

5th & Goldwater (41-DR-2024)

DRB 1st Submittal Response Letter - Nelsen Partners

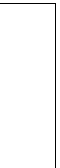
5/20/2025

COMMENT NUMBER	COMMENT	RESPONSE	CORRESPONDING SHEET NUMBER
CURRENT PLANNING			
1	Per Stipulation #10 from case 12-ZN-2007, a transit shelter is required to be constructed over the existing bus stop west of Goldwater Blvd. on Indian School Road. Transportation staff recommends a DS-2263 shelter with requisite amenities. Please revise applicable plans to show new shelter and add keynote to site plan. Also note, if any portion of the transit shelter extends beyond the right-of-way onto the site, a Transit Facilities Easement will be required, which must also be called out on the site plan.	New transit shelter added along Indian School Road to comply with Stipulation #10 from case 12-ZN-2007. Note added to Site Plan, Sheet A111	A111
2	Stipulation #4 from case 12-ZN-2007 refers to Attachment 23A from the City Council report, which is titled "Building Stepback Exhibit". Per this exhibit, there are detailed building height requirements for this project, particularly along the street frontages. Please provide a similar exhibit with the next submittal confirming compliance.	Building Stepback Diagram Exhibit added for this project that shows detailed building heights along the street frontages with graphics that match the exhibit approved as part of 12-ZN-2007. This project is in general compliance with the height requirements from Stipulation #4 from case 12-ZN-2007 , Attachment 23A.	BSD
3	Based on the top of curb (TOC) elevations provided on the preliminary G&D plan, the average TOC for this site (using TOC's on Indian School and Goldwater), is 67.13. Per the definition for "building height" in Article III of the Zoning Ordinance (applicable in 2007), building height for this site is to be measured from average TOC + 1 foot (68.13). Please confirm no portion of the project exceeds 65 feet in height from the average TOC + 1 foot (68.13), excluding rooftop appurtenances. A building height exhibit would be helpful.	See Elevation Datum Plan. There are 3 street frontages for this property - Indian School, Goldwater, and 5th Avenue. The high point is 71.55 along 5th Avenue, and the low point is 66.08 on Indian School. The average TOC between the high and low points for this site is 68.82. Building height for this site is measured from average TOC + 1 foot (69.82), and no portion of the building exceeds 65 feet in height from this datum, excluding rooftop appurtenances.	A210
4	Per the site plan approved and stipulated to for case 12-ZN-2007, maximum FAR for this project is 1.6 including residential. A residential density of 50 du/ac is also permitted however, in 2007, both development standards had to be met. Residential density was not excluded from FAR. Please revise the site plan to include the allowed/proposed FAR confirming the maximum 1.6 FAR is not being exceeded, and the allowed/proposed residential density, including calculations for both.	This project complies with the 12-ZN-2007 FAR allowed of 1.6 The approved site plan from case 12-ZN-2007 calculates Gross Allowable Floor Area as the sum of the net land area x 1.6 and the dedicated ROW. This equals an allowable floor area of 392,407 SF. This project has a Gross Floor Area of 359,291 SF which is less than the allowed area. Residential density permitted is 50 du/ac which is 241 units. This project has 232 units.	A111
5	The required percentage of provided parking that must be ADA accessible is 4%. In this case, that is 20 spaces (512 X .04). This can be reduced to 2% but only with approval from the Zoning Administrator. Please revise the site plan to confirm 4% of provided parking is ADA accessible or provide evidence of approval from the Zoning Administrator for a reduction to 2%. Also provide floor plans for each level of the garage indicating locations for ADA parking. Refer to Sections 9.105.B.4 and 9.105.C of the Zoning Ordinance.	Plans reflect 2% ADA accessible parking. See separate document for reduction request.	A111

