



Michele Hammond
John Berry / Michele Hammond
6750 E. Camelback Road Suite 100
Scottsdale, AZ 85251

RE: **18-ZN-2022**
Magnolia on Osborn
6P130 (Key Code)

Michele Hammond,

Planning & Development Services has completed review of the above referenced development application submitted on 1/27/2023. 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:

Planning (General Plan 2035 / Old Town Scottsdale Character Area Plan): Ben Moriarity, 480-312-2636, bmoriarity@scottsdaleaz.gov

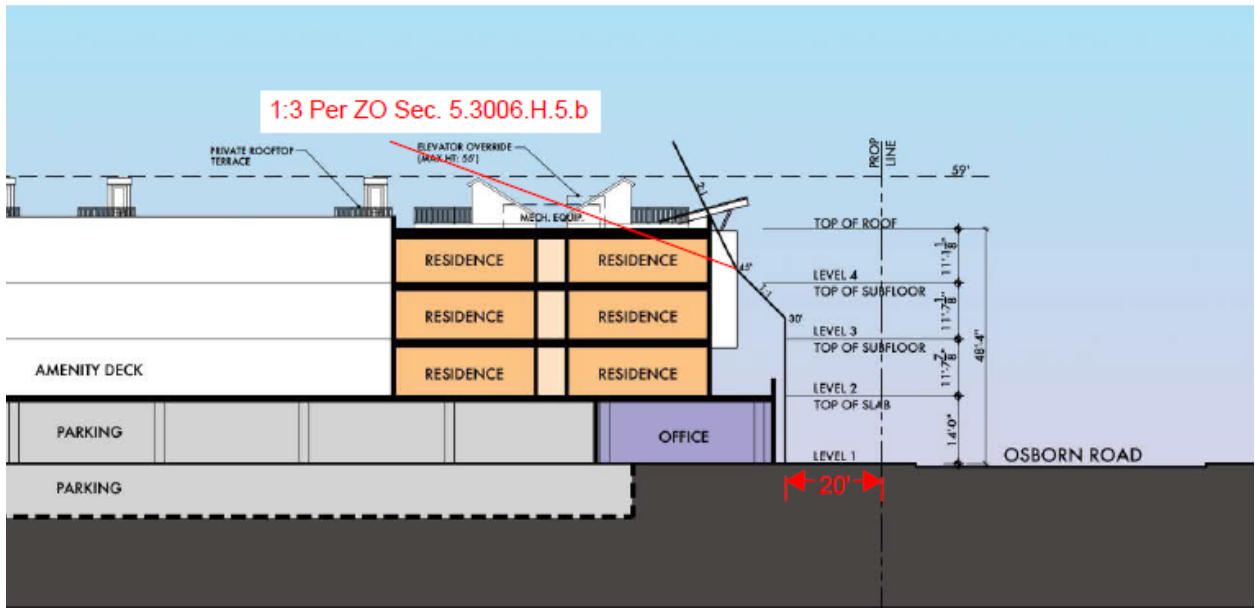
1. As the applicant team may know, City Council is in the process of reviewing and possibly updating the Old Town Scottsdale Character Area Plan and related downtown sections of the Zoning Ordinance. Proposed amendments to such are reflected in the legislative draft documents and can be reviewed online at:

<https://www.scottsdaleaz.gov/planning-development/long-range-planning/character-area-plans/old-town-character/updates>

At this time, proposed Zoning Ordinance amendments would not affect the subject property's development standards. However, any future resubmittal that is submitted after City Council takes action on the Plan and Ordinance will need to respond to any updates to the plan.

2. The General Plan 2035 (Policy CD 1.4) and the Old Town Scottsdale Character Area Plan (OTSCAP Goal CD 2) call for development that should sensitively transition in scale, height, and intensity at the Old Town boundary. The proposed development does not appear to comply with this requirement. With your next submittal, please revise the southern

stepbacks along the Old Town Boundary in accordance with Sec. 5.3006.H.5.b of the Zoning Ordinance. See the highlighted area below:



3. The General Plan 2035 Future Land Use map designates Old Town as Mixed-Use Neighborhoods, and further the Old Town Scottsdale Character Area Plan (Policy LU 1.1) expects higher density housing combined with complementary office and retail uses, in vertical mixed-use structures, with a focus on pedestrian-scale architectural design at the ground level. Additionally, the Old Town Scottsdale Urban Design & Architectural Guidelines, Supporting Guideline 15.4, expects projects that include podium parking to incorporate active commercial or residential space, human-scaled elements, and design features at the ground floor. Please revise the narrative to elaborate on the proposal for 5,000 sq ft of non-residential space and how it will activate the ground floor and implement pedestrian-scale architectural design for both the Osborn Rd. and 6th Ave frontages.
4. The City of Scottsdale General Plan 2035 Character & Design Element categorizes the property as Urban Character Type (Character Types Map, page 40), and classified as Urban Streetscape (Policy CD 4.1, Streetscapes Map, page 42), where pedestrian orientation, comfort, and safety is encouraged within the public realm. Similarly, the Circulation Element discusses the importance of providing for pedestrian safety and comfort (Policy C 8.1). Further, the Old Town Scottsdale Character Area Plan also encourages pedestrian connectivity and comfort (Goal CD 4). Finally, the General Plan 2035 Character & Design Element (Policy CD 4.1, Bullet 1) as well as the Old Town Character Area Plan Character & Design Chapter (Policy CD 4.2) discuss the importance of shaded walkways throughout Old Town. In particular, the Old Town Scottsdale Urban Design & Architectural Guidelines (UDAG) provide recommendations specific to covered walkways on Figure 23 (page 50). The first submittal appears to include cantilevered shade elements along the Osborn Road frontage; however, the development plan notes that sidewalks will remain back of curb. Consequently, with a resubmittal please update the graphic package to confirm a new, 8-foot-wide sidewalk along Osborn Road, separated from back of curb by at least 4-feet of landscape area (DSPM Sec. 5-3.110A and B).

5. Landscaped areas between the pedestrian and roadway should include canopy trees to ensure a shaded pedestrian environment. General Plan 2035 (Goal CD 4) and the Old Town Scottsdale Character Area Plan (Policy CD 6.3) both encourage streetscapes that provide continuity for the pedestrian across different developments along the same street. Please consider salvaging the mature Palo Verde trees on the property frontages to use within the proposed streetscape, and further, provide a plant palette and spacing along Osborn Road frontage to match and coordinate such established by Ten Lofts on Osborn, east of the subject site (72-DR-2004). Tree palette should include the Weeping Wattle, Palo Brea, and Mexican Fan Palm.
6. If further outreach has been conducted since the original submittal, and as a response to Goal 1 of the Community Involvement Element, please provide an updated Citizen Involvement Report that describes the key issues that have been identified through the public involvement process.

Planning (Zoning): Bryan Cluff 480-312-2258, Bcluff@scottsdaleaz.gov

7. The Old Town Character Area Plan identifies the Downtown Boundary along E. Osborn Road, abutting the subject site. In accordance with Zoning Ordinance Section 5.3006.H.5.b. please revise the building massing along this southern edge to comply with the required building setbacks where the Downtown Boundary abuts a public street.
8. Please provide east/west site cross sections showing the building setback and setbacks along the east and west sides of the building. Please note that the east and west building facades must comply with the building setback requirements identified in Zoning Ordinance Section 5.3006.H.3.
9. The submitted site cross sections identify building encroachments within the required building setback areas. Please provide additional plans and update the building and site design as necessary to demonstrate that the proposed encroachments comply with the allowed exceptions to building location and setback requirements as identified in Zoning Ordinance Section 5.3006.I.
10. Please revise the site cross sections to add the required building setback dimension from the curb in accordance with Zoning Ordinance Section 5.3006.C.1.
11. Please provide additional plans and update the building and site design as necessary to demonstrate compliance with the Building Location requirements as identified in Zoning Ordinance Section 5.3006.F.1.b. Please note, the required building setbacks are measured from back of curb, not the property line.
12. The proposed building is greater than 200 feet in length along E. Osborn Road as well as E. 6th Street. Please provide additional plans and update the building and site design as necessary to demonstrate compliance with the Building Location requirements as identified in Zoning Ordinance Section 5.3006.F.2.
13. Please revise the site plan and/or floor plan to dimension a typical "standard" (9' x 18') parking space to confirm compliance with Zoning Ordinance Section 9.106.A.1.a.
14. Parking space 35 on the basement level and parking space 32 at grade level are adjacent to an obstruction on one side of the space. In accordance with Zoning Ordinance Section 9.106.A.1.a.i. these parking spaces shall be increased in width by 2 feet to accommodate

door swings and exiting from vehicles. Please revise the site plan and floor plans accordingly.

