



Application

Narrative

Cash Transmittal

Development Standards



# RYAN COMPANIES ACOYA SCOTTSDALE AT SHEA

Rezoning Project Narrative

Case: 118-PA-2020  
6-ZN-2020  
First Submittal: April 28, 2020  
Second Submittal: July 3, 2020

## Development Team

*Developer:*

**Ryan Companies US, Inc.**

3900 East Camelback Road, Suite 100

Phoenix, AZ 85018

T: (602)322-6100

Contact: Tyler Wilson/ Daniel Raimer/ Scott Garvin



*Attorney:*

**Tiffany & Bosco, P.A.**

2525 E. Camelback Road, Seventh Floor

Phoenix, AZ 85016

T: (602) 452-2712

Contact: William E. Lally, Esq./ Kurt Jones, AICP



*Traffic Engineer:*

**Lōkahi, LLC**

4657 E. Cotton Gin Loop, Suite 102

Phoenix, AZ 85040

T: (480) 536-7150

Contact: Shelley Sorenson, PE, PTOE



*Civil Engineer:*

**IMEG**

1600 N. Desert Drive, Suite 230

Tempe, AZ 85281

T: (480) 951-0517

Contact: Mike Jackson, P.E.



*Neighborhood Outreach:*

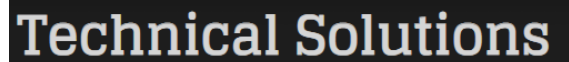
**Technical Solutions**

4350 E. Camelback Road, Suite G-200

Phoenix, AZ 85018

T: (602) 957-3434

Contact: Susan Bitter Smith/ Prescott Smith



## **REQUEST OVERVIEW**

The request is for a rezoning from Central Business (C-2) to Commercial Office (C-O) for the 2.5 +/- acre property located at the southwest corner of Shea Boulevard and 74<sup>th</sup> Street ("Property").

## **BACKGROUND/HISTORY**

During the 1970's, the Shea Boulevard and Scottsdale Road intersection was considered the northern reaches of the City of Scottsdale ("City"). This intersection had two (2) main commercial centers on the northwest and southeast corners. Those commercial centers still exist as other commercial and residential projects developed around this corner. The Gold Dust to 74<sup>th</sup> Street 'couplet' for northbound Scottsdale Road traffic to bypass the busy Shea and Scottsdale Road intersection was constructed in the late 1980's. Into the 1990's, development was occurring on the vacant lands near this intersection including multi-story, multi-family developments, commercial and office projects. In the mid to late 1990's, the inside (west side of 74<sup>th</sup> Street) portion of the couplet began to infill with a grocery store and two (2) restaurants on the south side of Shea and a retail center and movie theaters north of Shea. South of Shea, the evolution of the development projects continued into the early 2000's with the grocery store converting to an internalized storage facility, office buildings developing within the large surface parking lot of the closed grocery store, and the addition of a hotel and an assisted living facility.

The large grocery store was only open a few years before it converted to the existing storage facility. The two (2) free standing restaurants along Shea Boulevard also redeveloped, including the Property. One restaurant was removed and replaced with the existing retail/restaurant center that includes a nail salon on the west side and a healthy eating establishment on the east side. The second restaurant (Property) was also demolished for the current gas station, car wash and vehicle service establishment. The relatively short life span of the original uses is most likely because of the evolving nature of retail and restaurant locations and the surrounding nucleus of other related uses that support them.

## **SURROUNDING USES**

The Property is currently being used as a gas station, car wash and vehicle service establishment. To the east is a primarily medical office building at the southeast corner of Shea Boulevard and 74<sup>th</sup> Street. South and east of the Property, south of the office building is a gated single family subdivision, Monterrey at Mountain View II. The entrance to that subdivision is approximately 300 feet from the south property line of the Property. South of the Property is two (2) two-story office buildings, a three-story assisted living community and a three-story hotel. West and southwest of the Property is an indoor storage facility (the old grocery store) and retail and restaurant uses. The Shea Boulevard and Scottsdale Road corridor continues to be an evolving mixed-use hub within central Scottsdale. This intersection has become sort of a crossroads with redevelopment occurring throughout the past thirty years on all four (4) corners and within a ½ mile radius of that intersection.

## REQUEST

The request is rezone the parcel to the Commercial Office zoning district. The request would allow for a high end senior living community with assisted and memory care units. The proposal would also include a mixture of amenities and uses for the residents. The overall development will provide for first class senior care along with amenities and services comparable to five star resorts.

## CITY OF SCOTTSDALE GENERAL PLAN

The proposal does not require an amendment to the City's 2001 General Plan. City staff has determined that the C-2 and C-O are compatible land use designations to the existing red commercial designation on the Conceptual Land Use Map.

The following is an analysis to demonstrate that the requested zone change is in keeping with the majority of the Guiding Principles from the Preface and Scottsdale's Values and Vision Section of the General Plan.

*\*Preserve Meaningful Open Space: The city of Scottsdale is committed to promoting the acquisition, dedication, and setting aside of open space as a community amenity and in support of the tourism industry in Scottsdale.*

Response: The proposed project provides significantly more useable open space on the Property. Since the proposed open space within the project will benefit the new residents and the perimeter open space will be inviting and allow the general public to pass by, the requested zoning and land use sets aside open space for private and community enjoyment.

*\* Enhance Neighborhoods: Scottsdale's residential and commercial neighborhoods are a major defining element of this community. The quality of our experience as a Scottsdale citizen is expressed first and foremost in the individual neighborhoods where we live, work, and play. Scottsdale is committed to maintaining and enhancing our existing and future neighborhoods. Development, revitalization, and redevelopment decisions, including rezoning and infrastructure planning, must meet the needs of our neighborhoods in the context of broader community goals.*

Response: As described above in previous sections of this narrative, the Shea Blvd. and Scottsdale Road corridor and the ½ mile radius around that intersection is a vibrant, evolving mix of uses. The core, the immediate intersection has intense commercial uses including several convenience store/gasoline stations, drive-through and fill services restaurants, retail and other commercial uses. Further from the core intersection, there is mixture of other commercial and service uses, offices, multi-family residential and existing assisted living uses. The proposal further enhances the live, work and play lifestyle and provides for an opportunity for older residents to age in place and add to the lifestyle choices this core area provides.

*\*Seek Sustainability: Scottsdale is committed to the effective management of its finite and renewable environmental, economic, social, and technological resources to ensure that they serve future needs.*

Response: The Request seeks to provide an infill development in an evolving activity center in central Scottsdale. The placement of a senior assisted and memory care community within a vibrant mixed-use core is a sustainable development decision. The access to medical care, goods and services, transportation alternatives and lifestyle opportunities all within walking distance ensures minimal impacts to finite resources.

*\* Support Economic Vitality: Scottsdale is committed to the goal of supporting its existing economic strengths by: targeting new opportunities which can diversify our economic base; providing for the fiscal health of the city; and forming partnerships with the community which strengthen our ability to meet this goal.*

Response: Placing a significant amount of seniors with spending power within a minute's walk to all the surrounding goods and services this area of the City supports the economic vitality of the area. By providing for a high end senior living facility near all of the goods and services, the fiscal health of the City is improved with the potential for partnerships for special offers with the residents of the senior living community and the surrounding businesses. Additionally, the new community will employ a significant amount of staff members who are likely to contribute to the area's economy and further drive retail sales.

*\* Advance Transportation: The transportation system must be the backbone of Scottsdale, supporting its economy and serving and influencing its land use patterns in a positive way.*

Response: Similar to the responses above in the other guiding principles, placing a significant amount of seniors in a singular project near goods and services benefits and lessens the burden on the transportation system. Less vehicular traffic and more pedestrian traffic will occur as a result of placing this senior living community at this location because its proximity to the nearby goods and services available in this core area.

*\* Value Scottsdale's Unique Lifestyle and Character: Scottsdale offers a superior and desirable Sonoran Desert lifestyle for its citizens and visitors. The preservation of this unique lifestyle and character will be achieved through a respect for our natural and man-made environment, while providing for the needs of our citizens.*

Response: Many of the future residents of this community are typically current longtime residents of Scottsdale and are familiar with the surrounding area. Many don't want to leave the area but can no longer take care of their property, themselves or are looking to live near likeminded and aged individuals. The proposed high end senior living community will provide the City another superior and desirable living option for its residents and allows them to age in place.

### Character and Design Element

#### *Goals and Approaches*

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

Response: The Property is directly at the corner of Shea Blvd. and 74<sup>th</sup> Street. 74<sup>th</sup> Street is designed as a couplet to bring traffic primarily northbound on Scottsdale Rd. to either avoid the Scottsdale Rd. and Shea Blvd. intersection or to direct vehicles northbound on Scottsdale Rd. for ease of access to eastbound Shea Blvd. In other words, 74<sup>th</sup> Street was designed for traffic flow and to move traffic efficiently through the area. The proposed senior living community will not add to, hinder or create any significant new traffic to this roadway or Shea Blvd. The land use is an appropriate transition from a major arterial roadway to the collector roadway to the offices and residential land uses further to the south and east. The proposed land use allows for older residents of Scottsdale to age in place. The appropriateness of the land use is evident by the existing senior living community to the south (Sunrise of Scottsdale), the memory care facility on the curve of 70<sup>th</sup> Street and Mountain View Rd. (Barton House) and a community approximately ¼ mile to the northwest of the Shea Blvd and Scottsdale Rd. intersection (Pueblo Norte Senior Living Community). The request does not impact any single family residential homes as the closest one is approximately 300 feet away. The ½ mile radius around the Shea Blvd and Scottsdale Rd. intersection has several two and three-story well designed multi-family residential projects. The request will continue to provide higher end residential options to the seniors of Scottsdale.