6	Please provide a separate plan (or plans) demonstrating compliance with the Building Maximum Size, Large Walls, Encroachments Beyond the Stepback Plane, and Building Lines sections of the amended development standards from case 12-ZN-2007.	Elevation Worksheet pages have dimensions of building length, at 38 foot elevation, demonstrating compliance with Building Maximum Size, height to building roof demonstrating compliance with Large Walls, and encroachments beyond the stepback plane for both habitable and non-habitable areas.	A305/A306
7	Please provide typical floor plan worksheets for each residential unit type demonstrating compliance with the Private Outdoor Living Space section of the amended development standards from case 12-ZN-2007.	Patio areas and dimensions have been added to the Floor Plans to show compliance with the Private Outdoor Living space section of the amended development standards from case 12-ZN-2007. Floor Plan Worksheets of each floor have also been added to show the breakout of all areas of the building.	A200 to A205 / FWS-B1 to FWS-5
TRANSPORTATION			
8	Please provide pedestrian and vehicular circulation plans with the next submittal. It is unclear where pedestrian routes and connections are on the site plan. Ensure ADA ramps and minimum six-foot-wide sidewalks are provided as needed throughout the site.	See ABLA response	
9	Please provide a trip generation comparison statement with the next submittal, as discussed at the preapp meeting. Additional comments may be generated after staff has had a chance to review the statement.	See Transportation Impact & Mitigation Analysis document by the Loakhi Group	
10	Per Stipulation 9.c from case 12-ZN-2007, the median in Indian School Road, west of the intersection and south of the site, shall be reconstructed to remove the existing median left lane that is presently utilized to enter the site in accordance with the DSPM. Please revise applicable plans to show the median extension/closure as depicted below.	See Civil response	
CIVIL ENGINEERING			
11	Based on the site plan, it appears the proposed development conflicts with existing city right-of-way (ROW) along Indian School Road. The site plan indicates a half-street ROW of 33 feet when in fact the existing half-street ROW is 40 feet (Quit Claim Deed #1825/130-32). Please revise applicable plans to show existing 40-foot ROW per Quit Claim Deed. NOTE: it appears a request for abandonment of ROW will be needed to accommodate project design as proposed.	See Civil response	
BUILDING / SITE DESIGN			
12	Please provide information and details regarding all exterior light fixtures, including the location of all building-mounted lighting, pole-mounted lighting, and lighting mounted on the underside of an eave, projection or soffit. Also provide a photometric analysis and manufacturer's cut sheets for each fixture type.	Lighting drawings have been included that locate exterior light fixtures and provide manufacturer's cut sheets for each fixture.	See Lighting Drawings
LIGHTING DESIGN			
13	The lighting plans provided as part of the landscape plan appear to be for the landscape lighting only. Please provide lighting site plans, manufacturer's cut sheets and a photometric analysis for all other site and building mounted lighting. Additional comments may be generated once staff has reviewed this information. Submit lighting plans separate from the landscape plan.	Lighting drawings have been included and contain lighting site plans, manufacturer's cut sheets and photometric analysis for all site and building mounted lighting.	See Lighting Drawings
STORM WATER			

14	The case drainage report has not been accepted. Please refer to redline report in the internet folder and comments below and revise accordingly.	See Civil response	
CURRENT PLANNING			
15	Please revise applicable plans to indicate minimum six-foot-wide on-site sidewalks (particularly important for the public sidewalk along the west property line). Refer to Section 2-1.310 of the DSPM.	See ABLA response	
16	The "Human Connectivity" chapter of the Old Town Urban Design and Architectural Guidelines (OTUDAG) encourages public open spaces/plazas that integrate landscaping to provide an enhanced pedestrian experience and/or shading. The proposed plaza space at the northwest corner of Goldwater & Indian School is void of any landscaping or shading except for canopies extending from the building façade, which are not sufficient to provide true shading for the plaza. Please revise the landscape plans to include at least one tree at this location for shading or introduce some form of structural shading in keeping with the design of the project. Also refer to the Sensitive Design Principles.	The intent for the plaza at the northwest corner of Goldwater & Indian School is to have a public art piece that is also providing the required shade for that plaza. We are limited on the ability to place trees in this plaza by the amount of underground utilities at that plaza. We are requesting approval on the location of the art piece as part of the DRB approval.	A111
17	Please revise applicable plans to include the turning radii template for AASHTO Single Truck and ensure all fire access requirements are met at the location below.	See ABLA response	
18	Please revise applicable plans to show an extension of the median in Goldwater Blvd. to prevent left turns as depicted on below.	See Civil response	
CIVIL ENGINEERING			
19	On-site civil improvement plans must be submitted concurrently with the off-site civil improvement plans (in the same set) at the time of final construction plan submittal. Please acknowledge in the response letter. Refer to Chapter 1 of the DSPM.	See Civil response	
20	Please revise applicable plans to indicate the locations for on-site loading/unloading areas, minimum 45 feet X 12 feet, in accordance with the tables on the following page. Note that alleys, fire lanes and streets cannot be used for loading/unloading. Refer to Section 2-1.305 of the DSPM.	Two loading/unloading areas are shown on the site plan, and the enlarged refuse plan that meet the required 45'x12' loading areas. These loading/unloading areas will be for th residential and retail use.	A111 / A112/ A113
21	Please provide a Refuse Plan that demonstrates conformance with the following requirements. Refer to Section 2-1.309 of the DSPM:	Refuse plans have been provided that show the location of the trash and recycling locations. These comfrom to the requirements in Section 2-1.309 of the DSMP	A112 / A113
22	Please revise applicable plans as needed to demonstrate compliance with the McDOT benchmark system and FEMA Benchmark Maintenance criteria. Refer to Section 3-1.701 of the DSPM.	See Civil response	
23	Please revise applicable plans to indicate minimum 10-foot-wide sidewalks along all project frontages. No steps or handrail ramps are permitted within city sidewalks without specific written approval from the Transportation Department (as part of this case review). Any city sidewalk outside city ROW requires dedication of a Public Non-Motorized Access Easement. Please revise applicable plans to demonstrate compliance and provide written approvals as needed.	See Civil response	

