelve elements of the General Plan.

This General Plan Amendment request for an infill development would allow for additional residents to live and play in the heart of Scottsdale. It could potentially diminish the need to seek sites for development that would require native land to be destroyed. The increase in residents in the area will support the struggling adjacent commercial center and contribute to the tax base for the City of Scottsdale as well.

**Rezoning Project Narrative
Veritas at McCormick Ranch
8233 East Via Paseo Del Norte
Parcel # 177-03-222
22-ZN-2005**

Prepared by: International Capital Partners
6909 East Main Street
Scottsdale, Arizona 85251

Introduction:

International Capital Partners (ICP) is the owner of the site of the proposed project, located east of Hayden Road and north of McCormick Ranch Parkway on Via Paseo del Norte. The site area is approximately 2.4 net acres

McCormick Ranch Office Plaza currently occupies the site. The office complex is comprised of six small office buildings, totaling about 27,000 square feet, in the middle of the parcel with parking surrounding the buildings. The building was built in the late 1970's and was purchased by ICP in 2001.

Because of the concealed location of the site, it has been significantly underperforming as an office complex. In an effort to revitalize the site, ICP is requesting that the zoning of the site be changed from C-O PCD to R-5 PCD, allowing the construction of 36 residential condominium units.

Location and Access:

The site is located near and easily accessible from the signalized intersection of McCormick Ranch Parkway and Hayden Road. The site is located on Via Paseo del Norte, the first street east of the Hayden/McCormick Ranch Parkway intersection and serves as the eastern terminus of McCormick Ranch Parkway. The City of Scottsdale has classified Hayden Road as a Major Arterial and McCormick Parkway as a Minor Collector in that area. If the proposed change occurs, there would be a reduction in the amount of traffic leaving the site by as many as 65 trips per day, as determined by the engineering firm of Wood, Patel and Associates. The decrease in traffic will be beneficial to other residents in the area.

Compatibility with the Surrounding Properties:

The occupancy rates of the office complex are considerably below the average for other commercial properties in the area. The main reason for this is the lack of visibility of the offices from the Hayden Road. Table 1 provides a description of the uses and existing zoning for the properties surrounding the proposed rezoning site.

Table 1

Location of Property	Existing Use	Existing Zoning
Subject Property	Commerical Office	C-O PCD
North of Property	Multifamily Residential	R-5 PCD
East of Property	Multifamily Residential	R-5 PCD
South of Property	Open Space/Park	O-S PCD
West of Property	Commerical Retail	C-1 PNC PCD

Rezoning of the property to allow multi-family use will be completely compatible with the surrounding residential area and, since the property abuts a large, well-maintained open space area, there already exists a significant neighborhood amenity for additional families to enjoy. The proposed condominium project will also enhance the viability of the shopping center on the west side of the side.

Description of Project:

The project will consist of thirty-six residential condominiums, nine buildings with four units in each building. There will be four different floor plans ranging from 1450 livable square feet for the smallest two-bedroom unit to 1968 LSF for the largest three-bedroom unit. Each unit will have its own two car garage on the first floor with a covered motor court area connecting the four units. Some of the units will be two stories and some will be three stories, with the majority of living space on upper floors.

The goal of the project is to integrate the site with the surrounding properties, especially the open space to the south. The current building layout with the parking on the exterior creates a boundary between the pedestrian pathways maintained by the McCormick Property Owner's Association. The proposed site plan incorporates the park area to the south of the site while the public sidewalks create the eastern boundary of the site.

The City of Scottsdale requires that 22% of the net lot area, or 22,763 square feet, be reserved for open space. In an effort to create a pleasant living environment and integrate the adjacent park and walkways, the project will contain over 49,000 square feet of open space, which is more than twice than what is required. In fact, just under half the entire site will be devoted to open space.

The change of zoning from C-O PCD to R-5 PCD allows for the construction of up to 19 dwelling units per acre or a total of 45 units on the 2.37 acre site. In order to maximize

the open space and protect the privacy of unit owners, only 36 units will be built on the site

Architecture:

Veritas at McCormick Ranch will honor the unique architectural character of McCormick Ranch. The informal arrangement of the buildings and roadway will convey a sense of village living, a dominant theme of the community. The finish floor levels of each building pod will be constructed at a different elevation, taking advantage of the existing terrain characteristics. The informality of the building layout, combined with the different floor elevations, will create a unique visual appeal, completely avoiding any sense of architectural monotony.

The exterior architectural style of the buildings will be in keeping with the sustainable character of residential architecture that prevails in McCormick Ranch. Since the project will be twenty or more years newer than most of what currently exists in the area, the building architecture, site layout and use of materials will reflect current sustainable design philosophy. The buildings will have a light-colored smooth stucco finish on the exterior walls. The pitched roofs will be tiled. Most of the units will have patios and balconies, enhancing the architecture and village theme. The roads and building driveways within the complex will be carefully designed, incorporating the use of pavers in key visual locations. Final architectural plans will be completed for McCormick Ranch Architectural Review and for the City of Scottsdale Development Review and permitting processes.

Landscape Architecture:

McCormick Ranch is known for its generous and well-maintained landscapes. Veritas at McCormick Ranch will be landscaped in a manner consistent with the quality of landscaping that prevails on the Ranch, utilizing plants that are water-conservative. There will be a pool and spa area with a small cabana on the southwestern side of the site. A finalized landscape plan will be submitted to the City of Scottsdale as part of the Development Review Submittal.

Conclusion:

The proposed rezoning of the property at 8325 E. Via Paseo del Norte will revitalize the entire area. With additional residents, the commercial property to the west of the site will see an increase in customers. The traffic in the area will decrease, an obvious benefit to the existing neighbors seeking a quieter, more pedestrian-friendly area. Also, the increase in residents will not adversely affect the schools.

The rezoning of the site to allow for residential condominiums has been completely supported by the neighbors, as demonstrated through phone calls, e-mails, and attendance at the neighborhood meeting sponsored by ICP.

The majority of the sites surrounding the project are zoned residential. Veritas at McCormick Ranch will provide an area of new housing in a well-established area. While the structures will be new, the feel of the project will make it seem like the complex has been there for years. The orientation of the new site plan works to integrate the residents with the surrounding open space. Because of the location of the site, away from main roadways, the residents will have a new, quiet place to call home.

About International Capital Partners:

International is a privately-held real estate company headquartered in Scottsdale. ICP was founded in 1997 as a successor to AzCaL Real Estate Investment Corporation, which was founded by Thomas Donahue in 1992.

