



## REZONING REQUEST

*a new swanky dining experience*

Case# 2-ZN-2023

1<sup>st</sup> Submittal: March 3, 2023

2<sup>nd</sup> Submittal: May 30, 2023

**Final Submittal: July 31, 2023**

## Project Team:

### WagsCapital

Aaron Wagner, Owner  
Kevin Monsey, Director of Dev & Const  
[kevin@wagscapital.com](mailto:kevin@wagscapital.com)  
509-981-6376



### Rose Law Group, pc

Court Rich, Attorney  
7144 E. Stetson Drive, Suite 300  
Scottsdale, AZ 85251  
Jennifer Hall, Sr. Project Manager  
[jhall@roselawgroup.com](mailto:jhall@roselawgroup.com)  
480-505-3938



### Cawley Architects

David Fulk  
730 N. 52<sup>nd</sup> Street, Suite 203  
Phoenix, AZ 85008  
602-393-5060  
[davidf@cawleyarchitects.com](mailto:davidf@cawleyarchitects.com)



### Davis Ink Ltd.

1661 Superior Avenue  
Costa Mesa, CA 92627  
Davis Krumins  
[davis@davisinkltd.com](mailto:davis@davisinkltd.com)  
(creative and unique interior design)



### Summit Land Management

Paul Basha, Traffic Engineer, PE, PTOE  
[pbasha@summitlandmgmt.com](mailto:pbasha@summitlandmgmt.com)  
480-330-6087



## ***Project Information***

Location:

- 7323 East Shoeman Lane (APN: 173-41-262)

Lot Net Area:

- **5,549 square feet (NEW LOT AREA)**

Existing Zoning:

- C-2/P-3 DO (Central Business with P-3 Downtown Overlay)

Proposed Zoning:

- (D)DMU-3/P-3

Surrounding Zoning:

- North: D/DMU-3 PBD DO
- South: D/RCO-2 PBD DO
- East: C-2/P-3 DO
- West: C-2/P-3 DO

## ***Project Overview***

This application is being submitted on behalf of Wags Capital (the “Owner” or “Wags”) to foster the redevelopment of a rundown building on the southwest corner of Shoeman Lane and Wells Fargo Avenue in the downtown Entertainment District.

Wags Capital purchased the property at 7323 E. Shoeman Lane (the “Site”) with the intention of renovating the Site that will bring a destination dining experience to the east side of Scottsdale Road. Wags is multi- faceted boutique Investment firm specializing in Real Estate, Food & Beverage and Private Equity. They value and prioritize relationships above all else and are in constant pursuit of strategic and meaningful business relationships. Their team is always looking for unique properties that are located within vibrant areas but in desperate need of redevelopment. They have an impeccable reputation which speaks volumes to their commitment to not only their guests but to their communities as well. They pride themselves on the creative design of their restaurants and the elevated dining experience provided to their guests. Wags operates a diverse mix of over 100 restaurants throughout the country and is excited to bring its latest concept to this prime location in downtown Scottsdale. Aaron Wagner, the founder of Wags, is a resident of Scottsdale and is excited to bring another creative dining concept to the city that he and his family call “home”. Some of their other eateries in Arizona, Utah and Nevada include Everbowl, Crumbl Cookies, Dirty Bird Chicken, Hello Sugar, Mas Por Favor, Electric Fish, and Morning After Brunch Club.

### ***About the Property***

As mentioned, the old bar will be transformed into a high-end dining experience to be known as **SWAGS, a new social eatery**. Important to note, this property can already be used as a restaurant, this change merely removes the design standard restrictions that inhibit post-modern design principles and bring the zoning up to date with the surrounding area. This Site is ideally located for the proposed use as it is within walking distance to the heart of the Old Town. Located within the city's Entertainment District and near the W Scottsdale Hotel, this one-of-a-kind dining experience will offer logistical convenience to guests frequenting the area in existing resorts as well as broaden restaurant experience for locals. This project provides a perfect transitional use for those looking to excite their dining experience without attending the full atmosphere of the many surrounding nightclubs/bars.

### ***SWAGS: The Experience***

The internal designs of the restaurant will be lush, Art Deco-Inspired details to give the restaurant a sense of depth and an insular feel from the background distractions of the surrounding area. Wags has engaged Davis Ink Ltd to provide creative genius that will make Swags stand out from all other restaurants in Old Town. Additionally, this new restaurant will also stand out as there are very few destination dining experiences in the immediate area; most of the surrounding properties are nightclubs/bars.