24	Manholes and cleanouts are not permitted within the city sidewalk. Additionally, 8-inch building sewers require manholes at every turn. Please revise civil plans accordingly. Refer to Chapter 5 of the DSPM.	See Civil response	
25	Please revise applicable plans to indicate replacement of all sidewalk ramps adjacent to the project site to ADA requirements, including push button access. Refer to Chapter 5 of the DSPM.	See Civil response	
26	Please revise applicable plans to indicate ADA compliant sidewalk crossings at alleys and driveways. Refer to Chapter 5 of the DSPM.	See Civil response	
27	Per the DSPM, Goldwater Blvd. is classified as a Couplet, which requires a 96-foot right of way (48-foot half-street). Please revise applicable plans to show total and half-street right-of-way widths and note that an additional dedication will be required on the land assemblage plat.	See Civil response	
28	28.Per the DSPM, Indian School Road is classified as a Minor Collector, which requires a 110-foot right-of-way (55-foot half street). Please revise applicable plans to show total and half-street right-of-way widths and note that an additional dedication will be require on the land assemblage plat.	See Civil response	
BUILDING / SITE DESIGN			
29	29.The project plans indicate that the sidewalk along the residential portion of the project fronting Indian School Road is attached to the street curb, which is inconsistent with the remainder of the sidewalk in front of the commercial portion. Please revise applicable plans to locate the sidewalk along Indian School Road consistently separated from the curb a minimum of six feet and place landscaping in the area between the sidewalk and the curb.	See Civil response	
30	The city's OTUDAG and Sensitive Design Principles promote the use of context appropriate architectural solutions to address solar exposure of exterior pedestrian and patio areas. Please revise the building elevations and perspectives to incorporate additional shading features at the pedestrian plaza located at the southeast corner of the site.	The intent for the plaza at the northwest corner of Goldwater & Indian School is to have a public art piece that is also providing the required shade for that plaza. We are limited on the ability to place trees in this plaza by the amount of underground utilities at that plaza. We are requesting approval on the location of the art piece as part of the DRB approval.	A111
31	Please provide window sections that confirm all window glazing will be recessed a minimum of 50% of the exterior wall thickness, including glass curtain walls, windows within any tower, and clerestory elements. Demonstrate the amount of recess by providing dimensions from the face of the wall to the face of glazing, exclusive of external detailing. Reefer to Sensitive Design Principle 9.	Sheet A308, Window and Door Details, has window head sections for each of the materials being used on the project, which demonstrate that the face of the glazing is recessed greater than 50% from the wall face in all cases.	A308
32	Please provide door sections that confirm all doors will be recessed a minimum of 30% of the exterior wall thickness. Demonstrate the amount of recess by providing dimensions from the face of the wall to the face of the door frame or panel, exclusive of external detailing. Refer to Sensitive Design Principle 9.	Sheet A308, Window and Door Details, has door head sections for each of the materials being used on the project, which demonstrate that the face of the door is recessed greater than 30% from the wall face in all cases.	A308
33	Please provide section drawings of proposed shade devices. Provide information that describes the shadow/shade that will be accomplished by the device, given the vertical dimension of the wall opening. All devices should be designed so that the shade material has a density of at least 75% in order to maximize the effectiveness of the device. Refer to Sensitive Design Principle 9.	Sheet A308, Window and Door Details, has a typical wall section of the building. The shade produced by the canopies and projected balconies is hatched to demonstrate the vertical area of the doors and windows that will be shaded by the devices. All of the devices are designed with shade material greater than 75% density.	A308
WATER RESOURCES			



34	The water and sewer BOD's have not been accepted. Please refer to the redlined reports in the internet folder and comments below and revise accordingly.	See Civil response	
CURRENT PLANNING			
35	Please revise the perspectives to identify the point of view, i.e. "looking northwest from Indian School", or add an overhead graphic to each perspective indicating the perspective direction with an arrow. Additionally, provide perspectives or revise existing perspectives to demonstrate compliance with Stipulation #4 from case 12-ZN-2007 (intersection of Goldwater & Indian School appears to comply but can't confirm southwest corner of the site). Also refer to Comment #2.	As requested we added directional callouts to the names of each perspective view and an overall plan of the development with arrows indicating the perspective direction. Regarding compliance with Stipulation #4 from case 12-ZN-2007, Sheet A310 is the view looking at the southwest corner and shows how the building is stepping back from the corner.	A310 to A314
36	PLEASE NOTE: Per Stipulation #5 from case 12-ZN-2007, a city-appointed, independent architect will be required to oversee development of this site, as ultimately approved by the DRB. The independent architect shall be selected by the City Manager or designee, and it will be the responsibility of the property owner to pay for the oversight, not to exceed \$50,000 per year until C of O's have been issued for the entire project. Please acknowledge in the response letter.	Independent architect will be selected by the designee to oversee development of the site per Stipulation #5 from case 12ZN-2007. Property owner will pay for the oversight, not to exceed \$50,000 per year until C of O's have been issued for the entire project.	
37	The site plan shows a 19' 3" building setback from BOC just west of Goldwater. The minimum required setback is 20 feet. Please identify the encroachment. NOTE: may not be permissible depending on what it is. Refer to amended development standards fore case 12-ZN-2007.	Building setback dimension was mistakenly shown from the property line and not the back of curb. Site plan has been revised with the correct 20' building setback dimension.	A111
38	Please revise the site plan to include maximum allowed/proposed building height. Also refer to Comment #3.	Maximum allowed/proposed building height has been added to the site plan sheet.	A111
39	With the next submittal, please acknowledge the following, either on the site plan or in the response letter: •City rights-of-way, including alleys, cannot be used for marshalling or construction storage yards without approval of the city's Transportation Department and/or Right-of-Way Manager and payment of associated fees. Note that approval is not assured. •Any soils nails or tie back construction system, extending beyond the property line, cannot encroach onto privately owned parcels and cannot be steel. •Property owner must execute a Private Improvements in the Right-of-Way (PIR) Agreement prior to issuance of permits (except demolition and native plant permits). Note that approval is not assured.	Acknowledge that all items will be addressed as stated.	
40	Please update the site plan to identify and keynote above-ground utility lines and poles to be removed and/or undergrounded.	See Civil drawings - all overhead lines will be underground.	
41	Platting will be required for new parcel creation prior to issuance of permits (except demolition and native plant), specifically a land assemblage plat creating one parcel from the five existing parcels. Easement dedications, via plat, will be required for any public infrastructure running through privately owned parcels. Easements in conflict with the proposed development must be released via Map of Release. Any fee-simple ROW dedications must be dedicated on the land assemblage plat. Please acknowledge on the site plan and/or in the response letter. Refer to Section 48-3 and 4 of the SRC.	See Civil response	

42	42.A 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 in the response letter. Refer to Chapter 48 of the SRC.	See Civil response	
Public Safety			
43	Please revise the site plan and circulation plan to identify the designated fire lanes.	Fire Access Plan has been revised to show ground access walking paths per discussions with Linda Wilson.	FP
44	Note: Phasing for this project will need to be discussed in detail with the Fire Marshall. Please acknowledge in the response letter.	Phasing for this project has been discussed in detail with the Fire Marshall. The phasing for each level has been given to the Fire Marshall and discussed in ongoing meetins with the City of Scottsdale. Phasing plans have been included as part of this resubmittal.	PH120/PH200/ PH201/PH202/ PH203/PH204/ PH205
45	Please revise the building elevations to include dimensions on each elevation from the finished floor to the top of the ridge tile and/or rooftop appurtenances.	Dimensons have been added to the elevation sheets to show distance from finished floor to the top of the rooftop appurtenances.	A301/A302/A303
46	Please note and respond to the following with the 2nd submittal (refer to the city's Exterior Lighting Policy and the DSPM):	Lighting drawings have been provided that address the Exterior Lighting Policy and the DSPM.	See Lighting Drawings
47	Per Development Agreement #2008-012-COS, approved concurrently with case 12-ZN-2007, there is a list of prohibited uses for this site. Though not a design issue, and not under the purview of the Development Review Board, it is worth noting for future commercial tenant improvements. Please acknowledge in the response letter.	Future commercial tenants will comply with the list of prohiited uses per Development Agreement #2008-012-COS and zoning case 12-ZN-2007.	
48	The site plan appears to show custom paving treatments extending into the city right-of-way at the residential units along Indian School Road and at the driveway on 5th Avenue. Note that custom paving treatments in city ROW are not permissible without written approval from the Right-of-Way Manager and/or Street Operations. Please revise the site plan to remove custom paving treatments from the ROW or provide written approval.	See ABLA response	
49	There is a combination Landscape Easement and Pedestrian Easement presently dedicated where the "Retail A" building is proposed. Pleas note: a separate application to release those easements must be approved and recorded prior to issuance of any permits in this area.	See Civil response	