*Suburban/Suburban Desert Character Types contain medium-density neighborhoods that include a variety of commercial and employment centers and resorts. A wide variety of recreational and leisure opportunities are integrated into the fabric of these districts. Pedestrian and bicycle linkages from neighborhood to neighborhood and from neighborhood to commercial, cultural, educational and recreational components are vital in weaving these areas into a livable community. The physical character of these districts varies widely throughout the community and is based on period of construction and the surrounding topography and natural features. These districts comprise most of the southern and central areas of the city. There are some special features within suburban character types that embody unique land uses or physical elements: - Activity Centers include major mixed-use areas that are smaller than the employment cores, but larger than neighborhood centers. - The Tourism/Recreation Areas are major open space and recreational amenities located at the Central Arizona Project corridor. Facilities include the TPC golf courses, Princess Hotel, Westworld Equestrian Park, and Taliesin West. Sensitivity to surrounding neighborhoods is encouraged. - Resort Villages are concentrations of major resort facilities. A variety of tourist accommodations, quality office, specialty retail, recreation uses including golf courses and tennis courts, employment, and compatible high amenity residential neighborhoods are all components.*

Response: The Suburban Character Type states that medium density neighborhoods include a variety of commercial and employment centers and resorts. The Scottsdale Rd. & Shea Blvd. core contains all of these mixture of uses. This is a vibrant and evolving commercial core with support office development and several multi-family communities, senior and assisted living communities and hotels. There is even a resort (Hyatt at Gainey Ranch) less than a mile away. The above character type describes pedestrian and bicycle linkages throughout the area to access all types of uses and thereby strengthening the livability of the community. The above description states that the Suburban Character Types are within the south and central areas of the City. The Scottsdale Rd. & Shea Blvd. core area is widely seen as central Scottsdale, even though it could be construed south Scottsdale when viewed from communities like Troon and Desert Mountain. The physical character is defined by the period of construction. As this area has

intensified, two and three story developments have developed within a ¼ mile of this major intersection and several zoning districts within this core area allow for the building height requested in this application. The proposed land use and zoning district supports the area's designation of being an 'Activity Center' by providing a significant investment in senior and assisted housing communities that will support this significant mixed-use area. There are several C-O zoned properties within the Activity Center with the ability to develop at heights and intensity as the proposed project. Successful mixed-use, core areas thrive on pockets of intensity and density to ensure there is enough mass to support the mixture of uses.

*Goal 1, bullet 3 states: Encourage projects that are responsive to the natural environment, site conditions, and unique character of each area, while being responsive to people's needs.*

Response: The proposed assisted living and memory care facility is market driven and quality of life decision by the applicant. The car wash/auto repair use is a relatively new use on the property. Up until 1996-1997, the southwest corner of 74<sup>th</sup> Street and Shea Blvd. was vacant/never developed. Initially, a sit-down restaurant was placed where the existing car wash and gas station is located. Within two (2) years, the sit-down restaurant was demolished and the car wash/auto repair facility was constructed. The car wash was a part of the Danny's car wash chain building that built circular style buildings to market their new brand of auto care. The gas station/car wash has since changed hands several times in an effort to keep the same type of auto cleaning and care facility. These changes are market forces being responsive to people's needs. With Pueblo Norte, Sunrise and Barton House, developing over time in this core area, they too are being responsive to people's needs. Just as there are competing restaurants, pizza places, gas station/convenience stores, etc., the proposed senior living community will provide another project for a market segment that is responsive to this areas target market's needs.

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

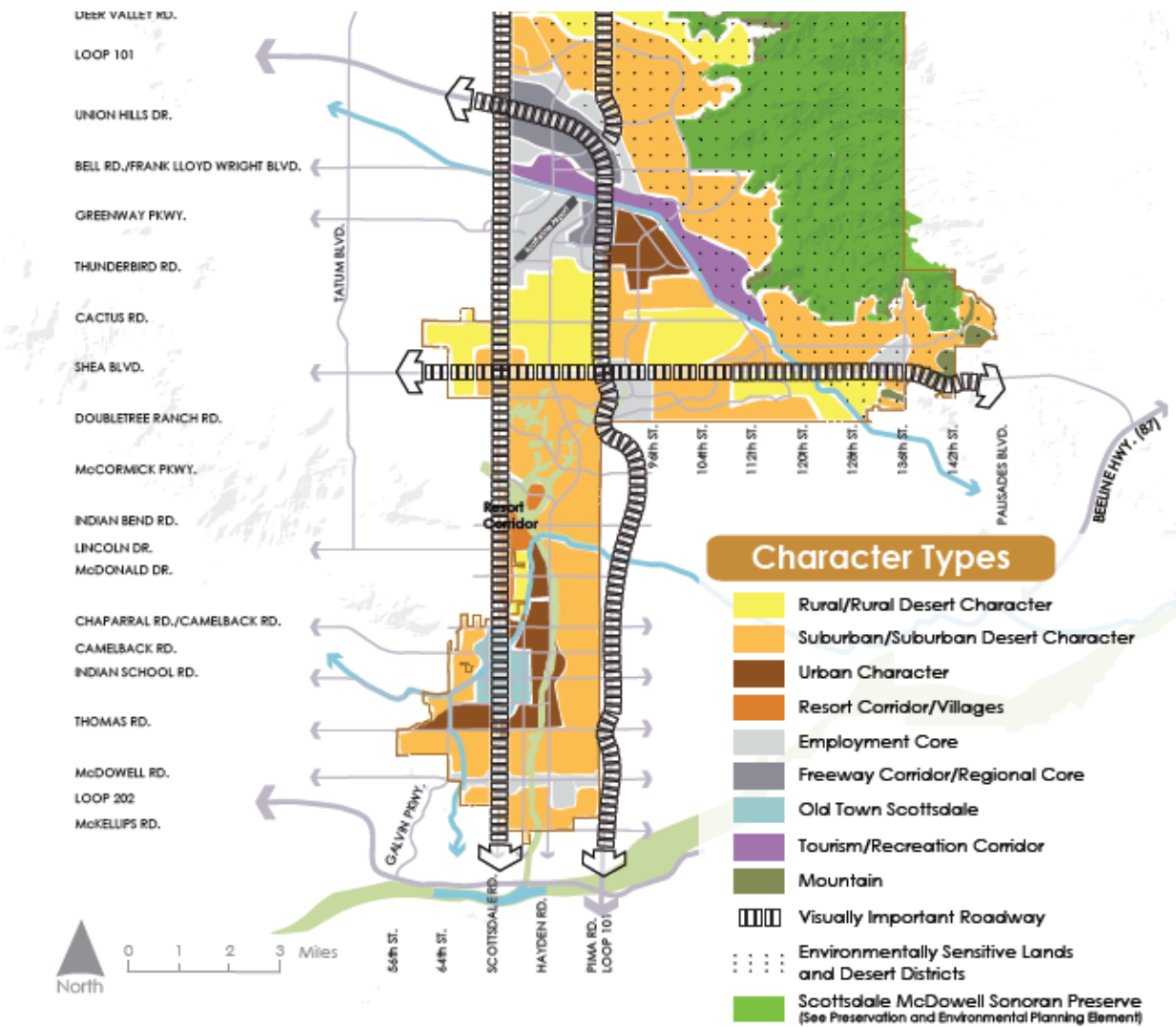
Response: Ryan Co. is currently developing a high end southwestern designed building in north Scottsdale off Jomax Road and Alma School Road. The intent with this application is to provide the same quality in design and character of the building with the immediate surrounding area. The existing senior living facility to the northwest and to the south were developed during different timeframes. They both have stood the test of time and provide for a certain type of senior care and living. Providing a new senior living community option, this application intends to meet or exceed the areas design character to enhance this part of Scottsdale.

