



Correspondence Between Staff and Applicant

Approval Letter



Kurt A. Jones
Senior Planner
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July 03, 2020

Jeff Barnes
Senior Planner
City of Scottsdale
7447 E. Indian School Rd.
Scottsdale, AZ 85260

RE: Request to Withdraw 2-GP-2020

Dear Mr. Barnes:

As you know, we represent Ryan Companies ("Ryan") and their proposal to redevelop the southwest corner of 74th Street and Shea Boulevard. Our initial application was a minor amendment to the City of Scottsdale ("City") General Plan to change the land use designation from Commercial to Mixed-Use.

We are respectfully requesting the withdrawal of Case 2-GP-2020 as our rezoning application has been modified and City staff has indicated that a minor General Plan Amendment is no longer necessary. If you have any questions regarding this request, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kurt Jones', written in a cursive style.

Kurt Jones, AICP



6/4/2020

Kurt Jones
Tiffany & Bosco, P.A.
2525 E. Camelback Rd. 7th Floor
Phoenix, AZ 85016

RE: 2-GP-2020 & 6-ZN-2020
Acoya Scottsdale at Shea (Ryan Redevelopment)
3209E (Key Code)

Dear Mr. Jones:

The Planning & Development Services Division has completed the review of the above referenced development application submitted on 4/30/2020. The following **1st Review Comments** represent the review performed by our team, and is intended to provide you with guidance for compliance with city codes, policies, and guidelines related to this application.

2001 General Plan Analysis

The Planning and Development Division has completed the review of the above referenced development application submitted on April 30, 2020 (non-major General Plan amendment/Zoning). The following 1st Review Comments represent the review performed by our team, and is intended to provide you with guidance for compliance with city codes, policies, and guidelines related to this application.

The preapplication meeting conducted in February 2020 for the resulting development application included conversations between staff and the applicant regarding the appropriateness of the identified entitlements being requested by the applicant. The primary question from staff was that the request to amend the General Plan land use designation for the current Commercial land use to Mixed-Use Neighborhoods, with a companion rezoning request to amend the zoning from the Central Business District (C-2) to the Planned Unit Development district (PUD) seemed mismatched when considering the proposed use of Assisted Living development (a density based use) desired. Specifically, the proposed PUD had very minimal non-residential uses identified for the broader public to access. Other zoning categories within the City's zoning code, primarily Commercial Office (C-O), was suggested by staff as this zoning category could result in a development that would be more in line with the applicant's intended land use and intended building height without requiring an amendment to the General Plan. At the conclusion of the meeting, the applicant communicated to staff that they would evaluate comparable zoning categories prior to their submittal so as to gain staff consensus with the formal application submittal. As of the date of this first review comment letter, staff has received minimal analysis from the applicant demonstrating the need for a General Plan

amendment and zoning district change to of PUD versus maintaining the General Plan land use category as is and rezoning to C-O.

The subject site is designated as Commercial by the 2001 General Plan land use map and is in a proximal location (bounded by the 70th and 74th Street couplets) to other commercially designated land. The Commercial land use category generally includes areas designated for commercial centers providing goods and services frequently needed by the surrounding residential population, retail business, major single uses, such as shopping centers which serve community and regional needs. This category may also include other uses, like housing and office uses, to attain environmental and mobility goals. The Commercial land use designation accounts for only 1% of all land uses Citywide. As a result, the city has limited commercial development potential, thus maintaining this land use designation is important for the economic vitality of the community. The C-O zoning category would allow for the same development outcome the applicant is looking for, without an amendment to the city's General Plan and while maintaining the same land use context to the other adjacent Commercial Land Uses.

The purpose of the PUD zoning district is to promote the goals and policies of the General Plan, Character Area Plans (if applicable), and design guidelines in areas of the city that are designated by the General Plan for a combination of land uses in a mixed-use development pattern of either horizontal or vertical design. Commercial, employment, hospitality, multi-family residential, and townhouse residential uses are encouraged to be provided with intensities and densities that promote a mix of day and nighttime activities. The subject site is not near other areas designated by the General Plan as Mixed Use Neighborhoods, nor does the proposal of a Residential Health Care Facility development implement the PUD purpose for promoting a mix of day and nighttime activities, particularly with such minimal non-residential use proposed.

