



7/26/24

Whitney Goodwin
7257 E Del Acero Dr
Scottsdale, AZ 85258

RE: **2-TA-2024**

Downtown District - Downtown Core Use Regulations Text Amendment
6N623 (Key Code)

Hi Whitney,

Planning & Development Services has completed review of the above referenced development application. The following comments represent issues or deficiencies identified by the review team and are intended to provide you with guidance for compliance with city codes, policies, and guidelines.

Significant Zoning Ordinance or Scottsdale Revise Code Issues

The following code and ordinance related issues have been identified and must be addressed with the resubmittal. Addressing these items is critical to determining the application for public hearing and may affect staff's recommendation. Please address the following:

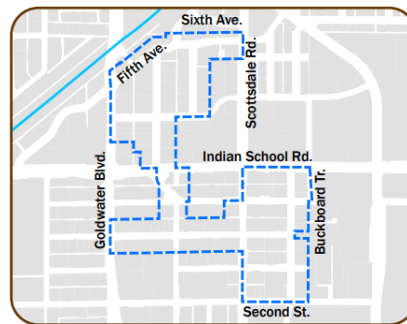
Long Range, Ben Moriarity, 480-312-2636, bmoriarity@scottsdaleaz.gov

1. The proposed text amendment would affect all the properties within the Downtown Core. The narrative provides a site-specific justification. The Old Town Character Area Plan (OTCAP) Policy LU 2.1 describes the area as having uses such as specialty retail and a regional tourist destination. Please amend the narrative to further describe how this new use fits within the Downtown Core and the character described within the OTCAP.

- **Policy LU 2.1**

Encourage new development, redevelopment, and infill projects to enhance the *Downtown Core* as a specialty retail and regional tourist destination. The Downtown Core is comprised of the lowest intensity of development (Type 1). The small lot development pattern and active ground level land uses in the Downtown Core are some of the primary elements that give Old Town its most identifiable character.

New development and redevelopment should transition in scale, height, and intensity away from the Downtown Core (Type 1).



Downtown Core Map

2. Within the narrative it is described “If our proposed text amendment is not granted, we ask that a conditional use permit or administrative exception be granted for our use as a fitness studio under 3,000 square feet at 7045 E 3rd Avenue.” There is not currently an option within the Zoning Ordinance for a conditional use permit or administrative exception for this use within the Downtown Core sub-district.

To incorporate limitations on fitness studio size, please add limitations on uses notes to include;

- a) The size of health and fitness studios within the Downtown Core shall be limited to 3,000 square feet, and
- b) All health and fitness activities shall take place within the building.

Please revise the narrative and draft text accordingly.

3. The proposed use of Health and Fitness Studio is required to provide parking per Zoning Ordinance Table 9.103.B. The narrative describes peak use of the studio at approximately 24 people per class. The demand for parking would appear to exceed the Ordinance required parking. In addition to the street parking along N. Marshall Way and E. 3rd Ave and throughout the Downtown Core, please describe within a revised narrative how public parking lots and garages might be utilized for peak hours.

Current Planning, Katie Posler, 480-312-2703, kposler@scottsdaleaz.gov and Brad Carr, 480-312-7713, bcarr@scottsdaleaz.gov

4. Please update the draft code language to reflect the comments above. Staff will provide the template to use since the Downtown Ordinance has been updated and the version available over Municode is now outdated.
5. Please revise the narrative to remove mention of the Conditional Use Permit process since instead there will be land use limitations.
6. Land assemblage is in process under PC 2198-24. The final plat must be recorded prior to any interior tenant improvement work or permits.
7. Please confirm the square footage of the proposed suite area and entire building with a submitted floor plan or other documentation. Our records indicate the subject suite may be 2,994 SF and total building is 9,934 SF. The reason why staff wants to confirm this item is because with the text amendment, the health and fitness studios would be limited to 3,000 SF, and staff wants to verify that the proposed suite area meets that criteria so future tenant improvement plan reviews and permits are in compliance.
8. According to staff’s calculations of the parking required, which downtown areas receive some relief from, the amount of parking missing is approximately four (4) parking spaces. These parking spaces can be acquired via a remote parking agreement or in-lieu parking. Five (5) or less in-lieu parking spaces can be reviewed administratively, and more than 5 requires City Council approval. The missing parking spaces will need to be acquired prior to permit issuance for the future tenant space. Staff can provide an in-lieu parking checklist for the applicant to begin that process.
9. Are any building expansions proposed in the future? Staff asks because it appears the existing building is nonconforming to setbacks and so could not be expanded or enlarged in the future and wanted to make the applicant aware of that.

Please submit the revised application requirements and supplemental information identified in Attachment A. Once reviewed, staff will determine if the application is ready to be determined for a hearing, or if additional information is needed.

The Zoning Administrator may consider an application withdrawn if a resubmittal 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, contact case reviewer identified below.

Regards,
Katie Posler
Senior Planner

ATTACHMENT A
Resubmittal Checklist

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

All files shall be uploaded in PDF format. Application forms and other written documents or reports should be formatted to 8.5 x 11, and plans should be formatted to 11 X 17.

- Comment Response Letter – Provide responses to the issues identified in this letter
- Draft Code Language
- Floor Plan