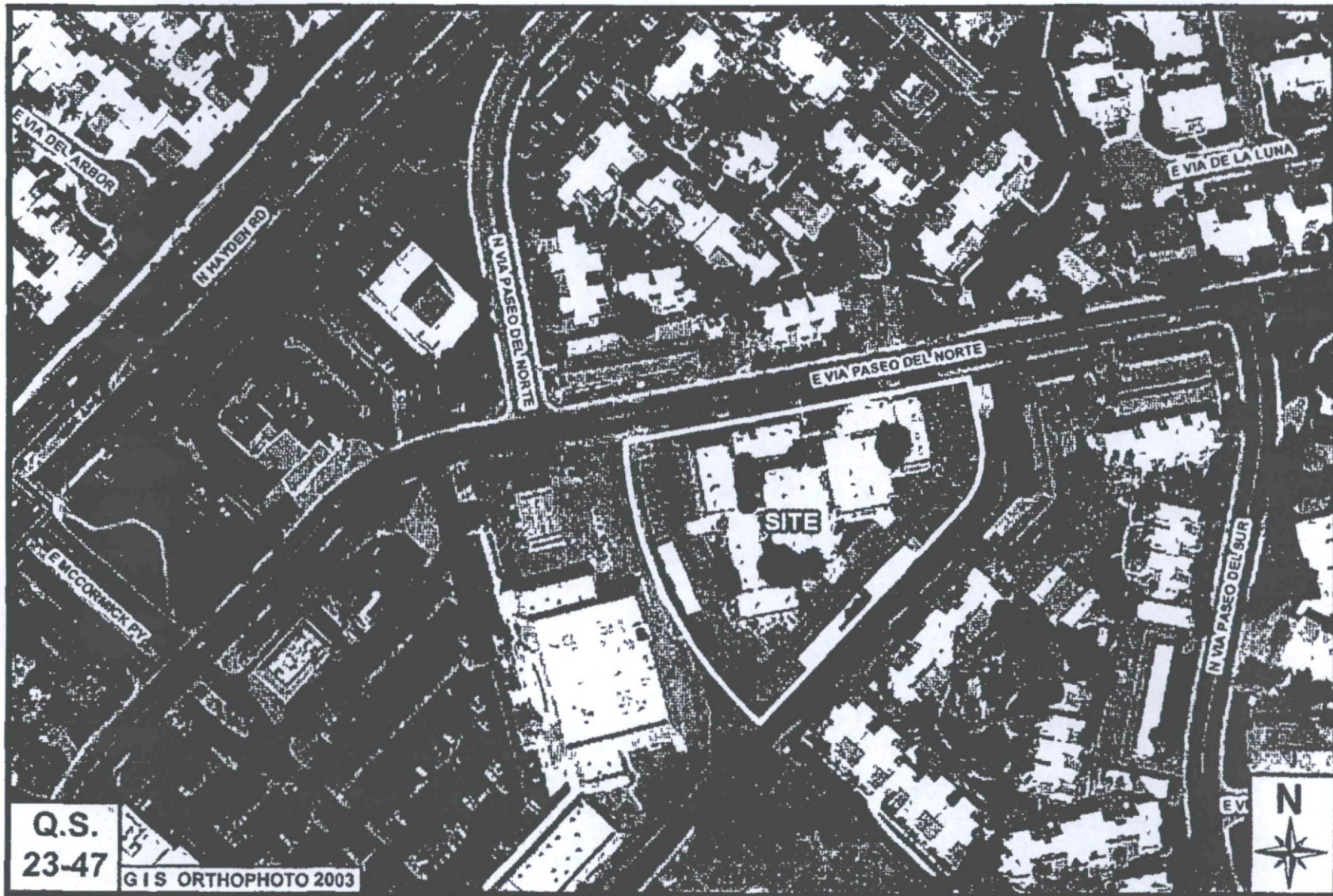




McCormick Ranch Condos

14-GP-2005 & 22-ZN-2005

ATTACHMENT #2



McCormick Ranch Condos **14-GP-2005 & 22-ZN-2005**

ATTACHMENT #2A

RESOLUTION NO 6963

A RESOLUTION OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, ADOPTING AN AMENDMENT TO THE GENERAL PLAN FOR THE CITY OF SCOTTSDALE, TO AMEND THE LAND USE ELEMENT FROM CATEGORY OFFICE TO CATEGORY URBAN NEIGHBORHOODS FOR PROPERTY LOCATED AT 8301 VIA PASEO DEL NORTE

WHEREAS, the City Council, through its members and staff, has solicited and encouraged public participation in the development of the General Plan amendment, consulted and advised with public officials and agencies as required by Arizona Revised Statutes Section 9-461 06, transmitted to the City Council and submitted a review copy of the general plan amendment proposal to each agency required by ARS Section 9-461 06 and all persons or entities who made a written request to receive a review copy of the proposal, and considered comments concerning the proposed amendment and alternatives, and

WHEREAS, the Planning Commission has held a hearing on June 28, 2006 concerning the General Plan Amendment, and

WHEREAS, the City Council, has held a public hearing on August 29, 2006, and has incorporated, whenever possible, the concerns expressed by all interested persons, and

NOW, THEREFORE, LET IT BE RESOLVED, by the City Council of the City of Scottsdale, Maricopa County, Arizona, as follows

Section 1 That the City Council hereby amends the General Plan Land Use, Element for the City of Scottsdale, for the property located at 8301 Via Paseo del Norte from Category Office to Category Urban Neighborhoods

Section 2 That the above amendment is described in Case No 14-GP-2005 (relating to zoning case 22-ZN-2005) and on Exhibit 1 attached hereto and incorporated by this reference

Section 3: That copies of this General Plan amendment shall be on file in the Office of the City Clerk, located at 3939 Civic Center Boulevard, Scottsdale, Arizona

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this 29 day of August, 2006


ATTEST

CITY OF SCOTTSDALE, an Arizona
municipal corporation

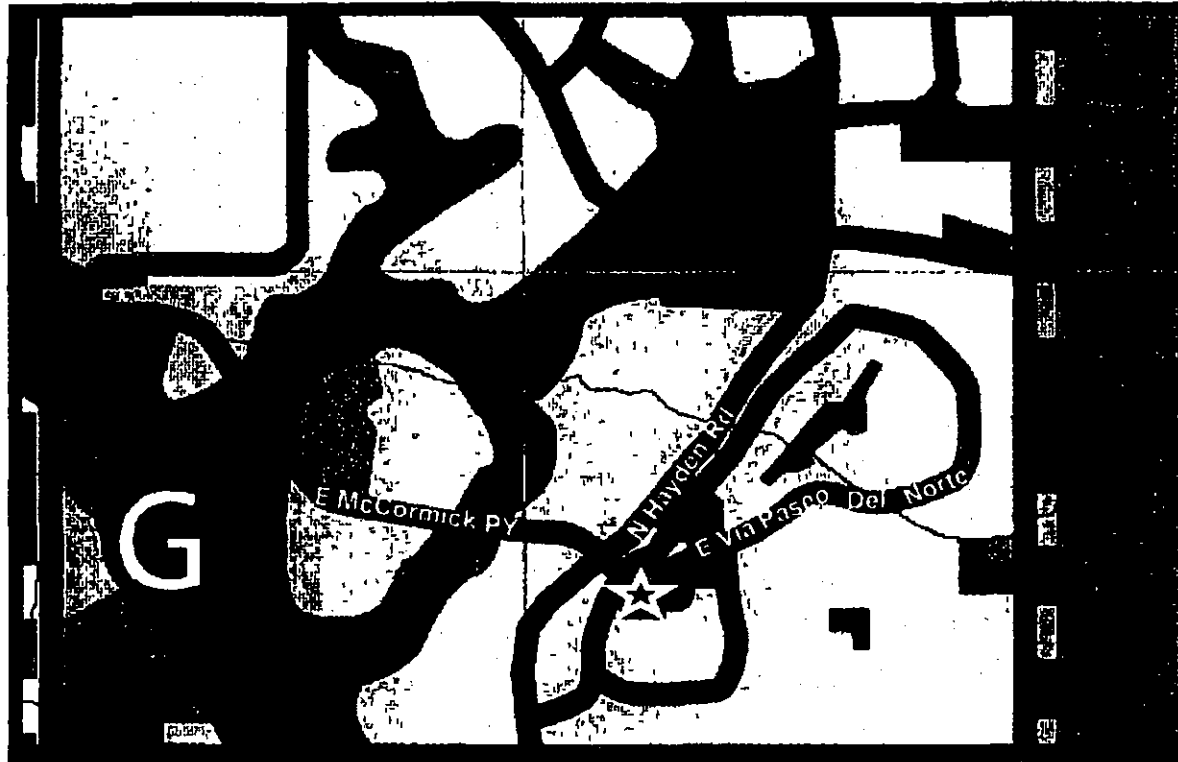
By _____
Carolyn Jagger
City Clerk

By _____
Mary Manross
Mayor

APPROVED AS TO FORM

By  _____
Deborah Robberson
City Attorney

General Plan Proposed Land Use



- | | |
|---|--------------------------------------|
| Rural Neighborhoods | Commercial |
| Suburban Neighborhoods | Office |
| Urban Neighborhoods | Employment |
| Mixed-Use Neighborhoods | Natural Open Space |
| Resorts/Tourism | Developed Open Space (Parks) |
| Shea Corridor | Developed Open Space (Golf Courses) |
| Mayo Support District | Cultural/Institutional or Public Use |
| Regional Use District | |
| McDowell Sonoran Preserve (as of 8/2003) | |
| Recommended Study Boundary of the McDowell Sonoran Preserve | |
| City Boundary | Location not yet determined |



**14-GP-2005 &
22-ZN-2005**

Exhibit 1

Adopted by City Council October 30 2001
Ratified by Scottsdale voters March 12 2002
revised to show McDowell Sonoran Preserve as of May 2004
revised to reflect General Plan amendments through June 2004

ORDINANCE NO 3689

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 22-ZN-2005, FROM COMMERCIAL OFFICE, PLANNED COMMUNITY DISTRICT (C-O PCD) TO MULTIPLE FAMILY DISTRICT, PLANNED COMMUNITY DISTRICT (R-5 PCD) ON A 2.79 +/- ACRE PARCEL LOCATED AT 8301 VIA PASEO DEL NORTE

WHEREAS, a Development Plan has been submitted for an area that includes the Property,

WHEREAS, the Planning Commission has held a hearing on June 28, 2006,

WHEREAS, the City Council has held a hearing on August 29, 2006,

WHEREAS, the City Council finds that the proposed development is in substantial harmony with the General Plan of the City of Scottsdale as amended by Resolution 6963 and will be coordinated with existing and planned development, and

WHEREAS, the rezoning of a PCD district requires the City Council to first find

- a) That the development proposed is in substantial harmony with the General Plan of the City of Scottsdale and can be coordinated with existing and planned development of surrounding areas, and
- b) That the streets and thoroughfares proposed are suitable and adequate to serve the proposed uses and the anticipated traffic which will be generated thereby, and
- c) That in the case of a residential development, such development will constitute a residential environment of sustained desirability and stability, that it will be in harmony with the character of the surrounding area, that the site proposed for public facilities (if applicable) such as schools, playgrounds and parks, are adequate to serve the anticipated populations as set forth in a written acknowledgement by the appropriate agency,

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

Section 1 That the City Council finds that the above listed criteria have been met and the findings have been made

Section 2 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 2.79 +/- acre parcel located at 8301 Via Paseo del Norte and marked as "Site" (the Property) on the map attached as Exhibit 1, incorporated herein by reference, from Commercial Office, Planned Community District (C-O PCD) to Multiple Family District, Planned Community District (R-5 PCD)

Section 3 That the above rezoning approval is conditioned upon compliance with all stipulations attached hereto as Exhibit 2 and incorporated herein by reference

PASSED AND ADOPTED by the Council of the City of Scottsdale this 29 day of August, 2006

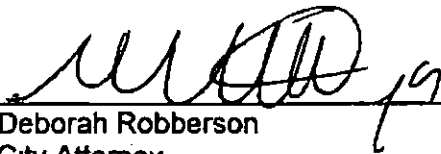
ATTEST

CITY OF SCOTTSDALE, an Arizona
municipal corporation

By _____
Carolyn Jagger
City Clerk

By _____
Mary Manross
Mayor

APPROVED AS TO FORM

By  _____
Deborah Robberson
City Attorney

**STIPULATIONS FOR CASE 14-GP-2005 and 22-ZN-2005
MCCORMICK RANCH CONDOS**

PLANNING/ DEVELOPMENT

- 1 **MAXIMUM DWELLING UNITS/MAXIMUM DENSITY** The number of dwelling units on the site shall not exceed 36 without subsequent public hearings before the Planning Commission and City Council
- 2 **BUILDING HEIGHT LIMITATIONS** No building on the site shall exceed thirty six (36) feet in height, measured from twelve (12) inches above the average elevation at the top of the E Via Paseo Del Norte curb, and no building shall exceed 3 stories in height. Buildings located within seventy five (75) feet of the south property line shall be measured from twelve (12) inches above the existing finished grade (elevation 1292)
- 3 **VEHICULAR ACCESS** Vehicular access shall be limited to two driveways from E Via Paseo Del Norte
- 4 **PEDESTRIAN ACCESS** With the Development Review Board submittal, the developer shall submit a plan providing pedestrian access internal to the site separate from driveways, and providing pedestrian access to the public streets and open space network adjacent to the site
- 5 **WATER AND WASTEWATER** The developer shall provide all water and wastewater lines and related facilities necessary to serve the site, including any upsizing of facilities

ADDITIONAL INFORMATION FOR CASE 14-GP-2005 and 22-ZN-2005

PLANNING/DEVELOPMENT

- 1 **FINAL UNIT LOCATION** The specific location of each unit shall be subject to Development Review Board approval
- 2 **DEVELOPMENT REVIEW BOARD** The City Council directs the Development Review Board's attention to
 - a pedestrian access internal to the site,
 - b pedestrian access to the public streets, internal amenities, and park network adjacent to the site,
 - c building unit orientation toward amenities, public streets, and park network adjacent to the site,
 - d wall design,
 - e the type, height, design, and intensity of proposed lighting on the site, to ensure that it is compatible with the adjacent uses,
 - f improvement plans for common open space, common buildings and/or walls, and amenities such as ramadas, landscape buffers on public and/or private property (back-of-curb to right-of-way or access easement line included)
 - g Landscaping, including protection measures of any existing landscaping
 - h landscaped setting around all buildings

ENGINEERING

- 1 **RESPONSIBILITY FOR CONSTRUCTION OF INFRASTRUCTURE** The developer shall be responsible for all improvements associated with the development and/or required for access or service to the development. Improvements may include, but not be limited to storm drains, drainage structures, water systems, sanitary sewer systems, curbs and gutters, paving, sidewalks, streetlights, street signs, and landscaping. The granting of zoning does not and shall not commit the city to provide any of these improvements
- 2 **FEES** The construction of water and sewer facilities necessary to serve the site shall not be in lieu of those fees that are applicable at the time building permits are granted. Fees shall include, but not be limited to the water development fee, water resources development fee, water recharge fee, sewer development fee or development tax, water replenishment district charge, pump tax, or any other water, sewer, or effluent fee
- 3 **CITY CONTROL OF ACCESS** The city retains the right to modify or void access within city right-of-way. The city's responsibility to promote safe conditions for the traveling public takes precedence over case stipulations
- 4 **CONCEPTUAL DRAINAGE REPORT** With the Development Review Board submittal, the developer shall submit a conceptual drainage report and plan subject to city staff approval. The conceptual report and plan shall conform to the Design Standards and Policies Manual - Drainage Report Preparation. In addition, the conceptual drainage report and plan shall
 - a Identify all major wash corridors entering and exiting the site, and calculate the peak discharge (100-yr, 6-hr storm event) for a pre- versus post-development discharge comparison of ALL washes which exit the property
 - b Determine easement dimensions necessary to accommodate design discharges
 - c Demonstrate how the storm water storage requirement is satisfied, indicating the location, volume and drainage area of all storage

- d Include flood zone information to establish the basis for determining finish floor elevations in conformance with the Scottsdale Revised Code
 - e Include a complete description of requirements relating to project phasing
- 5 **BASIS OF DESIGN REPORT (WATER)** Before the improvement plan submittal to the Project Quality/Compliance Division, the developer shall submit a basis of design report and plan subject to Water Resources Department approval. The basis of design report shall conform to the Design Standards and Policies Manual. In addition, the basis of design report and plan shall
- a Identify the location, size, condition and availability of existing water lines and water related facilities such as water valves, water services, fire hydrants, back-flow prevention structures, etc
 - b Identify the timing of and parties responsible for construction of all water facilities
 - c Include a complete description of requirements relating to project phasing
- 6 **BASIS OF DESIGN REPORT (SANITARY SEWER)**) Before the improvement plan submittal to the Project Quality/Compliance Division, the developer shall submit a basis of design report and plan subject to Water Resources Department approval. The basis of design report shall be in conformance with the Design Standards and Policies Manual. In addition, the basis of design report and plan shall
- a Identify the location of, the size, condition and availability of existing sanitary sewer lines and wastewater related facilities
 - b Identify the timing of and parties responsible for construction of all sanitary sewer facilities
 - c Include a complete description of requirements relating to project phasing



**mccormick
ranch**

property owners' association

March 30, 2006

Mr Thomas Hott
Director of Communication Services
International Capital Partners
6909 E. Main St.
Scottsdale, AZ 85251-4311

Dear Tom.

At its meeting of March 29, 2006, the McCormick Ranch Property Owners' Association Board of Directors moved to approve your request for an intended use change from C-O PCD to R-5 PCD for your proposed condominium development located just east of Hayden Road and north of McCormick Parkway allowing the construction of 36 residential condominium units

If you have any questions, please do not hesitate to contact me at the number listed below.

Sincerely,

Garth E. Saager
Executive Director

GES/kb

ATTACHMENT #6

22-ZN-2005
4-27-06

ADVISORS & PARTNERS IN REAL ESTATE

October 6, 2005

Feigenoff Family Trust
8095 Via de Valle
Scottsdale, AZ 85258
174-06-406

Re City of Scottsdale Case 480-PA-2005

Dear Sir or Madam

This letter is to notify you of our recent submittal to the City of Scottsdale for the McCormick Ranch Office Plaza located in your neighborhood. We would also like to invite you to our open house on Friday, October 14th to discuss the project as well as receive your input.

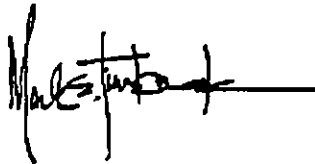
McCormick Ranch Office Plaza, located at 8233 Via Paseo del Norte is currently a single story, 27,818 square foot office complex. Our proposal is to change the zoning from CO-PAD to R-5, for residential condominium use. This will allow for the construction of our forty (40) unit condominium project on the 2.3 acre lot, equal to 115,872 square feet.

Attached to this letter you will find a copy of the site plan we have created, demonstrating the preliminary layout.

We have been working closely with the City of Scottsdale on the rezoning of this parcel. The contact assigned to our case is Mr. Bill Verschuren, Senior Planner. Mr. Verschuren can be reached at 480 312 7734.

If you have any questions about this project or would like additional information, please attend our open house on Friday, October 14, 2005 at 7:00 P.M. The meeting will occur at the site, 8233 Via Paseo del Norte. In the mean time, if you have any questions, please feel free to contact me at 480 682 1732 or via e-mail at mt@icprealestate.com.

Sincerely,



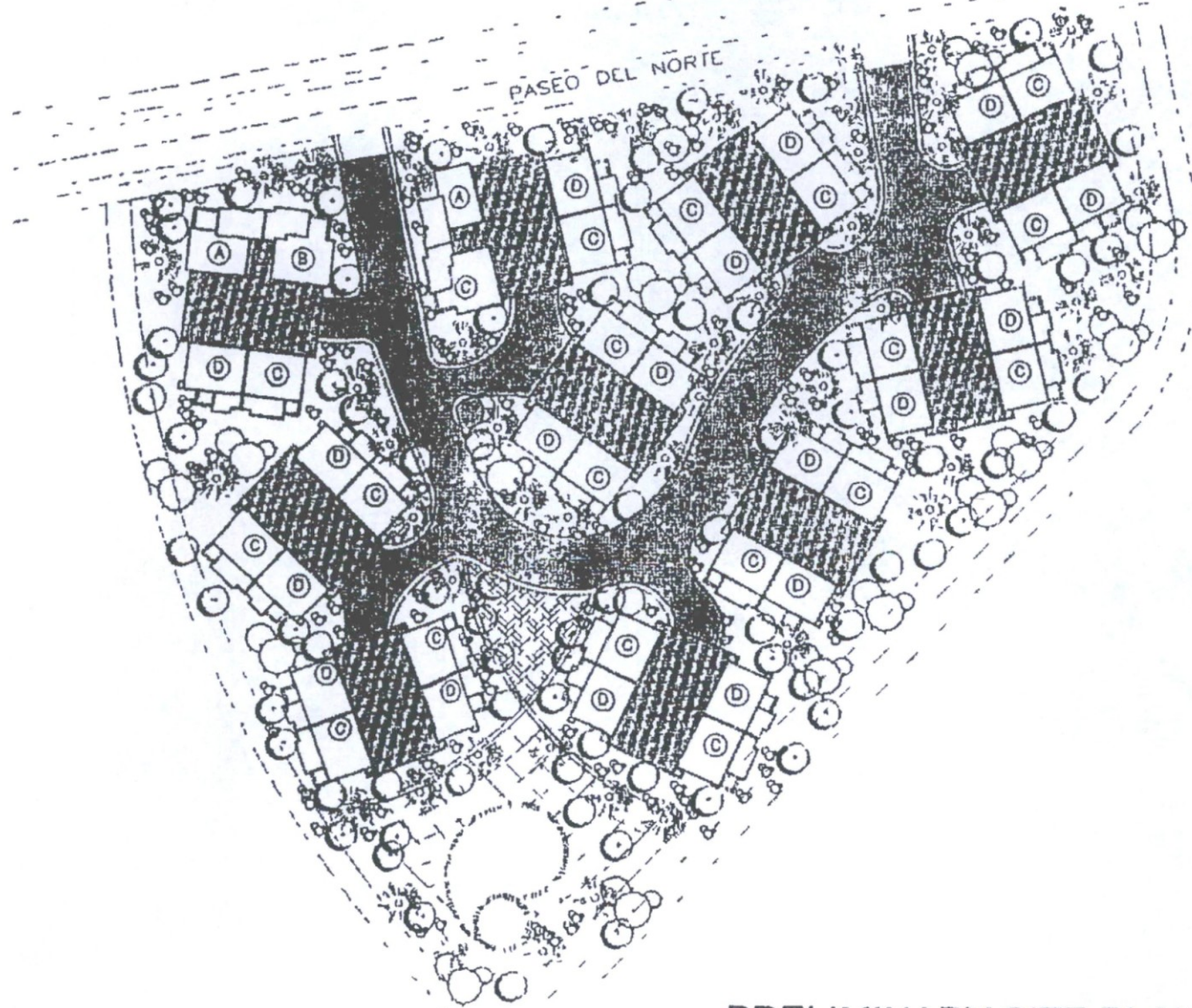
Mark E. Timbrook
Vice President of Architecture and Design Services

22-ZN-2005
11-11-05

Enclosure



ICP



PRELIMINARY SITE PLAN



M 1



CONTACT LOG-ICP McCormick Ranch Project

Name	Nancy Rossman	Organization	Home Owner
Telephone		E-mail	Nancy.Rossman@colliers.com
Contact Date	10/10/05	Follow-up Date	10/10/05

Nancy sent an e-mail in support of the project. She informed me that she would not be at the meeting because she would be travelling but that she supported the project. Requested elevations and pricing when available. She also asked when the condos would be ready.

Name	Bob Crest?	Organization	Home Owner
Telephone	480-948-4758	E-mail	
Contact Date	10/12/05	Follow-up Date	10/13/05

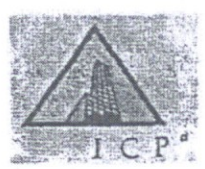
Bob left message requesting information from the posted sign. Wanted to know exactly what property was being re-zoned.

Will send information- site plan and elevations for review when they become finalized. Bob will not be at the open house due to travelling. Bob supports our project and wishes the best. Thinks the use will be good for neighborhood.

Name	Frank Boyd	Organization	
Telephone	602-686-5492	E-mail	
Contact Date	10/24/05	Follow-up Date	

Left a message. Supportive of plan. Nearby land owner and broker

Name		Organization	
Telephone		E-mail	
Contact Date		Follow-up Date	



Laura Swan

From: Mark Timbrook
Sent: Monday, October 10, 2005 9:45 AM
To: Laura Swan
Subject: FW: McCormick Ranch Condo Project

Mark E. Timbrook, RA, NCARB
V.P. of Architecture and Design Services International Capital Partners

p480.682.1732
mt@icprealestate.com

-----Original Message-----

From: Mark Timbrook
Sent: Monday, October 10, 2005 8:37 AM
To: 'Nancy.Rossman@colliers.com'
Subject: RE: McCormick Ranch Condo Project

Nancy,

Thank you very much for your support of our project at McCormick Ranch. We will be able to provide floor plans and elevations soon. The maximum height will be 36'. I should clarify the height, the units themselves are two stories, and however, in an effort to conceal all of the parking and make a more pedestrian oriented project, we have incorporated garages on the first floor that make the overall buildings a mix of 2 and 3 stories. In addition, you will not be able to see any of the garage doors from the exterior due to a shared motor court that you enter prior to getting to the garage.

We are not the group that is currently working on the Main Street Plaza, however, I am very familiar with it because we own property on Main Street very near this and are in the process of redevelopment that includes the West end of Main Street.

Thank you for taking the time to let us know your thoughts it is very much appreciated.

Mark E. Timbrook, RA, NCARB
V.P. of Architecture and Design Services International Capital Partners

p480.682.1732
mt@icprealestate.com

-----Original Message-----

From: Nancy.Rossman@colliers.com [mailto:Nancy.Rossman@colliers.com]
Sent: Monday, October 10, 2005 8:27 AM
To: Mark Timbrook
Subject: McCormick Ranch Condo Project

Mark,

thx for the letter and layout of the proposed change of use. You have my support. Unfortunately, I will be in St. Louis for the weekend and unable to attend the open house on Fri, the 14th. Can you send me elevations and pricing? when completed?

Also, what will the design look like? (two story, right?)

Are you all the same outfit that are doing Main St Plaza? If so, my compliments.
Nancy Rossman

This e-mail and attachments (if any) is intended only for the addressee(s) and is subject to copyright. This e-mail contains information which may be confidential or privileged. If you are not the intended recipient please advise the sender by return e-mail, do not use or disclose the contents and delete the message and any attachments from your system. Unless specifically stated, this e-mail does not constitute formal advice or commitment by the sender or Colliers International or any of its subsidiaries.

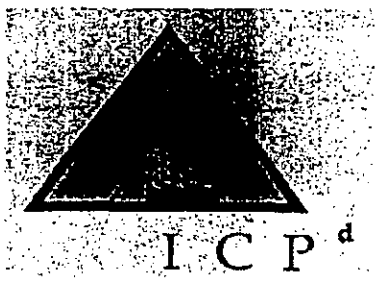
Colliers International respects your privacy. Our privacy policies can be accessed by clicking here. <http://www.colliersmn.com/privacy>

Neighborhood Open House Meeting 10/14/2005 7:00 P.M.

Sign-In Sheet

Name	Address	Phone Number
Norm Tweit	8350 E. VIA DE LISA	480-948-0047
Ernie Tweit	" "	" "
Scott Bied	5985 E. Camino	480-391-7576
Bob Long	7350 Via Paseo del Norte 8250 Via Paseo del Norte	480-948-4900
Elyssa Wick Thomas	7526 N. Via de la Campana Scottsdale, AZ 85258	602-535-4437
Mara Hunsel	3165 E. Lincoln D	480-6501300

open house was held on-site
 8233 Via Paseo del Norte
 Scottsdale, AZ
 85258





OPEN HOUSE - INTERNATIONAL CAPITAL PARTNERS FRIDAY OCTOBER 14, 2005

4 NEIGHBORS IN ATTENDANCE

**ALYSSA WICK AND MARK HIMSL FROM RUSS LYON REALTY
LAURA SWAN, MARK TIMBROOK, ALLISON SMITH, TAYLOR GLOECKLER, & BOB
SWAN FROM ICP**

**THE PRESENTATION WAS A POWERPOINT PRESENTATION, PROJECTED ONTO THE
WALL OF THE CONFERENCE ROOM. THE PRESENTATION SLIDES ARE ATTACHED.**

1. INTRODUCTION

- A. MARK TIMBROOK INTRODUCED HIMSELF AND THE OTHERS IN
ATTENDANCE**
- B. TIMBROOK EXPLAINED HIS QUALIFICATIONS.**
- C. TIMBROOK DESCRIBED THE HISTORY OF ICP AND DISCUSSED TOM
DONAHUE AND JEFF KRAJEWSKI**

2. DESCRIPTION OF EXISTING PROPERTY

- A. 27,000 SQUARE FEET OF OFFICE SPACE, DIVIDED INTO 6
BUILDINGS**
- B. HIGH VACANCY RATE BECAUSE OF LOCATION AND LACK OF
VISIBILITY**
- C. BUILDING BACKS ONTO PUBLIC PARK AREA**

3. SITE PLAN

- A. ZONING ORDINANCES ALLOW FOR 68 UNITS BUT WE ARE
PLANNING FOR 40 UNITS (10 BUILDINGS WITH 4 UNITS IN EACH
BUILDING)**
- B. PROPERTY WILL NOT BE GATED**
- C. THE PURPOSE IS TO PULL THE PUBLIC SPACES INTO THE SITE TO
BRING THAT OPENNESS TO THE PROJECT**
- D. EXPLANATION OF CONDO LOCATION WITH RESPECT TO DRIVEWAY
AND PARKING**

4. ARCHITECTURAL CHARACTER

- A. SOME 2 BUT MOSTLY 3 STORY UNITS DUE TO GARAGES BUT 1 AND
2 FLOOR LIVINGS PACES**
- B. BRING PEOPLE THROUGHOUT PROJECT TO CONTINUE OPEN FEEL**

5. PLANNING AND ZONING PROCESS

- A. DEVELOPMENT REVIEW PROCESS**
- B. GENERAL PLAN AMENDMENT**
- C. AT LEAST 2 MONTHS BEFORE SUBMIT DESIGNS TO CITY**
- D. CURRENT ZONING IS CO-PAD (ORIGINALLY PART OF THE
SHOPPING CENTER)**
- E. MET WITH GARTH SAAGER AT MCCORMICK RANCH POA AND HE
WAS VERY EXCITED ABOUT THE PROJECT**



- F. MUST GO THROUGH "INTENDED USE" WITH THE POA AND THEN RECEIVE APPROVAL
- G. ARCHITECTURAL CONTROL COMMITTEE MUST ALSO APPROVE
- H. CITY STATUE SAYS HEIGHT CAN NOT EXCEED 36 FEET
- I. INTEND TO BREAK GROUND IN LATE SPRING/ EARLY SUMMER OF 2006
- J. CURRENTLY INTERVIEWING FOR GENERAL CONTRACTOR POSITION

6. QUESTIONS FROM NEIGHBORS

- A. ARE YOU OPTIMISTIC?
YES WE ARE FAIRLY OPTIMISTIC THE CITY WILL APPROVE OUR PLANS. SO FAR THE CITY HASN'T SAID ANYTHING SO IT IS A BIT HARD TO KNOW.
- B. WHAT SIZE ARE THE UNITS?
THEY RANGE FROM 1400-1700 SQUARE FEET
32 ARE THE LARGER FLOOR PLANS (C/D 1600-1700SF)
8 ARE THE SMALLER FLOOR PLANS (A/B)
IT WILL BE A GATED COMMUNITY WITHOUT THE GATES
- C. WILL THERE BE VISITOR PARKING?
THERE WILL BE VISITOR PARKING BUT IT WILL BE MINIMAL BECAUSE EACH UNIT WILL HAVE 2 SPOTS IN THE GARAGE. THERE WILL BE ADDITIONAL PARKING IN THE MOTOR COURT AREA UNDER THE UNITS.
- D. ARE MOST UNITS 2 OR 3 BEDROOMS?
ALL HAVE 2 BEDROOMS AND ALL ALSO HAVE PATIOS
- E. WHAT IS ON THE FIRST FLOOR?
THE FIRST FLOOR HAS THE DOOR TO THE GARAGE AND A SMALL ROOM, APPROXIMATE 12'X12' THAT LEADS TO THE STAIRWAY UP TO THE LIVING AREA. THE BEDROOMS ARE ON THE THIRD FLOOR IN LAYOUTS C & D AND ON THE SECOND FLOOR IN A & B.
- F. WHEN ARE YOU ASSURED THE GO AHEAD TO BUILD?
FIRST, THE CITY COUNCIL APPROVES THE USE. AFTER APPROVAL BY THE CITY COUNCIL, THERE WILL BE A DESIGN REVIEW (60 DAYS TO MAKE REVISIONS ETC). THEN THE DESIGN REVIEW IS APPROVED AND THE CONSTRUCTION DOCUMENTS MUST ALSO BE APPROVED. ONCE THE COUNCIL HAS APPROVED THE GENERAL PLAN AMENDMENT, THE CAPITAL RISK DECREASES.
- G. WHAT WILL THE COST BE PER UNIT?
ALYSSA ANSWERED - WE HAVE TO FIND OUT MORE DETAILS. WE ARE A DISCERNING DEVELOPER SO WE WANT TO BUILD A VERY GOOD PRODUCT BUT STILL KEEP IT REASONABLE. WE ARE SENSITIVE TO THE COMMUNITY AT LARGE AND WANT TO KEEP THE FEELING OF COMMUNITY INTACT, RATHER THAN GENERATING A LARGE PROFIT.

INTERNATIONAL CAPITAL PARTNERS, LLC

ADVISORS & PARTNERS IN REAL ESTATE

WRITTEN SUMMARY OF COMMENTS, ISSUES, CONCERNS AND PROBLEMS

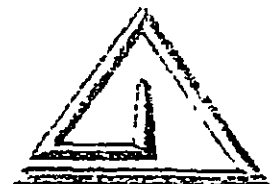
OVERALL, ALL OF THE COMMENTS WE RECEIVED FROM PROPERTY OWNERS WERE POSITIVE. MOST WANTED TO KNOW MORE ABOUT THE PROJECT AND SOME WERE EVEN INTERESTING IN COSTS AND COMPLETION DATES.

WE HAD TWO PHONE CALLS AND AN E-MAIL FROM RESIDENTS TWO OF THE LOCAL PROPERTY OWNERS COULD NOT ATTEND THE OPEN HOUSE AND WERE SIMPLY CALLING TO GAIN INFORMATION ABOUT THE PROJECT

FOR THE PHONE MESSAGES WE RECEIVED, WE DOCUMENTED THE NAME AND PHONE NUMBER OF EACH AND CALLED THE PROPERTY OWNER BACK AND ANSWERED ANY QUESTIONS.

FOR THE E-MAIL, WE REPLIED TO THE MESSAGE AND PROMISED TO SEND MORE INFORMATION (SUCH AS ELEVATIONS AND FLOOR PLANS) WHEN THEY BECOME AVAILABLE.

22-ZN-2005
11-11-05





Affidavit of Posting

Required: Signed, Notarized originals
Recommended: E-mail copy to your project coordinator

Project Under Consideration Sign (White) Public Hearing Notice Sign (Red)

Case Number: 480-PA-2005

Project Name: McCormick Ranch Condominiums

Location: 8233 Via Paseo del Norte

Site Posting Date: Thursday, September 29, 2005

Applicant Name: Mark Timbrook

Sign Company Name: Fast Signs

Phone Number: 480-994-8088

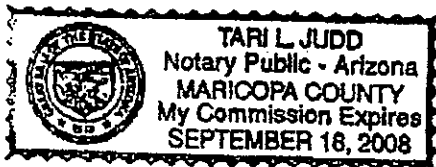
I confirm that the site has been posted as indicated by the Project Manager for the case as listed above.

Mark Timbrook
Applicant Signature

10/3/05
Date

Return completed original notarized affidavit AND pictures to the Current Planning Office no later than 14 days after your application submittal.

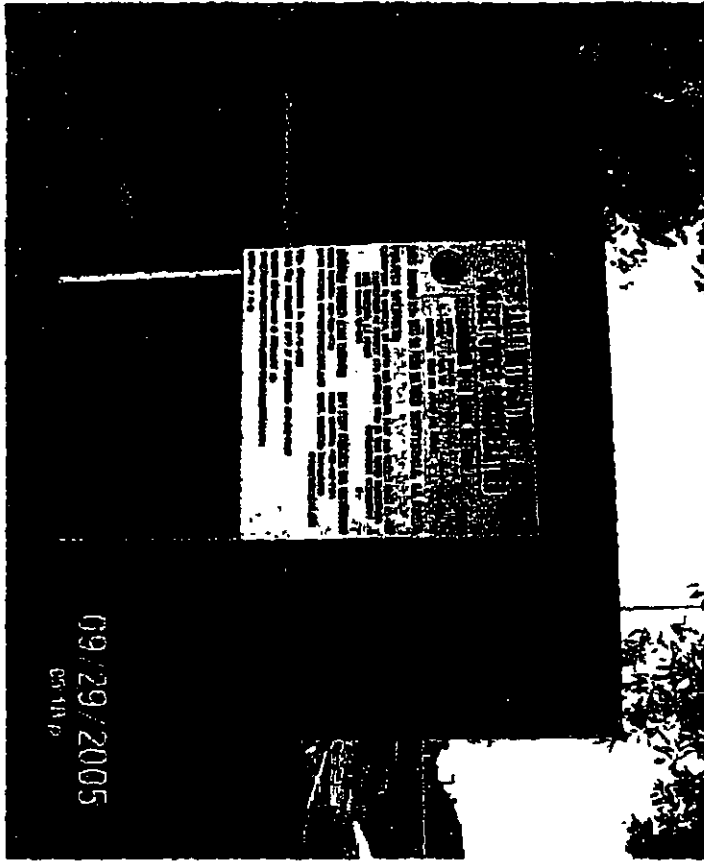
Acknowledged before me this the 3rd day of October 2005



Tari L. Judd
Notary Public
My commission expires: Sept. 18, 2008

City of Scottsdale -- Current Planning Division

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



22-ZN-2005
11-11-05

Feigenoff Family Trust
8095 Via de Valle
Scottsdale, AZ 85258
Parcel 174-06-406

Mr and Mrs Roland and Norma Pullin
8361 East Via de Viva
Scottsdale, AZ 85258
Parcel 174-08-341

Mr and Mrs Billy and Evelyn Hill
8354 E Via de Viva
Scottsdale, AZ 85258
Parcel 174-08-347

Mr and Mrs Bruce and Donna Heyvaert
8320 Via de la Luna
Scottsdale, AZ 85258
Parcel 177-04-655

Mr and Mrs Raymond and Marian Malott
8360 E Via de la Escuela
Scottsdale, AZ 85258
Parcel 174-08-368

Mr and Mrs. Patrick and Cheryl Gorman
8332 E Via de la Luna
Scottsdale, AZ 85260
Parcel. 177-04-653

Mr and Mrs Norman and Evelyn Twert
8350 E Via de Risa
Scottsdale, AZ 85260
Parcel 177-03-111

Robert P Seng Trust
579 Central Avenue
Highland Park, IL 60035
Parcel 177-04-660

Mr. Timothy Gaffney
8223 E. Via de Viva
Scottsdale, AZ 85258
Parcel 177-04-411

McCormick Ranch Property Owners
Association Inc
9248 North 94th Street
Scottsdale, AZ 85258
Parcel 177-03-539

McCormick Place
1111 Bayside Drive, Ste 111
Corona Del Mar, CA 92625
Parcel. 177-03-500-A

Ms. Marjorie Smith
8349 Via de los Libros
Scottsdale, AZ 85258
Parcel 174-08-356

Ms Nelle Gray
7183 Via de Amigos
Scottsdale, AZ 85258
Parcel 177-03-537

Mr and Mrs John and Joyce Boss
2776 Cohansey Circle
Roseville, MN 55113
Parcel 174-08-365

Mr and Mrs Robert and Margaret Bergum
8349 Via de la Escuela
Scottsdale, AZ 85258
Parcel 174-08-367

Ms. Maureen Ottley
8313 E Via de la Luna
Scottsdale, AZ 85258
Parcel 177-04-644

Desert Schools Federal Credit Union
P O Box 2945
Phoenix, AZ 85062
Parcel 177-03-217-A

Mr and Mrs James and Arlene Dotling
10202 N 68th Street
Scottsdale, AZ 85253
Parcel 177-03-218-B

Vig Louesa Lohn Trust
8360 E. Via de Viva
Scottsdale, AZ 85258
Parcel 174-08-348

Mr and Mrs Peter and Jodi Serena
8101 E Via de Valle
Scottsdale, AZ 85258
Parcel 174-06-407

Ms Pamela Williamson
8100 E Via de Valle
Scottsdale, AZ 85258
Parcel. 174-06-410

Mr and Mrs Walter and Barbara Bradley
8355 E Via de la Escuela
Scottsdale, AZ 85258
Parcel 174-08-366

Mr and Mrs Elliot and Nancy Silverston
8319 Via de la Luna
Scottsdale, AZ 85258
Parcel 177-04-645

Mr and Mrs Antonious and Lisa Price
7180 N Via de Amigos
Scottsdale, AZ 85258
Parcel 177-03-526

Ms. Amy Hadley
8331 E Via de Los Libros
Scottsdale, AZ 85258
Parcel 177-04-421

Mr Mohammad Nayeypour
8344 E. Via de Risa
Scottsdale, AZ 85258
Parcel 177-03-112

Mr and Mrs Ronald and Roberta Vitale
8211 E Via de Viva
Scottsdale, AZ 85258
Parcel 177-04-410

Ms Shelley Swanson
71874 N Via de Amigos
Scottsdale, AZ 85258
Parcel 177-03-527

Desert Cove Sales and Leasing Inc
8332 E Appaloosa Trail
Scottsdale, AZ 85258
Parcel 177-04-656

Ms Janann Riley
8094 Via del Valle
Scottsdale, AZ 85258
Parcel 174-06-411

Mr. George Ulmer
3401 Club Drive, No. 6
Los Angeles, CA 90064
Parcel 177-03-114

Ms. Mary Ann Midolo
8360 E Via de Los Libros
Scottsdale, AZ 85258
Parcel 174-08-360

Mr and Mrs Frank and Molly Boyd
8301 E Via de la Luna
Scottsdale, AZ 85258
Parcel 177-04-642

Mr and Mrs Gary and Nancy Rossman
8307 E Via de la Luna
Scottsdale, AZ 85258
Parcel 177-04-643

Mr and Mrs Richard and Adin Tracy
8302 E Via de la Luna
Scottsdale, AZ 85258
Parcel 177-04-657

Regency Centers LP
11823 Radium Drive
San Antonio, TX 78216
Parcel 177-03-225-C

McCormick Ranch Property Owners
Association Inc
9248 N 94th Street
Scottsdale, AZ 85258
Parcel 177-04-665

McCormick Ranch Property Owners
Association Inc
9248 N 94th Street
Scottsdale, AZ 85258
Parcel 177-04-347

Mr and Mrs Dudley and Jean Ferris
7502 N Via de Los Libros
Scottsdale, AZ 85258
Parcel 177-04-685-A

Mr and Mrs David and Roxanne Bonfiglio
8325 Via de La Luna
Scottsdale, AZ 85258
Parcel 177-04-646

Mr and Mrs Edward and Judith Miksch
8355 E Via de Viva
Scottsdale, AZ 85258
Parcel 174-08-342

Mr Quinn Goldsberry
8343 E Via de Los Libros
Scottsdale, AZ 85258
Parcel 174-08-357

Ms Nancy Davis
8318 E Via de Dorado
Scottsdale, AZ 85258
Parcel 177-03-115

Bank One Arizona NA
Ernst and Young LLP
P O Box 1919
Wichita Falls, TX 76037
Parcel 177-03-217-B

Mr and Mrs Alan and Dorothy
Grandbois
4100 South Bellaire Street
Englewood, CO 80113
Parcel 174-08-346

McCormick Ranch Property
Owner's Association
9248 N 94th Street
Scottsdale, AZ 85258
Parcel 177-03-541

Mr and Mrs Richard and Adin Tracy
8302 E Via de la Luna
Scottsdale, AZ 85258
Parcel 177-04-658-B

Mr David Bartlett
8312 E Via de Dorado Street
Scottsdale, AZ 85258
Parcel 177-03-116

Ms Thava Freedman
8342 E Via de Viva Street
Scottsdale, AZ 85258
Parcel 174-08-345

McCormick Ranch Property
Owner's Assoc
9248 N 94th Street
Scottsdale, AZ 85258
Parcel 177-03-227

Mr and Mrs Kenneth and Randy Gilbert
8106 E Via de Valle
Scottsdale, AZ 85258
Parcel 174-06-409

Mr and Mrs Lyman and Betty Hevle
8348 E Via de Los Libros
Scottsdale, AZ 85258
Parcel 174-08-358

Mr Poulia Adinamus
8326 E Via de la Luna
Scottsdale, AZ 85258
Parcel 177-04-654

Ms Lisa Clark
8222 Via de Viva
Scottsdale, AZ 85258
Parcel 177-04-413

Regency Centers LP
P O Box 790830
San Antonio, TX 78279
Parcel 177-03-218-A

City of Scottsdale
7447 E Indian School Rd, Ste 205
Scottsdale, AZ 85251
Parcel 177-03-225-B

Mr and Mrs Richard and Anne Marie Boyd
1001 Liberty Avenue, 10th Floor
Philadelphia, PA 15222
Parcel 177-03-525

Mr and Mrs Kevin and Lynn Cronin
8343 Via de Risa
Scottsdale, AZ 85258
Parcel 177-03-105

City of Scottsdale
7447 E Indian School Road, Ste 205
Scottsdale, AZ 85251
Parcel 177-03-221

Ms Pamela Underwood
7501 E Via de Los Libros
Scottsdale, AZ 85258
Parcel 177-04-659

Mr. Alireza Saremaslani
8107 E. Vid de Desierto
Scottsdale, AZ 85258
Parcel: 174-06-447

Mr John Lavery
8101 E Via del Desierto
Scottsdale, AZ 85258
Parcel 174-06-446

Ms and Mrs Charles and Bethe Smith
8354 E Via de Los Libros
Scottsdale, AZ, 85258
Parcel 174-08-359

Ms Mary Dombroski
8349 E Via de Viva
Scottsdale, AZ 85258
Parcel 174-08-343

Mr. Stanley Larabee
8107 E. Via de Valle
Scottsdale, AZ 85258
Parcel 174-06-408

McCormick Ranch Property Owners
Association Inc
9248 N 94th Street
Scottsdale, AZ 85258
Parcel 177-04-354

Mr and Mrs Joseph and Bernice Ali
8229 E Via de Viva
Scottsdale, AZ 85258
Parcel 177-04-412

Mr and Mrs Craig and Jeni Miller
8306 E Via de Dorado
Scottsdale, AZ 85258
Parcel 177-03-117

McCormick Place
1111 Bayside Drive, Ste 111
Corona Del Mar, CA 92625
Parcel 177-04-869-A

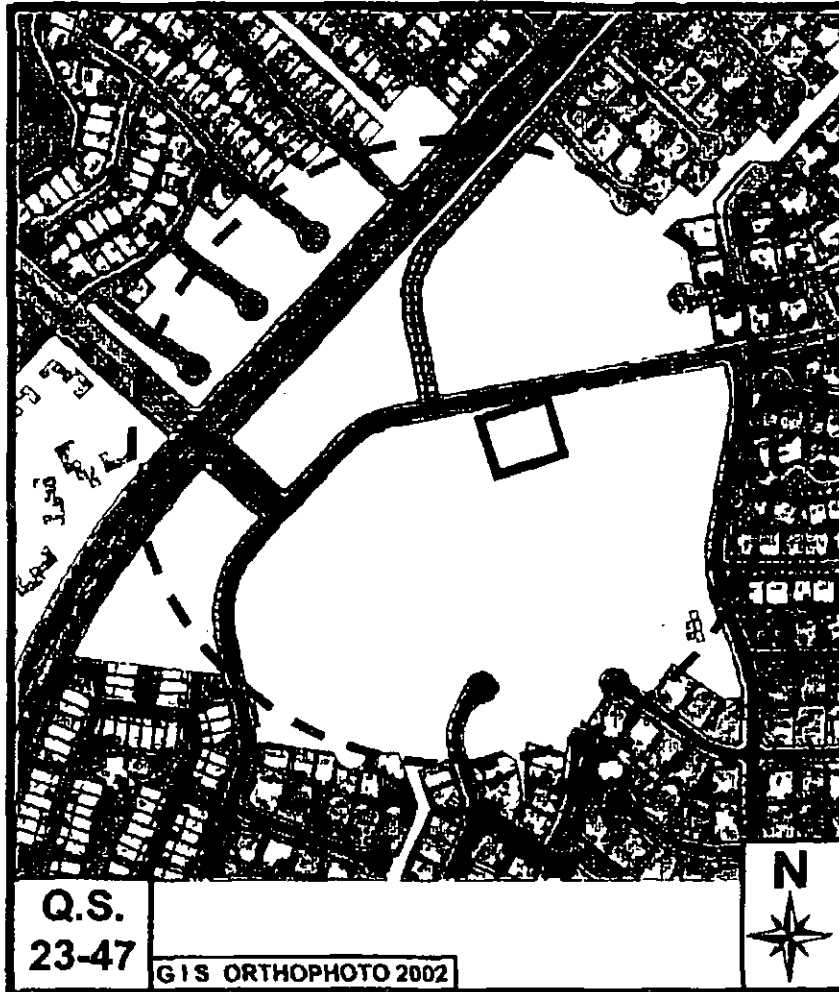
McCormick Ranch Property Owners
Association Inc
9248 N 94th Street
Scottsdale, AZ 85258
Parcel 177-03-225-D

Ms Lenore Roesch
411 Hill Avenue
Elmhurst, IL 60126
Parcel 174-08-355

Parcel 174-06-396

Mr and Mrs James and Sandra Sawyer
8348 Via de Viva
Scottsdale, AZ 85258
Parcel 174-08-344

City Notifications – Mailing List Selection Map



Map Legend:



Site Boundary



Properties within 750-foot

Additional Notifications:

- Interested Parties
- Camello Vista
- McCormick Ranch Property Owners Association
- Paseo Villas Improvement
- Villa Del Sol Property Owners Association
- Santa Fe Homeowners Association

McCormick Ranch Condos

14-GP-2005 & 22-ZN-2005

ATTACHMENT #7

THE MOTION CARRIED UNANIMOUSLY BY A VOTE OF SEVEN (7) TO ZERO (0).

6 14-GP-2005 McCormick Ranch Condos

Request by owner for a non-major General Plan Amendment from "Office" to "Urban Neighborhoods" on a 2.79+/- acre parcel located at 8301 Via Paseo del Norte

7 22-ZN-2005 McCormick Ranch Condos

Request by owner to rezone from Commercial Office, Planned Community District (C-O PCD) to Multiple Family District, Planned Community District (R-5 PCD) on a 2.79+/- acre parcel located at 8301 Via Paseo del Norte

Mr. Curtis addressed the Commission, noting that cases 14-GP-2005 and 22-ZN-2005 would be presented together. Highlights of his presentation included a context aerial, the General Plan land use map exhibit, and the zoning map. The request is a General Plan amendment to turn the property from an office designation to an urban neighborhoods land use designation and to change zoning to an R-5 multifamily residential planned community district. The applicant is proposing a two- to three-storey condominium complex.

In response to a question by Commissioner Schwartz, Mr. Curtis stated that there are no three-storey residential in the vicinity of the project. Commissioner Schwartz noted that there are no three-storey residential projects in McCormick Ranch, it is entirely one- and two-storey.

In response to an inquiry by Vice-Chairman Heitel, Mr. Curtis confirmed that a letter was included in the packet from the Homeowners Association supporting the project.

Troy Vinton, with VVG Associates Architects, addressed the Commission. He reiterated the specifics reviewed by Mr. Curtis, noting that changing the use from office use to residential would benefit the surrounding neighborhood and the nearby retail development. Mr. Vinton stated that the application fit within the zoning ordinance for the R-5 zoning within the 36-foot height limits and will be providing 38 percent open space. He opined that the decrease in overall traffic resulting from the project will benefit the entire neighborhood.

In response to a question by Commissioner O'Neill, Mr. Vinton confirmed that the Homeowners Association had approved the full development package. He presented a typical elevation to the Commission, noting that approximately 60 percent of the buildings would reach the 35-foot height limit.

Mr. Curtis confirmed that the current zoning would allow the surrounding buildings to go to 36 feet, however would not allow for residential. The nearby LA Fitness currently being constructed has a height of 36 feet, although it is a one-storey building.

Commissioner Schwartz remarked that he liked the architecture and thought the new development would be beneficial for the area. He expressed concern about having 36 feet in an area that is primarily one-storey residential. He noted that there was a four-foot grade differential from the street to the back of the site, and requested the Applicant look at lowering the site five or six more feet.

In response to a suggestion by Commissioner Schwartz to transition the driveways, Mr. Vinton explained that their engineer felt that would make the project unbuildable from a financial standpoint. Lowering the footprints more could result in serious drainage issues.

In response to an inquiry by Commissioner O'Neill, Mr. Vinton reported that there is a zero setback. Indicating the property line on the site plan, Mr. Vinton explained that the buildings would be set back three feet. Commissioner O'Neill opined that the current plan did not meet the zoning, which requires structures to either be on the property line or set back a minimum of ten feet.

Ms. Galav stated that the site plan did not need to meet the zoning standards during the rezoning, the site plan would be brought into compliance during the Development Review process.

Commissioner O'Neill clarified that he was informing the Applicant that they had a potential problem and questioning whether site plan changes were being considered with the zoning. Ms. Galav reiterated that what they were seeing was a conceptual site plan and was not being considered. Commissioner Schwartz opined that including the conceptual site plan in the packet implied that it should be considered in the zoning decision.

Commissioner O'Neill clarified that he supported the project. He expressed confusion because of issues during consideration of the case previously considered in which the Commission was uncomfortable that there was no site plan included in the application. He inquired whether the case was being recommended without any stipulations to a site plan. If the site plan was being considered, the Commission needed to be aware that it did not meet the Zoning Ordinance. Ms. Scott clarified that this zoning case was not being stipulated to the site plan, the site plan was included as an informational item.