### ***Proposed Request***

This application will transform a dilapidated bar into a new and exciting upscale restaurant. This request is to simply update the zoning from the existing C-2 district with a P-3 District Overlay to (D)/DMU-3 with P-3 District Overlay. The Downtown District allows for flexibility in development standards to implement a high quality urban design. Utilizing this Downtown District will allow Wags to enhance the pedestrian oriented streetscape environment at this intersection through flexible building setbacks that fit into the existing character of the district. This Site will encourage pedestrian connectivity amongst the mix of uses while incorporating unique architecture and urban design that heightens the overall experience of Old Town Scottsdale as a premier destination.

This rezoning will not change the allowed uses of the property but will simply allow flexibility in the standards to permit the detailed artistic vision of the Owner. This will also align the Site with more updated zoning schemes provided by the City of Scottsdale. The property is located just west of Wells Fargo Avenue and south of Shoeman Lane within the heart of Scottsdale's Downtown Entertainment District.

The property was most recently operated as a bar and the proposed use as a destination restaurant is compatible with the surrounding mix of nightclubs, bars and high-end hospitality uses in the area. In fact, the proposed restaurant will be a fresh addition to this established Entertainment District.

### ***Amended Downtown (D) Development Standards***

#### Building Heights:

The Site is designated by the City as Development Type 3 which allows for maximum building height of 84 feet, inclusive of all roof top appurtenances, with Gross Floor Area Ratio (GFAR) of 1.3. However, the proposed building height for this project is less than 60ft (58 ft and 6 inches) which is far less than allowed in Type 3 development with a proposed GFAR of 0.72.

SWAGS is creatively designed as a two-story restaurant plus a rooftop terrace. This is a perfect location for this new dining experience as it is on a highly trafficked and extremely visible corner in the Entertainment District that backs to the 8-story Galleria parking garage and fronts a new 12 story mixed-use hotel.

#### Setbacks:

Section 5.3007 of the City's Zoning Ordinance allows for City Council to reduce the required setbacks by 10% or more for parcels less than 20,000 square feet of Gross Lot Area as long as the reduction complies with Downtown Plan and Old Town Urban Design and Architectural Guidelines. This application is requesting a deviation from the required 16 ft building setback to allow the new building to remain on the existing building location. This is a challenging infill parcel (**less than 6,000 sf**) and due to its location on a corner as well as its small size.

Required Setback = 16 feet from back of curb  
Existing building is at 13 feet from back of curb.

Proposed building to maintain existing building location to match the neighboring building and provide a consistent building façade along the street frontage. SWAGS is providing increased sidewalk widths to 10 ft which will offer pedestrians with safer and more comfortable passage. This is consistent with the Old Town Urban Design Guidelines, section 2.1.

#### Stepbacks:

Due to size of this parcel being less than 6,000 square feet, this request is asking for relief from the city's building stepback requirement as outlined in Section 5.3006.H of the Zoning Ordinance. Section 5.3007 provides the means to request this relief which has been granted to other small parcels in the Downtown District.

### Parking:

City of Scottsdale created the parking credit program for properties located in the downtown area known as the "P-3 District credits". This program provides each property with one parking credit for every 300 square feet of net property. SWAGS site is at total net 5,549 sf which yields 18.5 P-3 parking credits. This site currently uses P-3 parking credits and this application is simply asking City Council to approve the continued use of the P-3 District program.

Net Property size:  $5,549 \text{ sf} / 300 = 18.5$  P-3 District Parking Credits

According to Table 9.103.B in the City's Zoning Ordinance, restaurants in the downtown area require one parking space per 300 sf of gross floor area and one parking space per each 350 sf of outdoor patio area excluding the first 350 sf unless the space is located on publicly owned walkway or street then the first 500 sf is excluded.

