



Correspondence Between Staff and Applicant

Approval Letter

Denial Letter



Planning and Development Services Division

7447 East Indian School Road
Scottsdale, Arizona 85251

8/13/2020

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

RE: Determination of a Planning Commission hearing

Dear Mr. Jones:

Your Development Application 6-ZN-2020, Acoya Scottsdale at Shea (Ryan Redevelopment), is scheduled on the 9/23/2020 Planning Commission hearing agenda.

You may be required to make a presentation to the Planning Commission. If you choose to present your application to the Planning Commission utilizing a Power Point presentation, please submit the electronic file to your project coordinator by 1:00 p.m. on Monday 9/21/2020. Please limit your presentation to a maximum of 10 minutes.

A subsequent letter with your site post requirements will be sent shortly after the required text has been verified. Typically, this is approximately twenty-one (21) days before a hearing date.

The Planning and Development Services Division has had this application in review for 43 Staff Review Days.

Thank you,

Jeff Barnes
Senior Planner

Acoya Shea Senior Living
6-ZN-2020
Architecture comment response letter
08.12.2020
Prepared by Scott Garvin of Ryan Companies

Comment Response Letter

Item:

1. Narrative updated by Kurt Jones.
2. FDC is located on the west face of the building near the Fire riser room. Location has been verified with Scott Stanek. See sheet Z001.
3. Sidewalk was enlarged to meet the 8-foot requirement. See sheet Z001 and Landscape plans for specifics.
4. (2) Delivery areas have been identified onsite. #1, is located on the south west side of the building where the MC secondary entry was previously indicated. This delivery area is 15' wide by 65' long with a 15' truck loading area per DSPM Sec. 5-3.110. this area is serviced directly into the MC portion of the building as well as through the southeast entry door. #2, is located in the north parking lot and is the northeast most parking spot in the lot. this space is a 10'x18' striped delivery spot and was added in addition to the previous parking shown. This spot is not included as part of the overall parking count.
5. The sidewalk is shown as continuing through this area via dashed lines on sheet Z001 and is shown in further detail on sheet L01 as being decorative concrete to clearly indicate the continuance of the walk to pedestrians.
6. Cross access agreement case numbers have been added in a note on the lower right corner of sheet Z001.
7. P.E.P. CAD drawings have been emailed directly to Scott Stanek as outlined in P.E.P. guidelines letter provided by Scott Stanek.



7/29/2020

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

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

Dear Mr. Jones:

The Planning & Development Services Division has completed the review of the above referenced development application submitted on 7/6/2020. The following **2nd Review Comments** represent the review performed by our team, and is intended to provide you with guidance for compliance with city codes, policies, and guidelines related to this application.

Zoning Ordinance and Scottsdale Revise Code Significant Issues

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

Zoning:

1. Please update the narrative to remove the statement in the narrative that identifies: "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." This statement appears to be remnant from the former PUD request and would not be equally applicable to the C-O request.

Fire:

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

Significant Policy Related Issues

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

Site Design:

3. Please revise the plans to identify the construction of an 8-foot wide sidewalk on Shea Boulevard along the site frontage, separated from the back of curb, per DSPM Sec. 5-3.110. The plans currently identify the sidewalk at a 6-foot dimension.
4. Please identify and dimension an area on site for moving trucks and other large delivery vehicles, in conformance with DSPM Sec. 2-1.305.F.

Technical Corrections

The following technical ordinance or policy related corrections have been identified in the second 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:

Site Design:

5. Please revise the plans to show the continuation of the sidewalk across the service yard/delivery drop-off area.

Fire:

6. Cross-access easements will be required over all shared drive aisles.
7. Pre-emergency Planning (P.E.P.) Plan will need to be established with the Fire Department for this site. Please contact Scott Stanek in the Fire Plan Review group for more information on this plan.

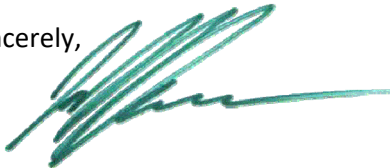
Please resubmit the revised application requirements and additional/supplemental information identified in Attachment A, Resubmittal Checklist, and a written summary response addressing the comments/corrections identified above as soon as possible for further review. The City will then review the revisions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

The Planning & Development Services Division has had this application in review for 43 Staff Review Days since the application was determined to have the minimal information to be reviewed.

