

Artessa – Applicant Response Letter
January 8, 2025

11/20/24 City Issued 3rd Review Comment Letter

RE: **2-ZN-2024**

Artessa

G0949 (Key Code)

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:

Water Resources, Rezaur Rahman, 480-312-5636, rrahman@scottsdaleaz.gov

1. Please see attached Sewer BOD redlines.

Response: All redlines have been addressed.

2. The 8" public sewer along Alma School Rd, from Dynamite Rd to south of Jomax Rd, has reached its max capacity including its allocation for Fiesta/Reata Ranch and does not have additional capacity for this rezoned property. Per DSPM Section 7-1.400 and SRC, the Developer must install, at their expense, all on-site and off-site sewer improvements necessary to serve their development:
 - a. The Developer is required to up size Alma School Rd 8" sewer to 15-inch minimum from Dynamite Rd to South of Jomax Rd at their expense.
 - b. However, upsizing the Alma School Rd sewer by the Developer may be waived and Water Resources will accept an in-lieu payment equivalent to the construction cost differential between a 12-inch and 15-inch sewer line for the entire stretch of Alma School Rd between Dynamite Blvd and Jomax Rd per DSPM Section 7-1.105. This in-lieu payment amount shall be used to augment the Alma School Rd sewer Infrastructure Improvement Plan (IIP) project fund for mitigating/addressing sewer conveyance/capacity issue.
 - c. The in-lieu payment shall be paid prior to approval of the final plat per DSPM Section 7-1.105.
 - d. Time of construction for Artessa must not precede the completion of City's Alma School sewer up sizing project.

Response: Noted and addressed in the report.

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

3. SRC 24 and DSPM 6+7: It appears that some type of enhanced surface covering is intended for the on-site circular drive aisle. This circular drive aisle will be encumbered by a water and sewer

facilities easement and will be used by solid waste truck for a 270 degree turning movement. Applicant will be required to either sign an indemnity agreement eliminating the city's liability for this enhanced surface covering or include such liability eliminating language as a note on a project final plat. Applicant to acknowledge accordingly.

Response: Acknowledged.

4. 1st- SRC 48: Please provide city's approval of the existing parcel lines within proposed rezoning area.
2nd- Response letter does not provide applicant's clear direction on land assemblage requirement for currently developed parcels resulting in 1 project parcel and one existing development parcel. Land assemblage is required prior to any permit issuance of this project. If this is not applicant's intent or understanding, applicant needs to provide an architect's signed and sealed analysis of appropriate minimum distance of existing buildings and property lines as part of this zoning case to demonstrate project's conformance with city code requirements, in this case, the building and land division codes, as project parcel is relying on existing developed parcel to meet their zoning requirements and hence a part of this project.

3rd- **Response letter response states that the current parcel lines will need to stay in place but they do not address the need to verify that the existing property lines comply with building code requirements, specifically for the existing Wells Fargo building. Either redo this zoning application to remove the Wells Fargo parcel from it, in its entirety and related analysis, or provide an architect's signed and sealed letter to support their claim that existing property lines must remain in place and prior to zoning hearing determination, not a stipulation, else the zoning case approval will be reliant upon a code compliancy issue condition that may not be able to be met. Their response:**

d	We acknowledge that the parcel lines created through Maricopa County will need to be platted through the City process. Current property lines will need to remain in place with any future minor subdivision plat. Existing cross access easement is in place.
s	We will address with future subdivision plat.

- a. (+ SRC 31) 1st- Existing Wells Fargo eastern parcel line appears to be too close to its building canopy. Please provide an architect's signed and sealed building code analysis for existing parcel line placement else the property line should be shifted so that it is located 30' from the canopy edge.

2nd- Not addressed.

3rd- **Not addressed. See related response above. Remove this parcel from case consideration or prove it is code compliant within this case for it remain included.**

- b. 1st- As currently presented in case materials, all parcels within the rezoning boundary provide for unified and cohesive access, vehicular and non. Currently the parcels are all owned by the same entity, but the city cannot preclude their sales to different entities. Different entities may have different intents with their parcels. Please provide a proposed deed restriction or in perpetuity access agreement providing for the protection of shared drive aisles and sidewalks and their communal maintenance and financing thereof.