*Goal 4 states: Encourage "streetscapes" for major roadways that promote the city's visual quality and character, and blend into the character of the surrounding area.*

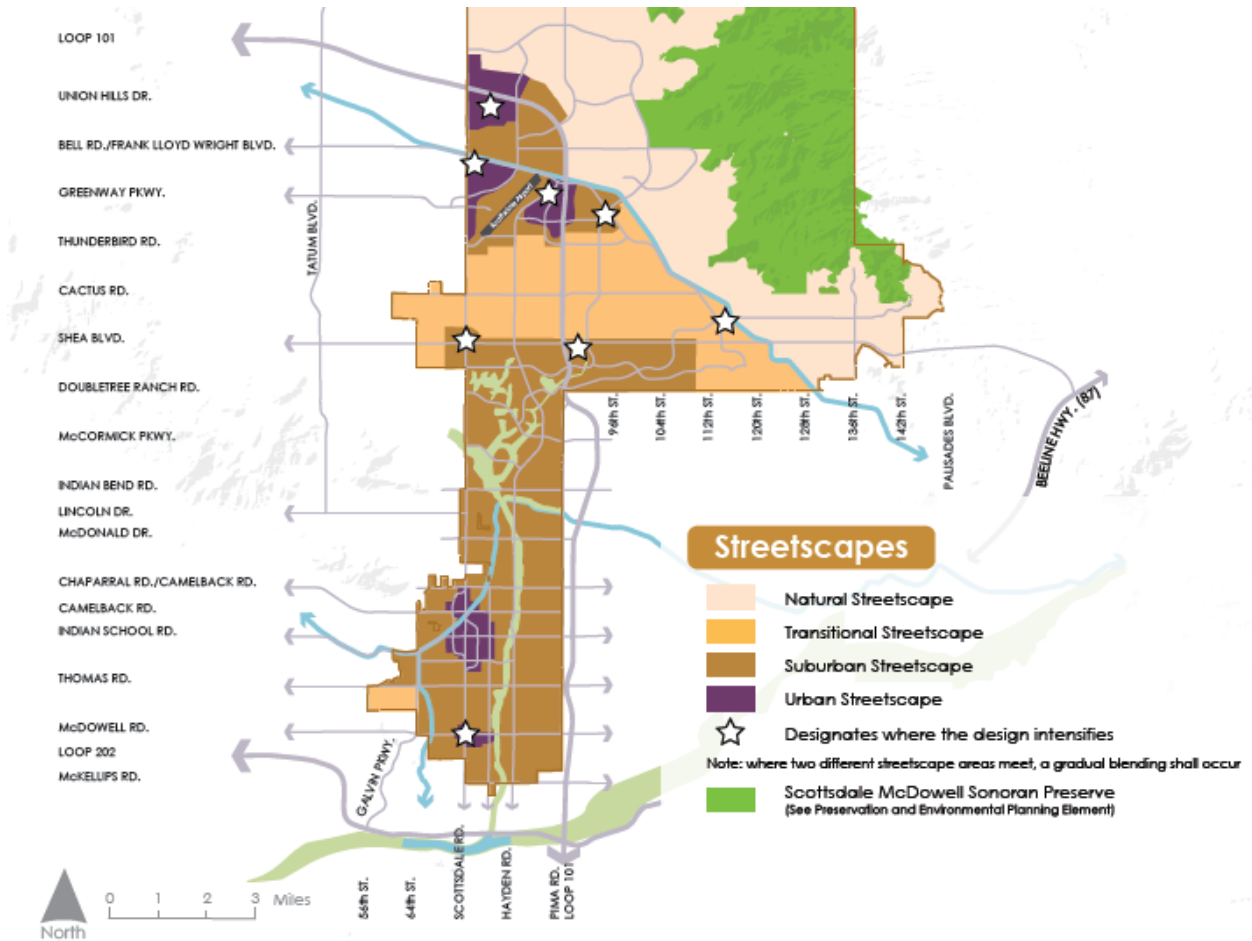
Response: The proposed design of the project will provide an attractive streetscape long Shea Boulevard by setting a majority of the building back from the roadway. The one portion of the building that is closer to the intersection of Shea Blvd and 74<sup>th</sup> Street will provide for enhanced design to allow pedestrian access to the intersection and across the road to all of the eating and drinking establishment and goods and services to the north. We look forward to working with the City in designing the streetscape for the project.

The Character Types plan identifies Shea Blvd as a 'visually important roadway.' The Streetscapes Plan designates the site in an area that 'Designates where the design intensifies.'

This project intends to take advantage of both character plan designations by designing a senior residential community fitting of the surrounding character and intensifying the corner with residents to in turn benefit from the surrounding retail, restaurant, entertainment and medical amenities in the immediate area. Although Shea Blvd. is designated as a visually important roadway, the properties on the south side of the road along this stretch are impacted by the very large power poles and wires along the south side of the roadway. Any building designed on this site will be viewed behind a very large utility pole and ten plus sets of wires.



**Character and Design Element**



## Land Use Element

*Land Use Element Goal 1, bullets 1,2, and 4: 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.*
- *Encourage land uses that preserve a high quality of life and define Scottsdale’s sense of place within the region.*
- *Promote land uses that accommodate destination resorts along with the recreation, retail, residential, and cultural uses that support tourism activity and sustain a resort-like lifestyle.*

Response: The applicant is a major developer in the valley and the nation. They have developed or are in the process of developing quality projects throughout Scottsdale with office, industrial, assisted living and other projects. Ryan’s commitment to quality is evident in every project developed within the City. Their latest assisted living community in north Scottsdale, Acoya Scottsdale at Troon, was designed to emulate the design character of the nearby Four Season’s hotel and resort.

The proposed redevelopment of the Property will strengthen Scottsdale's identity by placing a high end senior living community on a prominent corner in a significant mixed-use area of the City. By placing a significant number of senior living units in the midst of retail, service, restaurant and medical offices, the proposed land use will sustain the surrounding businesses in the area. This type of development provides for seniors to age in place, provides for supportive employment such as medical related professions and service employees. Providing surrounding Scottsdale residents another senior living option will provide a sense of place within this highly active area. The ultimate design of this community will have a hotel-like feel. This hospitality driven lifestyle can be viewed on the website for Ryan's north Scottsdale project, Acoya Scottsdale at Troon.

*Land Use Element Goal 2: Coordinate land uses affecting regional networks (mobility, economic, and open space) with adjacent jurisdictions to maintain the integrity and efficiency of each network.*

Senior living communities are developing in every city across the valley. Instead of these communities being placed in outlier areas, they are developing in infill areas. The wide array land uses surrounding the proposed senior living community will benefit from the land use. By placing these types of communities near goods, services and medical offices and facilities, there is no singular concentration of these uses and therefore no inefficient breakdown or concentration in one area. This in turn maintains the right balance of land uses that does not affect surrounding jurisdictions.

*Land Use Element Goal 3, bullets 1,2,4,5, and 6: Encourage the transition of land uses from more intense regional and citywide activity areas to less intense activity areas within local neighborhoods.*

- *Ensure that neighborhood edges transition to one another by considering appropriate land uses, development patterns, character elements and access to various mobility networks.*
- *Encourage the location of more intense mixed-use centers and regional employment cores along regional networks while incorporating appropriate transitions to adjoining land uses.*
- *Locate employment uses where impacts on residential neighborhoods are limited and access is available at citywide and regional levels.*
- *Guide growth to locations contiguous to existing development to provide city services in a cost effective and efficient manner.*
- *Encourage transitions between different land uses and intensities through the use of gradual land use changes, particularly where natural or manmade buffers are not available.*

Response: As also described in the character area element, the proposed senior living community is appropriately placed along the major arterial roadway to buffer lessor intense uses from the traffic, noise and activity of the roadway. The Property's location and the proposed building placement does not impact any surrounding single family residential homes. The nearby single family homes to the southeast, across 74<sup>th</sup> Street, are approximately 300+ feet away. The removal of a car wash and vehicle service station with its loud dryer, open repair bay doors, car alarms and other associated impactful uses associated with the current use will also be replaced. These types of communities are typically adjacent to single family residences as a transitional use. This particular Property does not abut a single family property and

provides a transition from the arterial roadway to the offices to the east and south to the residential communities further to the south and east.

*Land Use Element Goal 4, bullets 1 through 5: 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.*

- *Allow for a diversity of residential uses and supporting services that provide for the needs of the community.*
- *Ensure the highest level of services and public amenities are provided to the citizens of Scottsdale at the lowest costs in terms of property taxes and travel distances.*
- *Support jobs/housing balance by integrating housing, employment, and supporting infrastructure in mixed-use centers located at appropriate locations.*
- *Provide a variety of housing types and densities and innovative development patterns and building methods that will result in greater housing affordability.*
- *Maintain a citywide balance of land uses that support changes in community vision/dynamics (established by future community visioning processes) over time.*

Response: The proposed senior living community will offer an updated design and use to this evolving mixed-use area. As mentioned above, there are two (2) existing similar assisted living and senior care facilities in an approximately ½ mile radius. There are several multi-family rental and ownership developments within the same ½ mile radius. This is in addition to the retail, restaurant, office and other service uses in the area. The Shea Blvd. and Scottsdale Road core area provides for a diverse set of residential, commercial and office uses. This balance of uses is updated periodically such as the storage facility (old Macaroni Grill restaurant) at Gold Dust and Scottsdale Road, the new (under construction) commercial at 7000 E. Shea Blvd. and the many restaurant and retail changes and updates over the years surrounding this core. This area is a hub of activity and the market continuously dictates the types of land uses. The proposed senior living community will add to the variety of senior housing choices in the area at a density and design that supports the goals of this land use element.

*Land Use Element Goal 5, bullets 1,2,3,4,5,7, and 8: Develop land use patterns that are compatible with and support a variety of mobility opportunities/choices and service provisions.*

- *Integrate the pattern of land uses and mobility systems in ways that allow for shorter and fewer automobile trips and greater choices for mobility.*
- *Encourage non-motorized (pedestrian and bicycle) access/circulation within and to mixed-use centers to reduce reliance on the automobile.*
- *Provide a balance of live, work, and play land uses and development intensities that enable convenient non-automotive trips (pedestrian and cycling and transit) where environmentally and physically feasible.*
- *Support the physical integration of residential uses with retail uses to provide opportunities for pedestrian oriented development.*

- *Ensure Scottsdale's transportation choices respond to the land use patterns and local neighborhood lifestyles.*
- *Ensure that basic levels of environmental health and human services are provided for all socio-economic levels within the community.*
- *Encourage that land uses with the highest intensity be located in areas conducive to alternative modes of transportation.*

Response: The proposed senior living community supports this land use element goal by providing a land use in an appropriate location with ease of vehicular or pedestrian traffic from the community to all of the surrounding nearby goods and services. The land use typically reduces overall traffic as its residents depend less on their single occupancy vehicle and more on in-house services and amenities, shuttles from the community and in-house services from outside medical and occupational professionals. The Property's location will reduce the reliance on the automobile, promote pedestrian connections to surrounding uses and appropriately place a certain socio-economic portion of the community. The provision of in-house amenities, dining and other mixture of uses also supports this land use element. Finally, Shea Boulevard and Scottsdale Road are major bus routes. This will assist in residents and employees alike to benefit from this alternative mode of transportation.