These **2nd Review Comments** are valid for a period of 180 days from the date on this letter. The Zoning Administrator may consider an application withdrawn if a revised submittal has not been received within 180 days of the date of this letter (Section 1.305. of the Zoning Ordinance).

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

Sincerely,



Jeff Barnes
Senior Planner

ATTACHMENT A
Resubmittal Checklist

Case Number: **6-ZN-2020**

Please provide the following documents with the resubmittal:

COVER LETTER – Respond to all the issues identified in the first review comment letter.

Revised Narrative for Project

Site Plan:

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



6/4/2020

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

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

Dear Mr. Jones:

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

2001 General Plan Analysis

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

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

6-ZN-2020
7/6/2020

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

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

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

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

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

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

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

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

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

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

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

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

Zoning Ordinance and Scottsdale Revise Code Significant Issues

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

Zoning:

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

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

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

Circulation:

TIMA Comments:

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

Fire:

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

Drainage:

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

Water and Waste Water:

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

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

Engineering:

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

Significant Policy Related Issues

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

Zoning:

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

Circulation:

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

Fire:

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

Considerations

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

Circulation:

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

Citizen Involvement:

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

Technical Corrections

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

Circulation:

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

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

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

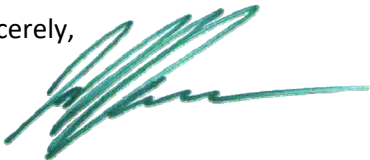
In an effort to get this General Plan Amendment and Zoning District Map Amendments request to a Development Review Board / Planning Commission hearing, please submit the revised material identified in Attachment A as soon as possible.

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

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

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

Sincerely,



Jeff Barnes
Senior Planner

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

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



7/3/2020

Jeff Barnes, Senior Planner
City of Scottsdale
7447 E Indian School Rd
Scottsdale, AZ 85251

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

Dear Mr. Barnes:

The following is our responses to Staff's first review comments regarding Acoya Scottsdale at Shea (Ryan Development) 2-GP-2020 & 6-ZN-2020

2001 General Plan Analysis

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

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

The subject site is designated as Commercial by the 2001 General Plan land use map and is in a proximal location (bounded by the 70th and 74th Street couplets) to other commercially designated land. The Commercial land use category generally includes areas designated for commercial centers providing goods and services frequently needed by the surrounding residential population, retail business, major single uses, such as shopping centers which serve community and regional needs. This category may also include other uses, like housing and office uses, to attain environmental and mobility goals. The Commercial land use designation accounts for only 1% of all land uses Citywide. As a result, the city has limited commercial development potential, thus maintaining this land use designation is important for

the economic vitality of the community. The C-O zoning category would allow for the same development outcome the applicant is looking for, without an amendment to the city's General Plan and while maintaining the same land use context to the other adjacent Commercial Land Uses.

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

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

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

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

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

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

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

1. With a resubmittal, please respond to all Goals and Policies of the General Plan with referenced numerical citations of the respective plan. The first submittal is lacking this information and by providing such, would make the narrative easier for a reader to reference. *In the response please remark how a change in the land use designation for the subject site, implemented by the requested zoning district, will further realize the stated goal/policy in a manner that will provide an equal or greater benefit to the surrounding neighborhood and community.

Response: The narrative has been updated to address this response.

2. The 2001 General Plan (Land Use Element Goal 5, bullets 1, 3, and 6, and Goal 8, bullet 2; Economic Vitality Element Goal 5, bullet 6; Neighborhoods Element Goal 4, bullet 7; and, Community Mobility Element Goals 10 and 11) place great importance on the pedestrian experience and connections within and between development sites. The implementation of such can enhance an area's sense of place, exemplifying a neighborhood's character. With the next submittal, please provide an updated Pedestrian Circulation Plan that illustrates connection to surrounding uses.