2nd- Not addressed.

3rd- **Response letter states that there exists an existing cross access easement and provided a copy of, MCR 2001-0042312, which does provide for vehicular and utility cross access across all parcels in this shopping center, including subject parcel. This agreement however does not provide for pedestrian access as it is specific to vehicular – at least from my reading. A new agreement needs to be executed, specifically with all other parcels but Walgreens or Wells Fargo, providing for pedestrian access to**

accommodate project design. The Walgreens pedestrian access is not needed by the city, for this project, as the other pedestrian access connection to Dynamite can be covered under new agreement. Please acknowledge the requirement for a new agreement accordingly or provide an existing one that covers pedestrian access or correct my interpretation of MCR 2001-0042312.

- c. 1st- Platting of parcels will be a prerequisite of development permit issuance if the city did not approve the existing property lines; re response above. As a commercial project, a minor subdivision requires a case approval, which may be accomplished via the project's DR case with a submittal of proposed plat accordingly.

2nd- Not addressed.

3rd- Responses states they will plat, but only as the current property lines sit, see related issues described above.

Response: Acknowledged. Property lines will be adjusted as required.

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:

Water Resources, Rezaur Rahman, 480-312-5636, rrahman@scottsdaleaz.gov

5. At present day, 8" sewer line does not have the capacity to accept additional sewer flows. Currently flowing at $d/D = 0.7$ which exceeds hydraulic design criteria per DSPM Section 7-1.404.

Response: Corrected in the report.

6. Adjacent commercial property to Artesa includes retail (11,460 SF), shopping (34,346 SF), bank (5,142 SF), and drug store (14,577 SF). The total space is 65,252 SF and produces a peak flow of 68 gpm per DSPM Figure 7-1.2.

Response: Corrected in the report.

7. Flows of 780 gpm from LS 47 and future Fiesta/Reata Ranch lift stations have been previously allocated to be discharged into Alma School Rd sewer. A 12" sewer with a slope of 0.52% and $d/D = 0.65$ per DSPM section 7-1.404 should be able to convey existing flows plus Reata/Fiesta Ranch flow of 879 gpm ($=280+31+500+68$). With Artesa flow of 177 gpm (total flow of 1,056 gpm), a 15" sewer would be required (W/min slope of 0.00224 @ $d/D = 0.7$).

Response: Corrected in the report.

8. The 8" public sewer along Alma School Rd has reached its max capacity. Conduct Sewer Flow Monitoring minimum at two locations per DSPM Section 7-1.202.E during Pre-plat case submittal. Coordinate with Water Resources for the location of sewer monitoring manholes.

Response: Noted and will coordinate with WR on monitoring locations.

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

9. 1st- DSPM 2-1.309: REFUSE. Provide a refuse plan meeting all city refuse requirement given in DSPM 2-1.309.

2nd- Not addressed properly. Understood regarding 67 units but the 2 double enclosure placements do not comply with the requirement to provide a one direction pick-up route through project. As

proposed, the truck would have to go in one way, exit to commercial area, turn themselves around, and go back in the way they came out to pick up the other enclosure. 1 double enclosure housing a 4 cubic yard vertical compactor and a refuse container could suffice for this development, else relocate one of the enclosures so it can be picked up from the same direction as the other.

3rd- Not addressed. Refuse plan does not demonstrate compliance for a 40' truck's 45' truck turning radius into and out of the proposed refuse enclosures, nor that the refuse truck does not need to back track to serve the multiple containers proposed.

