



10/14/21

Michael Krause
2141 E Camelback Rd. Suite 200
Phoenix, AZ 85016

RE: **34-DR-2021**
4141 Scottsdale
2164B (Key Code)

The Planning & Development Services Division has completed the review of the above referenced development application submitted on 9/13/21. 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.

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:

Planning, Katie Posler and Brad Carr, 480 312 2703 and 480 312 7713:

1. **Please review the attached Downtown Ordinance and update your site plan and elevations to identify compliance with the development requirements, site requirements, building design requirements, and additional regulations. *(Code is provided for reference)***

The site plan and elevation worksheet should show required and provided setbacks from the curb, step backs, and recessing percentages and depth. Please revise the building elevations and provide elevation worksheets to identify compliance with the build size maximum, large walls, horizontal maximum, building envelope, and building lines. The elevations need to be revised to provide deeper "breaks" along large wall surfaces in horizontal and vertical dimension, see the ordinance requirements below.

F. Large wall surfaces shall be controlled in vertical dimension and horizontal dimension by the following:

1. *Horizontal dimension:* No wall surface shall be more than two hundred (200) feet long without a "break" (a break shall be an interruption of the building wall plane with either a recess or an offset measuring at least twenty (20) feet in depth, and one-quarter of the building in length. The offset angle constituting the "break" recess shall be between ninety (90) degrees and forty-five (45) degrees to the wall).
 2. *Vertical dimension:* A tall wall shall be set back an additional two (2) feet for every foot it measures in excess of thirty-eight (38) feet in vertical dimension. Such a wall shall constitute less than fifty (50) percent of the building's length as projected to any street or alley frontage. (Parallel vertical wall planes offset less than ten (10) feet shall be considered to be in the same plane).
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2. Please update the plan set (especially the site plan) to show property lines, all ROW widths, and required and provided setbacks in compliance with 71-ZN-1985 and the previous Downtown Overlay standards (*provided for reference*).
 3. Please update the site plan to list FAR allowed per 71-ZN-1985 and FAR proposed. Please update the Block Plan Summary table from 71-ZN-1985 (*provided for reference*) to account for the new gross building SF. Total of all phases cannot exceed 562,962 SF.
 4. Per case 71-ZN-1985 zoning stipulations, there should be public access between the subject building, eastern office building, and northern office building. This means that the courtyard area shall not be fenced or gated off. That defeats the purpose of public access through these areas. Please remove all fencing and gates from the plan set and bring back the pedestrian connections from the subject site to the adjacent parcels that exists today.
- 8. Direct continuous pedestrian circulation shall be provided from the plaza between the office buildings at Brown and Indian School to the intersection of Third Avenue and Buckboard Trail.**
5. Please update the site plan to remove the interior floor plan details and clearly show the outline of the existing building to remain and new addition for clarity.
 6. Please submit a revised Project Narrative that addresses the criteria set forth in Sec. 1.904 of the Zoning Ordinance.
 7. Please submit a revised Project Narrative and plan set that address the requirements of the PBD zoning. Properties within the PBD Overlay shall at a minimum, comply with the Cultural

Improvements Program requirements and comply with the International Green Construction Code.

For property rezoned to the **PBD** Overlay District before January 1, 2013, the property owner shall provide artwork, or pay an in-lieu fee, equal to at least one percent of the building valuation for the nonresidential floor area. For property rezoned to the **PBD** Overlay District before January 1, 2013, adding nonresidential floor area after December 31, 2012, the property owner shall provide artwork, or pay an in lieu fee, equal to at least one percent of the building valuation for the added nonresidential floor area. In lieu fees shall be paid into the Downtown Cultural Trust Fund.

8. Please note the public art location proposed will be a separate DRB application. Or do you have a decided art piece that has been approved by the Cultural Council?
9. Please revise the plans to include a 3' tall screen wall along North Scottsdale Road to screen the required parking spaces per code. There is currently a parking lot screen wall and if it is being removed it needs to be replaced.
10. In the Downtown Area, a landscape island shall be required between every ten (10) parking spaces. Please revise the plans accordingly on the ground level. Landscape islands need to be at least 7' wide and 120 square feet.
11. Please revise the open space plan to only count actual landscape areas with plants or trees towards the required parking lot landscaping. In addition, parking space overhangs (2') cannot count as provided parking lot landscaping.
12. Please update the parking requirements to list the required and provided ADA parking spaces per code. Per code, 4% of the provided parking must be ADA accessible spaces.
13. Please note that a Non-Motorized Public Access Easement will be required to cover any portion of the public sidewalk that is located on private property. (Zoning Ordinance, Sec. 1.204.)
14. Relocate the bicycle parking spaces so that they will comply with Zoning Ordinance Section 9.106.C.2., which requires the bike parking spaces to be located near a publicly accessible building entrance.