Response: The narrative has been updated to address this response.

3. Please respond to the 2001 General Plan, (Character and Design Element, Goal 1, bullets 3 and Land Use Goal 8 bullet 3) regarding how the proposed development plan will integrate within the Suburban Character Type.

Response: The narrative has been updated to address this response.

4. Please expand upon the response provided to the 2001 General Plan Land Use Element, Goal 3, bullets 1,3, 5 and 6 which encourage the transition of land uses from more intense regional and citywide activity areas to less intense activity areas within local neighborhoods. The response should identify how the requested change in land use category designation and zoning will equally or better implement the objectives of the General Plan than the Commercial land use designation does today.

Response: The narrative has been updated to address this response.

5. Please expand upon the response provided to the 2001 General Pan Land Use Element (Goal 5, bullets 3, 4 and 5) which encourages that land use patterns be developed compatible with, and in support of, a variety of mobility opportunities/choices and service provisions. The response should identify how the requested change in land use category designation and zoning will equally or better implement the objectives of the General Plan than the Commercial land use designation does currently.

Response: The narrative has been updated to address this response.

6. Please respond to Goal 3 bullets 1 through 5 of the Economic Vitality Element which encourages and supports a diversity of businesses that contribute to Scottsdale's sales and property tax base so that needed infrastructure, physical amenities, services, and the expansion of such services are provided.

Response: The narrative has been updated to address this response.

7. Please respond to Goal 7 bullet 5 of the Economic Viability Element which remarks that the city maintain the long-term economic well-being of the city and its citizens through redevelopment and revitalization efforts and particularly in enhancing the links between the physical and social relationships established by non-residential land uses and the surrounding residential neighborhoods.

Response: The narrative has been updated to address this response.

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

Response: Included with this submittal.



Zoning Ordinance and Scottsdale Revise Code Significant Issues

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

Zoning:

9. The project narrative proposes to utilize the PUD district Amended Development Standards Section 5.5003.B. to amend the required parking for this site. The PUD amended standards section specifies that it applies to the amendment of the PUD development standards outlined in Section 5.5005. However, the required parking for land uses is established by Section. 9.105 and Table 9.105.A, not Section 5.5005 so the parking requirement cannot be amended by the PUD district. Please revise the application materials and site layout accordingly.

Response: The project narrative has been revised to request a rezoning to the Commercial Office (C-O) zoning district. We have requested City Council approval of a parking reduction of greater than twenty (20) percent.

10. Please revise the plans to provide both the net and gross acreage in the site data information and resulting calculations. It appears that some of the calculations such as allowable unit count, which are relative to gross site area, were done based on net site area. Please verify these calculations with the resubmittal.

- a. Please verify the calculations for the breakdown and number of units for the proposed land use of a Residential Healthcare facility, as identified in Use Limitation #9 of Table 11.201.A of the Zoning Ordinance. Currently the proposed numbers appear to seek more units than are allowed per the gross site area available.

Response: After discussions with City staff on this issue, the plans have been revised to address this comment.

- b. Instead of the applying the most restrictive calculation of 40 units per gross acre, it may be beneficial to explore a proportional distribution of gross land area to each unit type proposed (specialized vs minimal) to result a more accurate calculation.

Response: After discussions with City staff on this issue, the plans have been revised to address this comment.

- c. These efforts may help with the C-O district zoning request option.

Response: So noted.

11. Please revise the site plan to include minimum and average building setback data to demonstrate compliance with the PUD building setbacks relative to adjacent street classifications, per Sec. 5.5005.E of the Zoning Ordinance.

- a. Please take into account that despite the internal breakdown of the building this use is being represented as Residential Healthcare and the setbacks should be applied based on "residential on the first floor" per the table.

Response: The request no longer includes the PUD zoning.



12. The parking spaces shown on the Site Plan provided do not appear to account for the difference in dimensions for standard and accessible spaces. Please ensure the appropriate dimensions per Sec. 9.105 and 9.106 of the Zoning Ordinance are accounted for with the proposed parking layout.

Response: The parking plan has been updated to address this comment.

13. To support the proposed PUD zoning and site configuration, with the resubmittal, please provide building envelope cross-sections in accordance with Sec. 5.5005.F to demonstrate step-back compliance relative to the required setbacks of Sec. 5.5005.E. Alternatively, please consider the C-O district rezoning option.

Response: The application has been modified to rezone to the C-O zoning district.

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

Response: The open space has been recalculated to address the footnote section of Table 11 in the zoning ord. and not the C-O open space standards.

Circulation:

TIMA Comments:

15. Shea Boulevard west of N. 74th Street is classified as urban, not suburban (until N. 70th Street). Please update the document accordingly.

Response: Report updated to show correct classification.

16. Regarding site access, please consider rewording the discussion of access points. Since the majority of the parking spaces are provided underground, consider calling the northwest driveway, if true, the visitor access or access to the visitor parking lot. Please indicate that the underground garage has access only to the southeast driveway, if true. Please indicate that the southwest driveway is a drop-off/pickup location that could fit 1-2 vehicles or a shuttle.

Response: Report updated to reflect driveway locations and uses.

17. The identified trip generation of lube/oil service portion of the site is overestimated, possibly influenced by using total building area when the building contains a combination of land uses. 147 trips during the PM peak hour suggests a turnround period per serviced vehicle of approximately 2 minutes per service bay. As LUC 941 has the most data for service bays during the PM peak hour, please use service bays as the independent variable. Please update the comparison information accordingly.

Response: Trip generation for existing land use updated.

18. Regarding the trip generation of the proposed redevelopment, please consider using the number of beds instead of square footage for the independent variable. Please update the comparison information accordingly.

Response: Trip generation for proposed land use updated.

19. Please include the collisions data for 3-years, for both N. 74th Street and at the intersection of N. 74th Street and E. Shea Boulevard.

Response: Report updated with collision data.



Fire:

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

Response: The plans have been updated to address this comment.

Drainage:

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

Response: A revised drainage report is included in this resubmittal.

Water and Waste Water:

22. Please submit revised Water and Waste Water Design Reports addressing the comments in the marked-up documents.

- a. Per DSPM 6-1.201, a fire hydrant flow test and residual pressure test is required in the Preliminary BOD Report.

Response: So noted.

- b. Per DSPM 6-1.402, water lines in commercial, multi-family, and industrial developments should be located within a 20-foot wide Water Facilities easement.

Response: So noted.

- c. Per DSPM 6-1.416, the connection of 2 or more meters in a manifold configuration is prohibited. Please revise accordingly.

Response: So noted.

- d. With the resubmittal, please identify the size and material of sewer service line on the plans.

Response: So noted.

Engineering:

23. In accordance with SRC 24-13, All waste shall be placed in suitable containers to facilitate waste removal in a sanitary condition. Please update the site plan accordingly.

- a. Per DSPM 2-1.309, 1 cubic yard of compacted trash is required per every 20 units. Please update the plans to identify the use of City standard detail number 2146-2, with grease containment area, for at least one of the refuse enclosures. Please update site plan accordingly to demonstrate the necessary volume can be accounted for.

Response: The design has been updated to include (1) 8 cubic yard trash compactor and container and (1) additional 8 cubic yard trash container. The design has also been updated to show the grease containment area.

24. In accordance with SRC 48-7, 47-10, and 49-219, all off-site transportation, stormwater, and water resources improvements along the project frontages shall be improved as required.

- a. Per DSPM 5-8.205, all non-ADA compliant pedestrian ramps abutting project will need to be reconstructed under the scope of this development project. Please revise the plans to identify this action and acknowledge that responsibility.

Response: All such ramps will be adjusted to meet current ADA standards. Ramps have been updated in the plans.



Significant Policy Related Issues

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

Zoning:

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

Response: The request has been modified to rezone to C-O.

Circulation:

26. In accordance with DSPM Sec. 5-3.110, please revise the plans to leave the existing 8-foot sidewalk at back of curb along 74th Street in place, as opposed to constructing a new 6-foot wide meandering sidewalk as shown on the site plan.

Response: Site plan has been adjusted to show this 8' sidewalk.

27. Please revise the plans to show and identify the construction of a 6-foot wide sidewalk along the western site frontage driveway, continuing the sidewalk across the service yard/delivery drop-off area, per DSPM 2-1.808.

Response: 6' sidewalk has been adjusted to continue across the drive with ramps per the DSPM.

28. The site driveway on the private access driveway should be shown to be consistent with the CL type driveways; with the sidewalk extending across the driveway, per DSPM 5-3.200 and 5-3.205. Please update the plans accordingly.

Response: Driveways have been updated and are reflected in both the Civil plan and the architectural site plan.

29. Please revise the plans to show and identify the dedication of a safety triangle at the Shea Boulevard and 74th Street intersection, per DSPM 5-3.123; Fig. 5-3.27.

Response: Safety triangles have been added to the site plan.

30. Please revise the plans to show and identify the dedication of a sight distance triangle at the Shea Boulevard and Private Access Drive intersection, per DSPM Sec. 5-3.123; Figs. 5-3.25 and 5-3.26.

Response: Safety triangles have been added to the site plan.

Fire:

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

Response: the turnaround has been adjusted to have no impedance by the parking spaces.

32. Please revise the plans to show and identify the location of the Fire Riser room, per DSPM 6- 1.504.

Response: Riser room is shown on sheet Z001 near the refuse enclosures.

Considerations

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

Circulation:

33. Consider orienting the primary building entrance to 74th Street to focus pedestrian traffic flow to the side-street first in an effort to direct the use of the intersection crossing points and discourage jaywalking attempts across Shea Boulevard for access to the restaurants and commercial shopping centers to the north of this site.

Response: The current orientation is the most efficient for layout, vehicle access and circulation. The design orientation will remain.

34. Please consider widening the private access drive along the driveway throat to provide more width for vehicles turning into the site and to try and eliminate the existing angle point.

Response: The driveway access has been updated to ease these turning angles.

Citizen Involvement:

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

Response: The proposed building is over 300 feet from the nearest single family home. The property does not abut any single family property. The building has general building setbacks along 74th Street. We will be prepared to address any concerns as this case moves forward.

Technical Corrections

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

Circulation:

36. Bicycle racks will need to be installed in two locations. Please revise the plans to provide 3 racks (6-spaces) near the front entrance and the remaining 4 racks (8-spaces) in the parking garage. Bicycle racks can blend with the architectural context of development, but are subject to the approval of the Transportation Department to ensure functionality of racks and dimension of placement prior to installation. The City of Scottsdale Standard Detail #2285 may also be used.

Response: Bicycle parking racks have been shown and adjusted per this comment.

37. Please revise the plans to show the existing/proposed sidewalk ramp at the southeast corner of the intersection of Shea Boulevard and the private access driveway.

Response: Ramp has been added to the plan.

38. Please provide more detail regarding the sidewalk connection from the building entry to Shea



Boulevard. As shown, it disappears into the drive aisle and porte-cochere area.

Response: This sidewalk is continuous, and the graphic has been adjusted for clarity.

39. In an effort to further discourage pedestrian mid-block crossings of Shea Boulevard to access the restaurants and retail businesses on the north side, please also revise the plans to show increased landscaping, or artwork, within the Shea Boulevard median.

Response: We propose adding landscaping to accommodate this. See Landscape Plans for layout design.

40. Please revise the plans to clarify if the delivery/drop-off area by the refuse is also intended to function as the loading/unloading zone for residents moving in or out of the building.

Response: Loading and unloading will now happen in the garage for small deliveries and at the southeast wing of the building. These two uses are no longer in conflict.

41. Please ensure adequate sight distance for vehicles leaving the parking garage is accounted for. The currently shown configuration of the landscape plans appears to create a "picket-fence" with alignment and placement of trees.

Response: Landscape has been adjusted to accommodate this need.

42. Please provide an updated shared access agreement with this proposal and the adjacent property owners.

Response: These shared access easements are a part of this resubmittal.

Please let us know if you have any questions regarding these responses or the accompanying revised plans and reports.

Sincerely,

Kurt Jones, AICP