Required Parking for the new restaurant:

$30.52 \text{ spaces} - 18.5 \text{ P-3 parking credits} = \mathbf{12.02 \text{ or } 12 \text{ spaces}}$

Available spaces on site = 8 spaces per property deed

In-lieu spaces being requested = 4 spaces

Under the current parking code the new restaurant will require 31 parking spaces. The Applicant is asking for the continued use of the property's 18 P-3 credits and there are 8 onsite spaces deeded to the site which leaves the need for 4 spaces. The Applicant is pursuing 4 (four) in-lieu parking spaces which can be administratively approved when 5 or less parking spaces are needed. Section 9.108 allows properties in the Downtown District to utilize the in-lieu parking program for lots smaller than 20,000sf in size. This project is asking for only 4 in-lieu spaces due to its restricted size (less than 6,000 sf).

Historically, this location has been operated as a bar and a fast casual restaurant (taco shop) in recent years. Both of these uses have a much higher turnover of clientele which creates more traffic and parking demand than a fine dining restaurant. In the past many years, the bar or fast casual restaurant has not created or experienced a parking demand concern.

This area of the city is known as the Entertainment District which consists of many offices open during the daytime and nightclubs and bars which open during the evening hours. There is a large amount of on-street parking available for both daytime and nighttime uses. We believe many future patrons will either be utilizing a trendy car service or will be walking from nearby hotels and apartment complexes. Others can utilize the on-street parking available and city lots

provided in the vicinity. Also of benefit to this particular site is a loading area on Wells Fargo Avenue, immediately south of Shoeman Lane. This loading area is adjacent to the easternmost travel lane, which is most distant from the Shoeman Lane approaching traffic. Therefore, this loading area is very conducive to valet parking should this service be desirable or necessary in the future.

Similar to other properties in the area, this property has historically complied with parking requirements through the P-3 zoning credits. This application is not changing the allowed uses on the site; it is simply updating the zoning category from outdated C-2 to Downtown Mixed Use to allow for sensible redevelopment of this parcel. City Staff strongly encourages the zoning transition in the Downtown District. This zoning transition will allow for a fine dining restaurant that does not currently exist in the Entertainment District. The primary market clientele for the new restaurant is residents from nearby apartments and condominiums, and visitors from nearby hotels. Many of the diners will be able to comfortably walk from their home or hotel, or utilize ride-share. The restaurant owners do not anticipate a high volume of cars requiring parking spaces. This Applicant is asking for the continued use of the parking credit program as granted to other nearby uses in the area.

Signage:

All signage will be in compliance with City of Scottsdale's Zoning Ordinance and will be approved through the proper departments.

***Compliance with Downtown Plan and Old Town Character Area Plan***

This rezoning request fully complies with the Downtown and Old Town Character Area Plan as it brings visitors/guests to the heart of Scottsdale and activates the area with pedestrians/patrons.

**Downtown Plan**

The site is located within the Downtown Infill Incentive District Boundary which was established by the city to "promote high quality new development, redevelopment, and infill development within the district through the use of flexible development standards." Wags Capital is tapping into the Downtown District in order to creatively redevelop this extremely small corner parcel. This application is requesting relief from overly restrictive building setbacks and stepbacks to allow for a beautifully designed high end restaurant. Relief from these development standards is justified by this project's compliance with the Old Town Urban Architectural Design Guidelines as outlined below. Additionally, this project is providing newly poured 10 ft sidewalks on both Shoeman Lane and Wells Fargo which is essentially the southern entrance to the Entertainment District. This

new restaurant will replace an older taco shop and bring a new use to this side of Scottsdale Road.

GOAL 1: ENCOURAGE INFILL DEVELOPMENT OF VACANT PARCELS AND THE REVITALIZATION AND/OR REDEVELOPMENT OF EXISTING BUILDINGS IN DOWNTOWN SCOTTSDALE.

**Objective 1.1** – The provisions of the Downtown Infill Incentive District for a development shall implement the goals, approaches, and policies of the General Plan and Downtown Plan related to infill development of vacant parcels and the revitalization of existing buildings and underutilized properties.

GOAL 2: Development shall be composed of complementary and supportive design relationships with the urban neighborhood in which the development is located.

There is an existing single story outdated building on the site that will be transformed into a spectacular new dining destination. The site is sandwiched between the 8-story Galleria parking garage and the downtown bars/nightclubs. This renovation will bring new life to this site and have supportive design relationships and architectural embellishments with the surrounding urban environment.

### **Old Town Character Area Plan Vision Statement**

**Vision Statement:** Comprised of its unique districts, Old Town Scottsdale is a dynamic city center which recognizes its western heritage while boldly looking to its metropolitan future.