Commissioner O'Neill opined that the Commission was in danger of contradicting itself by approving one case without a site plan and having an issue with the absence of a site plan for another case during the same meeting. He commented that it would be frustrating as an applicant to deal with the inconsistency.

Commissioner Schwartz commented that the conceptual site plan could be stipulated to. Mr. Curtis confirmed that the Commission could stipulate to a general conformance to the site plan. Mr. Curtis reviewed the steps taken by staff when looking at site plans and their impacts to the surrounding area, site plans are stipulated to when something in particular needs to be protected. Staff felt in this case the development sensitivities were already well established.

Chairman Steinberg expressed concern that during the zoning process staff had not noticed the nonconformance of the setbacks. Mr. Vinton stated that the problem would be easily rectified. In response to a request by Commissioner Schwartz, Mr. Vinton indicated the location of the three-storey elements within the project.

Commissioner Steinke agreed that there was a feeling of inconsistency, although the cases were different because the previous case lacked the components provided in this case. He opined that it would be unlikely that the specifics being requested would be addressed during any nonmajor General Plan amendment request or zoning request. He remarked that if in looking at the context the Commission had an issue with the 36-foot height limit in the residential component, they should take a position on that issue.

Mr. Larry Grobeman addressed the Commission. He discussed issues that the current residents of the office complex were having with the developer. Mr. Grobeman opined that unethical business practices had destroyed the businesses that had occupied the complex for many years.

COMMISSIONER SCHWARTZ MOVED TO APPROVE CASE 14-GP-2005 AND CASE 22-ZN-2005 WITH A STIPULATION THAT THE SITE BE LOWERED TEN FEET FROM THE AVERAGE ELEVATION OF VIA DE PASEO.

In response to an inquiry by Chairman Steinberg, Mr. Vinton confirmed that lowering the site would detrimentally affect the site and the drainage pattern.

Commissioner Schwartz inquired whether more time to do an evaluation and a hydrology study would be beneficial. Mr. Vinton opined that would be a futile attempt which would provide no result.

Chairman Steinberg reiterated that the approval was for a nonmajor General Plan amendment and a rezoning. He opined that it was unnecessary to put a premature burden on the Applicant.

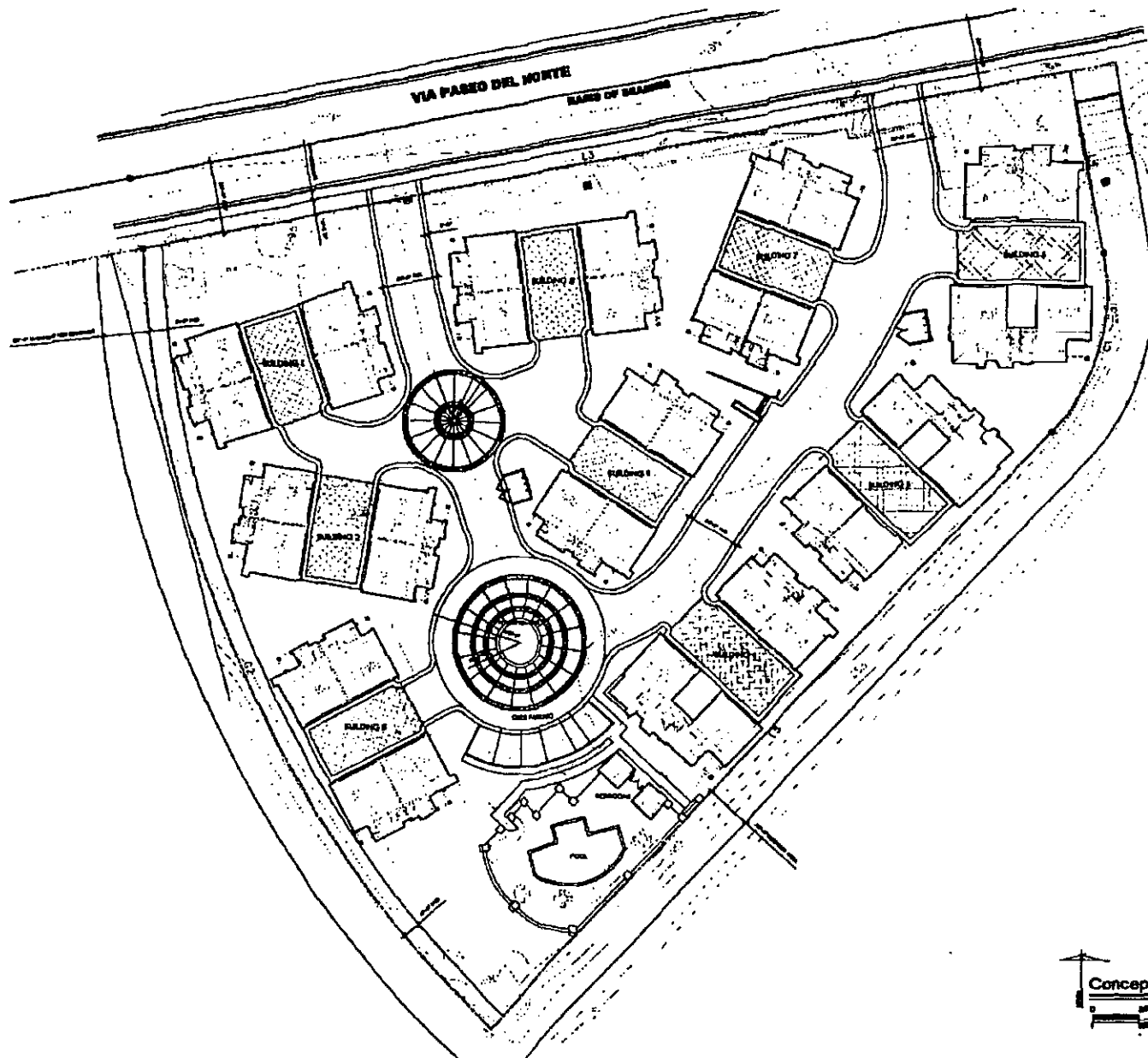
THE MOTION DIED FOR LACK OF A SECOND.

Vice-Chairman Heitel commented that he was sorry about the problems the current tenants were having and noted that unfortunately it was not the purview of the Commission to consider with the application.

VICE-CHAIRMAN HEITEL MOVED FOR APPROVAL OF 14-GP-2005 AND 22-ZN-2005. SECONDED BY COMMISSIONER HESS, THE MOTION CARRIED BY A VOTE OF FIVE (5) TO ONE (1). COMMISSIONER SCHWARTZ DISSENTED. COMMISSIONER BARNETT WAS RECUSED.

9. 2-TA-2006 ESL Text Amendment

Request by City of Scottsdale, Applicant, for a Text Amendment to the City of Scottsdale Zoning Ordinance (Ordinance 455), to amend Article VI. Supplementary District., Section. 6. 1083. Amended Development Standards and Section. 6. 1090. ESL Submittal Requirements. The purpose of this text



PROJECT INFORMATION

ADDRESS: 2000 W. PARKWAY, SUITE 200, BOULDER, CO 80501
DEVELOPER: MCCORMICK & CO., INC.
ARCHITECT: VV8 ARCHITECTURE + PLANNING
DATE: 04/27/06
SCALE: 1/8" = 1'-0"
PROJECT NO.: 22-ZN-2005

BUILDING SCHEDULE:

BUILDING 1	1,200 sq ft	1,200 sq ft
BUILDING 2	1,200 sq ft	1,200 sq ft
BUILDING 3	1,200 sq ft	1,200 sq ft
BUILDING 4	1,200 sq ft	1,200 sq ft
BUILDING 5	1,200 sq ft	1,200 sq ft
BUILDING 6	1,200 sq ft	1,200 sq ft
BUILDING 7	1,200 sq ft	1,200 sq ft
BUILDING 8	1,200 sq ft	1,200 sq ft
BUILDING 9	1,200 sq ft	1,200 sq ft
BUILDING 10	1,200 sq ft	1,200 sq ft

REVISIONS:

NO.	DATE	BY
1		
2		
3		
4		
5		

NOTES:
 1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 5. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 6. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 7. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 8. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 9. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 10. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

REVISIONS

NO.	DATE	BY
1		
2		
3		
4		
5		



Condominium Development for
Veritas at McCormick - ICP D200
 Hayden Road and McCormick Parkway
 Conceptual Site Plan



ATTACHMENT #9

11
 12
 13
 14
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25
 26
 27
 28
 29
 30
 31
 32
 33
 34
 35
 36
 37
 38
 39
 40
 41
 42
 43
 44
 45
 46
 47
 48
 49
 50
 51
 52
 53
 54
 55
 56
 57
 58
 59
 60
 61
 62
 63
 64
 65
 66
 67
 68
 69
 70
 71
 72
 73
 74
 75
 76
 77
 78
 79
 80
 81
 82
 83
 84
 85
 86
 87
 88
 89
 90
 91
 92
 93
 94
 95
 96
 97
 98
 99
 100

A0.0

22-ZN-2005
 4-27-06