Significant Policy Related Issues

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

Planning, Katie Posler and Brad Carr, 480 312 2703 and 480 312 7713:

15. Please revise the project plans to ensure all public sidewalks along the site's Scottsdale Road and Indian School Road frontages are a minimum of ten (10) feet in width and separated from the curb where available. Please submit a pedestrian circulation plan that clearly shows the new required 10' sidewalks along each street frontage and their connections to 6' wide interior sidewalks on site.
16. Please revise the project plans to incorporate distinct elements of a Green Spot as identified by the Scottsdale Road Streetscape Design Guidelines, including seatwalls, shade structures, accent paving (lithocrete), patterned crosswalks, metal panels and other Elements of Distinction shown in the Guidelines. Please refer to Segment 2 of the Guidelines:
<https://www.scottsdaleaz.gov/Assets/ScottsdaleAZ/Construction/scottsdale-road-streetscape/SRDesign.pdf>

17. Please revise the hardscape, concrete, and pedestrian elements to have to have Earthtone red hues and smooth stucco finishes per the identified by the Scottsdale Road Streetscape Design Guidelines Segment 2:

Segment 2 – Downtown



Homestead

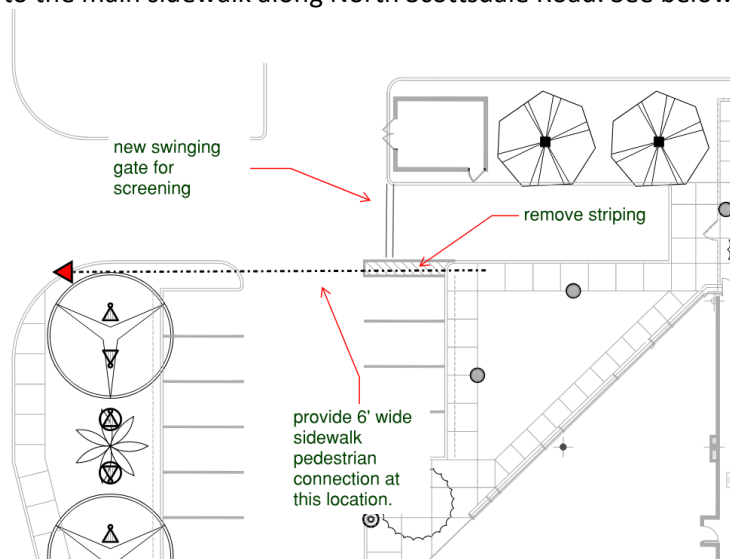


Earthtone Red



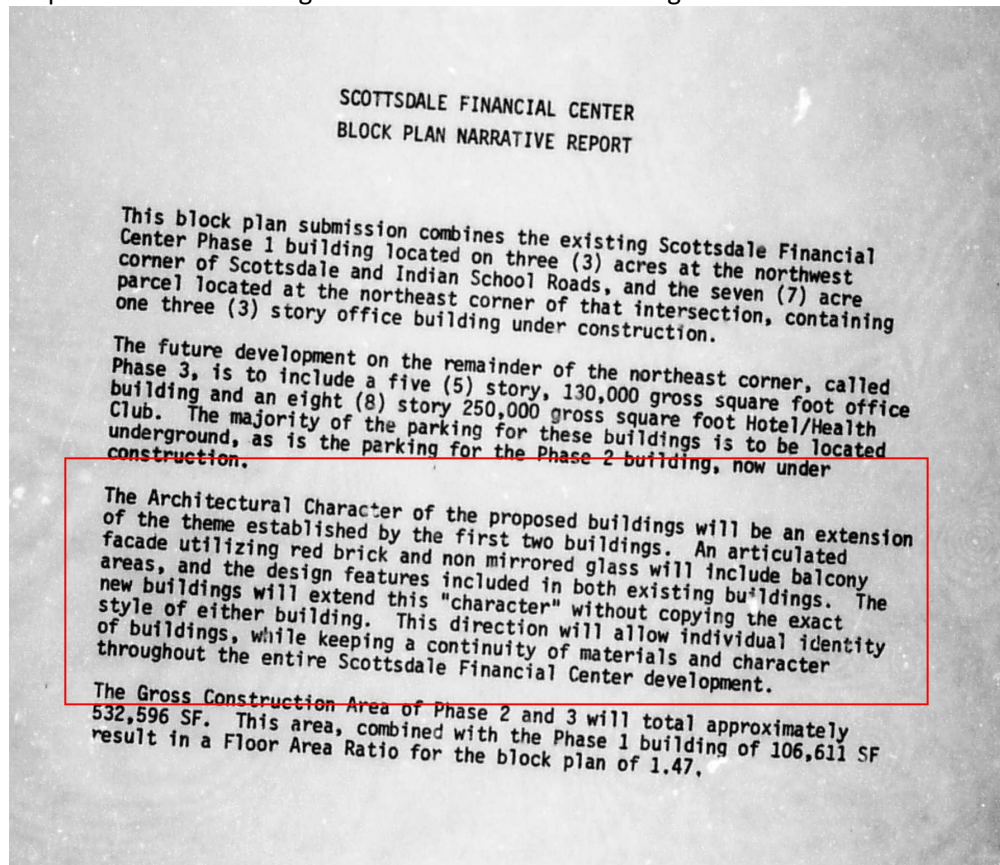
Smooth Stucco Finish

18. The OTUDAG promote the use of context-appropriate materials and textures in new development. The proposed pavers utilize a size, design, and colors that are out of context with the surrounding development. Please revise the proposed paver to be used to integrate the new improvements more-appropriately with the surrounding context.
19. Please revise the food truck location to be screened by a gate, remove the striping, provide ADA accessibility, and provide a 6' wide pedestrian sidewalk connection from the seating area to connect to the main sidewalk along North Scottsdale Road. See below:



20. Bicycle parking spaces and rack design shall be in conformance with City of Scottsdale Standard Detail No. 2285, unless otherwise approved in writing by the City of Scottsdale's Transportation Department. Please revise the site plan to provide the 'Required' and 'Provided' bike parking calculations and the bike rack locations in accordance with section 9.106.C.2.b of the Zoning Ordinance.
21. The proposed landscape and hardscape plans indicate the demolition of hardscape and landscape on the adjacent parcel located east of the site. Please provide documentation of approval from adjacent landowner for these changes as well as replacement trees for this area.