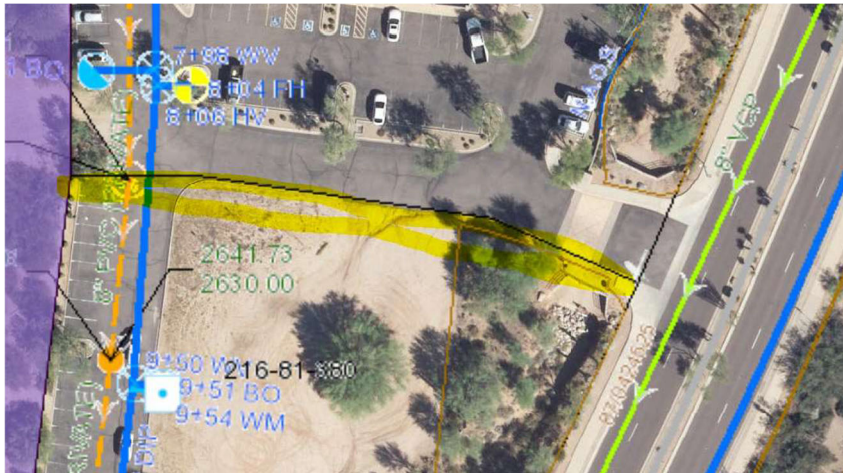
- a. Please note that 90 dwelling units necessitates a 6 cubic yard minimum horizontal or vertical compactor. Please make sure to accommodate in refuse plan accordingly, specifically stating the compactor to be used to assure appropriate site space has been provided for it.
- b. An emergency and services access easement along the refuse service route to and from city streets, crossing parcels boundaries, will be required. Update refuse plan accordingly.

Response: The refuse truck and recycle truck turning radius has been added showing compliance with head on access to each 4-yard container. The recycle enclosure has been relocated to accommodate a direct head on access to the enclosure. Calculations for the 67-unit residences have been added for the required (2) 4-yard containers for refuse and (2) 4-yard containers for recycle. Refer to A1.13 REFUSE AND RECYCLE PLAN.

10. 1st- DSPM 2-1.310: A 6' wide accessible pedestrian route from the main entry of the development to each rezoning area abutting public street is required.

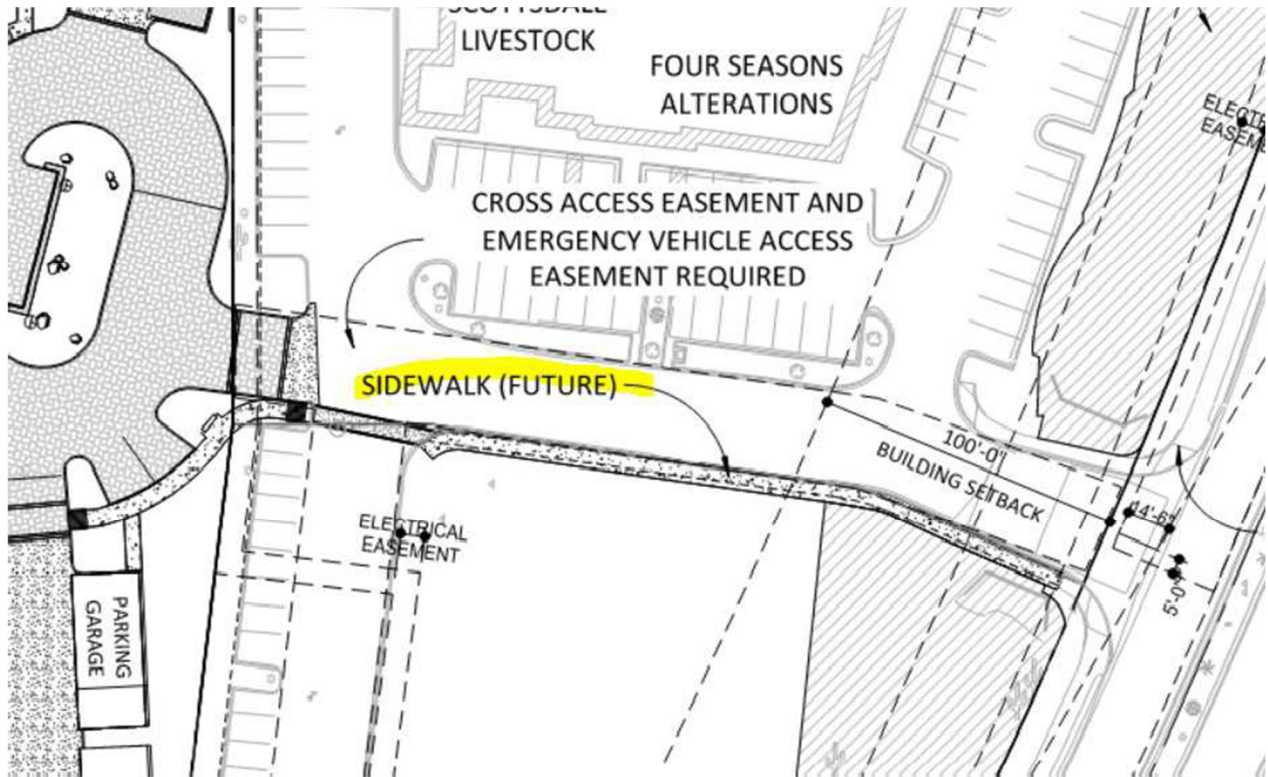
2nd- Please add construction of 6' sidewalk to N Alma School as a scope of this project (currently not depicted within provided preliminary G+D). Missing sidewalk is located here, existing parking stalls in conflict with proposed sidewalk connection are to be modified to accommodate this pedestrian connection: Addressed.

