CITY OF SCOTTSDALE

6/2/2022

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

RE: **2-GP-2022 & 4-ZN-2022**
Scottsdale & Gold Dust
J4924 (Key Code)

Dear Mr. Berry:

The Planning & Development Services Division has completed the review of the above referenced development application submitted on 4/6/2022. The following **1st Review Comments** represent the review performed by our team and is intended to provide you with guidance for compliance with city codes, policies, and guidelines related to this application.

Zoning Ordinance and Scottsdale Revise Code Significant Issues

The following code and ordinance related issues have been identified in the first review of this application and shall be addressed in the resubmittal of the revised application material. Addressing these items is critical to scheduling the application for public hearing and may affect the City Staff's recommendation. Please address the following:

2035 General Plan:

1. The citizens of Scottsdale recently ratified Scottsdale General Plan 2035, a policy document that expresses the community's vision. The current proposal to provide a residential housing development along with ancillary non-residential floor area is necessitating the current request to amend the General Plan from Commercial to Mixed-Use Neighborhoods.

   As an implementing tool of the General Plan, the requested zoning district map amendment proposes to implement the Mixed-Use Neighborhood land use designation using the Planned Unit Development (PUD) zoning district. The purpose of the PUD zoning district is to promote the goals and policies of the General Plan, Character Area Plans (if applicable), and design guidelines in areas of the city that are designated by the General Plan for mixed-use development. Within this district uses are encouraged to be provided with intensities and densities that promote a mix of day and nighttime activities. Notably, the subject site provides a limited non-residential floor area - approximately 11,000 square feet with a higher overall site density of 55 du/ac. The subject site is not near other areas designated by the Mixed-Use Neighborhoods land use designation; however, within the context area (bounded by the Shea Boulevard couplets of both North 70th & 74th Streets) is near an area

that contains a mix of uses which are designated within the General Plan as Commercial and Urban Neighborhoods. Given these conditions, please address the following:

- The City Council has had recent dialogue concerning the mix of uses provided by PUD's and other mixed-use developments and have expressed a desire for mixed-use developments to provide a more meaningful amount of the overall floor area as non-residential/commercial space. This non-residential floor area should be accessible for the public use and not limited as an amenity for residents only. Although no explicit development standard exists within the PUD district for applications to provide a fixed ratio of mixed uses, existing PUD's have averaged approximately 8% of the total floor area as non-residential. Accordingly, please increase the amount of non-residential floor area and respond as to how the provided amount is appropriate for the subject site and surrounding context. Additionally, please provide more information regarding the proposed operations of the co-workspace and yoga studio. If these amenities are accessible to residents only the floor area should not be counted toward the non-residential floor area.

- The subject site is not located within a designated Growth Area or Activity Area; however, it is at the edge of an Activity Area. As designated by Scottsdale General Plan 2035 Activity Areas are locations in the city where development is expected to be concentrated, but to a lesser degree than designated Growth Areas. Within designated Growth Areas, existing PUD applications have yielded a maximum density nearing 50 units/acre and within designated Activity Areas, a yielded a maximum density of 35 units/acre. This request proposes 55 du/ac. The adjacent development located west of the subject site, Acacia Creek Apartments, zoned R-5, has been developed at 18 du/ac. With the resubmittal, please reduce the total units requested and respond as to how the request will appropriately transition between the existing development located west of the subject site, and the expected density (35 du/ac) of the adjacent Activity Area so as to communicate how the requested General Plan Amendment and rezoning map amendment would provide a greater community benefit in doing so.

2. Scottsdale General Plan 2035 Land Use and Growth Areas Elements (Policy LU2.1 and GA 1.5 respectively) encourage development to incorporate context-appropriate transitions between Activity Area "edges" and adjacent neighborhoods to minimize the impacts of higher-intensity development. With the resubmittal, please consider providing the same stepback plane of the Acacia Creek Apartments or remove the request to amend the stepback requirement along the western edge of the site to ensure a context-appropriate transition between the existing and proposed developments.

3. It is noted that the proposed development includes workforce housing (25 units); with the resubmittal, please provide further discussion regarding how this application will address the provision of workforce housing; specifically responding to:
    - The provided unit mix (number of 1, 2, and 3-bedroom units) and their sizes for those units allocated as workforce housing units;
    - What the standard is for workforce housing, illustrating the required income limits to qualify;

- What expected market rents that will be sought to illustrate that these units will meet a variety of income levels for the community; and,
- If the provided work force units will be provided in perpetuity – and if so, what mechanism will ensure this.