Response: This site's desert-inspired urban exterior is the perfect transition within the western heritage of Old Town and the metropolitan future of the area. SWAGS visually complies with the surrounding color of the desert while providing a smooth transition between the entertainment uses to the north and the mix of residential, office, and retail uses to the south.

**Vision Statement Value 2:** Contextually sensitive high-quality planning, architecture, and urban design.

Response: The new building design is carefully crafted and thoughtfully paired with the location and clientele of Old Town and the Entertainment District. Wood beams will provide partitions throughout the interior, reinforcing the modern western feel of the Old Town area. This is furthered



by the extensive use of xeri-scape planting making the project compatible with the desert environment. The art-deco design with vibrant Hispanic flair is reflective of the Scottsdale community in both its past and present.

**Vision Statement Value 8:** Worldwide recognition as the premier downtown destination within the Desert Southwest.

Response: Wags Capital prides itself on creating unique and memorable dining experiences and has a proven track record across the country. Approval of this request will allow Wags Capital to create yet another premier dining experience in the Downtown area that will add to City's vision of worldwide recognition and will draw visitors and local residents alike.

## **Character Design Goals & Policies**

### **GOAL CD 1: STRENGTHEN AND ENHANCE OLD TOWN DISTRICT CHARACTER WITH CONTEXTUALLY COMPATIBLE DEVELOPMENT**

**Policy CD 1.1** – Incorporate the distinctive qualities and character of surrounding and/or evolving district context into building and site design.

Response: The new restaurant is designed to offer a high end dining experience that is currently lacking in the area. This establishment will be a great addition to the Entertainment District that keeps evolving with time.

**Policy CD 1.2** – Encourage public and private development to establish new urban design and architectural character in areas where downtown development patterns are fragmented or are in transition.

Response: Area surrounding the site is evolving and transitioning to more contemporary building design and character. The proposed design is compatible with the newer buildings as well as buildings currently under construction.

**Policy CD 1.5** – Maintain the pedestrian oriented small town character and human scale in the Downtown Core. Incorporate similar elements of pedestrian character and scale at the street level in all downtown districts.

Response: Entry to the building is a recessed alcove with low canopy creating an entrance that is at human scale. The ground floor has large glass doors that provide transparency between the interior and the sidewalks. Large operable glass doors on the patio blend the interior with

exterior creating an interesting and interactive environment at the street level and thus pulling patrons into the restaurant.

### GOAL CD 3: OLD TOWN DEVELOPMENT SHOULD RESPECT AND RESPOND TO THE UNIQUE CLIMATE AND CONTEXT OF THE SOUTHWESTERN SONORAN DESERT

**Policy CD 3.1** - Promote downtown urban and architectural design that is influenced by, and responds to, the character and climate of the Sonoran Desert.

**Policy CD 3.2** - Enhance outdoor pedestrian comfort through the creation of microclimates that incorporate a variety of shade, trees, and other drought tolerant landscape features to create passively cooler temperatures.

Response: Canopies over first floor openings and projections on the second floor provide shade to sidewalks and storefront. Light-weight screening on second floor on north and east facades provide much needed shade from the harsh Sonoran desert climate. Recessed alcove at the main entry to the building is provided to create a shaded entryway. Drought tolerant landscaping is proposed along wide 10 ft sidewalks.

### GOAL CD 4: CREATE A DYNAMIC AND CONNECTED WALKABLE DOWNTOWN THROUGH URBAN AND ARCHITECTURAL DESIGN.

**Policy 4.1** - Encourage urban and architectural design that is human scale and provides pedestrian comfort.

Response: Design elements like recessed alcove at entryway, canopies over walkways create an intimate pedestrian environment at a human scale.

### GOAL CD 6: CREATE SAFE, COMFORTABLE, AND INTERESTING STREET SPACES

**Policy CD 6.1** - Create a unified public realm experience through the design of downtown streets, building setback areas, and building frontages.

Response: Proposed building is aligned with edge of existing building to the west of the property to maintain a strong street edge. Continuation of sidewalks and the strong building edge create a unified public realm experience.

**Policy CD 6.3** - Streetscapes should provide continuity for the pedestrian across different developments along the same street. This continuity can be established through the provision of consistent landscape improvements, street tree themes, shade elements, decorative paving, street furniture, public art, and other integrated infrastructure elements.

Response: Continuation of sidewalks, linear landscaping and canopies along sidewalks provide continuity for a pedestrian experience.

**Policy CD 6.4** - Use development standards, related exceptions, and urban design guidelines regarding building location and setback to enhance the context, rhythm, and features of street space.

Response: Proposed building setback aligned with edge of existing building maintains the existing rhythm of the street space

**Policy CD 6.5** – develop walkable blocks by providing new streets, pedestrian paths, courtyards, pocket parks, and plazas that connect with other streets and public or common open spaces.

Response: Sidewalk connections across streets and driveways are to be brought up to current standards to enhance pedestrian experience.

**Policy CD 6.6** - Create, or maintain, a defined building location to establish the public realm with a clear visual identity, and activate storefront areas to increase pedestrian comfort.

Response: Large active storefronts create transparency between the inside and the outside thus providing pedestrian comfort.

**Policy CD 7.1** – Old Town Old Town open space and landscape elements should project a desert oasis character, providing an abundance of shade, color, varied textures and forms.

**Policy CD 7.2** - Landscape materials should complement the built environment, land uses, and other downtown activities. Careful selection of downtown plant materials should take into account attributes such as scale, density, placement, arrangement, and maintenance requirements.

Response: Linear and rhythmic landscaping provided along sidewalks. Low hedges along outdoor patio provide for soft fencing and majority of

landscaping proposed is drought tolerant keeping in mind the Sonoran desert character and maintenance requirements.

#### GOAL CD 8 : INTEGRALLY DESIGN LIGHTING INTO THE BUILT ENVIRONMENT

**Policy CD 8.1** - Achieve a balance between ambient light levels and designated lighting needs to ensure safe lighting levels while reducing light pollution and glare.

**Policy CD 8.3** - Use lighting to provide a safe and inviting nighttime environment for residents, businesses, visitors, and nighttime special events and activities.

Response: A balance of ambient lighting levels and designated lighting needs will be carefully considered to reduce light pollution but provide a safe and inviting nighttime environment on the street and around the building.

#### GOAL LU 4 ENCOURAGE PERIODIC REVIEW AND ASSESSMENT OF OLD TOWN REGULATIONS.

**Policy LU 4.3-** Periodically evaluate Downtown (D) and Planned Block Development (PBD) development standards to accommodate new contemporary building typologies, green building practices, and enhanced architectural aesthetics

Response: The concrete and copper rustic on the exterior of the building suits the environment in appearance and sustainable use. Concrete and metal exterior designs act as effective temperature insulators, lessening the energy consumption of the building. The upper floor being an open rooftop makes the building even more environmentally friendly, taking advantage of the desirable year-round weather in the valley to give a unique, decorative outdoor feel.

#### GOAL CD 9 IMPLEMENT HIGH QUALITY URBAN AND ARCHITECTURAL DESIGN IN OLD TOWN.

**Policy CD 9.2-** Incorporate the Scottsdale Sensitive Design Principles and the Old Town Urban Design and Architectural Guidelines in all development.

Response: This development is “sensitive to existing topography and landscaping,” causing almost no further disturbance to the footprint at ground level of the land and incorporating desert-friendly design and landscaping (Sensitive Design Principle #3). This additionally satisfies Sensitive Design Principle #9 as the outdoor-indoor concept has “interior spaces... extended into the outdoors both physically and visually.” This principle is also met by the chosen color scheme that is closely associated with the region (Sensitive Design Principle #9).

#### GOAL EV 1 SUPPORT OLD TOWN'S PROMINENT ECONOMIC ROLE AS A HUB FOR ARTS, CULTURE, RETAILING, DINING, ENTERTAINMENT, TOURISM, EVENTS, AND EMPLOYMENT.

**Policy EV 1.1-** Encourage land uses, activities, and special events that support downtown as a primary commercial, cultural and tourism destination, to maintain downtown's economic role in the community.

Due to this site not being on a major arterial, the rooftop concept is an ideal way to enhance the surrounding pedestrian experience and further the social appeal of the area. This will catch the attention of those passing by and attract them to pop in for a memorable meal and encourage them to stay in the area, increasing economic potential in the Downtown District.

**Policy EV 1.3-** Attract tourism-supporting land uses, activities and special events to reinforce Old Town as a robust tourism destination.

This use is tourism attracting because it provides both a unique dining and a luxurious entertainment experience that encourages further socialization and play within the surrounding area.

**Policy EV 1.5-** Appeal to residents, visitors, and workers by creating and delivering programs and services that support a high quality, year-round, successful mix of retail, dining, entertainment, emerging enterprises, and small businesses that contribute to Old Town's unique character.

Response: Swags is not only unique from other regions, it is also unique to Scottsdale's current dining portfolio, creating an appeal for visitors and year-round inhabitants. One of the most appealing traits about this site is its location on the east side of Scottsdale Road in the center of the Entertainment District. There are currently very few dining options in this area; thus, Swags is the perfect use in the perfect place.

## **Compliance with Old Town Urban Architectural Design Guidelines**

The extremely small size of this property makes it quite challenging to redevelop and the new property owner is asking for flexibility in Downtown (D) District development standards. Justification for minor deviations from setback and stepback standards can be found in the creative design elements of this fine dining restaurant.

### **BUILDING DESIGN**

#### **12. Building Mass, Form & Scale**

##### **12.1 Provide compatible transition in building scale, height, and mass.**

Response: The proposed site is surrounded by buildings of varying heights. Directly south of the new building is a 84 foot concrete parking garage and to the north of the site across Shoeman Lane is an under-construction 135 ft tall 12 story hotel building. Adjacent building to the west of the site is a 17 ft single-story pizzeria and to the east of the building, across Wells Fargo Ave., is a single-story business with 5 story apartment building.. The new SWAGS restaurant is proposed with a maximum height of 58 ft and 6 inches which provides a smooth and compatible transition in terms of scale, height and mass between the adjacent single story building, 8 story parking garage and 12 story hotel within the immediate vicinity.

##### **13. Reduce apparent building size and mass.**

**13.1 Reducing apparent size and mass of buildings through architectural design that subdivides the building into horizontal components consisting of a base, middle, and top is preferred.**

**13.2 Incorporate setbacks and stepbacks into building design to reduce their visual impact.**

**13.3 Subdivide large building mass through the addition of architectural features and material articulation.**

**13.4 Avoid long or continuous blank wall planes and monotonous wall treatments. Incorporate projections, recesses, or other architectural variation into wall planes to provide strong shadows and visual interest and help the eye divide the building into smaller parts.**

Response: The proposed building has been divided into three horizontal components - base, middle and top. Use of a variety of materials and massing

clearly divides the building into these three components. The base is defined predominantly by the stone veneer cladding giving the visual sense of a strong and solid building base. The entry to the building is setback to form a welcoming alcove space and to define the entryway. The middle portion of the building projects out along the north facade to bring in relief from a flat plain facade and also provides shade to the sidewalks. The use of a light-weight material as facade screen on both north and east sides of the building is in contrast to the solid base. This brings about more transparency and a play of light and shadow thus breaking away from a monotonous facade and creating interest. The screen on the facade in addition provides shade from the harsh Sonoran desert climate. The top component of the building is the rooftop terrace that pushes the building plane further back thus breaking the building mass. Steel column and beam framework on the rooftop terrace with retractable coverings appears visually lighter than the other sections of the building. The slim corner mass of the building on the northwest and southeast corners visually appear as anchor points of the building. Material articulation, projections and recesses bring about the desired interest in the building by breaking the building mass into smaller parts, avoiding long blank wall planes and monotonous wall treatments, thus creating visual interest.

## **17. Design buildings that are inviting. Building design should be to human scale and add interest to pedestrian experience.**

### **17.1 Activate the ground floor of buildings to provide interest and a safer pedestrian environment.**

Response: The ground floor of the new building has large operable glass doors that provide transparency between the inside and the sidewalks. Large operable glass doors at the outdoor patio dining blend the inside with the outside creating an interactive environment and thus provide interest to the pedestrian environment.

### **17.2 Provide a clearly defined public entrance to the building façade that reflects the existing scale of surrounding building entrances.**

Response: Entry to the building is recessed in to form a welcoming alcove space and to clearly define public entrance to the building façade and create cover/shade for patrons.

### **17.3 Orient the main entrance of a building toward the street.**

Response: Main entrance of the building is oriented towards the street closer to the intersection of Shoeman Lane and Wells Fargo Avenue.