In comparison, the purpose of the C-O zoning district is to provide an environment desirable for and conducive to the development of office and related uses adjacent to commercial areas. In addition, some specified uses (such as Residential Health Care Facilities) are permitted with use limitations which promote their compatibility with office and residential uses. The applicant's proposal to develop a Residential Health Care Facility and the desired development standards associated with such a facility, could be met through seeking the C-O zoning district with minor modifications.

In consideration to the above discussion, staff would request that the applicant:

- Amend the rezoning application to request a C-O zoning district (provided the same primary objectives and development standards can be met), and -
- Withdraw the General Plan non-major amendment request from Commercial to Mixed-Use Neighborhoods and the zoning PUD request

Staff is aware that the applicant is likely seeking the PUD district as a result of a desire for an increased unit count; however, the applicant should consider that C-O would allow for 40 dwelling units per acre of gross lot area (specific to minimal residential health care facilities) and 80 dwelling units per acre of gross lot area (specific to specialized residential health care facilities). Thus, the Commercial Office (C-O) district could get near to the desired unit count with minor modification to the development plan (it appears the first submittal was calculated off of net acres versus gross as directed by the Zoning Ordinance) and without having to make portions of the proposed development accessible to the public.

Staff would be remiss in ignoring the current state of affairs surrounding the COVID-19 pandemic and the sensitivities in the additional density of such a facility and exposure by or to the general public, just for the primary purpose of justifying marginal mixed uses of a PUD zoning for the site, when other options are available from a zoning stand point.

Regardless of the applicant's decision to maintain or modify their development proposal request, upon resubmittal, please respond to the items below as it pertains to the 2001 General Plan:

1. With a resubmittal, please respond to all Goals and Policies of the General Plan with referenced numerical citations of the respective plan. The first submittal is lacking this information and by providing such, would make the narrative easier for a reader to reference. *In the response please remark how a change in the land use designation for the subject site, implemented by the requested zoning district, will further realize the stated goal/policy in a manner that will provide an equal or greater benefit to the surrounding neighborhood and community..
2. The 2001 General Plan (Land Use Element Goal 5, bullets 1, 3, and 6, and Goal 8, bullet 2; Economic Vitality Element Goal 5, bullet 6; Neighborhoods Element Goal 4, bullet 7; and, Community Mobility Element Goals 10 and 11) place great importance on the pedestrian experience and connections within and between development sites. The implementation of such can enhance an area's sense of place, exemplifying a neighborhood's character. With the next submittal, please provide an updated Pedestrian Circulation Plan that illustrates connection to surrounding uses.
3. Please respond to the 2001 General Plan, (Character and Design Element, Goal 1, bullets 3 and Land Use Goal 8 bullet 3) regarding how the proposed development plan will integrate within the Suburban Character Type.
4. Please expand upon the response provided to the 2001 General Plan Land Use Element, Goal 3, bullets 1,3, 5 and 6 which encourage the transition of land uses from more intense regional and citywide activity areas to less intense activity areas within local neighborhoods. The response should identify how the requested change in land use category designation and zoning will equally or better implement the objectives of the General Plan than the Commercial land use designation does today.
5. Please expand upon the response provided to the 2001 General Pan Land Use Element (Goal 5, bullets 3, 4 and 5) which encourages that land use patterns be developed compatible with, and in support of, a variety of mobility opportunities/choices and service provisions. The response should identify how the requested change in land use category designation and zoning will equally or better implement the objectives of the General Plan than the Commercial land use designation does currently.
6. Please respond to Goal 3 bullets 1 through 5 of the Economic Vitality Element which encourages and supports a diversity of businesses that contribute to Scottsdale's sales and property tax base so that needed infrastructure, physical amenities, services, and the expansion of such services are provided.
7. Please respond to Goal 7 bullet 5 of the Economic Viability Element which remarks that the city maintain the long-term economic well-being of the city and its citizens through redevelopment and revitalization efforts and particularly in enhancing the links between the

physical and social relationships established by non-residential land uses and the surrounding residential neighborhoods.