15. Please Note: Access and clearances in the parking garage must comply with Zoning Ordinance Section 9.105.O.

Transportation: Phil Kercher, 480-312-7645, pkercher@scottsdaleaz.gov

16. In accordance with Scottsdale Revised Code Sec. 47, the owner is required to submit Construction Management Plan to demonstrate that construction will not impact adjacent streets. Please provide a draft Construction Management Plan with the resubmittal.

Civil Engineering: Eliana Hayes, 480-312-2757, ehayes@scottsdaleaz.gov

17. In accordance with Scottsdale Revised Code Sec. 48-3 + 4: Platting will be required for new parcel creation prior to permit issuance (existing 2 parcels combined into 1). Easement dedications, via plat or MOD, will be required for any public infrastructure running through private parcel. Easements in conflict with proposed development will need to be abandoned via MOR. Please acknowledge accordingly with resubmittal.

18. In accordance with Scottsdale Revised Code Ch 48: Covenant to construct and assurances for public infrastructure will be required prior to final plat recordation. Dollar value will be based on city costs to complete infrastructure. Please acknowledge accordingly with resubmittal.

Storm Water: Jennifer Lynch, 480-312-7903, jlynch@scottsdaleaz.gov

19. Please see comments on the preliminary drainage report, "18-ZN-2022_1-CORR-STORMWATER-24 - Prelim Drainage Report.pdf", which is available on the file exchange. Please provide a revised drainage report with the resubmittal.

Water Resources: Levi Dillon, 480-312-5319, ldillon@scottsdaleaz.gov

20. The water and sewer basis of design reports have been approved "As Noted" with the following notes & stipulations. The approved reports are available on the file exchange.

a. Sewer:

- (1) The sewer service line shall be located on the downstream 1/3 of the parcel frontage (see comments on utility plan showing connection to manhole to east). DS&PM 7-1.409, C.
- (2) Call out sewer service as MAG 440-3. DS&PM 7-1.409, B.
- (3) Add note to utility plan to remove existing sewer services and cap at property line. DS&PM 7-1.409
- (4) **Stipulation:** Bishop Lane public sewer details need to be survey confirmed from 6th St to Osborn. Survey confirm slope. 1.25% provided without validation. Field confirm diameter of 10". Provide relevant information in DR case report. Applicant proceeds at risk without field validating these items.

b. Water:

- (5) Fully remove both existing services on 6th St (x1) and Osborn Rd (x1). Coordinate with City to remove meters, remove meter from account, and provide meter development fee credit for new meters. DS&PM 6-1.408
- (6) For connection to 12" main on 6th St for services: confirm main is DIP, if not DIP replace with DIP per DS&PM 6-1.408 and 6-1.413.

Significant Policy Issues

The following policy related issues have been identified. Though these issues may not be as critical to determining the application for public hearing, they may affect staff's recommendation and should be addressed with the resubmittal. Please address the following:

Transportation: Phil Kercher, 480-312-7645, pkercher@scottsdaleaz.gov

21. Please revise the site plan to show a minimum 8-foot-wide sidewalk along the Osborn Road site frontage, separated from back of curb except at the site driveway. DSPM Sec. 5-3.110
22. Please revise the site plan to show a minimum 6-foot-wide sidewalk along the 6th Street site frontage, located at back of curb. DSPM Sec. 5-3.110
23. Please revise the site plan to provide a minimum 6-foot-wide sidewalk connection from the site building to the 6th Street sidewalk. DSPM 2.1-310
24. Please revise the site plan to show dedication of safety triangles at all site driveways. DSPM 5-3.123; Fig. 5-3.27
25. Please revise the site plan to show to use CL driveway standards, not curb returns as shown on the service driveway. DSPM 5-3.200; DSPM Sec. 5-3.205.
26. Please revise the site plan to show removal of the existing site driveways along both 6th Street and Osborn Road. Construct curb and gutter to match existing improvements.
27. Please provide clarification regarding the use of the proposed office. If the office is going to be used by the church, the need for a pedestrian crossing across Osborn Road needs to be addressed.
28. Please revise the site plan to relocate the street side bike racks to the east side of the driveway entrance.

Traffic Impact & Mitigation Analysis (TIMA): Parker Murphy 480-312-7802, pmurphy@scottsdaleaz.gov

29. Please revise the trip generation comparison to use existing (or most recent) uses. The size of the larger office building on Osborn is correct (looks to be a single tenant hair salon), but the study does not mention the smaller office (moving company) with access to 6th Street. The church across Osborn Road used the parking lot on the proposed site.
30. Osborn Road, 68th Street to Scottsdale Road was reclassified from Major Collector to Minor Collector in 2022 TAP. Please update the study accordingly.
31. The 2020 volumes map shows approximately 7,000 vpd.