*Land Use Element Goal 6, bullets 1,4,5,6, and 7: Promote land use patterns that conserve resources, such as land, clean air, water, and energy, and serve all people, within the community.*

- *Support the essential cycles and life support functions of our ecosystem through land uses and development activities.*
- *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.*
- *Integrate land use and transportation policies to promote a decrease in vehicle miles traveled to reduce air pollution and resource consumption, increase interaction among citizens and provide a stronger sense of community.*
- *Protect and revitalize established areas/neighborhoods by promoting new development and the adaptive reuse of existing community resources that re-energize an area.*

Response: As mentioned, this core area of central Scottsdale continues to evolve. The proposal provides for an office zoning district that will allow for the senior living community in an ideal location. By modifying the underlying zoning, a prominent and high quality senior living community will redevelop and revitalize an established area. This proposal provides for sustainable infill that benefits the surrounding land uses. The specific land use, residential health care facility, reduces traffic and vehicle miles traveled, promotes a live, work, play community and re-energizes the area.

*Land Use Element Goal 7, bullets 2,3, and 5: Sensitively integrate land uses into the surrounding physical and natural environments, the neighborhood setting, and the neighborhood itself.*

- *Incorporate appropriate land use transitions to help integrate into surrounding neighborhoods.*
- *Focus intense land uses along major transportation networks (such as the Pima Freeway and major arterial streets) and in urban centers (such as Old Town and the Airpark). Less intense land uses should be located within more environmentally sensitive lands.*
- *Incorporate open space, mobility, and drainage networks while protecting the area's character and natural systems.*

Response: The proposed project intends to locate at the intersection away from any sensitive land uses. Although many of these senior living facilities are typically adjacent to single family residential lots, this site was chosen to ensure minimal to no impacts on single family uses. The initial design of the community building is to break up the massing throughout the Property with several wings. The land uses impacts to surrounding land uses is less vehicular traffic, more pedestrian traffic and more customers for all of the surrounding retail, restaurant and services. Within the Property, the intention is to develop a residential community with its own amenities and open space and quality architectural design.

*Land Use Element Goal 8, bullets 2 and 3: Encourage land uses that create a sense of community among those who work, live, and play within local neighborhoods.*

- *Develop and reinforce links (i.e. trails, paths, open space, transit, and streets) within and between residential, retail, employment, recreational and other public land uses.*
- *Promote development patterns and standards that are consistent with the surrounding uses and reinforce an area's character.*

Response: The proposal is to create a live, work, play community for seniors. Ryan has developed high end senior care communities in Scottsdale and believes this to be another premier opportunity. Placing this demographic in this core commercial and office area will be beneficial to the overall economic health of the area. The placement of this land use at this corner will allow convenient and efficient pedestrian connections to the surrounding retail, restaurant, service and office uses. The increased usage by the future seniors will reinforce the pedestrian linkages between adjacent and nearby properties.

*Land Use Element Goal 9, bullets 1 through 4: Provide a broad variety of land uses that create a high level of synergy within mixed-use neighborhoods.*

- *Incorporate a diverse range of residential and non-residential uses and densities within mixed-use neighborhoods.*
- *Promote residential uses that support the scale and function of retail, commercial and employment uses within these neighborhoods, including the use of mixed-use structures (retail or office on lower level and residential uses on upper levels).*
- *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.*

Response: The request is to rezone the Property to a Commercial Office zoning district. The proposal creates a density of seniors that will provide a high level of synergy for the businesses in the immediate area. The Scottsdale Rd. and Shea Blvd. core is a vibrant and evolving mix of uses. There are several densities of residential uses that are representative in the immediate area. The redevelopment of this site will have minimal impacts to lower density residential projects while providing a high level of positive economic impact to the non-residential uses within this mixed-use area. The proposed design, with a majority of parking underground, and type of use will support alternative modes of mobility for its residents. The proposed 2.5-acre property will provide for a senior living community with some supportive commercial, office and restaurant amenities.

The following are some applicable policies and goals from other chapters of the General Plan.

#### Economic Vitality Element

*Goal 3, bullets 1 through 5: Encourage and support 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.*

- *Nurture and support established businesses as well as new businesses.*
- *Ensure adequate opportunities for future and expanded commercial and business activity throughout the community.*
- *Diversify Scottsdale's business and retail community so it includes a variety of business types as well as a variety of business scales and sizes.*
- *Promote Scottsdale as a diverse shopping and entertainment destination.*
- *Develop existing and attract new high value/low impact businesses.*

Response: The placement of this dense senior living community in the middle of a commercial and office core will support this economic vitality goal. The senior living community will benefit from its location and proximity to the diverse set of businesses including tourism, to dining and entertainment, to therapists and medical professionals. The placement of this land use is ideal and will support businesses and the tax base they provide the City.

*Goal 4, bullets 2 and 3: Foster new and existing economic activities and employment opportunities that are compatible with Scottsdale's lifestyle.*

- *Support businesses in adapting to the constantly changing market as a result of new technologies and support those companies that are integral to the "new economy".*
- *Target specific economic sectors for expansion or relocation in Scottsdale that will provide for the greatest positive impact and the fewest negative impacts. These include medical and health care*

*services, biomedical research and development, technology related research and development, business and professional services, administrative offices, corporate and regional headquarters.*

Response: The proposed senior living community is a growing part of the ‘new economy.’ These facilities provide a central living core with resort-like amenities that cater to Scottsdale’s aging citizenry. In turn, these types of facilities target the latest in medical and health services, as well as, professional services to support the community.

*Goal 5, bullet 6: Locate and integrate non-residential development to improve access and visibility and to protect the integrity of neighborhoods.*

- *Promote pedestrian/bicycle improvements and provide options for alternative modes of transportation to access commercial, retail and entertainment centers.*

Response: The proposed land use will be ideally situated adjacent to a plethora of restaurant, goods and services, medical offices that will promote pedestrian activity. The existing traffic signal and cross walks and bike path system allows for ease of access to the adjacent uses which in turn will limit vehicle usage. Typically, senior residential communities do not increase traffic to surrounding areas by use of the single occupancy vehicle. The residents typically use pedestrian connections and group shuttles to access the commercial, retail and entertainment centers.

*Goal 7, bullets 1,2, and 5: 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.*
- *Improve and enhance the links between the physical and social relationship between non-residential land uses and the surrounding residential neighborhoods.*

Response: The proposed land use continues the evolution of the Scottsdale Rd. & Shea Blvd. core area by providing another senior living residential community to the area. The proposal redevelops a property that was already redeveloped once, restaurant to car wash/vehicle repair. With the nearby grocery store converting to a storage facility, its parking lot converted to office buildings, the local Macaroni Grill converting to a storage facility, etc., this area of Scottsdale is a microcosm of the renovation and re-use of under-utilized buildings and properties. The redevelopment will allow for a high end ‘age in place’ community that will improve and enhance the links between the physical and social relationship between non-residential land uses and the future residential uses.

#### Community Involvement Element

*Goal 1: Seek early and ongoing involvement in project/policy-making discussions.*

*Goal 2: Proactively seek community-wide representation on issues through vigorous outreach programs that engage citizens who are not typically involved.*

*Goal 3: Publish and process city issues in a manner that is relevant to citizens' daily lives and personal and professional interests.*

*Goal 4: Accept and respond to new ways of communicating and new technologies*

Response: The above goals of community involvement were implemented early on in the process for this project. The Project was posted accordingly, and letters were sent to property owners within 750 feet of the Property. This project was one of the first projects to have a very informative letter with a lengthy description of the proposed land use and rezoning case as the proposed open house had to be a virtual open house. The Corona virus pandemic literally shut down opportunities for physical interaction and one-on-one dialogue with any neighbor or stakeholder. Our letter was very informative in order to ensure as much was explained about the proposed case. We created a website for neighbors and other stakeholders to view and obtain additional information regarding the case early on in the process. We made ourselves available by telephone and email during the virtual open house to ensure that there was an opportunity for two-way communication. With the website up and running and other opportunities to reach out to neighbors and stakeholders, we intend to update the website periodically throughout the process and continue to reach out to stakeholders as best we can during this health event.

#### Housing Element

Within the Housing Element, the first sentence states “...*Since incorporating in 1951, Scottsdale’s housing and neighborhoods have shifted and evolved in response to marketplace trends and family lifestyles...*” The proposed senior living community with its assisted living and memory care units, addresses this specific issue. Furthermore, the Housing Element states,

*“...In general, housing in Scottsdale has a higher cost and value than comparable housing in other Valley communities because of the community amenities and quality of life in Scottsdale. While this is beneficial for property and resale values, it makes provision of housing for the full spectrum of Scottsdale’s citizens, our service workers, seniors on limited incomes, and citizens with special social or physical needs, more difficult. The demographics of our community are changing and land identified for housing development is becoming increasingly limited. Now and in the future our will need to focus attention on the revitalization and preservation of our more mature housing neighborhoods, to seek creative infill development strategies, and to encourage a diversity of housing that accommodates a variety of income levels, households, and socioeconomic needs.”*

The proposed senior living residential community proposal is creating further diversity in housing for its aging residents. The market studies for this evolving housing need continues to demonstrate that assisted living community’s draw a majority of its residents from a five (5) mile radius around the projects location. The applicant has redeveloped a former commercial property in north Scottsdale with a high end senior living community with this same approach. The above statement from the Housing Element states “...Now

*and in the future we will need to focus attention on the revitalization and preservation of our more mature housing neighborhoods, to seek creative infill development strategies, and to encourage a diversity of housing that accommodates a variety of income levels, households, and socioeconomic needs.”* This market based decision demonstrates the revitalization of this under-utilized commercial site, creates an infill development strategy for the senior residents of the community and creates a housing product for certain income level, household and socioeconomic needs outlined in the Housing Element.

The Housing Elements ‘Values’ states “... *“Life cycle” housing opportunities for people to be able to live in Scottsdale throughout their lives*” and *“A community in which residents can live, work, and play in close proximity and where neighborhoods have easy connections with other neighborhoods and surrounding amenities.”* The proposed senior living community and the Property’s location exemplifies this City Housing Element value.

*Goal 4, bullet 6 states:*

- *Consider a variety of strategies to increase housing intensity and diversity in appropriate locations, such as around commercial areas, near transit centers or major employment.*

Response: The Property is ideally situated and provides the right amount of density to support the surrounding commercial and employment area.

#### Growth Areas Element

*Goal 1, bullets 1,2,3, and 5: 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 infrastructure expansion where it will be most efficient and effective and minimizes adverse impacts outside the identified areas.*
- *Identify existing, measurable edges of growth areas and the transitions between adjacent growth areas.*
- *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.*
- *Create techniques that allow for mixed-use activity within designated growth areas.*

Response: The Scottsdale Rd. & Shea Blvd. area is ripe for development intensity and redevelopment. The intersection is labeled as an ‘Activity Area’ on the Growth Areas Map (see below). The half mile radius around this intersection can support redevelopment with intensity and density. The proposal allows for a project that will provide future residents to directly adjacent to businesses, employment, medical and other services.



Community Mobility Element

*Goal 2, bullet 1: Protect the physical integrity of regional networks to help reduce the number, length, and frequency of automobile trips, to improve air quality, reduce traffic congestion, and enhance quality of life and the environment.*

- *Improve air quality, by encouraging live, work, and play relationships in land use decisions that reduce the distance and frequency of automotive generated trips.*

Response: The proposal provides an opportunity to build a project that allows seniors a live, work and play lifestyle. The ‘work’ aspect of this goal allows the outside employees and professionals to staff the community amenities, the allowance for medical and therapeutic professional visits and other professions to service the senior community. By providing this ‘one-stop-shop’ for the residents and their employees, the proposal reduces the number, length, and frequency of automobile trips, improves air quality, reduces traffic congestion, and enhances quality of life and the environment. Finally, as was stated in an earlier response, the target resident to these senior living communities typically come from an approximate five (5) mile radius to the Property. Many nearby residents either move from their existing larger or maintenance-intense residence into this type of community or move their parents to this type of community nearby their existing home.

*Goal 10: Encourage a diversity of links between neighborhood systems and with citywide and regional systems.*

*Goal 11: Provide opportunities for building “community” through neighborhood mobility.*

Response: As stated earlier, placement of a significant sized senior living community surrounded by the necessary goods, services and medical support fulfills the above goals. Building a community along a major vehicle, transit, bicycle and pedestrian corridor will enable all forms of mobility to interact with the future senior residents. The growth of this activity center will encourage the diversity of links between the local area and citywide systems.

## **ZONING**

The proposal is to rezone from C-2 to C-O to create a premiere senior living community. The C-2 zoning district is titled Central Business District and allows for the proposed land use, residential health care facility. A majority of the commercial along the Shea Blvd. and Scottsdale Rd. corridor developed under this or similar commercial zoning categories. Typical development patterns with the C-2 zoning district include landscape strips adjacent to the street, surface parking lots with retail and commercial buildings and uses. The maximum building height for the C-2 district is 36 feet plus higher allowances for mechanical units and the required screening of said units. The setbacks for C-2 districts are only required if the property is adjacent to a single or multi-family zoned property. Since there are no adjacent single or multi-family zoned properties, there would be no setback requirements from the south and west property line. The only setback standard within the C-2 zoning district that would limit the setback from 74<sup>th</sup> Street and Shea Blvd. would be the fifty percent open space requirements along the street frontages.

The C-O zoning district allows for an additional story to provide for the proposed 161 residential units including independent, assisted and memory care units. The amenities proposed for the senior residents include a restaurant, coffee bar, health & fitness studio, salon, administration offices and other personal services. A centralized outdoor living space is proposed on the southern end of the site. The assisted living and memory care units includes employees that work within the community. From registered nurses and physical therapists to guest services and other assistive staff, the number of employees, their professional backgrounds and their payroll range creates a comparable and more diverse employment benefit to the community than the current commercial use. The senior living community will also have a mix of daytime and nighttime activities for its future residents.

The proposed senior living community revitalizes the eastern end of the Scottsdale Rd. and Shea Blvd. core area. This area has evolved over the past twenty years to become a dynamic live, work and play area. The proposed height of senior living community is not allowed under the current zoning. Although the other senior living facilities in this core area are adjacent to or across the street from single family homes, including two and three story buildings, the proposed project is not directly adjacent to any single family home and provides the right amount of intensity and density at the busy corner of 74<sup>th</sup> Street and Shea Blvd. There is adequate infrastructure to service the project and the Property fronts a major arterial, Shea Blvd.

The existing car wash, gas station and vehicle detail and repair facility use ("existing use"), consistent with the conditional use permit granted for the Property, may be allowed to operate as is until the senior living community develops. Should said senior living community not develop for any reason, the existing use will be allowed to operate indefinitely in accordance with the current conditional use permit and Section 1.1301. of the Zoning Ordinance, which is the continuance of nonconforming use of land.

### **Site Plan/Design**

The site is designed to engage the Shea Blvd. frontage with the main entrance to the facility off the existing shared driveway at the northwest corner of the Property. A small visitor parking area is proposed along Shea Blvd. with the building's main drop-off and pick up area under a visually integrated porte-cochere. A discretely designed entrance to the underground parking garage is located on the west end of the site off the common driveway between commercial uses. The remainder of the required parking spaces are within the underground parking garage. The majority of the building along Shea Blvd. is setback away from the roadway. The east end of the building is designed to provide a signature design element to the corner of 74<sup>th</sup> Street and Shea Blvd. The primary pedestrian access to this intersection will be from this portion of the building to allow residents easy access to the signalized intersection and access to the many shops, restaurants, coffee shops and theaters across the street and to the west.

The four-story building is divided into several different wings to break up the massing of the overall project. The wings are focused on courtyards and view corridors. The southern end of the project has the most open space for the residents within courtyards. This open space also provides for significant breaks in the building of the nearest single family neighborhood, which is south and east of 74<sup>th</sup> Street. The Property's two (2) access points are existing and no new roadway modifications are necessary to the project. The project intends to utilize the existing common access driveways with the commercial to the west, offices to south and the storage facility to the southwest.

With regards to our proposed landscape and hardscape design strategy for the Property, we offer the following goals:

#### **HARDSCAPE**

- Provide public pedestrian walkways at perimeter of site along streets
  - All walkways to be 6' wide and kept a minimum of 5' off the back of curb
  - Walkway along East Shea Boulevard to be linear to enhance urban character
  - Existing 8'-wide walk along 74th Street to remain in place
- Provide connections from within the site to public walkways, minimum 6' wide
- Provide a public pedestrian node with seating and enhanced paving materials near the northeast corner of the site, with enough distance between the corner and the node so that a landscape buffer can screen existing utility equipment to remain at the corner
- Provide multi-function hardscape areas at building entries and within private user courtyards

#### **PLANTING**

- Create a lush transitional desert landscape, using ADWR low-water-use plants in the right of way and predominantly throughout the rest of the site
- Streetscape planting along East Shea Boulevard

- Linear character to enhance urban character
- Provide a 20'-deep landscape buffer between the street and parking, as well as an opaque planting screen along north side of parking area
- Maintain a minimum 20' distance between overhead lines and trees
- Streetscape planting along North 74<sup>th</sup> Street
  - Random, less formal character to match residential planting character to the south
  - There is not enough room in the right-of-way between the inside edge of the existing walkway and the easement to plant trees near the street (i.e., if planted, trees along sidewalk would get closer than 7' from the conduit within the easement). Trees at this side of the site are therefore restricted to those planted closer to the building.
- Provide minimum 15% parking landscape area
- Thoughtful use of plant materials at private user courtyards and building entries to ensure safety and visibility
- Conform to City of Scottsdale plant density requirements in the right of way and elsewhere around the perimeter of the site
- Conform to City of Scottsdale tree caliper requirements, at least 50% to be mature (3" caliper)
- Understory plant materials shall be minimum 5-gallon size

There may need to be some exceptions as the project proposes a public walkway/street tree configuration along North 74<sup>th</sup> Street that is an exception to typical City requirements. The public walkway has been pulled into the water/electric easement that runs along this side of the site in order to allow street tree planting in the right of way and the placement of trees at least 7' off conduit within the easements. The right of way is not wide enough to allow for both a walkway (even if curb-attached and narrower than 6') and trees. In addition, we propose that the street trees along North 74<sup>th</sup> be large enough to provide a landscape buffer and shade, which means their canopies at maturity might overhang the street. To mitigate this condition, we propose a standard-trunk tree that will at maturity provide vehicular clearance as needed (e.g., Southern Live Oak or similar).