22. The proposed hardscape plans indicate the removal of two sets of existing stairs that connect the subject site to the existing site located to the east at the eastern courtyard area, with new improvements blocking those existing connection points. The Old Town Urban Design & Architectural Guidelines (OTUDAG) promote connectivity between sites/properties. Please revise the project plans to retain the existing pedestrian connection between the two sites.
23. The proposed landscape plans indicate the removal of the existing Sissoo along E. Indian School Road and Palo Verde trees along N. Scottsdale Road. The Sissoo tree and the Chinese Pistache tree are the theme trees for E. Indian School Road, while the Palo Verde tree is a designated theme tree in the Scottsdale Road Streetscape Design Guidelines. Please revise to indicate the use of a hybrid Palo Verde along N. Scottsdale Road and use of Sissoo trees along E. Indian School Road. The Chinese Pistache tree may be used for plantings along E. Indian School Road within 75 feet of the intersection. In addition, Mesquite trees may be used for the second row of trees along E. Indian School Road. If Mesquite trees will be utilized for the second row of trees, please revise the landscape plans to show the use of a seedless hybrid version of the mesquite tree.
24. Plants located along the N. Scottsdale Road frontage should be chosen from the Scottsdale Road Streetscape Design Guidelines acceptable plant list. Please revise the landscape plans accordingly.
25. The proposed project plans include the gating of the entire north and eastern sides of the project to restrict public access. The existing site has connectivity with adjacent properties, as encouraged within the OTUDAG. Please revise the project plans to maintain open connectivity with surrounding sites.
26. Please note that all species shall be selected solely from the Arizona Department of Water Resources Low Water Use / Drought Tolerant Plant List for the Phoenix Active Management Area Plant List. (P&DSD Policy)
27. In a Type 2 Area, mature trees shall be provided for uncovered sidewalks in accordance with the Downtown Urban Design and Architectural Guidelines.
28. Please update the architectural setting to incorporate red brick as found throughout the three other buildings at the intersection of North Scottsdale Road and East Indian School Road and

emphasized in the zoning case. See below for the zoning narrative:



29. Please provide section drawings of the proposed exterior shade devices. Please provide information that describes the shadow/shade that will be accomplished by the proposed shade devices, given the vertical dimensions of the wall opening. All shade devices should be designed so that the shade material has a density of 75%, or greater, in order to maximize the effectiveness of the shade devices. Please refer to Scottsdale Sensitive Design Principle 9. Please refer to the following internet link: <http://www.scottsdaleaz.gov/design/Shading>.
30. Please remove all lighting from the City's ROW and all on site lighting shall be shielded and directed downward, please remove all up lighting proposed.
31. Please provide a photometric analysis of the new site lighting that complies with Section E3 of the illuminance recommendations, [City of Scottsdale - Exterior and Site Lighting Design Guidelines \(scottsdaleaz.gov\)](http://www.scottsdaleaz.gov/design/Lighting).

Illuminance Recommendations

Ambient Light Level *	Recommended Maintained Footcandles (based on IESNA RP-20-98) (horizontal fc measured at grade)	
	Average	Maximum
E-1 – Intrinsically Dark Areas	1	4
E-2 – Estate/Rural Areas	1.5	6
E-3 – Suburban Areas	2	8
E-4 – Urban/Pedestrian Activity Areas	2.5	10

Light Trespass Limitations

Ambient Light Level *	Recommended Footcandles (IESNA RP-33-99) (vertical fc measured 6' above grade at property line)	
	Average	Maximum
E-1 – Intrinsically Dark Areas		0.1
E-2 – Estate/Rural Areas		0.3
E-3 – Suburban Areas		0.8
E-4 – Urban/Pedestrian Activity Areas		1.5

* Refer to [Design Standards and Policies Manual](#) for general Environmental Zone Locations (E-#). These locations are a guide, but are not conclusive and are subject to the approval of the [Development Review Board](#).

32. Please update the lighting cut sheets so that all fixtures are black or dark bronze and have a temperature of 3,000 K.
33. Please Indicate the locations of all building mounted lighting fixtures on the building elevation drawings. Please refer to the Plan & Report Requirements for Development Applications. (Zoning Ordinance, Sec. 1.305.A.)

Transportation, Phil Kercher, 480 312 7645:

34. Please maintain a minimum 10-foot wide concrete sidewalk along both of the Indian School and Scottsdale Road frontages. The concrete may be colored, but the use of concrete pavers shall only be placed beyond the required sidewalk width. DSPM Sec. 5-3.110
35. Please dedicate a 25-foot radius right-of-way at the intersection of Indian School Road and Scottsdale Road. DSPM Sec. 5-3.123. Please update all plans to account for the ROW dedication.
36. Please dedicate a safety triangle at the intersection of Indian School Road and Scottsdale Road. DSPM 5-3.123; Fig. 5-3.27
37. Bike racks shall conform to City Standard Detail #2285 or must be approved by Transportation Planning staff.

Engineering, Eliana Hayes, 480 312 2757:

38. DSPM 2-1.303: 24' minimum drive aisle width. Update site plan accordingly.
39. DSPM 2-1.309: Provide a refuse plan that identifies and provides for the following:
 - a. 1 refuse enclosure per 20,000SF of building space; per proposed project description, 8 refuse enclosures required. 8 refuse enclosures are to be provided or alternatively, a compactor following below requirements may be provided:
 - i. Type
 - ii. Capacity - State on site plan compactor capacity conversion equating to the city's required 1 enclosure per 20,000SF with no recycling or 2 enclosures for every 30 units with recycling. Although recycling is not a requirement, it has been determined to be an amenity city residents are looking for in this type of development. (1 cubic foot of compact waste generally equates to one refuse enclosure).
 - iii. Location

- iv. Place the refuse compactor container and approach pad so that the refuse truck route to and from the public street has a minimum unobstructed vertical clearance of thirteen (13) feet six (6) inches (fourteen 14 feet is recommended), and unobstructed minimum vertical clearance above the concrete approach slab and refuse compactor container storage area concrete slab of twenty-five (25) feet.
 - v. For horizontal compactors: Place the refuse compactor in a location that does not require the bin to be maneuvered or relocated from the bin's storage location to be loaded on to the refuse truck.
 - vi. Provide a compactor container approach area that has a minimum width of fourteen (14) feet and length of sixty (60) feet in front of the container.
 - vii. Demonstrate path of travel for refuse truck accommodates a minimum vehicle turning radius of 45', and vehicle length of 40'.
 - viii. Non-self contained compactors will require a grease interceptor with drain placed in compactor enclosure.
 - ix. Do not place the enclosure(s): At the end of a dead-end parking aisle.
- 40. DSPM 2-1.310: Update site plan with a 6' width accessible pedestrian route from the main entry of the development to Scottsdale Road.
 - 41. DSPM 5-3.101 + 5-3.110, Major Arterial, Scottsdale Road: Construction 10' sidewalk along project boundary, update site plan accordingly.
 - 42. DSPM 5-3.104 + 5-3.110, Major Collectors, Indian School Road: Construction an 10' minimum sidewalk along project boundary, update site plan accordingly.

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:

Planning, Katie Posler and Brad Carr, 480 312 2703 and 480 312 7713:

- 43. Please revise the grading & drainage plan to dimension sidewalk widths in locations of new sidewalks. (Zoning Ordinance, Sec. 1.305.A.)
- 44. The provided Material Sample Board indicates two different color panels that may be used on the building. Please revise the Material Sample Board to indicate the final color that will be chosen. (Zoning Ordinance, Sec. 1.305.A.)
- 45. Please revise the landscape and hardscape plans to dimension sidewalk widths in locations of new sidewalks, as well as landscape planter widths. (Zoning Ordinance, Sec. 1.305.A.)
- 46. Please remove proposed building signage from the elevations, standing canopy signs are not permitted in this zoning district.
- 47. Please understand that all work in the ROW (art, benches, canopies, etc) will require a Private Improvements in the ROW agreement that must be approved and supported by the Transportation department.

Transportation, Phil Kercher, 480 312 7645:

- 48. Please maintain the existing transit stop in its current location. Please do not construct a bus bay and relocate the transit stop as shown on the site plan.

49. Please construct a minimum 6-foot-wide sidewalk along at least one side of the northern site driveway on Scottsdale Road to allow pedestrians to enter the site without walking in the vehicular driveway.
50. Please provide documentation of an existing cross access easement at the parking lot connection to the parcel to the north or dedicate one with this site improvement.
51. Please clarify on the site plan whether the existing site driveways are to remain in place or be modified. The northern site driveway will need to be updated to the City standards for sidewalk ramps.

Drainage, Ghassan Aouad, 480 312 7055:

52. The drainage memo discussed an existing underground stormwater retention system. This system is not shown or called out on the grading and drainage plan. The basin should be shown, along with the typical dedicated drainage easements.

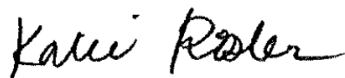
Please resubmit the revised application requirements and additional information identified in Attachment A, Resubmittal Checklist, and a written summary response addressing the comments/corrections identified above as soon as possible for further review. The City will then review the revisions to determine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

The Planning & Development Services Division has had this application in review for 27 Staff Review Days since the application was determined to be administratively complete.

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

If you have any questions, or need further assistance please contact me at 480-312-2703 or at kposler@ScottsdaleAZ.gov.

Sincerely,



Katie Posler
Senior Planner

ATTACHMENT A
Resubmittal Checklist

Case Number: 34-DR-2021

Key Code: 2164B

Please follow the plan and document submittal requirements below. **All files shall be uploaded in PDF format.** Provide one (1) full-size copy of each required plan document file. Application forms and other written documents or reports should be formatted to 8.5 x 11.

A digital submittal Key Code is required to upload your documents: **2164B**. Files should be uploaded **individually** and in **order** of how they are listed on this checklist.

Submit digitally at: <https://eservices.scottsdaleaz.gov/bldgresources/Cases/DigitalLogin>

Digital submittals shall include one copy of each identified below.

- ☒ COVER LETTER – Respond to all the issues identified in this 1st Review Comment Letter
- ☒ Revised Narrative for Project
- ☒ Site Plan
- ☒ G&D
- ☒ Open Space Plan
- ☒ Elevations (B&W and color)
- ☒ Elevation Worksheet
- ☒ Perspectives
- ☒ Landscape Plan
- ☒ Lighting Site Plan
- ☒ Photometric Analysis Plan
- ☒ Manufacturer Cut Sheets of All Proposed Lighting
- ☒ Floor Plans
- ☒ Drainage Memo