Civil Engineering: Eliana Hayes, 480-312-2757, ehayes@scottsdaleaz.gov

32. In accordance with DSPM. 2-1.305 F. Please provide loading and unloading areas, minimum length of 45' and width of 12', in accordance with below tables, update site plan accordingly. Alleys, fire lanes and streets shall not be used for loading and unloading.

MULTI-FAMILY OFF-STREET LOADING & UNLOADING AREAS	
NO. OF DWELLING UNITS	NO. OF LOADING & UNLOADING AREAS
0 -50	1*
51 - 150	1
151 - 450	2
OVER 450	3**
* The DRB may approve designating one on-lot parking space for loading and unloading that is 10 feet wide by 18 feet long. Designated spaces shall be signed and striped as loading and unloading areas.	
** Plus, any additional loading areas required by the DRB.	

NON-RESIDENTIAL OFF-STREET LOADING & UNLOADING AREAS	
GROSS FLOOR AREA (FT ²)	NO. OF LOADING & UNLOADING AREAS
LESS THAN 30,000	1*
30,001 TO 100,000	1
100,001 TO 200,000	2
OVER 200,000	3**
* For each 10,000 square feet of gross floor area of a development project, the DRB may approve designating one on-lot parking space for loading and unloading that is 10 feet wide by 18 feet long. Designated spaces shall be signed and striped as loading and unloading areas.	
** Plus, any additional loading areas required by the DRB.	

33. In accordance with DSPM 2-1.309 REFUSE COLLECTION, please provide a refuse plan that is coordinated with the rest of the provided case plans (no other plan references refuse proposed infrastructure, for review + consideration by all review disciplines, ie additional driveways, conflict with meters and drainage infrastructure). Additionally, please update refuse location such that the truck is not required to back out into street to service proposed refuse compactors. Service routing must be self-contained within project parcel.
34. Please update plan to demonstrate compliance with 25'6" vertical clearance above proposed containers.
35. In accordance with DSPM 3-1.701, I: BENCHMARKS, please make sure to use the McDOT benchmark system and in accordance with the FEMA Benchmark Maintenance criteria. Please update submittal accordingly.

Building Design: Brad Carr, 480-312-7713, bcarr@scottsdaleaz.gov

36. Portions of the building's east, south and west elevations appear to have limited shading of exterior glazing. The City's OTSUDAG and Sensitive Design Principles promote the use of context-appropriate architectural solutions to address solar exposure of exterior glazing and patio areas. Please revise the project plans to incorporate additional shading features at these building facades.
4. Some of the balconies on the proposed building appear to be "tacked on" rather than integrated/recessed into the building massing. Architecturally integrated balconies are encouraged by both the Sensitive Design Principles and the Commercial Design Guidelines. With the next submittal, please provide revised building elevations and massing that integrate the balconies into the building architecture and massing.

Technical Issues

The following technical corrections have been identified. Though these items may not be critical to scheduling the case for public hearing, they may affect a decision on the construction plan submittal and should be addressed as soon as possible. Please address the following:

Planning: Bryan Cluff 480-312-2258, Bcluff@scottsdaleaz.gov

5. Please revise the perspective renderings to label street & elevation (north/south/east/west) of the views for orientation.
6. Please revise the parking tabulations on the site plan and parking plan to include the required and provided handicap accessible parking spaces, in accordance with Zoning Ordinance Section 9.105.B.
7. Please revise the open space plan to identify separately areas that are within the property lines and areas that are within the city right-of-way.

Landscape Design: Bryan Cluff 480-312-2258, Bcluff@scottsdaleaz.gov

8. The landscape plan shows a tree and other landscaping in the area identified as a driveway for access to the refuse location. Please revise the landscape plan to be consistent with the site plan. Similarly, the hardscape plan does not identify this driveway.

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,



Bryan Cluff
Planning & Development Area Manager

cc: Owner

ATTACHMENT A
Resubmittal Checklist

Case Number: 18-ZN-2022

Key Code: 6P130

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: 6P130. 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
- ☒ Revised Traffic Impact Mitigation Analysis (TIMA)
- ☒ Context Aerial with the proposed Site Plan superimposed
- ☒ Site Plan:
- ☒ Open Space Plan:
- ☒ Elevations:
- ☒ Elevation Worksheet(s):
- ☒ Perspective(s)
- ☒ Streetscape Elevation(s):
- ☒ Floor Plan(s):
- ☒ Site Cross Sections:
- ☒ Drainage Report: