



Correspondence Between Staff and Applicant

Approval Letter

Denial Letter



DESIGN REVIEW - COMMENT RESPONSE LETTER

project: 4440 N Saddlebag Trail
 city#: 54-DR-2019
 address: 4440 N Saddlebag Trail, Scottsdale
 date received: 2020-09-30
 response date: 2020-10-09

(ZONING ORDINANCE/ REVISED CODE ISSUES) ZONING

#	SHEET	COMMENT	RESPONSE
Comments date: 2020-09-30 Reviewer: Greg Bloemberg gbloemberg@scottsdaleaz.gov, 480-312-4306			
1	CIRCUL.	As the scope of the project has changed to include an enlargement of the existing building, right-of-way dedications are now required. Please revise the site plan to indicate a 2-foot dedication for the existing alley (for a total of 10 feet). This applies to both alleys abutting the site. Refer to Section 47-10 of the Scottsdale Revised Code.	Site plan has been revised to show 2' dedications at both alleys
2	PROJECT NARRAT.	Please revise the narrative to correctly apply to all applicable criteria in Section 1.904 of the Zoning Ordinance.	Narrative revised to correctly respond to all criteria in section 1.904 of the Zoning Ordinance.
3	WATER & WASTE WATER	As the scope of the project has changed since the 1 st submittal (project expanded to include adjacent lot), updated Basis of Design (BOD) reports are required. Please provide with the next submittal for staff review and approval.	Updated BOD reports have been provided
4	BLDG ELEV.	Please revise building elevations to incorporate material finishes and color representative of the southwest desert context. This comment applies to both Winfield's and Bodega Burgers. Refer to Sensitive Design principle #9.	Building materials have been revised
5	LIGHTING	Proposed fixture "L02" is an in-ground upright with color changing capabilities. This fixture conflicts with the City's Lighting Policy. Please revise or remove the "L02" fixtures to ensure lighting is downlit only and only produces a "white" light with a color temperature of 3000 Kelvin or less.	Light fixture specification has been replaced to meet color temperature requirements

6	LIGHTING	Proposed fixture "L06" as shown on the building elevations of the burger restaurant does not meet the City's Lighting Guidelines as it does not appear to be full cut-off. Please revise lighting plan and elevations to indicate a full cut-off fixture.	This light fixture type has been removed and replace with L04 can light
7	LANDSCP	Please revise applicable plans to relocate tree wells closer to Saddlebag Trail to maximize the clear sidewalk width for pedestrian circulation. Also indicate tree grates for the tree wells. Refer to the Old Town Character Area Plan.	Tree wells have been moved closer to curb's edge. The goal is to match the existing tree wells on Saddlebag Trail we agreed upon when we met to discuss the expanded sidewalk.
8	CIRCUL.	Related to Comment #3, a minimum of 10 feet is required from the rear edge of the parking spaces off the alley to the centerline of the alley. Please revise the site plan accordingly. Refer to Section 9.106 of the Zoning Ordinance.	Parking has been adjusted to be 10' from alley centerline
9	CIRCUL.	Please confirm the sidewalk along the entire frontage will be at least 10 feet in width. Refer to Section 2-1.312 of the DSPM.	Not required per email conversation.
10	CIRCUL.	Please revise the site plan to indicate required sight distance triangle at the intersection of the alley and Saddlebag Trail. Refer to Section 5-3.123 and Figure 5-3.25 of the DSPM.	Provided sight distance triangle per figure 5-3.26 (figure 5-3.25 as indicated is for left turns from median locations)
11	SITE	There is a conflict between our LIS system and the site plan with regard to the location of property line along the street frontage. The ALTA calls out a 4-foot wide "right-of-way" along the street, however the site plan shows as an easement. Please clarify. If an easement, fee title right-of-way will be required.	Adjusted plan to show 4' area as "R.O.W."
12	SITE	Please note: A Minor Subdivision plat will be required to combine the 2 parcels into one parcel. The plat must be approved and recorded prior to permit issuance. Easement and right-of-way dedications can be included on the plat.	A subdivision plan has been generated. We have the civil drawings and application ready for submittal, waiting for the close of escrow for the additional property.
13	BLDG ELEV.	Please revise the notations on the building elevations. Several notations including "WF2", "BK1", "TL1" and "TL2" are	Material tags and specifications have been revised throughout

		currently pointing to the incorrect material. Refer to Section 1.305 of the Zoning Ordinance.	
14	BLDG ELEV.	Please revise the building elevations to correct the call outs for light fixtures "L06" and "L07" to ensure fixture call outs correspond with the lighting fixtures proposed on the lighting plans and cut sheets. Refer to Section 1.305 of the Zoning Ordinance.	2nd floor string lights note has been adjusted to match lighting cut sheet number L06.
15	BLDG ELEV.	The Elevation Worksheet indicates a prevailing setback of 18' 6", while the site plan and narrative indicate a prevailing setback of 16'. Please clarify.	Elevation worksheet has been revised to show 16'-0" prevailing building setback.
16	LIGHTING	Please revise the manufacturer's cut sheets to ensure fixtures correspond with those shown on the building elevations and photometric analysis. Additionally, provide a revised photometric that includes all proposed fixtures. Refer to Section 1.305 of the Zoning Ordinance.	Light fixture notes adjusted to coordinate throughout.
17	SUBMIT'L DOCS	Please provide updated Context Aerial indicating new site configuration. Refer to the PRRDA.	Context aerial has been updated.

The following documents have been revised and resubmitted:

- 21-4440 SADDLEBAG TRAIL - narrative - 02d
- 22-4440 SADDLEBAG TRAIL - context aerial - 02d
- 23-4440 SADDLEBAG TRAIL - site plan - 02d
- 37-4440 SADDLEBAG TRAIL - BW exterior elevations ne- 02d
- 37-4440 SADDLEBAG TRAIL - BW exterior elevations sw - 02d
- 37-4440 SADDLEBAG TRAIL - color exterior elevations ne- 02d
- 37-4440 SADDLEBAG TRAIL - color exterior elevations sw - 02d
- 38-4440 SADDLEBAG TRAIL - building elevation worksheet - 02d
- 46-4440 SADDLEBAG TRAIL - exterior lighting site plan - 02d
- 47-4440 SADDLEBAG TRAIL - photometric plan - 02d
- 48-4440 SADDLEBAG TRAIL - lighting manufacture cutsheets 01 - 02d
- 48-4440 SADDLEBAG TRAIL - lighting manufacture cutsheets 02 - 02d
- 48-4440 SADDLEBAG TRAIL - lighting manufacture cutsheets 03 - 02d
- 54-4440 SADDLEBAG TRAIL - BOD water report - 02d
- 55-4440 SADDLEBAG TRAIL - BOD wastewater report - 02d
- 70-4440 SADDLEBAG TRAIL - exterior color and material board - 02d

Note: Landscape plan has been deferred to construction drawings per our email conversation on 10/1/2020.

Please call me at 602-326-3387 if you have any questions or have any further revisions to discuss.

Thank You!



Artie A. Vigil III, ncarb . leed ap . cnu-a



January 21, 2020

AV3 Design, LLC
Artie A. Vigil III
Po Box 16792
Phoenix, AZ 85011

RE: 54-DR-2019
4440 N Saddlebag Trail
192X0 (Key Code)

Mr. Vigil:

The Planning & Development Services Division has completed review of the above referenced development application submitted on 12/18/19. The following **1st Review Comments** represent the review performed by our team and are intended to provide you with guidance for compliance with city codes, policies, and guidelines related to this application.

Zoning Ordinance and Scottsdale Revise Code Significant Issues

The following code and ordinance related issues have been identified in the first review and shall be addressed with the resubmittal. 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:

1. After further review and internal discussion, it has been determined the proposed project cannot be constructed without amended development standards; even if the existing building walls are remaining in place. Section 1.1304 of the Zoning Ordinance specifically states that *"no existing structure designed or arranged in a manner not permitted under the regulations of this Zoning Ordinance....shall be enlarged, extended, reconstructed or structurally altered unless such structure together with such enlargement, extension, reconstruction or structural alterations conform in every respect with the regulations specified for the district"*. Presently, the building does not conform to the required building setback. The Downtown Ordinance does allow for alterations to existing non-conforming structures but only through the zoning process (amended development standards). If the applicant wishes to pursue the zoning, staff can provide a separate checklist for that submittal.
2. The site plan indicates a total of 13 remote parking spaces proposed for this development. Required parking must be demonstrated as part of the DRB application. Please provide copies of Assurance for Remote Parking Agreements for all 13 spaces with the next submittal. Refer to Section 9.103.B of the Zoning Ordinance.
3. Please revise the project narrative to respond to the criteria outlined in Section 1.904 of the Zoning Ordinance. Second, confirm in the narrative (and on the site plan) that all four exterior walls are remaining in place and will be integrated into the building design. Finally, please describe what steps will be taken to ensure the proposed walk-up window will not disrupt pedestrian circulation

on the street sidewalk. Demonstrate on site plan how patron queuing will be provided, how trash will be handled, ADA accessibility to walk-up window, etc.

4. A bar use cannot be approved as part of a DRB application. A request for a bar use must be submitted as a separate application for a Conditional Use Permit. Please revise the site plan and floor plans to eliminate all references to the bar use (except the parking calculations), or provide evidence of approval for the required CUP. Refer to Table 5.3004.D of the Zoning Ordinance.
5. The site plan includes on-street parking in the provided parking space count. On-street parking cannot be utilized to demonstrate compliance with parking requirements. Please revise the parking calculations accordingly. Refer to Section 9.102 of the Zoning Ordinance. NOTE: Bar parking in the downtown area is based on a 1:120 ratio, not 1:80; unless live entertainment is also proposed in which case the ratio would be 1:80.
6. The site plan indicates what appears to be a new SES in the area behind the building. A detached SES cannot be placed in the P-2 Overlay area if it compromises on-site parking. Please remove the SES from the P-2 Overlay area and integrate into the building design, and utilize this space for an additional parking space. NOTE: The latest aerial does indicate what appears to be a transformer in this area. If the transformer is existing and cannot be removed or relocated, it may remain in place.
7. The Elevation Worksheet is inaccurate. It indicates the required stepback starting at 45 feet in height above the property line, which is incorrect. Please revise the Elevation Worksheet to show a 1:1 stepback beginning at 30 feet in height above the minimum building setback (20 feet from back of curb). The prevailing setback can be utilized but must be no less than 16 feet. Refer to Sections 5.3006.H.3 and 5.3006.I of the Zoning Ordinance. NOTE: chimneys are not one of the architectural features allowed to encroach into the required stepback.

Significant Policy Related Issues

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

Site Design:

8. The proposed at-grade patio must setback from back of curb a minimum of 10 feet to allow for future sidewalk widening. Refer to 2008 Transportation Master Plan. Recommend eliminating patio in favor of 2nd level balcony, as 10-foot setback would essentially eliminate patio space. NOTE: if this ends up being a complete tear-down and redevelopment, a minimum 10-foot sidewalk will be required on Saddlebag Trail. Refer to Section 2-1.312 of the DSPM.
9. Please revise the site plan to clearly identify all property lines and call out total setback from back of curb to face of building. Refer to the Plan and Report Requirements for Development Applications (PRRDA).

Engineering:

10. Please revise site plan to indicate how refuse collection is proposed to be handled. All non-residential development is required to provide one commercial container for every 20,000 square feet of floor area. Each restaurant shall have its own container, including a grease containment area (Supplement to MAG Detail #2146-2) unless otherwise approved by the Solid Waste Division. Refer to Section 2-1.309 of the DSPM.

Building Elevation Design:

11. Please provide an alternative to the proposed striped awning over the walk-up window. Only awnings with solid colors should be proposed. Recommend utilizing something more durable than standard canvas, which tends to dry and fade in this climate. Also, eliminate signage from the front of the awning. Refer to the Climatic Response section of the Commercial Design Guidelines.
12. Please revise the east elevation to eliminate all future signage. Identification of potential sign band is acceptable. Refer to the PRRDA. NOTE: the east elevation appears to indicate an exposed neon sign and band mounted to the exterior building wall. The use of exposed neon is only permitted internal to the building, i.e. for window signs.
13. Please add a material/color legend with key notes to the color elevations. Refer to the PRRDA.

Lighting Design:

14. Please confirm the proposed string lighting will include caps over each bulb to focus lighting downward onto the balcony area. Also, integrate string lighting into the project design. Consider mounting on the underside of the shade canopy frame to that it becomes an element of the building design. Refer to Sensitive Design Principle 13.

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:

Water/Wastewater:

15. The water and wastewater BOD's have been conditionally accepted. The following information shall be provided with the final plans submittal:
 - Water service line shall be minimum one-inch type K copper (Sec. 6-1.416 of DSPM)
 - Water meter shall be located in easement in a safe and accessible space for the City. Sizing to be per IPC fixture count plus "continuous flow" X 1.5 (Sec. 6-1.416 of DSPM)
 - RPP backflow required on domestic meter in safe and accessible on-site location for City (Sec. 6-1.417 of DSPM)
 - Pressure Reducing Valve (PRC) required due to static pressure (Sec. 6-1.407 of DSPM)
 - Utilize MAG Detail 440-3 for 6-inch sewer service connection (Sec. 7-10409 of DSPM)

Please resubmit the revised application requirements and additional 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 information is necessary.

PLEASE CALL 480-312-7767 TO SCHEDULE A RESUBMITTAL MEETING WITH ME PRIOR TO YOUR PLANNED RESUBMITTAL DATE. DO NOT DROP OFF ANY RESUBMITTAL MATERIAL WITHOUT A SCHEDULED MEETING. THIS WILL HELP MAKE SURE I'M AVAILABLE TO REVIEW YOUR RESUBMITTAL

AND PREVENT ANY UNNECESSARY DELAYS. RESUBMITTAL MATERIAL THAT IS DROPPED OFF MAY NOT BE ACCEPTED AND RETURNED TO THE APPLICANT.

The Planning & Development Services Division has had this application in review for 22 Staff Review Days since the application was determined to be administratively complete.

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 480-312-4306 or at gbloemberg@ScottsdaleAZ.gov.

Sincerely,



Greg Bloemberg
Senior Planner

cc: case file

ATTACHMENT A
Resubmittal Checklist

Case Number: **49-DR-2019**

Please provide the following documents, in the quantities indicated, with the resubmittal (all plans larger than 8 ½ x11 shall be folded):

Digital submittals shall include one copy of each identified below.

- One copy: COVER LETTER – Respond to all the issues identified in this 1st Review Comment Letter
- One copy: Revised CD of submittal (CD/DVD, PDF format)
- One copy: Revised Narrative for Project

Site Plan:

_____ 1 _____ 24" x 36" _____ 11" x 17" _____ 8 ½" x 11"

Elevations:

Color	_____ 1 _____	24" x 36"	_____ 11" x 17"	_____ 8 ½" x 11"
B/W	_____ 1 _____	24" x 36"	_____ 11" x 17"	_____ 8 ½" x 11"

Elevation Worksheet(s):

_____ 1 _____ 24" x 36" _____ 11" x 17" _____ 8 ½" x 11"

Perspective(s):

Color _____ 1 _____ 24" x 36" _____ 11" x 17" _____ 8 ½" x 11"

Streetscape Elevation(s):

Color _____ 1 _____ 24" x 36" _____ 11" x 17" _____ 8 ½" x 11"

Manufacturer Cut Sheets of All Proposed Lighting (for string lighting):

_____ 1 _____ 24" x 36" _____ 11" x 17" _____ 8 ½" x 11"

Floor Plan(s):

_____ 1 _____ 24" x 36" _____ 11" x 17" _____ 8 ½" x 11"

Other Supplemental Materials:

Any other information requested in the comments not identified in the checklist