## HUMAN CONNECTIVITY

### **2. Maintain a consistent street edge and continuity of street-spaces.**

***A strong street edge defines and strengthens the pedestrian experience in an urban space.***

#### **2.1 Align new buildings with existing buildings, and minimize the space between buildings to define a continuous building-street edge.**

Response: To maintain a strong street edge, proposed building is aligned with edge of existing building to the west of the property.

#### **2.2 Locate the majority of building frontage to a common setback line and parallel to the street. Variations to the building setback that support the pedestrian experience may be considered.**

Response: The setback of new restaurant building matches the existing setback of the adjacent building in order to maintain majority of building frontage to a common setback line.

#### **2.5 Locate linear and rhythmic landscape planting at the street edge, and at site features such as intersections, entry drives, sidewalks, and courtyards.**

Response: Linear and rhythmic landscaping provided along newly poured 10 ft sidewalks on Shoeman Lane and Wells Fargo Avenue.

#### **2.6 Locate outdoor dining where it will not impede public right-of-way, pedestrian clear widths, landscape areas, and other locations needed for safety and mobility.**

Response: Outdoor dining is located where existing patio along Wells Fargo Avenue and does not impede the newly poured 10 ft sidewalk. The patio will allow for safe pedestrian public access while sparking interest in the new fine dining establishment.

#### **2.7 Design outdoor dining improvements to maintain the openness of the adjacent street or open space by utilizing permanent fencing that is low and predominantly transparent. Specifically, these low walls/fences are to be a maximum of 3 feet in height and be 80% transparent.**

Response: Low hedge is proposed as soft fencing around the outdoor patio to maintain openness to the adjacent street and provide linear & rhythmic landscaping along the adjacent 10 ft sidewalk.



**Figure 2: Building Setback Zone – Encouraged Practices that support pedestrian environment and streetscape continuity.**

(3) Buildings are parallel to street, observe a common setback, and are closely spaced forming a continuous building edge and defined street space.

Response: The new restaurant is located at the same setback as the existing adjacent buildings thus observing a common setback that is parallel to the street, Shoeman Lane. Keeping the new building at this common setback creates continuous building edge and a defined street space as suggested by the city's Old Town Guidelines.

**Figure 3: Building Setback Zone – Setback/Stepback Exceptions**

Response: Several design features of the new restaurant are permitted as exceptions to the setback/stepback requirement. The new building offers a stairwell on the southeast corner of the building, balcony projections along Shoeman Lane and outdoor patio dining, rooftop terrace and canopies over the building entry and patio areas. All of these design features create interesting visuals that contribute to the overall pedestrian experience of passersby.

**Figures 6: Outdoor/Patio Dining within the Building setback zone**

Response: The outdoor patio is being located in the same location as the existing patio so it will not interfere with safe pedestrian passage. Additionally, the sidewalks along Shoeman Lane and Wells Fargo Avenue are being enlarge to 10 feet along both street frontages. Finally, a low hedge will provide soft fencing and greenery around the outdoor dining area.

**SITE AND SURROUNDING CONTEXT**

**8. Design new development to be compatible and complementary to existing development.**

**8.1 Establish new urban design and architectural character where downtown development patterns are fragmented or evolving.**

Response: Contemporary design of the new restaurant is in tune with the evolving character of the area brought about by design styles of new developments in immediate vicinity.

## **Conclusion**

As mentioned, this application is to simply update the existing zoning of C-2 to Downtown Mixed Use to allow for creative redesign of a mature single story building in the Entertainment District. Approving this application will allow for a unique new restaurant experience and supports the City of Scottsdale's desire to create a vital, viable and desirable entertainment setting that diversifies the experiences offered in the area and brings aesthetic appeal to both those attending the restaurant and walking by. Additionally, this request will provide locals and visitors alike with a unique dining option in the heart of Scottsdale within walking distance to great hotels, shops, art galleries, old west museums, nightclubs, and much more. The site is located near the W Hotel as well as Aloft Scottsdale and Best Western Plus Hotels and many new residences that do not have many dining options, let alone high-end restaurants, on this side of Scottsdale Road.

As outlined in this narrative, this is an extremely challenging site located on an already heavily populated corner in the Entertainment District. The building is creatively designed to be visually stimulating and peaking the interest of passersby. This creative design is compatible with many of the Old Town Urban Architectural Design Guidelines which provides justification for the requested flexibility in the Downtown development standards. Approval of this application will bring a new trendy dining experience to the east side of Scottsdale Road which is currently not offered.