8. As a response to Goal 1 of the Community Involvement Element, with a resubmittal, please provide an updated Citizen Involvement Report that describes the key issues that have been identified through the public involvement process.

Zoning Ordinance and Scottsdale Revise Code Significant Issues

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

Zoning:

9. The project narrative proposes to utilize the PUD district Amended Development Standards Section 5.5003.B. to amend the required parking for this site. The PUD amended standards section specifies that it applies to the amendment of the PUD development standards outlined in Section 5.5005. However, the required parking for land uses is established by Section 9.105 and Table 9.105.A, not Section 5.5005 so the parking requirement cannot be amended by the PUD district. Please revise the application materials and site layout accordingly.
10. Please revise the plans to provide both the net and gross acreage in the site data information and resulting calculations. It appears that some of the calculations such as allowable unit count, which are relative to gross site area, were done based on net site area. Please verify these calculations with the resubmittal.
 - a. Please verify the calculations for the breakdown and number of units for the proposed land use of a Residential Healthcare facility, as identified in Use Limitation #9 of Table 11.201.A of the Zoning Ordinance. Currently the proposed numbers appear to seek more units than are allowed per the gross site area available.
 - b. Instead of the applying the most restrictive calculation of 40 units per gross acre, it may be beneficial to explore a proportional distribution of gross land area to each unit type proposed (specialized vs minimal) to result a more accurate calculation.
 - c. These efforts may help with the C-O district zoning request option.
11. Please revise the site plan to include minimum and average building setback data to demonstrate compliance with the PUD building setbacks relative to adjacent street classifications, per Sec. 5.5005.E of the Zoning Ordinance.
 - a. Please take into account that despite the internal breakdown of the building this use is being represented as Residential Healthcare and the setbacks should be applied based on "residential on the first floor" per the table.
12. The parking spaces shown on the Site Plan provided do not appear to account for the difference in dimensions for standard and accessible spaces. Please ensure the appropriate dimensions per Sec. 9.105 and 9.106 of the Zoning Ordinance are accounted for with the proposed parking layout.
13. To support the proposed PUD zoning and site configuration, with the resubmittal, please provide building envelope cross-sections in accordance with Sec. 5.5005.F to demonstrate

step-back compliance relative to the required setbacks of Sec. 5.5005.E. Alternatively, please consider the C-O district rezoning option.

14. The Open Space requirements for Residential Healthcare as a land use are identified in Use Limitation #9 of Table 11.201.A of the Zoning Ordinance. Please revise the Open Space Plan accordingly to verify and demonstrate that the minimum overall and frontage open space distributions can be provided. Please also reflect those calculations on the Site Plan's site information data.

Circulation:

TIMA Comments:

15. Shea Boulevard west of N. 74th Street is classified as urban, not suburban (until N. 70th Street). Please update the document accordingly.
16. Regarding site access, please consider rewording the discussion of access points. Since the majority of the parking spaces are provided underground, consider calling the northwest driveway, if true, the visitor access or access to the visitor parking lot. Please indicate that the underground garage has access only to the southeast driveway, if true. Please indicate that the southwest driveway is a drop-off/pickup location that could fit 1-2 vehicles or a shuttle.
17. The identified trip generation of lube/oil service portion of the site is overestimated, possibly influenced by using total building area when the building contains a combination of land uses. 147 trips during the PM peak hour suggests a turnround period per serviced vehicle of approximately 2 minutes per service bay. As LUC 941 has the most data for service bays during the PM peak hour, please use service bays as the independent variable. Please update the comparison information accordingly.
18. Regarding the trip generation of the proposed redevelopment, please consider using the number of beds instead of square footage for the independent variable. Please update the comparison information accordingly.
19. Please include the collisions data for 3-years, for both N. 74th Street and at the intersection of N. 74th Street and E. Shea Boulevard.

Fire:

20. Please revise the plans to identify the location of the Fire Department Connection, and demonstrate compliance with Fire Ord. 4283, 912.

Drainage:

21. Please submit a revised Drainage Report addressing the comments in the marked-up document.

Water and Waste Water:

22. Please submit revised Water and Waste Water Design Reports addressing the comments in the marked-up documents.
 - a. Per DSPM 6-1.201, a fire hydrant flow test and residual pressure test is required in the Preliminary BOD Report.
 - b. Per DSPM 6-1.402, water lines in commercial, multi-family, and industrial developments should be located within a 20-foot wide Water Facilities easement.

- c. Per DSPM 6-1.416, the connection of 2 or more meters in a manifold configuration is prohibited. Please revise accordingly.
- d. With the resubmittal, please identify the size and material of sewer service line on the plans.

Engineering:

- 23. In accordance with SRC 24-13, All waste shall be placed in suitable containers to facilitate waste removal in a sanitary condition. Please update the site plan accordingly.
 - a. Per DSPM 2-1.309, 1 cubic yard of compacted trash is required per every 20 units. Please update the plans to identify the use of City standard detail number 2146-2, with grease containment area, for at least one of the refuse enclosures. Please update site plan accordingly to demonstrate the necessary volume can be accounted for.
- 24. In accordance with SRC 48-7, 47-10, and 49-219, all off-site transportation, stormwater, and water resources improvements along the project frontages shall be improved as required.
 - a. Per DSPM 5-8.205, all non-ADA compliant pedestrian ramps abutting project will need to be reconstructed under the scope of this development project. Please revise the plans to identify this action and acknowledge that responsibility.

Significant Policy Related Issues

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

Zoning:

- 25. At this time, staff is not inclined to support PUD zoning with the proposed land use per the comments in this letter.

Circulation:

- 26. In accordance with DSPM Sec. 5-3.110, please revise the plans to leave the existing 8-foot sidewalk at back of curb along 74th Street in place, as opposed to constructing a new 6-foot wide meandering sidewalk as shown on the site plan.
- 27. Please revise the plans to show and identify the construction of a 6-foot wide sidewalk along the western site frontage driveway, continuing the sidewalk across the service yard/delivery drop-off area, per DSPM 2-1.808.
- 28. The site driveway on the private access driveway should be shown to be consistent with the CL type driveways; with the sidewalk extending across the driveway, per DSPM 5-3.200 and 5-3.205. Please update the plans accordingly.
- 29. Please revise the plans to show and identify the dedication of a safety triangle at the Shea Boulevard and 74th Street intersection, per DSPM 5-3.123; Fig. 5-3.27.
- 30. Please revise the plans to show and identify the dedication of a sight distance triangle at the Shea Boulevard and Private Access Drive intersection, per DSPM Sec. 5-3.123; Figs. 5-3.25 and 5-3.26.

Fire:

31. Please revise the plans to provide a turn-around for emergency vehicles at end of any dead-end drive over 300-feet in length, per DSPM 2-1.303.B.8. Although turning clearance dimensions are shown at the entry porte-cochere area, the same turning movement appears to conflict with the parking spaces on the north side of the drive aisle.
32. Please revise the plans to show and identify the location of the Fire Riser room, per DSPM 6-1.504.

Considerations

The following considerations have been identified in the first review of this application. While these considerations are not critical to scheduling the application for public hearing, they may improve the quality and may reduce the delays in obtaining a decision regarding the proposed development. Please consider addressing the following:

Circulation:

33. Consider orienting the primary building entrance to 74th Street to focus pedestrian traffic flow to the side-street first in an effort to direct the use of the intersection crossing points and discourage jaywalking attempts across Shea Boulevard for access to the restaurants and commercial shopping centers to the north of this site.
34. Please consider widening the private access drive along the driveway throat to provide more width for vehicles turning into the site and to try and eliminate the existing angle point.

Citizen Involvement:

35. Resulting from the public outreach, staff heard concerns from multiple neighbors in the adjacent Monterey at Mountain View II residential subdivision regarding the visual and contextual impact of a 4-story building at this location, relative to the existing one and two-story building heights in the vicinity of this site. Please be prepared to address those concerns with the resubmittal.