3rd-NO LONGER ADDRESSED.



This is not a sidewalk future. This is a sidewalk needed to provide with this project, update their site plan accordingly, SIDEWALK WITH THIS PROJECT:

Response: The note has been revised to show a 6' sidewalk. Refer to A1.2 OVERALL SITE PLAN.



11. 1st DSPM 5-8.205: All non-ADA compliant pedestrian ramps abutting rezoning boundary are to be reconstructed by project. Update site plan accordingly – all existing driveway curb returns:

2nd- Not addressed. Insufficient to say to be done by others.

New ADA curb ramps at all driveways along Alma School Road completed by the city of Scottsdale on 8/13/2024. ADA curb ramps along Dynamite Boulevard are to be reconstructed per Greg Davies.

3rd- Transportation to determine if response of not needing to reconstruct Dynamite ADA curb ramps is acceptable.

Response: Acknowledged that the City has performed these improvements.



12. 1st- DSPM 6-1.202 + 7-1.201: Preliminary Basis of Design Reports must be reviewed and accepted by

the Water Resources Department prior to zoning approval. Update BODs accordingly.

2nd- Not addressed.

3rd- **Not addressed.**

Response: Preliminary Basis of Design Reports have been revised with City comments and resubmitted.

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:

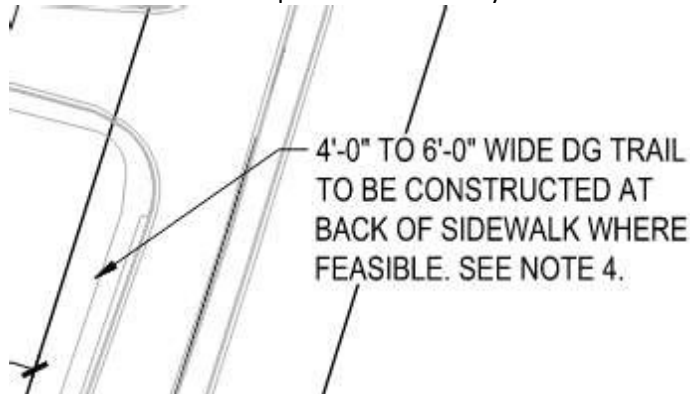
Water Resources, Rezaur Rahman, 480-312-5636, rrahman@scottsdaleaz.gov

13. Approximately 750-ft downstream of Artessa, here is additional wastewater inflow into existing 8" pipe at Alma School Rd.

Response: Noted and addressed in report.

Transportation, Stephanie Croker, 480-312-7802, scroker@scottsdaleaz.gov & Greg Davies, 480-312-7829, gdavies@scottsdaleaz.gov:

14. Add note to overall site plan for consistency. This is for both street frontages.



Response: A note has been added for the 4'-0" to 6'-0" wide dg trail to be constructed at back of sidewalk where feasible. Refer to A1.2 OVERALL SITE PLAN.

15. Revise the Circulation plan to show the existing 6' sidewalks along Dynamite and Alma School in green, for pedestrian circulation. Then next to the 6' sidewalks, note the 4' wide unpaved trail, for both street frontages, in purple. Right now, the circulation plan is showing incorrect colors and locations.

Response: The circulation plan has been revised to show the pedestrian and unpaved trails. Refer to A1.12 PEDESTRIAN AND VEHICULAR CIRCULATION PLAN.

Planning, Katie Posler, 480 312 2703, kposler@scottsdaleaz.gov

16. Development Agreement and subdivision plan still needs to be resubmitted to address staff comments. Case 2-DA-2024.

Response: Acknowledged. The Development Agreement and Subdivision Plan have been updated and are included with the resubmitted.

17. The topography analysis was provided per requested via previous comments to determine the NAOS required for the entire development. However some things are still unclear. 1 – How was it determined that 6.10 acres of NAOS was required for the whole site? 2-The topography plan is only showing the requirement for residential lot, and that numbers differs from the NAOS plan, please

explain.

Topography plan requirement:

SLOPE CATEGORY	NAOS FACTOR	TOTAL SLOPE AREA (S.F.)	NAOS REQUIRED (S.F.)
0.0%-5.0%	25%	112,731	28,183
5.0%-10.0%	35%	60,066	15,017
10.0% <	45%	201,623	90,730
TOTAL		374,420	133,930

NAOS plan requirement:

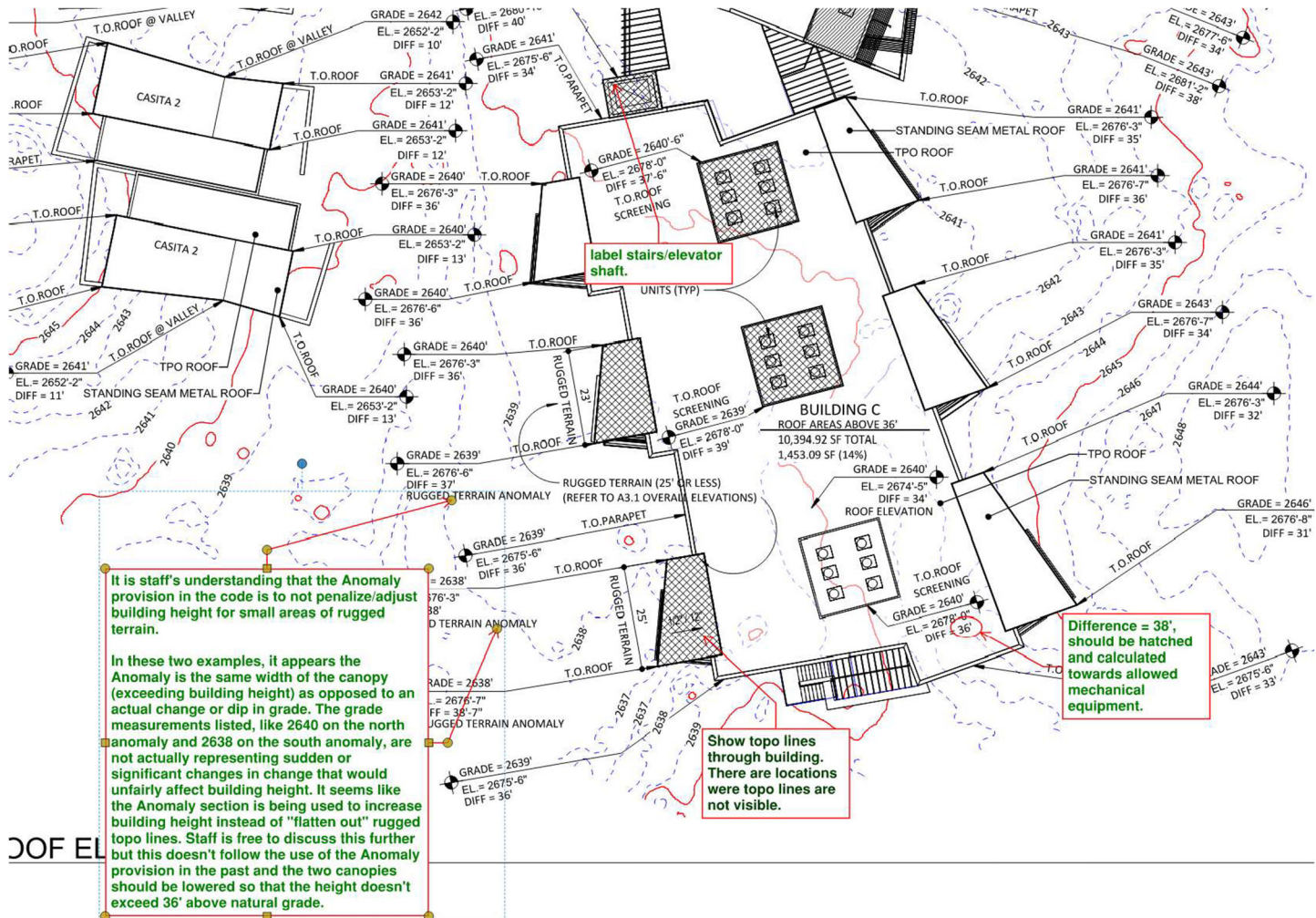
NAOS (TOTALS)

PARCEL	% SITE	SITE AREA	AREA REQ	NAOS PROVIDED
APN 216-81-379	28%	5.7 AC	1.70 AC	1.20 AC (52,421 SF)
APN 216-81-380	8%	1.61 AC	0.49 AC	0.66 AC (28,753 SF)
APN 216-81-381	43%	8.59 AC	2.62 AC	2.95 AC (128,616 SF)
APN 216-81-382	15%	2.92 AC	0.92 AC	0.98 AC (42,765 SF)
APN 216-81-383	6%	1.11 AC	0.37 AC	0.32 AC (14,258 SF)
TOTAL NAOS		19.94 AC	6.10 AC	6.12 AC (266,813 SF)

Response: The slope analysis was determined based on a previously approved slope analysis study (2-ZN-95 / 67-DR-95 #3). Please use 'SLOPE ANALYSIS STUDY' on page 1 for reference to the 20 AC site – PARCEL N (reduced to 19.94 AC at SW corner). Refer to 'SLOPE ANALYSIS STUDY' on page 2 for current NAOS CALCULATIONS on PARCEL N for the required area.

18. Please address the comments on the roof plan, below.

Response: The roof plan has been revised to show topo lines through building, updated heights at mechanical screening, identification of elevators and stairs, and clarifications on the two rugged terrain anomalies. Refer to A4.1 OVERALL ROOF PLAN.



19. Please adjust the parking requirements on the overall site plan as shown below in green. The math for the required parking on the commercial parcels was off, and the required/provided parking for the multi-family parcel should list "See A1.1" and required as 115 and provided as 119 per the A1.1 site plan.

Response: The parking calculations have been revised. Note that a single parking space was removed to accommodate the refuse and recycle enclosures, so the calculations have been updated to reflect this change as well. Refer to A1.2 OVERALL SITE PLAN.

PARKING (TOTALS)	USE	SF / REQ	REQUIRED	PROVIDED
APN 216-81-379	OFFICE/RETAIL	45,806 SF / 350	131	177
APN 216-81-380	VACANT LOT	0 SF / 350	0	16
APN 216-81-381	MULTIFAMILY	SEE A1.1	115	119
APN 216-81-382	RETAIL	14,577 SF / 350	42	101
APN 216-81-383	BANK	5,142 SF / 350	15	33
TOTALS PROVIDED	MIXED USE		303	446

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
- Basis of Design Report (sewer)
- Site Plan Overall
- Site Plan Individual
- NAOS Plan
- Topography plan (for NAOS)
- Circulation Plan
- Roof Over Topography
- Color Building Elevations (for all buildings)
- Perspectives