## DESIGN

The architectural goal of this project is to achieve a location appropriate, clean, classic and timeless style. Using light cool colors with warm inviting accents and details, will evoke a feeling of warmth and nostalgia with a fresh update. The massing scheme of the building has been designed around a central entrance with wings of the building extending out to maximize open space, break up the façade, and provide a variety of access different types and scales of spaces. The north façade provides a great variety of frontages and visual interest off Shea Blvd. The east wing will create an urban walking experience at street level along with shade throughout the day for pedestrians traveling north to all the shopping experiences north of Shea Blvd. The southeast and southwest wings encircle a private outdoor space for residents to retreat and relax.

All along the north and east street level facades, large storefront glazing will provide light and visual interest to pedestrians and residents alike. Unit and upper floor windows will be framed to the interior face of exterior walls, creating a 50% recess for improved shading and performance. Architectural eyebrow elements will be added in varying sizes and location to provide shade, and create depth to the

elevation. Private balconies both inset and attached will provide function outdoor space for residents and add further drama to the façade of the building.

The roof design creates a flow and movement that breaks up the building mass for an attractive profile at the skyline. Roof elements will use simple horizontal parapets with clean caps and trim details and sloped roof accents to soften the building and add a sense of traditional home DNA. The screen walls in this project aim to be a step above the plain featureless walls commonly used. These screen features will successfully shield unsightly mechanical equipment and be an integral part of the overall building's appearance.

### **Traffic & Parking**

A Category 1 Traffic Impact and Mitigation Analysis ("TIMA") has been prepared to assess the effects of an approximately 161 unit assisted living and memory care residential community. There will be 137 assisted living or independent living units and 24 memory care units. Additionally, retail amenities will be exclusively provided for the use of residents with some public access. The proposed development will contain four (4) levels with 44,509 square feet per floor, totaling approximately 178,036 square feet (SF) of residential use. There are three (3) proposed access points to the Acoya Shea Senior Living development. Utilizing the existing internal roadway network, all three ingress/egress points into the proposed development can be accessed by Shea Boulevard and 74th Street. The proposed Acoya Shea Senior Living development is expected to generate 1,369 (64.5%) fewer weekday trips, 81 (54%) fewer AM peak hour trips, and 143 (62%) fewer PM peak hour trips compared to the existing development. In conclusion, the traffic generated by the proposed Acoya Shea Senior Living development is anticipated to result in minimal traffic impacts to the existing roadway network and the surrounding area.

The land use in particular is less dependent on the single occupancy vehicle. For starters, the 24 memory care units will not have vehicles. The remaining assisted living facility users typically move to these facilities as they become less dependent on themselves to drive for their goods and services. With significant history in developing these types of communities, a reduction in the parking requirements is a logical conclusion based on the land use. Since the parking reduction is greater than twenty (20) percent, we respectfully request the City Council to approve the parking numbers proposed in this application.

### **NEIGHBORHOOD OUTREACH**

The initial open house for this project was conducted during the peak period of the Covid-19 pandemic. Per federal, state and local health advisories at the time of the open house, social distancing was being required and large meetings were not being held. We worked with City staff to hold a 'virtual' open house on April 6, 2020. This was one of the first of its kind for the City and provided additional opportunities for neighbor and stakeholder interaction. First, we created a user-friendly website to allow neighbors and stakeholders to view the applicant, Ryan Co., their commitment to excellence, proposed interior and exterior images from their north Scottsdale project (planned opening October 2020) and a site plan and information about this proposal. Any person who views the project website can email the development team with questions and comments. The site posting for the open house provided a detailed description on why we were holding a virtual open house, how they could contact us at any time during the open

house evening hours, etc. The project website went live the morning of the open house and our development team was available the entire day and into the evening for the open house. We will continue to follow up with anyone who contact us on the project. In the future, if requested and if guidelines change, we will hold an additional in person open house to continue to keep neighbors informed.

## **SUMMARY**

The proposed senior living community is an ideal location within the Shea Blvd. and Scottsdale Road core area. Placing a significant high end senior living community within this mixture of commercial, restaurant, entertainment, services and medical office core creates a highly sustainable environment for the surrounding uses. The infusion of residents, a good percentage retired with disposable income, to this area benefits all of the surrounding uses. The location of the Property minimizes any impact on nearby single family residential properties. The site already has its access points fixed and shares driveway access with surrounding non-residential uses. The building will be designed to attract high end rents for the future senior residents as well as provide high end medical care for all of its residents. Ryan's intention is to design a residential community fitting for the neighborhood and its surrounding context. The underground parking garage will allow for efficient use of parking within the garage and not impact surrounding neighbors with large expanses of surface commercial parking lots and the associated vehicle noise nuisances.

In considering the placement of these types of facilities, a major percentage of new residents are typically from a 4-8 mile radius. Many seniors seek to sell their single family home and yard and all of the associated costs and maintenance, but prefer to stay in the 'neighborhood.' With the success of the existing Pueblo Norte and Sunrise senior communities nearby, this proposal provides for an updated alternative for Scottsdale seniors and adds to the overall make-up of this mixed-use core area. The zoning is consistent with the General Plan and we respectfully request your approval of this request.

# ALTA / NSPS LAND TITLE SURVEY 7373 E. SHEA BOULEVARD

A PORTION OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 3 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

## NOTES

THIS SURVEY IS BASED ON COMMITMENT FOR TITLE INSURANCE ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NO.: NCS-995526-MPLS COMMITMENT DATE: DECEMBER 31, 2019, AT 8:00 AM.

THE SURVEYOR'S SCOPE-OF-SERVICES IS LIMITED TO PROVIDING SERVICES IN A MANNER CONSISTENT WITH THE DEGREE OF CARE AND SKILL ORDINARILY EXERCISED BY MEMBERS OF THE SAME PROFESSION CURRENTLY PRACTICING UNDER SIMILAR CONDITIONS. SCHEDULE "B" ITEM DOCUMENTS MAY CONTAIN ENCUMBRANCES WHICH AFFECT THE SUBJECT PROPERTY WHICH THE SURVEYOR IS NOT QUALIFIED TO INTERPRET AND/OR ARE NOT WITHIN THE SURVEYOR'S SCOPE-OF-SERVICES (SEE CERTIFICATION). IT IS RECOMMENDED THAT INTERESTED AND AFFECTED PARTIES OBTAIN COUNSEL FOR INTERPRETATION OF ALL SCHEDULE "B" DOCUMENTS REFERENCED IN THE TITLE REPORT.

THE SURVEYOR HAS RELIED SOLELY ON INFORMATION SUPPLIED TO THE SURVEYOR FROM EITHER THE CLIENT OR THE TITLE COMPANY AND HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER MATTERS THAT MAY AFFECT THE SUBJECT PROPERTY.

PURSUANT TO TABLE "A" ITEM 6, THE SURVEYOR HAS SHOWN THE ZONING CLASSIFICATION AS SET FORTH BY THE LOCAL AGENCY OF JURISDICTION AND OR IDENTIFIED IN A ZONING REPORT OR LETTER AS PROVIDED TO THE SURVEYOR BY THE CLIENT OR CLIENT'S REPRESENTATIVE AS NOTED ON THIS SURVEY.

PURSUANT TO TABLE "A" ITEM 7, THE BUILDING LINES AND DIMENSIONS SHOWN DEPICT THE EXTERIOR BUILDING FOOTPRINT AT GROUND OR NEAR GROUND LEVEL BASED ON FIELD MEASUREMENTS. THIS INFORMATION IS INTENDED TO DEPICT THE GENERAL CONFIGURATION OF THE BUILDING AT GROUND LEVEL AND MAY OR MAY NOT BE THE BUILDING FOUNDATION. THE BUILDING AREA SHOWN IS BASED ON THE EXTERIOR BUILDING FOOTPRINT AND IS NOT INTENDED TO REFLECT THE INTERIOR OR LEASE AREA.

PURSUANT TO TABLE A, ITEM 11, UNDERGROUND UTILITY INFORMATION SHOWN IS FROM PLANS AND/OR FIELD MARKINGS OF UTILITIES. IN ADDITION, MAPS AND MARKINGS FROM JURISDICTIONS, 811 OR OTHER SIMILAR UTILITY LOCATING COMPANIES MAY BE INCORRECT OR INCOMPLETE. HOWEVER, WITHOUT EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE ACCURATELY DEPICTED. WHERE ADDITIONAL OR MORE DETAILED INFORMATION IS REQUIRED, THE CLIENT IS ADVISED THAT EXCAVATION AND/OR A PRIVATE UTILITY LOCATING COMPANY MAY BE NECESSARY.

PURSUANT TO TABLE "A" ITEM 16, THE SURVEYOR DID NOT OBSERVE RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK.

PURSUANT TO TABLE "A" ITEM 17, THE SURVEYOR HAS NOT BEEN INFORMED OF ANY CHANGES IN THE PROPOSED RIGHTS OF WAY. ADDITIONALLY, ANY CHANGES IN RIGHTS OF WAY, WHICH HAVE ALREADY OCCURRED, SHOULD BE VERIFIED BY ADDITIONAL TITLE SEARCH. THE SURVEYOR HAS NOT OBSERVED ANY RECENT STREET OR SIDEWALK CONSTRUCTION IN THE PROCESS OF CONDUCTING THE FIELDWORK.

PURSUANT TO TABLE "A" ITEM 18, THE SURVEYOR HAS NOT OBSERVED MARKERS DELINEATING WETLAND AREAS ON THE SUBJECT PROPERTY.

PURSUANT TO TABLE "A" ITEM 20, A PROFESSIONAL LIABILITY INSURANCE POLICY OBTAINED BY THE SURVEYOR IN THE AMOUNT OF \$3,000,000.00 PER OCCURRENCE AND \$8,000,000.00 GENERAL AGGREGATE TO BE IN EFFECT THROUGHOUT THE CONTRACT TERM. CERTIFICATE OF INSURANCE CAN BE FURNISHED UPON REQUEST.

## LEGAL DESCRIPTION

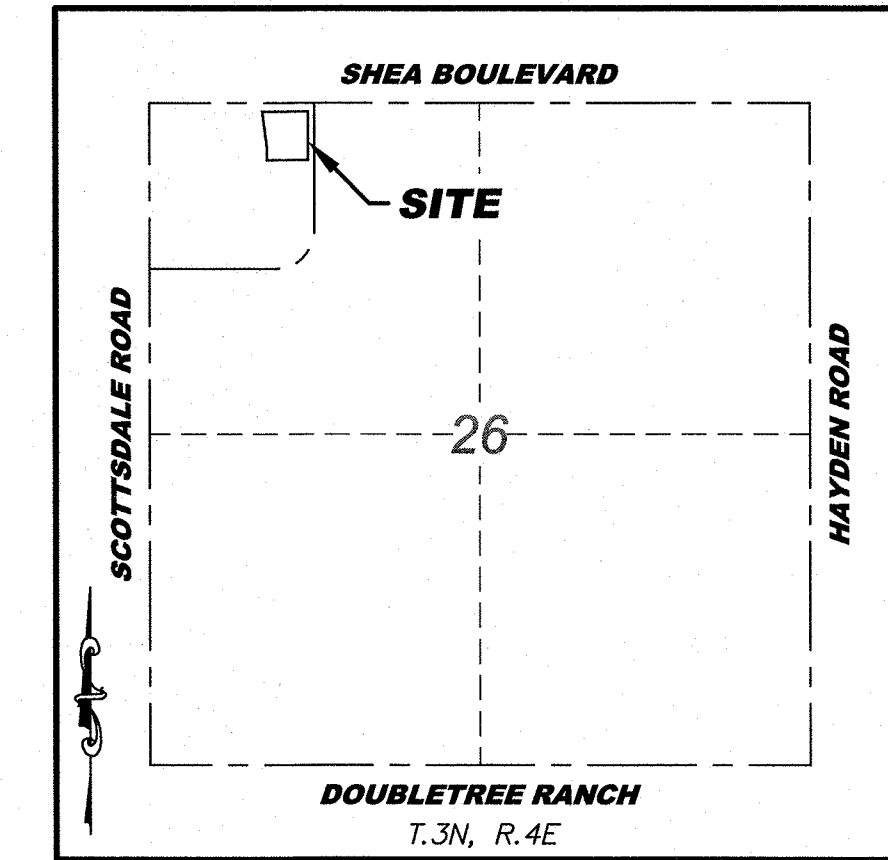
THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

**PARCEL NO. 1:**  
A PORTION OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 3 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 26;  
THENCE SOUTH 89 DEGREES 58 MINUTES 07 SECONDS EAST ALONG THE NORTH LINE OF SAID SECTION, A DISTANCE OF 908.81 FEET;  
THENCE SOUTH 00 DEGREES 01 MINUTES 53 SECONDS WEST, A DISTANCE OF 65.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SHEA BOULEVARD, MARKING THE POINT OF BEGINNING;  
THENCE SOUTH 89 DEGREES 58 MINUTES 07 SECONDS EAST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 349.62 FEET TO THE BEGINNING OF A CURVE WITH A RADIUS OF 12.00 FEET TO THE RIGHT;  
THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 89 DEGREES 46 MINUTES 45 SECONDS, FOR AN ARC DISTANCE OF 18.80 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF 74TH STREET;  
THENCE SOUTH 00 DEGREES 11 MINUTES 22 SECONDS EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 313.05 FEET;  
THENCE NORTH 89 DEGREES 58 MINUTES 07 SECONDS WEST, A DISTANCE OF 330.46 FEET;  
THENCE NORTH 00 DEGREES 05 MINUTES 41 SECONDS WEST, A DISTANCE OF 55.05 FEET TO THE BEGINNING OF A CURVE WITH A RADIUS OF 115.00 FEET TO THE LEFT;  
THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 08 DEGREES 20 MINUTES 12 SECONDS, FOR AN ARC DISTANCE OF 16.73 FEET;  
THENCE NORTH 08 DEGREES 25 MINUTES 53 SECONDS WEST, A DISTANCE OF 203.20 FEET TO THE BEGINNING OF A CURVE WITH A RADIUS OF 100.00 FEET TO THE RIGHT;  
THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 08 DEGREES 27 MINUTES 46 SECONDS, FOR AN ARC DISTANCE OF 14.77 FEET;  
THENCE NORTH 00 DEGREES 01 MINUTES 53 SECONDS EAST, A DISTANCE OF 37.57 FEET TO THE POINT OF BEGINNING.

**PARCEL NO. 2:**  
EASEMENTS, INCLUDING ACCESS EASEMENTS, UTILITY EASEMENTS AND OTHER EASEMENT RIGHTS OF WHICH INSURED IS THE BENEFICIARY, AS CONTAINED IN THAT CERTAIN DECLARATION OF RECIPROCAL EASEMENTS AND RESTRICTIONS RECORDED SEPTEMBER 7, 1994 IN DOCUMENT NO. 94-0664703, OF OFFICIAL RECORDS.

## SCHEDULE 'B' ITEMS

1. SECOND INSTALLMENT OF 2019 TAXES, A LIEN, PAYABLE ON OR BEFORE MARCH 1, 2020, AND DELINQUENT MAY 1, 2020.  
\*NOT A SURVEY MATTER.
2. TAXES FOR THE FULL YEAR OF 2020.  
(THE FIRST HALF IS DUE OCTOBER 1, 2020 AND IS DELINQUENT NOVEMBER 1, 2020. THE SECOND HALF IS DUE MARCH 1, 2021 AND IS DELINQUENT MAY 1, 2021.)  
\*NOT A SURVEY MATTER.
3. RESERVATIONS OR EXCEPTIONS IN PATENTS, OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF.  
\*APPLIES, BLANKET IN NATURE.
4. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "DECLARATION OF RECIPROCAL EASEMENTS AND RESTRICTIONS" RECORDED SEPTEMBER 07, 1994 AS 94-664703 OF OFFICIAL RECORDS.  
\*APPLIES, BLANKET IN NATURE.
5. ALL MATTERS AS SET FORTH IN PLAT OF DEDICATION OF PUBLIC RIGHT-OF-WAY SHEA-SCOTTSDALE, RECORDED AS BOOK 288 OF MAPS, PAGE 39.  
\*DOES NOT AFFECT, ABUTS THE SUBJECT PROPERTY.
6. ALL MATTERS AS SET FORTH IN MAP OF DEDICATION OF EASEMENTS FOR PAD "B" AT 74TH ST. AND SHEA BLVD.  
\*APPLIES, AS SHOWN.
7. AN EASEMENT FOR ROAD AND INCIDENTAL PURPOSES, RECORDED AS 83-137947 OF OFFICIAL RECORDS. A PORTION OF SAID EASEMENT WAS ABANDONED BY CITY OF SCOTTSDALE RESOLUTION NO. 2631 RECORDED NOVEMBER 27, 1985 AS 85-564848 OF OFFICIAL RECORDS.  
\*RIGHT OF WAY ABANDONED AND NOT SHOWN HEREON.
8. AN EASEMENT FOR ELECTRIC LINE AND INCIDENTAL PURPOSES, RECORDED AS 95-260248 OF OFFICIAL RECORDS AND THEREAFTER PARTIAL ABANDONMENT RECORDED AS 97-780242 OF OFFICIAL RECORDS.  
\*APPLIES, AS SHOWN. ABANDONED PORTION NOT SHOWN HEREON.
9. AN EASEMENT FOR ELECTRIC LINE AND INCIDENTAL PURPOSES, RECORDED AS 97-707335 OF OFFICIAL RECORDS.
10. TERMS AND PROVISIONS OF UNRECORDED BRANDING AGREEMENT (VALERO BRAND) DATED OCTOBER 23, 2006 AND OTHER AGREEMENTS RELATED THERETO ALL AS DISCLOSED BY DOCUMENT RECORDED SEPTEMBER 11, 2007 AS 2007-1007814 OF OFFICIAL RECORDS.  
\*APPLIES, AS SHOWN.
11. ALL MATTERS AS SET FORTH IN RECORD OF SURVEY, RECORDED AS BOOK 1135 OF MAPS, PAGE 17.  
\*APPLIES, BLANKET IN NATURE.
12. ANY FACTS, RIGHTS, INTERESTS OR CLAIMS THAT MAY EXIST OR ARISE BY REASON OF THE FOLLOWING MATTERS DISCLOSED BY AN ALTA/NSPS SURVEY MADE BY \_\_\_\_\_ ON \_\_\_\_\_ DESIGNATED JOB NUMBER \_\_\_\_\_:  
\*APPLIES, BLANKET IN NATURE.
13. THE RIGHTS OF PARTIES IN POSSESSION BY REASON OF ANY UNRECORDED LEASE OR LEASES OR MONTH TO MONTH TENANCIES AFFECTING ANY PORTION OF THE WITHIN DESCRIBED PROPERTY. NOTE: THIS MATTER WILL BE MORE FULLY SET FORTH OR DELETED UPON COMPLIANCE WITH THE APPLICABLE REQUIREMENT(S) SET FORTH HEREIN.  
\*APPLIES, BLANKET IN NATURE.
14. WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS.  
\*NOT A SURVEY MATTER.



**VICINITY MAP**  
N.T.S.

## AREA

SUBJECT PROPERTY CONTAINS 112,072 SQUARE FEET OR 2.573 ACRES, MORE OR LESS.

## BENCHMARK

FOUND 3" CITY OF SCOTTSDALE BRASS CAP IN HANDHOLE 160' EAST OF THE INTERSECTION OF SHEA BLVD AND MILLER ROAD. THE NORTH QUARTER CORNER OF SECTION 26

ELEVATION = 1355.13 (NAVD'88)

## ADDRESS

733 E. SHEA BOULEVARD  
SCOTTSDALE, AZ 85260

## PARKING

REGULAR 26  
HANDICAP 2

## BASIS OF BEARING

THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 26. SAID LINE BEARS SOUTH 89 DEGREES 35 MINUTES 53 SECONDS WEST.

## ZONING

ZONE: C-2 (CITY OF SCOTTSDALE)  
ZONING INFORMATION OBTAINED FROM MARICOPA COUNTY ASSESSORS WEBSITE.

\*PER 2016 ALTA MINIMUM STANDARD DETAIL REQUIREMENTS: CURRENT ZONING CLASSIFICATION, BUILDING SETBACK REQUIREMENTS AND HEIGHT AND FLOOR SPACE AREA RESTRICTIONS ARE TO BE PROVIDED TO THE SURVEYOR BY THE INSURER. THE CLASSIFICATION, REQUIREMENTS AND RESTRICTIONS HAVE NOT BEEN PROVIDED AT THE TIME OF THIS SURVEY. THE ZONING CLASSIFICATIONS SHOWN ARE FOR REFERENCE.

## FLOOD ZONE

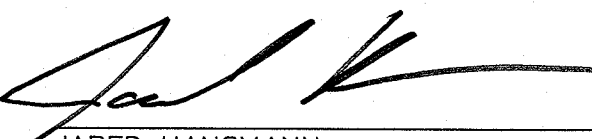
ACCORDING TO THE FLOOD INSURANCE RATE MAP #04013C1760L, DATED 10/16/2013, THIS PROPERTY IS LOCATED IN FLOOD ZONE "X" (SHADED). AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

## CERTIFICATION

TO: OLIVE TREE INVESTMENTS LLC, AN ARIZONA LIMITED LIABILITY COMPANY, FIRST AMERICAN TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(A), 7(A)(B1)(C), 8, 9, 11, 13, 16, 17, 18 AND 20 OF TABLE A THEREOF.

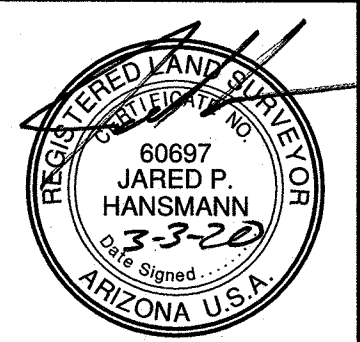
FIELD WORK WAS COMPLETED FEBRUARY, 2020

  
JARED HANSMANN  
22425 N. 16TH STREET, SUITE 1  
PHOENIX, ARIZONA 85024  
PHONE: 480-922-0780  
JAREDH@SIGSURVEYAZ.COM

3-3-20  
DATE

**SIG**  
22425 N. 16th ST., SUITE 1  
PHOENIX, ARIZONA 85024  
SURVEY INNOVATION PHONE (480) 922-0780  
GROUP, INC. FAX (480) 922-0781  
WWW.SIGSURVEYAZ.COM  
Land Surveying Services

**ALTA / NSPS LAND TITLE SURVEY  
7373 E. SHEA BOULEVARD  
SCOTTSDALE, ARIZONA**



REVISIONS:

△

△

△

DRAWING NAME:  
P5305 ALTA  
JOB NO. P5305  
DRAWN: JPH/JLD  
CHECKED: JPH  
DATE: 03/02/2020  
SCALE: N.T.S.  
SHEET: 1 OF 2



# Development Application



Development Application Type: Please check the appropriate box of the Type(s) of Application(s) you are requesting		
<b>Zoning</b>	<b>Development Review</b>	<b>Land Divisions</b>
<input checked="" type="checkbox"/> Rezoning (ZN)	<input type="checkbox"/> Development Review (Major) (DR)	<input type="checkbox"/> Subdivision (PP)
<input type="checkbox"/> In-fill Incentive (II)	<input type="checkbox"/> Development Review (Minor) (SA)	<input type="checkbox"/> Subdivision (Minor) (MD)
<input type="checkbox"/> Conditional Use Permit (UP)	<input type="checkbox"/> Wash Modification (WM)	<input type="checkbox"/> Land Assemblage
<input type="checkbox"/> Text Amendment (TA)	<input type="checkbox"/> Historic Property (HP)	<b>Other</b>
<input type="checkbox"/> Development Agreement (DA)	<b>Wireless Communication Facilities</b>	<input type="checkbox"/> Annexation/De-annexation (AN)
<b>Exceptions to the Zoning Ordinance</b>	<input type="checkbox"/> Small Wireless Facilities (SW)	<input type="checkbox"/> General Plan Amendment (GP)
<input type="checkbox"/> Minor Amendment (MN)	<input type="checkbox"/> Type 2 WCF DR Review Minor (SA)	<input type="checkbox"/> In-Lieu Parking (IP)
<input type="checkbox"/> Hardship Exemption (HE)	<b>Signs</b>	<input type="checkbox"/> Abandonment (AB)
<input type="checkbox"/> Variance/Accommodation/Appeal (BA)	<input type="checkbox"/> Master Sign Program (MS)	<b>Other Application Type Not Listed</b>
<input type="checkbox"/> Special Exception (SX)	<input type="checkbox"/> Community Sign District (MS)	<input type="checkbox"/> Other: _____

**Project Name:** Acoya Scottsdale at Shea

**Property's Address:** 7373 E Shea Blvd Scottsdale, AZ

**Property's Current Zoning District Designation:** C-2

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.

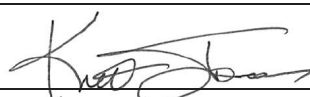
<b>Owner:</b> Maher Younan	<b>Agent/Applicant:</b> Kurt Jones
<b>Company:</b> Olive Tree Investments, LLC	<b>Company:</b> Tiffany & Bosco, P.A.
<b>Address:</b> 7373 E. Shea Blvd	<b>Address:</b> 2525 E. Camelback Road, 7th FL
<b>Phone:</b> _____ <b>Fax:</b> _____	<b>Phone:</b> (602) 452-2729 <b>Fax:</b> _____
<b>E-mail:</b> _____	<b>E-mail:</b> Kajones@tblaw.com
<b>Designer:</b> Scott Garvin	<b>Engineer:</b> Mike Jackson
<b>Company:</b> Ryan Companies	<b>Company:</b> IMEG
<b>Address:</b> 3900 E Camelback Road, Suite 100	<b>Address:</b> 1600 N Desert Drive, Suite 230
<b>Phone:</b> (602)322-6100 <b>Fax:</b> _____	<b>Phone:</b> (480) 951-0517 <b>Fax:</b> _____
<b>E-mail:</b> Scott.Garvin@RyanCompanies.com	<b>E-mail:</b> Mike.A.Jackson@imegcorp.com

**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 applications<sup>1</sup> will be reviewed in a format similar to the Enhanced Application Review methodology.

**Enhanced Application Review:** I hereby authorize the City of Scottsdale to review this application utilizing the Enhanced Application Review methodology.

**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
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<b>Official Use Only</b>	Submittal Date: _____	Development Application No.: _____
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## Planning and Development Services

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

**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 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 type="checkbox"/>

**Owner:** Maheer Younan  
**Company:** Olive Tree Investments, LLC  
**Address:** 7373 E. Shea Blvd Scottsdale, AZ 85260  
**Phone:** (602) 452-2729 **Fax:** \_\_\_\_\_  
**E-mail:** Kajones@tblaw.com

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): Kurt Jones Title: Senior Planner

 Date: 4/28/2020  
 Signature

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

**6-ZN-2020**  
**4/30/2020**