Technical Corrections

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

Circulation:

36. Bicycle racks will need to be installed in two locations. Please revise the plans to provide 3 racks (6-spaces) near the front entrance and the remaining 4 racks (8-spaces) in the parking garage. Bicycle racks can blend with the architectural context of development, but are subject to the approval of the Transportation Department to ensure functionality of racks and dimension of placement prior to installation. The City of Scottsdale Standard Detail #2285 may also be used.
37. Please revise the plans to show the existing/proposed sidewalk ramp at the southeast corner of the intersection of Shea Boulevard and the private access driveway.

38. Please provide more detail regarding the sidewalk connection from the building entry to Shea Boulevard. As shown, it disappears into the drive aisle and porte-cochere area.
39. In an effort to further discourage pedestrian mid-block crossings of Shea Boulevard to access the restaurants and retail businesses on the north side, please also revise the plans to show increased landscaping, or artwork, within the Shea Boulevard median.
40. Please revise the plans to clarify if the delivery/drop-off area by the refuse is also intended to function as the loading/unloading zone for residents moving in or out of the building.
41. Please ensure adequate sight distance for vehicles leaving the parking garage is accounted for. The currently shown configuration of the landscape plans appears to create a “picket-fence” with alignment and placement of trees.
42. Please provide an updated shared access agreement with this proposal and the adjacent property owners.

Please resubmit the revised application requirements and additional/supplemental information identified in Attachment A, Resubmittal Checklist, and a written summary response addressing the comments/corrections identified above as soon as possible for further review. The City will then review the revisions to determine if the application is to be scheduled for a hearing date, or if additional modifications, corrections, or additional/supplemental information is necessary.

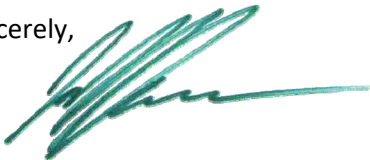
In an effort to get this General Plan Amendment and Zoning District Map Amendments request to a Development Review Board / Planning Commission hearing, please submit the revised material identified in Attachment A as soon as possible.

The Planning & Development Services Division has had this application in review for 25 Staff Review Days since the application was determined to have the minimal information to be reviewed.

These **1st Review Comments** are valid for a period of 180 days from the date on this letter. The Zoning Administrator may consider an application withdrawn if a revised submittal has not been received within 180 days of the date of this letter (Section 1.305. of the Zoning Ordinance).

If you have any questions, or need further assistance please contact me at 480-312-2376 or at jbarnes@ScottsdaleAZ.gov.

Sincerely,



Jeff Barnes
Senior Planner

ATTACHMENT A
Resubmittal Checklist

Case Number: **2-GP-2020 & 6-ZN-2020**

Please provide the following documents with the resubmittal:

Digital submittals shall include one copy of each item identified below.

- Response Letter – addressing all the issues identified in the first review comment letter.
- Revised Narrative for Project
- Revised Traffic Impact Mitigation Analysis (TIMA)
- Development Plan Booklet

- Context Aerial with the proposed Site Plan superimposed

_____ digital 24" x 36" _____ 11" x 17" _____ 8 ½" x 11"

- Site Plan:

_____ digital 24" x 36" _____ 11" x 17" _____ 8 ½" x 11"

- Landscape Plan:

_____ digital 24" x 36" _____ 11" x 17" _____ 8 ½" x 11"

- Open Space Plan:

_____ digital 24" x 36" _____ 11" x 17" _____ 8 ½" x 11"

- Elevations:

Color digital 24" x 36" _____ 11" x 17" _____ 8 ½" x 11"

B/W digital 24" x 36" _____ 11" x 17" _____ 8 ½" x 11"

- Building Setback/Step-back section details (for PUD):

_____ digital 24" x 36" _____ 11" x 17" _____ 8 ½" x 11"

- Floor Plan(s):

_____ digital 24" x 36" _____ 11" x 17" _____ 8 ½" x 11"

Technical Reports: Please include one (1) digital copy with each report

- Revised Drainage Report:
- Revised Water Design Report:
- Revised Waste Water Design Report: