



Application

Narrative

Cash Transmittal

Development Standards

Development Application



Development Application Type:

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

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

Project Name: _____

Property's Address: _____

Property's Current Zoning District Designation: Highway Commercial (C-3)

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

Owner:	Agent/Applicant:
Company:	Company:
Address:	Address:
Phone: Fax:	Phone: Fax:
E-mail:	E-mail:
Designer:	Engineer:
Company:	Company:
Address:	Address:
Phone: Fax:	Phone: Fax:
E-mail:	E-mail:

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

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

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

Owner Signature _____

Agent/Applicant Signature _____

Official Use Only

Submittal Date: _____

Development Application No.: _____

Planning and Development Services

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

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

Development Application

Review Methodologies



Review Methodologies

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

1. Enhanced Application Review Methodology

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

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

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

2. Standard Application Review Methodology:

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

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

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

Note:

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

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Development Application

Arizona Revised Statutes Notice



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

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

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Affidavit of Authorization to Act for Property Owner



1. This affidavit concerns the following parcel of land:

- a. Street Address: _____
- b. County Tax Assessor's Parcel Number: _____
- c. General Location: _____
- d. Parcel Size: _____
- e. Legal Description: _____

(If the land is a platted lot, then write the lot number, subdivision name, and the plat's recording number and date. Otherwise, write "see attached legal description" and attach a legal description.)

- 2. I am the owner of the land or I am the duly and lawfully appointed agent of the owner of the land and have authority from the owner to sign this affidavit on the owner's behalf. If the land has more than one owner, then I am the agent for all of the owners, and the word "owner" in this affidavit refers to all of them.
- 3. I have authority from the owner to act for the owner before the City of Scottsdale with regard to any and all reviews, zoning map amendments, general plan amendments, development variances, abandonments, plats, lot splits, lot ties, use permits, building permits and other land use regulatory or related matters of every description involving the land, or involving adjacent or nearby lands in which the owner has (or may acquire) an interest, and all applications, dedications, payments, assurances, decisions, agreements, legal documents, commitments, waivers and other matters relating to any of them.
- 4. The City of Scottsdale is authorized to rely on my authority as described in this affidavit until three work days after the day the owner delivers to the Director of the Scottsdale Planning & Development Services Department a written statement revoking my authority.
- 5. I will immediately deliver to the Director of the City of Scottsdale Planning & Development Services Department written notice of any change in the ownership of the land or in my authority to act for the owner.
- 6. If more than one person signs this affidavit, each of them, acting alone, shall have the authority described in this affidavit, and each of them warrant to the City of Scottsdale the authority of the others.
- 7. Under penalty of perjury, I warrant and represent to the City of Scottsdale that this affidavit is true and complete. I understand that any error or incomplete information in this affidavit or any applications may invalidate approvals or other actions taken by the City of Scottsdale, may otherwise delay or prevent development of the land, and may expose me and the owner to other liability. I understand that people who have not signed this form may be prohibited from speaking for the owner at public meetings or in other city processes.

Name (printed)

Date

Signature

_____	_____, 20__	_____
_____	_____, 20__	_____
_____	_____, 20__	_____
_____	_____, 20__	_____

Planning and Development Services

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 • scottsdaleaz.gov

Appeals of Dedication, Exactions or Zoning Regulations



Rights of Property Owner

In addition to the other rights granted to you by the U.S. and Arizona Constitution, federal and state law and city ordinances or regulations, you are hereby notified of your right to appeal the following City actions relating to your property:

- 1) Any dedication of exaction which is required of you by an administrative agency or official of the city as a condition of granting approval of your request to use, improve or develop your real property. This appeal right does not apply to a dedication or exaction required as part of a city legislative act (for example a zoning ordinance) when an administrative agency or official has no discretion to determine the dedication or exaction.
- 2) The adoption or amendment of a zoning regulation that creates a taking of property in violations of Arizona and federal court decision.

Appeal Procedure

The appeal must be in writing and specify the City action appealed and the date final action was taken, and must be filed with or mailed to the hearing officer designated by the city within 30 days after the final action is taken

- No fee will be charged for filing
- The city Attorney's Office will review the appeal for compliance with the above requirements, and will notify you if your appeal does not comply
- Eligible appeals will be forwarded to the hearing officer, and a hearing will be scheduled within 30 days of receipt by the hearing officer of your request. Ten days notice will be given to you of the date, time and place of the hearing unless you indicate that less notice is acceptable to you.
- The City will submit a takings impact report to the hearing officer.
- In an appeal from a dedication or exaction, the City will bear the burden of proving that the dedication or exaction to be imposed on your property bears an essential nexus between the requirement and a legitimate governmental interest and that the proposed dedication or exaction is roughly proportional to the impact of the use, improvement or development you proposed.
- In an appeal from the adoption or amendment of a zoning regulation, the City will bear the burden of proving that any dedication of exaction requirement in the zoning regulation is roughly proportional to the impact of the proposed use, improvement, or development, and that the zoning regulation does not create a taking of property in violation of Arizona and federal court cases.
- The hearing officer must render his decision within five working days after the appeal is heard.
- The hearing officer can modify or delete a dedication or exaction or, in the case of an appeal from a zoning regulation, transmit a recommendation to the City Council.
- If you are dissatisfied with the decision of the hearing officer, you may file a complaint for a trial nevo with the Superior Court within 30 days of the hearing officer's decision.

For questions, you may contact:

City's Attorney's Office
3939 Drinkwater Blvd.
Scottsdale, AZ 85251
480-312-2405

Address your appeal to:

Hearing Officer, C/O City Clerk
3939 Drinkwater Blvd
Scottsdale, AZ 85251

Please be aware that City Staff cannot give you legal advice. You may wish, but are not required, to hire an attorney to represent you in an appeal.

Planning and Development Services

7447 E. Indian School Road, Suite 105, Scottsdale, AZ 85251 ♦ www.scottsdaleaz.gov

**Owner Certification
Acknowledging Receipt
Of
Notice Of Right To Appeal
Exactions And Dedications**

I hereby certify that I am the owner of property located at:

7047 E. McDowell Road, Scottsdale (APN No. 129-12-001Y)

(address where development approval, building permits, or city required improvements and dedications are being required)

and hereby certify that I have received a notice that explains my right to appeal all exactions and/or dedications required by the City of Scottsdale as part of my property development on the parcel listed in the above address.

Signature of Property Owner

Date

Request for Site Visits and/or Inspections

Development Application (Case Submittals)



This request concerns all property identified in the development application.

Pre-application No: 485 -PA- 14

Project Name: Papago Plaza

Project Address: 7047 E. McDowell Road, Scottsdale

STATEMENT OF AUTHORITY:

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

STATEMENT OF REQUEST FOR SITE VISITS AND/OR INSPECTIONS

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

Property owner/Property owner's agent: _____

GEORGE PASQUEZ III - WINNIE MARROPOC

Print Name

[Signature]

Signature

City Use Only:

Submittal Date: _____ Case number: _____

Planning and Development Services

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 ♦ www.ScottsdaleAZ.gov

PAPAGO PLAZA

Planned Shared Development Narrative

PROJECT NARRATIVE

Prepared by:

Withey Morris, PLC

Jason B. Morris

George A. Pasquel III

On behalf of:

Papago Marketplace, LLC

Design Team:

Nelsen Partners

George Melara

Jeff Brand

ORB Architecture

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1. INTRODUCTION	p 3
2. THE DEVELOPMENT PLAN	p 5
3. GENERAL PLAN CONFORMANCE	p 9
4. SOUTHERN SCOTTSDALE CHARACTER AREA CONFORMANCE	p 17
5. PLANNED COMMUNITY DISTRICT CONFORMANCE	p 24
6. PLANNED SHARED DEVELOPMENT (PSD) CONFORMANCE	p 28
6. CONCLUSION	p 29

1. INTRODUCTION

On December 12, 2018, the Scottsdale City Council unanimously approved a rezoning request (Case # 6-ZN-2018 (Ordinance 4377) to enable the long-overdue redevelopment of Papago Plaza into a mixed-use retail, hotel and residential project. An application for a Planned Shared Development (PSD) overlay is necessary to enable the project components to function as one cohesive development. An accompanying Development Agreement will detail how the project parcels will share and maintain development standards as required by the zoning approval. As the goals are identical, this PSD narrative is nearly identical to the narrative which accompanied the rezoning request.

The junction of Scottsdale Road and McDowell Road is a marquee intersection, not only for southern Scottsdale, but for the City as a whole and for the greater Phoenix metropolitan area. As a gateway from Tempe, Mesa and Phoenix, the area has a storied history complete with rows of shiny new cars from since-vanished dealerships, teen rights-of-passage at the once legendary Los Arcos Mall, and family and friend outings at the numerous eateries and drinking establishments that once lined these important boulevards.

In recent decades, the area struggled to find a new identity and a sustainable commerce and growth strategy. However, recent revitalization and resurgence in the area is well underway and marks another exciting chapter in the story of southern Scottsdale. With SkySong across the street, new employment and retail establishment, and numerous reinvestments occurring throughout the area, the opportunity and the time have come for Papago Plaza to redevelop into a landmark project befitting the history of this renowned and vital intersection.

Location

The subject site is located at 7047 East McDowell Road at the southwest corner of Scottsdale Road and McDowell Road, Assessor's Parcel No. 129-12-001Y and 129-12-001X (the "Property"). The full site encompasses roughly 10.5 acres. The Property is currently vastly underutilized with a sea of asphalt surface parking and a strip of retail totaling 118,071 square feet in 13 separate concrete structures linked together over a distance exceeding in 300 yards. The existing improvements were originally constructed in 1962 and are functionally and economically obsolete. The buildings lack modern fire suppression systems and are generally in need of replacement. The surrounding zoning and uses include:

- North: McDowell Road. (CS and C-3 zoning). Bank and automotive uses.
- East: Scottsdale Road (PCD zoning). SkySong office, retail and residential uses.
- South: (C-3, C-1 and C-4 zoning). Retail, restaurant and a pawn shop.
- West: (C-3 zoning). Retail and hotel uses.

Request

A Planned Shared Development (PSD) Overlay atop the existing Planned Community (P-C) with comparable Planned Regional Center (PRC) zoning with amended standards. No changes are proposed to the underlying zoning. The Property will maintain the current General Plan designation as well as remain within and be consistent with the existing Southern Scottsdale Character Area Plan. The purpose of this request is to obtain the entitlements necessary to develop the Property as one cohesive project.

2. THE DEVELOPMENT PLAN

Overall Design approach/character

The Development Plan seeks to maximize the potential of this key, infill site with an iconic, pedestrian friendly, mixed-use project that is economically viable and provides the community with a local destination they can call their own. The proposed uses include residential, retail, a grocer, restaurants and a hotel.

The architectural character of the building will be contemporary in detail and material with the classical composition of base-middle-top. Landscape and hardscape improvements to the property perimeter provide connectivity to the neighboring commercial and residential properties. The main internal boulevard runs parallel to Scottsdale Road, serving as the primary vehicular and pedestrian corridor within the project while also creating a great, public space. This corridor is carefully crafted to allow spacious restaurant patios, shaded pedestrian walkway and opportunities for larger markets or festivals when the boulevard is closed to vehicles. A grove-like arrangement of trees overlays this corridor, creating a lush oasis that, along with the hardscape layout, defines this crucial public space. With the variety of commercial and residential uses, this public space will be activated at all times of the day, maintaining a vibrant and safe atmosphere.

The design strategies, high quality materials and pronounced architectural expression will create an iconic project that enhances South Downtown's economic and cultural presence. The project will also adhere to sustainable building practices, including Scottsdale's Green Building Program requirements.

Retail Component

The retail component of the project is roughly 30,000 sq.ft. and is appropriately placed on the east and south edge of the site to continue the active, walkable streets scene along Scottsdale Road and to play off of the SkySong uses abutting Scottsdale Road. The building layout and design and patio locations along Scottsdale connect directly to Scottsdale Road and draw the public into the project. Generous outdoor patio space is provided to connect the interior spaces with the exterior public realm. The retail is anchored by a 20,000 sq.ft. grocery store at the south end of the property, along Scottsdale Road.

Residential Component

The residential component of the project consists of a four-story building atop one level of covered parking, with convenient open spaces provided on-grade and at the podium level. The property has a mixture of efficient studio style units, up to roomy three-bedroom units, all with access to the highly amenitized property.

The first-floor parking structure is screened from street view by residential functions, support spaces, and leasing office, which are all oriented toward the primary internal boulevard and retail portion of the project. The north face, along McDowell Road houses six ground floor residential

units with individual entrances and patios accessed from the public sidewalk. The residential units are served by raised podium which includes a fitness center, resort style pool, recreational opportunities, shade, outdoor kitchens, and spa there is a mixture of large and intimate courtyards for the immediate use of residents, separated from the nearby busy street.

The south and west boundaries of the residential component are buffered from adjacent neighborhoods by alleyways and landscape setbacks and screening. Additionally, “granny flat” carriage units are provided along these property lines to further buffer and provide transition to the site. Overall, the main building is over 100 feet from the property line.

Hotel Component

A Select-Service Hotel will sit at the center of the development. The hotel will be approximately five-stories and highly designed to complement the character of the full development and surrounding area. Parking is provided at the adjacent above grade parking garage, while the valet, lobby and associated common areas will front onto the project’s main north-south corridor, further adding to the vibrancy of this tree-lined, semi-public gathering space.

Parking

Gone is the large “sea of asphalt” parking that blighted the site. Instead, new parking is spread throughout the Property, providing convenience and variety for the user. The majority of parking is screened from public right of way and condensed in tucked away garages. The retail parking garage blends seamlessly into the project with an access point coming from the center of the development. The garage can accommodate over 250 spaces with a ground level, and 3 above grade levels. The garage will be visually screened from public ways by design embellishments and existing and new development. The residential garage is fully wrapped and screened within the development. Resident guest parking is provided on surface spaces within a gated area to ensure the residential and retail parking ratios remain balanced (i.e. retail guests do not park in visitor spaces and vice versa). Granny flats along the perimeter of the residential component also provide additional tucked-away garage parking.

Pedestrian & Public Realm

The entire site is designed with the pedestrian in mind and will be a vast improvement from the current dilapidated condition of the site. The goal is to create an inviting and comfortable pedestrian connection with shade and interest connecting residential to the retail, to the hotel, and to grocer and beyond. New curb and gutters along with new, wide, decorative concrete sidewalks with new ADA ramps will be installed along Scottsdale Road. The southern section of the internal north-south street can easily be converted into a pedestrian-only plaza and gathering area for events and functions. Overall, the improvements will create a comfortable pedestrian connection which the site sorely lacks.

Landscaping / Hardscaping

Landscaping shall be consistent with the City of Scottsdale DS&PM, and Article X *Landscaping Requirements* of the City of Scottsdale Zoning Ordinance. Specifically, the project provides an

extension of the McDowell Corridor district with streetscape plantings of large canopied trees including Palo Verde, Oak and Elm to provide shade for the pedestrian traffic and to effectively ground the architecture. The residential plaza at the McDowell Road entry welcomes the public and serves as a comfortable space for everyday uses, gatherings and special events along with providing main entry to the leasing office and retail district. Date Palms, Mesquite, Ash, and an assortment of accents and seasonal flowering shrubs define the flora of the promenade and combine with colorful planter pots, seating opportunities and integral color concrete to create a dynamic setting. The internal landscape has a strong visual connection to the public realm while offering pedestrian amenities in a more intimate atmosphere. Lush internal plantings that include sub-tropicals such as Aloes, palm varieties, Bougainvillea and grasses lend a feeling of calmness and coolness to the streetscape vibe that provides pedestrians with the perfect “urban oasis”.

The Hotel, Grocery, and Retail/Restaurants will provide a visual significance in strengthening the streetscape pallet along both McDowell and Scottsdale Roads, and enhancing the overall site development. The proposed pallet references both the McDowell Corridor Improvements and the Scottsdale Road Streetscape Design Guidelines for the City of Scottsdale, as well as additional recommended landscape trees, shrubs, and accents to support the overall vision of the site. Taking from recently completed developments along McDowell, as well as Sky Song to the east, the right-of-way landscape pallet will draw from Desert Museums, Ironwoods, Tecomas, Desert Spoon, Red Yucca, New Gold Lantana, Sages, and additional accent and ground cover plantings. A new 8'-0" sidewalk will be offset along both McDowell and Scottsdale Roads, allowing for a strong landscape buffer between the pedestrian for safety and separation from oncoming traffic. Additional right-of-way amenities may include entry feature signage, seating, and an Oasis element at the corner intersection of Scottsdale and McDowell Roads.

With the emphasis of public programming throughout the remainder of the site, the landscape material is appropriate for both private and public settings, creating strong visual connections to the public realm. The proposed pallet will be low water use, low maintenance, support erosion control, and will be strategically designed to define spaces, create barriers, and support circulation and shade as needed. Hybrid mesquites will serve as a standard parking island and drive lane species, and be supported with complementary understory plantings. Hardscape patterns via concrete and pavers will provide wayfinding, highlight nodes and areas for gathering, and provide visual impact throughout the site. Additional site amenities include various courtyards for gathering and seating; waiting areas for the proposed hotel and restaurants; bicycle connections and stations/parking; and an exercise path that meanders throughout the site and connects with the adjacent neighborhood; all of which will be highlighted using both hardscape and landscape materials. The main interior street between the hotel and restaurants will serve as a large “courtyard” amenity that can be sectioned off for special events such as local markets, festivals, and events unique to the area. A secondary drive lane that meanders behind the hotel pad will allow for continued vehicular circulation during these unique opportunities. The “courtyard” will include large Ash trees for shade, outdoor seating, exterior lighting, and unique paver patterns. In between the restaurant/retail pads, small courtyard spaces provide areas for gathering and circulation, and used by the adjacent restaurants, as well as connecting to the main “courtyard” area. These spaces will be emphasized with Elm trees, water and fire

features, and outdoor seating, and support activation along the streetscape. The proposed exterior programs and landscape design will provide various opportunities for gathering, playing, and site exploration, while creating a much-needed neighborhood amenity for locals and visitors to enjoy.

3. GENERAL PLAN CONFORMANCE

The General Plan Conceptual Land Use Map designates the Property as Mixed-Use Neighborhood and as being within the South Scottsdale Character Area Plan. Mixed-Use Neighborhoods are located in areas with strong access to multiple modes of transportation and major regional access and services and provide an opportunity for a mix of uses. The South Scottsdale Character Area Plan provides more detailed direction for the development of the Property and is discussed further in Section 3 below. However, the General Plan does present several appropriate Goals and Approaches for the Property including:

General Plan Goals and Approaches

Character & Design Element No. 1 - DETERMINE THE APPROPRIATENESS OF ALL DEVELOPMENT IN TERMS OF COMMUNITY GOALS, SURROUNDING AREA CHARACTER, AND THE SPECIFIC CONTEXT OF THE SURROUNDING NEIGHBORHOOD.

- ***Respond to regional and citywide contexts with new and revitalized development in terms of:***
 - ✓ ***Scottsdale as a southwestern desert community.***
 - ✓ ***Scottsdale as a part of a large metropolitan area with a unique reputation, image, character and identity within its regional setting.***
 - ✓ ***Relationships to surrounding land forms, land uses and transportation corridors.***
 - ✓ ***Contributions to city wide linkages of open space and activity zones.***
 - ✓ ***Consistently high community quality expectations.***
 - ✓ ***Physical scale relating to the human perception at different points of experience.***
 - ✓ ***Visual impacts (views, lighting, etc.) upon public settings and neighboring properties.***
 - ✓ ***Visual and accessibility connections and separations.***
 - ✓ ***Public buildings and facilities that demonstrate these concepts and “lead” by example.***
- ***Enrich the lives of all Scottsdale citizens by promoting safe, attractive, and context compatible development.***
- ***Ensure that all development is a part of and contributes to the established or planned character of the area of the proposed location. Character can cross land uses and zoning to include community regions containing a mixture of housing, employment, cultural, educational, commercial, and recreational uses.***
- Nelsen Partners has a long history of designing mixed use projects in the Scottsdale area and other desert southwest areas that respond appropriately to regional climatic and other various design conditions. This project will be no different. Pedestrian

comfort and project character will be addressed at all levels of planning, landscape and building design. Shade and environmental comfort will be the focus of all connectivity corridors planned.

- The project is set up with large planning gestures that respond to the land uses and open space character along both the McDowell Road and Scottsdale Road corridors. The residential uses occupy the portion of the site backing up to residential neighborhoods and creates an open space corridor along McDowell Road. This corridor connects to the new residential projects that have revitalized McDowell Road with high quality, increased density residential projects. This project properly responds to this corridor and continues an increased density residential use connecting the open space to the commercial portion of the project that is oriented on Scottsdale Road. The commercial portion activates the Scottsdale Road corridor by fronting restaurant patios and pedestrian linkages to allow patrons to walk along an internal street or along Scottsdale Road.
- The scale of the project carefully addresses the scale of the pedestrian by focusing energy on the ground level experience. The pedestrian experience is the singular focus on the lasting success of this mixed-use project. This will be articulated by a variety of building heights, shade structures, shade trees, hardscape patterns, tenant and project signage, and community elements such as benches, moveable furniture, etc.
- Visual impacts of the project have been addressed and mitigated by stepping building height away from the single-family residential zoning to the south and west. View corridors along the front and rear of the project will also be properly landscaped to mitigate any building exposure and to provide a pleasant view from all angles of the project. All lighting will be designed within Scottsdale guidelines and mitigate light spill to neighboring properties and into the dark sky.
- The vision is for this project to set the benchmark for proper infill development that responds to its suburban context and its regional location. The mixture of uses fulfills the wants and needs that the surrounding neighbors asked for through a thorough outreach effort. The proper sizing of the commercial portion of the project in balance with a high-quality residential portion ensures vitality and longevity of success for a property that has appeared abandoned and in disrepair for far too long.

Character & Design Element No. 2 - REVIEW THE DESIGN OF ALL DEVELOPMENT PROPOSALS TO FOSTER QUALITY DESIGN THAT ENHANCES SCOTTSDALE AS A UNIQUE SOUTHWESTERN DESERT COMMUNITY. (THE CITY CHARTER EXCLUDES REVIEW OF DETACHED SINGLE FAMILY RESIDENTIAL)

- ***Promote development that respects and enhances the unique climate, topography, vegetation and historical context of Scottsdale's Sonoran Desert environment, all of which are considered amenities that help sustain our community and its quality of life.***
 - ***Promote, evaluate and maintain the Scottsdale Sensitive Design Principles that when followed will help improve and reinforce the quality of design in our community.***
- Based on Nelsen Partners experience with mixed-use developments and making community spaces that respond to the desert environment, the primary key is the provision of shade and respite from the heat. This project responds to this unique setting with an abundance of shade, both structural and vegetative. Vegetation includes large Ash trees in primary courtyard areas, Elm trees in the restaurant patio areas and Mesquite trees in parking areas. Low water use planting is also used throughout and water features in the courtyards will help provide a cooling presence. See landscape plans and Section 2 above regarding landscaping for further details.

Character & Design Element No. 4 - ENCOURAGE "STREETSCAPES" FOR MAJOR ROADWAYS THAT PROMOTE THE CITY'S VISUAL QUALITY AND CHARACTER, AND BLEND INTO THE CHARACTER OF THE SURROUNDING AREA.

- ***Design Downtown/Urban areas to concentrate on those elements that will provide pedestrian comfort, such as arcade-covered walkways, shade, decorative paving, and landscaping, so that a comfortable setting can be created for this use-intensive area.***
- Both the Scottsdale Road and McDowell Road frontages will provide a high-quality visual streetscape experience and enhanced pedestrian comfort appropriate for these major roadways. A new 8'-0" sidewalk will be offset along both McDowell and Scottsdale Roads, allowing for a strong landscape buffer between the street and the pedestrian for safety and comfort. The streetscape will include plantings of large canopied trees including Palo Verde, Oak and Elm to provide shade for the pedestrian and to effectively ground the architecture. Additional right-of-way amenities may include entry feature may include signage, seating, and an Oasis element at the corner intersection of Scottsdale and McDowell.
 - The residential plaza at the McDowell Road entry will welcome the public and serves as a comfortable space for everyday uses, gatherings and special events along with providing main entry to the leasing office and retail district. Date Palms, Mesquite, Ash, and an assortment of accents and seasonal flowering shrubs define the flora of the promenade and combine with colorful planter pots, seating opportunities and integral color concrete to create a dynamic setting.

- Along Scottsdale Road, the retail/restaurant building are angled to “open up” to the pedestrian right of way, providing both a visual and physical connection from the public streetscape to the semi-private courtyards.

Character & Design Element No. 5 - BUILD UPON THE SIGNIFICANT ROLE THE ARTS HAVE PLAYED IN SHAPING OUR COMMUNITY’S IMAGE AND LIFESTYLE BY MAXIMIZING THE POTENTIAL OF PUBLIC ART TO ENRICH THE DAILY LIVES OF PEOPLE THAT LIVE IN OR VISIT SCOTTSDALE.

- ***Encourage private participation in public art through the donation of artwork to the city and the placement of artwork on private property that can be publicly viewed.***
- ***Celebrate the dominant life style or character of an area of the city by using art.***
- Public Art is not a requirement with this Zoning Application. However, based on the layout of the development there are several areas appropriate for the display of art, either public or private, as a permanent or temporary installation. Additionally, several locations exist for the introduction of murals to add to the activation of streetscapes. The site is also organized in a way that could allow streets to be closed for local arts and crafts festivals or special events. The applicant will continue to evaluate appropriate means of introducing art to the project.

Character & Design Element No. 6 - RECOGNIZE THE VALUE AND VISUAL SIGNIFICANCE THAT LANDSCAPING HAS UPON THE CHARACTER OF THE COMMUNITY AND MAINTAIN STANDARDS THAT RESULT IN SUBSTANTIAL, MATURE LANDSCAPING THAT REINFORCES THE CHARACTER OF THE CITY.

- ***Require substantial landscaping be provided as part of new development or redevelopment.***
- ***Maintain the landscaping materials and pattern within a character area.***
- ***Encourage the use of landscaping to reduce the effects of heat and glare on buildings and pedestrian areas as well as contribute toward better air quality.***
- ***Discourage plant materials that contribute substantial air-borne pollen.***
- ***Encourage landscape designs that promote water conservation, safe public settings, erosion protection, and reduce the “urban heat island” effect.***
- ***Encourage the retention of mature landscape plant materials.***
- The landscaping plan for the project provides significant and appropriate foliage to greatly enhance the existing condition and greatly improve the overall visual and pedestrian experience at this prime Scottsdale intersection. The plan pulls from the vernacular occurring along McDowell Road and at the adjacent SkySong project. See landscape plans and Section 2 above regarding landscaping for further details.

Character & Design Element No. 7 - ENCOURAGE SENSITIVE OUTDOOR LIGHTING THAT REFLECTS THE NEEDS AND CHARACTER OF DIFFERENT PARTS OF THE CITY.

- ***Encourage lighting designs that minimize glare and lighting intrusions into neighborhood settings.***
 - ***Encourage creative and high-quality designs for outdoor lighting fixtures and standards that reflect the character of the local context.***
 - ***Discourage lighting that reduces the viability of astronomical observation facilities within Arizona.***
 - ***Allow for lighting systems that support active pedestrian uses and contribute to public Safety.***
- Although specific elements of lighting design have not been developed at this stage of the zoning procedure, the development of all site lighting will be sensitive to current energy conservation efforts, dark sky initiatives and the surrounding residential districts, while still providing minimum safety standards for patrons. The project will also provide a visually interesting environment for visitors using the development during night time hours through a variety of lighting solutions. Community spaces and streetscapes will employ lighting as a mechanism for creating a variety of experiences on the property.

Land Use Element No. 1 - RECOGNIZE SCOTTSDALE'S ROLE AS A MAJOR REGIONAL ECONOMIC AND CULTURAL CENTER, FEATURING BUSINESS, TOURISM, AND CULTURAL ACTIVITIES.

- ***Strengthen the identity of Scottsdale by encouraging land uses that contribute to the character of the community and sustain a viable economic base.***
- The proposed project will vastly improve the character and strengthen the identity of the area by providing a marquee project befitting of this key intersection. The site and existing development currently contribute little to the character of the area and is obsolete in the retail market. The new project will provide a mix of uses that expand the economic base while serving the needs of locals and visitors alike.

Land Use Element No. 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.

- ***Support jobs/housing balance by integrating housing, employment, and supporting infrastructure in mixed-use centers located at appropriate locations.***

- This General Plan goal is at the heart of this development. The project integrates a variety of uses including housing, a hotel, a grocer, and retail, along with a variety of accompanying employment opportunities. The development will serve the community, while also helping to support the economic base of the community.

Land Use Element No. 5 – DEVELOPMENT LAND USE PATTERNS THAT ARE COMPATIBLE WITH AND SUPPORT A VARIETY OF MOBILITY OPPORTUNITIES / CHOICES AND SERVICE PROVISIONS.

- ***Provide a balance of live, work, and play land uses and development intensities that enable convenient non-automotive trips where environmentally and physically feasible.***
- ***Encourage land uses with the highest intensity be located in areas conducive to alternative modes of transportation.***
- The proposed mix of uses consolidated onto one development site creates a prime opportunity for non-automotive trips. On-site residents and hotel visitors will be able to walk to on-site retail and shopping opportunities, while nearby neighborhoods can easily walk, bike ride or use other alternative modes of transportation to access the development. The project is appropriately scaled to take advantage of the numerous alternative modes of transportation available along this corridor.

Land Use Element No. 6 – PROMOTE LAND USE PATTERNS THAT CONSERVE RESOURCES, SUCH AS LAND, CLEAN AIR, WATER, AND ENERGY, AND SERVE ALL PEOPLE, WITHIN THE COMMUNITY.

- ***Encourage a variety of compatible mixed-use land uses throughout the city in appropriate locations allowing people to live, work, play and shop in the same general area.***
- ***Concentrate future development in “growth areas” and other centers of activity, thereby discouraging sprawl, conserving energy, and promoting community identity.***
- Again, the proposed mix of uses perfectly aligns with these goals and policies. The site will contain a variety of uses and is concentrated in an area envisioned for activity and growth and located within the developed part of the city. This uses existing infrastructure and discourages sprawl and wasted resources.

Land Use Element No. 9 – PROVIDE A BROAD VARIETY OF LAND USES THAT CREATE A HIGH LEVEL OF SYNERGY WITHIN MIXED-USE NEIGHBORHOODS.

- ***Encourage redevelopment that invigorates an area while also respecting the character of adjacent neighborhoods.***
- ***Encourage compact mixed-use, pedestrian oriented development patterns, at urban densities, that limit the demand for parking and unnecessary automobile trips, and support alternative modes of mobility.***
- The proposed redevelopment of this property will greatly reinvigorate the site while also helping to reinvigorate the greater area. The site is laid out with a pedestrian-oriented focus, enabling convenient walkability to and from the site as well as within the site between uses.

Economic Vitality Element No. 5 – LOCATE AND INTEGRATE NON-RESIDENTIAL DEVELOPMENT TO IMPROVE ACCESS AND VISIBILITY AND TO PROTECT THE INTEGRITY OF NEIGHBORHOODS.

- ***Maintain and create distinctive commercial, retail, and entertainment districts that benefit through clustering uses together, such as the Downtown, Old Town and West Main districts, Motor Mile, North Scottsdale Auto Mall.***
- While the area is no longer referred to as the Motor Mile, this goal and policy are still relevant. The redevelopment of this site with a variety of uses that play off of nearby revitalization efforts (Sky Song, new residential projects, new retail, etc.) helps create a cluster of activity to form a distinct area of Scottsdale.

Economic Vitality Element No. 7 – SUSTAIN THE LONG-TERM ECONOMIC WELL-BEING OF THE CITY AND ITS CITIZENS THROUGH REDEVELOPMENT AND REVITALIZATION EFFORTS.

- ***Encourage quality redevelopment in employment areas to provide new jobs, new retail, and new entertainment opportunities in the Scottsdale market.***
- ***Encourage and support the renovation and reuse of underutilized or vacant parcels/buildings/shopping centers.***
- Again, these goals and policies are at the heart of this project. The long-term economic wellbeing of this area is dependent upon quality reinvestment and a viable mix of uses. The existing center represents a highly underutilized use of the site and in no way meets these goals. The proposed redevelopment will provide new jobs, new retail and entertainment options for residents and visitors alike.

Neighborhood Element No. 5 – PROMOTE AND ENCOURAGE CONTEXT-APPROPRIATE NEW DEVELOPMENT IN ESTABLISHED AREAS OF THE COMMUNITY.

- ***Encourage new development efforts toward existing developed areas in Scottsdale.***
 - ***Promote the use of existing infrastructure as an incentive to encourage more infill development within the community.***
 - ***Promote existing developed areas of the community as opportune economic development infill sites.***
- The subject site and proposed development represent a prime example of appropriate infill development. As an infill site abutting two major arteries, no new roads will need to be constructed. No natural, pristine desert areas need to be removed for new development. The project can tap into existing utilities, and improve those utilities where needed, to the benefit of others. A large asphalt parking lot and obsolete buildings retail building will be replaced with an economically viable and exciting community asset.

Growth Area Element No. 1 – DIRECT AND SUSTAIN GROWTH AND EXPANSION IN AREAS OF THE CITY THAT CAN SUPPORT A CONCENTRATION OF A VARIETY OF USES AND ARE PARTICULARLY SUITABLE FOR MULTIMODAL TRANSPORTATION AND INFRASTRUCTURE EXPANSION AND IMPROVEMENTS.

- ***Promote the coordination of infrastructure development and upgrade with opportunities for infill development and development activity where it will encourage a mix of uses and support pedestrian and transit activity.***
- The subject site is located along two major thoroughfares and perfectly situated to take advantage of multimodal transportation. Perimeter improvements will greatly improve the existing sidewalk and right of way infrastructure. As of the date of this application, the Applicant is planning on undergrounding existing 12kv utility lines along the south and west perimeter of the Property. The project will also upgrade utilities as necessary to support the project.

4. SOUTHERN SCOTTSDALE CHARACTER AREA CONFORMANCE

The Southern Scottsdale Character Area Plan offers guidance regarding the implementation of future growth and development decisions in the southern part of the City stretching from Indian Bend Road south to McKellips Road. The Plan is comprised of 9 chapters listing goals and approaches for achieving the overall stated vision: *“Southern Scottsdale is a diverse, sustainable community built upon vibrant neighborhoods, thriving economic corridors, and innovative businesses.”* As outlined below, the proposed project complies with and advances numerous stated goals of the plan in furtherance of this overall vision.

Southern Scottsdale Character Area Goals and Approaches

Land Use, Growth & Activity No. 3 – PROMOTE REVITALIZATION, REINVESTMENT, AND DEVELOPMENT ALONG SOUTHERN SCOTTSDALE’S CORRIDORS.

- ***Encourage a diversity of new development, redevelopment, and infill projects that incorporate vertical and horizontal mixed-use development along Southern Scottsdale Corridors.***
- The Southern Scottsdale Character Area Plan recognizes both Scottsdale Road and McDowell Road as “Regional Corridors” and as such, encourages new development and infill redevelopment along these Corridors, and in particular mixed-use development. The proposed project represents a horizontal mix of uses with a variety of employment, living and entertainment options.

Land Use, Growth & Activity No. 5 – CREATE REGIONAL CENTERS AND ACTIVITY AREAS TO GUIDE FUTURE LAND USE TYPES AND INTENSITIES THROUGHOUT SOUTHERN SCOTTSDALE.

- ***Encourage the most intense levels of reinvestment, revitalization, and infill development within designated Regional Centers. These centers are located within General Plan designated Growth Areas, on Regional Corridor roadways, and are considered a Valley-wide destination.***
- ***The SkySong Regional Center (located at the intersection of Scottsdale and McDowell Roads) should focus on dining, employment, business incubation, technology and innovation services, entertainment, higher density vertical mixed-use residential, office, commercial, and retail development.***
- The Property lies within a recognized Regional Center (the SkySong Regional Center). The proposed redevelopment marks a significant reinvestment and revitalization effort for a more intense use of the Property than currently occurring. Additionally, the proposed project perfectly aligns with the mix of uses noted in the Policy above.

Character & Design No. 1 – NEW AND REDEVELOPED RESIDENTIAL HOUSING SHOULD RESPECT EXISTING NEIGHBORHOOD CHARACTER AND DESIGN.

- ***Policy CD 2.1 - New and redeveloped residential development should be compatible in terms of established neighborhood housing proportion, size, mass, and height.***
- ***Policy CD 2.2 - Architectural housing character should not be restricted to, but remain complementary with, existing neighborhood design.***
- The new residential component of the development will be compatible with the newly constructed housing stock along McDowell Road, while also responding to the more intense location at the center of the Scottsdale and McDowell Road corridor. The relationship to the existing neighborhood will be buffered with stepped buildings, landscape screening, and sizable setbacks.
- Massing strategies for the residential portion of the development responded directly to the existing scale and context of the surrounding housing. To the south, the abuttal to the single family lots warrant smaller scale carriage units and a step back to the multistory portion of the residences. The portion of the residential that abuts McDowell Road stays in character with the density and scale appropriate for a major intersection in South Scottsdale. Building size steps up appropriately as McDowell approaches the Scottsdale intersection. Although building design and architectural character have not been completed, basis of design will be a high-quality aesthetic that respects the existing context, while maintaining a timeless appeal for the project.

Character & Design No. 2 – THE CHARACTER AND DESIGN OF MIXED-USE AND COMMERCIAL DEVELOPMENT SHOULD ACCOMMODATE A VARIETY OF LAND USES, ENGAGE PEDESTRIANS AND EXTEND INDOOR SPACES TO THE OUTSIDE.

- ***Policy CD 2.1 - Encourage pedestrian-oriented site design for new and revitalized development within Corridors, Regional Centers, and Activity Areas.***
- ***Policy CD 2.2 - Support new building design that respects existing area character, while allowing for the efficient and coherent use of building sites.***
- ***Policy CD 2.3 - Within Corridors, Regional Centers, and Activity Areas, locate new development along the street and provide parking immediately behind the building area.***
- ***Policy CD 2.4 - New development and redevelopment should provide a diversity of design by accommodating a mix of land uses both vertically and horizontally.***
- ***Policy CD 2.5 - Encourage both dedicated and publicly accessible open spaces within private developments to function as extensions of indoor spaces into outdoor areas***
- The focus of this project is to create an engaging and exciting pedestrian destination for the South Scottsdale community. Single story commercial and restaurant

buildings have been pushed towards Scottsdale Road and align patios to engage the street frontage. Patios also line the pedestrian corridors leading back to the internal drive of the site. Much of the open space related to the development has been pushed to the perimeter for interaction, visibility, and enjoyment of the corridor streetscape.

- The major internal drive of the site has street parking for the convenience of off-hours users, but the primary parking is in the garage. This enables the commercial site to be much more pedestrian friendly with the absence of large parking fields. Land uses on parcels fronting the main north-south driveway include grocer, hotel, restaurant, retail, bank and residential. This variety creates activity at all times of the day and all days of the week. It creates a pedestrian environment that is both safe and lively, while also ensuring commercial success for tenants.
- The planned development brings an increased number of pedestrians to the immediate corner of Scottsdale and McDowell. The combination of retail, hospitality, and multi-family, provides a 24-hour, sustainable pedestrian environment.
- The building design is sensitive to the evolving context in the area, given the strong character across the street, at SkySong, as well as its dynamic user base.
- The streetscape experience responds to pedestrian comfort and will be landscaped to provide shade and visual stimulation. North-South is connected via an internal passage that extends from McDowell Road to McFate Brewing. East-West is connected via pedestrian/bicycle pathways. Layout and design of the residential component responds to the precedent set on McDowell Road. Design of commercial will be of a character set by McFate Brewing and based on a use of true and natural materials.
- By providing structured parking, the developer is allowing the site to hold a variety of commercial uses. Uses that were expressed by the neighborhood to be needed and important to the community. If surface parking were solely provided, this site could not accommodate a mixed-use development and could not meet the goals outlined in the SSCAP.

Character & Design No. 3 – PROMOTE HIGH QUALITY DESIGN FOR NEW AND REVITALIZED MIXED-USE, COMMERCIAL, AND RESIDENTIAL DEVELOPMENT ALONG CORRIDORS, WITHIN REGIONAL CENTERS, AND ACTIVITY AREAS.

- ***Policy CD 3.1 - Encourage design standards for Corridors, Regional Centers, and Activity Areas that enhance and strengthen new and revitalized development.***
- ***Policy CD 3.2 - Support façade and site improvements to existing development through incentives.***
- ***Policy CD 3.3 - Encourage new development to demonstrate a relationship with the design characteristics of the surrounding areas and, as appropriate, incorporate those qualities into its design.***
- ***Policy CD 3.4 - Building design should be sensitive to the evolving context of an area over time.***

- The Architectural character and building design have not be developed at this stage of the zoning process. Development of buildings on Scottsdale Road will meet the character outlined within the General Plan guidelines and be further refined during the Development Review process. Restaurant areas will have patios through which pedestrians engage and link with the Scottsdale Road frontage. Visually interesting pedestrian experience will be created on internal passages through development. See Response regarding Goal 1 and 2 of the Scottsdale General Plan above.

Character & Design No. 4 – SITE AND BUILDING DESIGN OF NEW DEVELOPMENT AND REDEVELOPMENT SHOULD RESPOND TO THE SONORAN DESERT CLIMATE.

- Nelsen Partners has a long history of designing mixed use projects in the Scottsdale area and other desert southwest areas that respond appropriately to regional climatic and other various design conditions. This project will be no different. Pedestrian comfort and project character will be addressed at all levels of planning, landscape and building design. Shade and environmental comfort will be the focus of all connectivity corridors planned.
- The building design is responsive to the Sonoran Desert climate, by creating intimate shaded environments that can be tempered for extended times of use. The parking structures which support this development will provide permanent shade, reducing the heat island effect of the current surface parking lot. The mixed-use environment will allow for a reduction travel, and underutilized parking.
- The various users on site will have a variety of character, materials, and landscape intensity consistent with their uses.
- Also see landscape response to Goals 4 and 6 of the Scottsdale General Plan in Section 3 above.

Character & Design No. 5 – Maintain, protect, and enhance the character, quality, and connectivity of the public realm and open space areas.

- ***Policy CD 5.1 - Maximize the connectivity, character, and functional uses of local parks and school sites to accommodate a wide range of community activities.***
- ***Policy CD 5.2 - Develop design standards and guidelines that direct and shape development adjacent to parks, trails, and open spaces.***
- ***Policy CD 5.3 - Recognize that public realm design guidelines and standards represent an opportunity to provide identity to a community or neighborhood and to convey its design expectations.***
- ***Policy CD 5.4 - Encourage plant placement that maximizes shade opportunities in pedestrian spaces, parking lots, and streetscape environments.***
- ***Policy CD 5.5 - Analyze Indian Bend Wash as a single continuing element within Southern Scottsdale and develop specific design guidelines and standards to guide and shape future development within, and adjacent to, this open space amenity.***

- ***Policy CD 5.6 - Papago Park and Camelback Mountain are significant landforms which redevelopment and new development should consider with regard to building orientation and site layout.***
- As outlined throughout this narrative, this mixed-use development will increase the connectivity of the public realm and connection of open spaces along the McDowell and Scottsdale Road corridor. This is done through thoughtful architecture, strategically placed landscaping, and abundance of shade and pedestrian connections.
- The project proposes not to simply provide a singular ~4,600 sq.ft. open space, but rather the entire ~15,800 sq.ft. of Scottsdale Road frontage and connectivity along the exterior patios into the core of the development will function as public open area and destination. Landscape and hardscape are both treating this entire zone as a singular open space.
- Some units in the residential component will provide glimpses of Papago Park and Camelback mountain and the close proximity of these such assets (in particular Papago Park and Indian Bend Wash) will enable the development to serve visitors to these public amenities.

Character & Design No. 6 – Promote, plan, and implement design strategies that are sustainable.

- The multi-use buildings will take advantage of most current sustainable practices maximizing valuable resources and enhancing human enjoyment. Each of the buildings onsite will meet or exceed the Scottsdale Green Building Guidelines.
- By nature, this small mixed-use development will encourage walking, and intermodal transport by its central location and intimate scale.
- By providing structured parking, the developer is allowing the site to hold a variety of commercial uses. Uses that were expressed by the neighborhood to be needed and important to the community. If surface parking were solely provided, this site could not accommodate a mixed-use development and could not meet the goals outlined in the SSCAP.

Character & Design No. 7 – Protect low-scale single-family neighborhoods within southern Scottsdale by utilizing landscape buffers and transitional building forms, shapes and sizes in the design of new development and redevelopment.

- Multiple faces of this mixed-use development back up to an alley that serves the residential neighborhood to the south and west. Various strategies are used to buffer the neighborhood from the proposed development. Included techniques, are landscape buffering, lower buildings that step up to the new development, increased alley definition to provide separate circulation, access and services.

- The transition from commercial to the existing single-family residential will be minimized and treated with dense landscape that buffers, shields and provides natural visual enhancement that mitigates the volumes of the buildings. Areas of buildings not buffered by landscape will be treated with enhanced articulation.

Character & Design No. 8 – Enhance the design and character of the resort corridor so that it continues to Protect low-scale single-family neighborhoods within southern Scottsdale by utilizing landscape buffers and transitional building forms, shapes and sizes in the design of new development and redevelopment.

- Multiple faces of this mixed-use development back up to an alley that serves the residential neighborhood to the south and west. Various strategies are used to buffer the neighborhood from the proposed development. Included techniques, are landscape buffering, lower buildings that step up to the new development, increased alley definition to provide separate circulation, access and services.

Character & Design No. 9 – Establish design guidelines for Corridors, Regional Centers, and Activity Areas.

- As planned, the mixed-use design includes a variety of commercial and residential uses. The mixture of these uses will reduce vehicle miles traveled and fit nicely into the nearby community.
- Design Guidelines will come from the built project, which is being designed and built in one phase. The design, once approved by the Scottsdale Design Review Board, will establish the direction and guidelines for any future additions or changes to the development.

Character & Design No. 10 – Provide public art to create exciting and attractive public spaces that are used and enjoyed by southern Scottsdale residents, works, and visitors.

- As planned, this is an aesthetically pleasing urban environment, and can serve as a pedestrian friendly, approachable, dynamic hub for the culinary and visual arts.
- Public art is not a requirement of this zoning submittal. However, functional public art that is in character with the local contextual language from the South Scottsdale Character Area Plan, can be incorporated throughout the development.

Public Services & Facilities No. 3 – PLAN AND PROVIDE FOR SOUTHERN SCOTTSDALE'S EXISTING AND FUTURE INFRASTRUCTURE NEEDS.

- ***Policy PSF 3.2 - Promote private/public partnerships for financing and construction of necessary infrastructure.***
- ***Policy PSF 3.3 -Encourage both the private and public sectors to underground existing and new 69kV and lower voltage power lines throughout Southern Scottsdale, where feasible.***
- As of the date of this application, the Applicant is planning on undergrounding existing 12kv utility lines along the south and west perimeter of the Property.

Open Space & Recreation No. 1 – DEVELOP, IMPROVE, MAINTAIN, AND ENHANCE THE QUALITY OF SOUTHERN SCOTTSDALE’S OPEN SPACE ENVIRONMENTS..

- ***Policy OSR 1.5 - Rethink the roles and functions of urban service alleyways as viable paths and open space connectivity opportunities for Southern Scottsdale residents.***
- The project will improve the alleyways adjacent to the project perimeter. Alleyways near the southern part of the project will have open access for pedestrians into the grocer, retail and more public areas of the project, creating easy pedestrian access for the adjacent neighborhood

5. PLANNED COMMUNITY (P-C) DISTRICT CONFORMANCE

The purpose of the Planned Community (P-C) district is to encourage the development of larger properties under a unified Development Plan that maintains and enhances the physical, social and economic values of the area. The district is also ideal for a mix of uses. The proposed project perfectly aligns with these stated goals. As outlined repeatedly in this document, the project provides a mix of uses and will greatly enhance the physical status of the property while also helping to maintain and grow a vital economic base for the area.

All land uses in the P-C district shall conform to the property development standards of a comparable zoning district, unless those standards are otherwise modified by the approved Development Plan. Staff has determined that the Planned Regional Center (PRC) district is the most comparable district. To enable the most appropriate development for this particular site and to produce a living environment, landscape quality and life-style superior to that produced by existing standards, several amended development standards are being requested. Below is a summary of the proposed amendments:

	EXISTING	PROPOSED
1.	Sec. 5.2606.B.2 – Dwelling units. Maximum: Fifty (50) percent of the gross floor area of the Development Plan's nondensity based land uses.	Maximum: Three Hundred Sixty (360) percent of the gross floor area of the Development Plans' nondensity based land uses.
2.	Sec. 5.2606.D1.d.i.(1) Frontage open space. At least thirty (30) square feet per one (1) linear foot of public street frontage.	At least twenty (20) square feet per one (1) linear foot of public street frontage.
3.	Sec. 5.2606.E.1.a Setbacks and stepbacks adjacent to a residential district boundary. Minimum Setback = Fifty (50) feet measured from the residential district boundary.	Minimum Setback = Thirty (30) feet, twenty (20) feet for residential uses 2 stories or less, measured from the residential district boundary
4.	Sec. 5.2606.E.1.b Setbacks and stepbacks adjacent to a residential district boundary. Setback plane: incline at a ratio of 1:2 beginning thirty-six (36) feet above grade at the minimum setback.	Setback plane: incline at a ratio of 1:1 beginning forty-two (42) feet above grade at a setback of thirty-six (36) feet from the property line.
5.	Sec. 5.2606.F.a Setbacks where not adjacent to a residential district boundary. Front yard. The stepback at the perimeter of the Development Plan shall incline at a ratio	Front yard. The stepback at the perimeter of the Development Plan shall incline at a ratio of 2:1

	of 1:2 beginning thirty-six (36) feet above the property line.	beginning thirty-six (36) feet above the property line.
6.	Sec. 5.2606.F.b Setbacks where not adjacent to a residential district boundary. Side and Rear Yard. The stepback at the perimeter of the Development Plan shall incline at a ratio of 2:1 beginning thirty-six (36) feet above the property line.	Side and Rear Yard. The stepback at the perimeter of the Development Plan shall incline at a ratio of 2:1 beginning forty-four (44) feet above the property line.
7.	Sec. 5.2608.D.1.e.i.(1) Setbacks adjacent to a residential district boundary. Minimum: Building height of sixty (60) feet or less is as required in Section 5.2606.E. Building heights greater than sixty (60) feet, the minimum is as follows: 1:1 vertical rise to horizontal run, beginning at the point where the sixty (60) feet of building height can be located.	Minimum: Building height of sixty (60) feet or less is as required in Section 5.2606.E. Building heights greater than sixty (60) feet, the minimum is as follows: 1:1 vertical rise to horizontal run, beginning at the point where the thirty-six (36) feet of building height can be located.

The above listed Amended Development Standards are appropriate for this specific site and help to maximize the positive impact of the project and overall design, specifically:

Justification for No. 1

- The 50 percent ratio identified in the existing standard helps to allow residential to supplement commercial properties. The combined FAR of density and non-density-based uses is permitted to be 1.20 (.80 + .40). This project retains a total FAR under 1.2, however a larger portion of that area is needed for residential. Based on location and current market conditions, the best method for creating long lasting, successful mixed-use projects is to increase the portion of residential permitted on the site. This increased density helps to populate and sustain the commercial uses, which in turn gives the city and community a mixed-use project with greater vitality.

Justification for No. 2

- The property has 1,300 linear feet of street frontage at a corner condition. The current standard for required minimum frontage open space based on public street frontage would concentrate an excessive proportion of open space on the street frontage instead of allotting the correct amount to create a viable and valuable public space for the community internal to the project. Therefore, we are proposing to allow more open space to buffer the residential and be allocated internal to the project.

Justification for No. 3

- The 50' building setback serves to provide the necessary visual insulation of commercial uses from residential zoned properties. In this case, the setback is being reduced in depth, however the façade of the garage building is being 100% screened in order to retain privacy for the neighboring residential parcels. The typical treatment in this setback zone would be pavement and minimal trees. A greatly enhanced landscape screening program consisting of dense tree planting and mounted plant boxes is being implemented so that a lush, natural edge forms the visual exposure to the neighbors. This effort satisfies the purpose of privacy and reduced visual impact of commercially zoned properties that abut residential properties.

Justification for No. 4

- The prescribed incline stepback plane serves to provide the necessary visual insulation of commercial uses from residential zoned properties. In this case, the setback is being reduced in depth, however the façade of the garage building is being 100% screened in order to retain privacy for the neighboring residential parcels. The typical treatment in this setback zone would be pavement and minimal trees. A greatly enhanced landscape screening program consisting of dense tree planting and mounted plant boxes is being implemented so that a lush, natural edge forms the visual exposure to the neighbors. This effort satisfies the purpose of privacy and reduced visual impact of commercially zoned properties that abut residential properties.

Justification for No. 5

- The amendment to the stepback will move more building mass to the edge of Scottsdale Road and McDowell Road, away from the residential districts that border the rear of the property. This building mass will help create a more dynamic edge for the pedestrian pathways on the public edge. The increased height will also generate more shade on the McDowell Road frontage for pedestrian. Both McDowell and Scottsdale are large public streets that can easily handle the presence of additional building volume at the ROW edge.

Justification for No. 6

- This stepback will only be needed for 60 linear feet of the south edge of the property. The amendment will have little visual impact to the neighboring commercial property and would allow the garage to have better efficiency. It prevents an additional level from being built, which would have greater visual impact.

Justification for No. 7

- The prescribed incline stepback plane serves to provide the necessary visual insulation of commercial uses from residential zoned properties. In this case, the setback is being reduced in depth, however the façade of the garage building is being 100% screened in order to retain privacy for the neighboring residential parcels. The typical treatment in this setback zone would be pavement and minimal trees. A greatly enhanced landscape screening program consisting of dense tree planting and mounted plant boxes is being implemented so that a lush, natural edge forms the visual exposure to the neighbors. This

effort satisfies the purpose of privacy and reduced visual impact of commercially zoned properties that abut residential properties.

Additional Requirements

As noted above, Staff has determined that the Planned Regional Center (PRC) district is the most comparable district for this project. Accordingly, the project adheres to many of the PRC criteria including those outlined in Ordinance Section 5.2608.D and 5.2608.E, specifically:

5.2608.D.1

- ***Vertically integrated mixed-use development.***
 - ***Five (5) percent of the total gross floor area shall be non density-based uses located within the story at grade.***
 - ***Minimum twenty (20) percent of the total gross floor area shall be density-based uses or guest units, or a combination of the two.***
 - ***Additional open space equal to or greater than 0.05 multiplied by the land area where the amended development standards are located on the Development Plan.***
 - ***The additional open space shall be placed in the same location as the amended development standards.***
 - ***Building massing at the perimeter of the Development Plan standards.***
 - ***Underground parking structures are required and shall be integrated into the building as determined by the Development Review Board.***
 - ***Above-ground parking structures may be provided and shall be fully concealed from the public view through integration of the parking structure into the building and the use of architecturally integrated materials as determined by the Development Review Board.***
- The project provides a mix of uses including retail, restaurant, residential and a grocer. More than 5% of the gross floor area is dedicated to non-density-based uses and a minimum of 20% of the total gross floor area is a density-based use. Additional open space is provided within the project and in the location of the requested amended development standards. Except as otherwise noted above in the amended development standard section, the project adheres to the required building massing along the perimeter of the project. Underground parking is provided at the residential component and fully integrated into the building. Above-ground parking is provided as well and will be screened and concealed from public view.

5.2608.D.2

- ***The development shall be in compliance with Scottsdale's Green Building Program requirements.***
- The project will take advantage of the most current sustainable practices maximizing valuable resources and enhancing human enjoyment. Each of the buildings onsite will meet or exceed the Scottsdale Green Building Guidelines.

5.2608.E.1

- ***The location and massing design of the proposed increase in height relate to the context and character of the site and surrounding area and are not intrusive.***
- The project massing and location of greater height is appropriate for the site and not intrusive to the surrounding area. The location of single family homes near the west edge of the Property warrants smaller scale, carriage units along that property line as well as stepbacks to the multi-story portion of the residences. These carriage units will be designed with clearstory windows facing the residential lot further enhancing privacy. Landscaping, parking and drive aisles are also strategically positioned along these areas to further setback building and buffer the project. By contrast, the portion of the residential which abuts McDowell Road is more in line with the character and density to be expected along a major intersection in South Scottsdale. As occurs across Scottsdale Road at SkySong, lower height retail/restaurant uses are placed directly along Scottsdale Road while larger buildings are more centrally located within the property.

5.2608.E.2

- ***The development contributes to the future continuity of character area design concepts, corridor design guidelines, and other City design policies***
- As noted repeatedly throughout this document, the project complies with numerous City guidelines and policies including the General Plan, South Scottsdale Character Area Plan and City design guidelines. The site is currently a “sea of asphalt” with aging building and minimal connection to the public right of way. The proposed project changes that and represents a giant leap forward in the continuity of the desired and emerging character of the area.

6. PLANNED SHARED DEVELOPMENT (PSD) OVERLAY CONFORMANCE

The purpose of the PSD District is to provide opportunity for the application of development standards across a full development site, as opposed to applying the standards to each individual lots, tracts or parcels within the overall development. This enables separate lots to function as one cohesive development for a more connected and viable project. The district is ideal for the proposed project. The mix of uses proposed within the project can work in unison with other project components for a more visibly and experientially enjoyable project.

7. CONCLUSION

This PSD application is nearly the next step in fulfilling the vision the City Council unanimously approved in 2018. IAs demonstrated frequently in this narrative, the proposal conforms to and advances many of the stated goals and policies of the City including the General Plan, the Southern Scottsdale Character Area Plan and the Planned Community district goals. The proposed uses and development is appropriate and will greatly benefit the area and the City as a whole.

Thank you.

March 30, 2018

City of Scottsdale
Planning and Development Services
7447 E. Indian School Road
Scottsdale, Arizona 85251

Re: Authorization – 7047 E. McDowell Road, Scottsdale, Arizona (APN No. 129-12-001Y)

To whom it may concern:

Please accept this letter as authorization for Withey Morris, PLC to file applications for land use entitlements for the above reference property. I hereby certify that I am the property owner and / or authorized agent of property owner and have the authority to grant this authorization.

Sincerely,
Papago Marketplace, LLC



By: _____

Manager

It's: _____

Request To Submit Concurrent Development Applications

Acknowledgment and Agreement



The City of Scottsdale recognizes that a property owner may desire to submit concurrent development applications for separate purposes where one or more of the development applications are related to another development application. City Staff may agree to process concurrently where one or more the development applications related to the approval of another development application upon receipt of a complete form signed by the property owner.

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

Owner: Lee Mashburn

Company: Papago Marketplace LLC

Address: 3519 E. Shea Blvd Ste 132, Phoenix AZ

Phone: 602.230.0600

Fax: N/A

E-mail: mashburn@mashco.net

As the property owner, by providing my signature below, I acknowledge and agree: 1) that the concurrent development applications are processed at the property owner's risk; 2) to hold the City harmless of all cost, expense, claims, or other liability arising in connection with the concurrent development applications; 3) to the City of Scottsdale's Substantive Policy Statement pertaining to Concurrent Applications; 4) to placing a development application on hold in order to continue processing a concurrent development application that is related to an another development application; and 5) that upon completion of the City review(s) of the development applications, one or more of the development application(s) may not be approved.

Property owner (Print Name): Papago Marketplace, LLC Title: Manager

Digitally signed by Lee Mashburn
DN: cn=Lee Mashburn, o=Pivot Development, ou=President,
email=mashburn@mashco.net, c=US
Date: 2018.04.11 12:20:49 -07'00'

Signature

Date: 4/11/2018

Official Use Only:	Submittal Date: _____
Request: <input type="checkbox"/> Approved or <input type="checkbox"/> Denied	
Staff Name (Print): _____	
Staff Signature: _____	Date: _____

Planning and Development Services

7447 East Indian School Road Suite 105, Scottsdale, Arizona 85251 • www.ScottsdaleAZ.gov