Please Note: recent approvals by City Council (Case 1-ZN-2021) that included "workforce housing" offered units at reduced rent rates to tenants that were able to confirm a household income of between 80 to 120 percent of the average median income (AMI) in the Phoenix metro area. Typically, however, workforce housing is defined as housing that would be affordable to households that earn between 60 to 120 percent of area AMI. See also comment #8 below.

4. Pertaining to the Land Use and Housing Elements of Scottsdale General Plan 2035 (LU 3, H1, H2), which encourages balance of uses and housing options that meet a variety of socioeconomic needs the applicant has stated, "the development may offer a residential option for families of Chaparral High school students" however, in review of the site and floor plans provided, 186 of the 254 units (or 73%) of the proposed units are 1-bedroom units. With the resubmittal, please consider providing a market analysis (context appropriate within a 1- and 3-mile radius to the subject site) to demonstrate the need (and matched demand) for additional multi-family units and unit mix at this location.

5. The project narrative describes (page 12) the proposal as providing a bike station; however, none is shown graphically. The narrative further remarks that along with the site's residents, area students will also have the use of the bike station. With the resubmittal, please clarify in the narrative how/why a student might use this bike station instead of facilities that may be provided at their school (noting what is different) and graphically identify the proposed facility on the site plan so as to communicate the stated community benefit.

6. The project narrative discusses (Page 17) the amount of open space provided by this proposal in contrast to the requirements of the PUD district. Although it is recognized that the intention of the proposal is to include open space above the minimum standard (230% more as per the narrative), much of that open space area is already on the site, located within an existing drainage easement west of the subject site (71st Street Channel) that is approximately 16,000 in size. To provide transparency, with the resubmittal please update the narrative and Open Space Plan notating the amount of ***new*** usable open space the proposal will provide. Usable Open Space is defined by the General Plan as an area that, "because of its size, function, visibility, accessibility, and strategic location is a community amenity or resource". Additionally, the neighboring Multi-family, R-5 district requires and has provided significantly more open space. Please compare the open space percentage provided to that of neighboring R-5 district to reinforce how the project transitions between the commercial and R-5 district. See also comment #9 below.

7. With a resubmittal, as a response to Goal CI 1 of the Community Involvement Element as well as Policy LU 3.5 of the Land Use Element, please provide an updated Citizen Involvement Report that describes the key issues that have been identified through the public involvement process.

Zoning:

8. The project narrative and application documents discuss the provision of 25 workforce housing units as part of the proposed development. With recent development projects that included workforce housing, the property owner entered into a development agreement with the City to outline the applicable provisions of the workforce housing units. Please clarify the intent of the workforce housing units as they relate to this development application, and if there will be a Development Agreement application forthcoming.

    a. If a Development Agreement will be submitted, other provisions that have been common in recent development proposals include construction timing, construction impact mitigation, and public access (paths, sidewalks, courtyards, plazas) provisions. Please consider these other items if proposing a Development Agreement.

9. The project narrative does not appear to address the Development Review Board considerations of the PUD district in accordance with zoning ordinance Section 5.5003.C.1. Please revise the narrative to address these requirements.

    Item (4) of the above referenced Development Review Board considerations discusses promotion of connectivity between adjacent and abutting parcels and providing open space that is visible at the public right-of-way and useful to the development. In response to this criterion, please consider use of the large open space along the west edge of the development in combination with the pedestrian path as a public amenity with public access. This could be used to provide a public pedestrian bypass to the intersection of Gold Dust and Scottsdale Road, and may contribute to a future public circulation and open space network in the area by providing connections to the drainage channels north and south of the subject site.

10. Page 35 of the project narrative provides the applicant response to the PUD Criteria included in Section 5.5003.A. Item 1.c. requires that the proposed development be compatible with the adjacent land uses and promotes stability and integrity of abutting or adjacent residential neighborhoods. The proposed development is taller and substantially denser than the other multi-family residential in this neighborhood. Please expand upon this criterion providing additional explanation of how the proposed development promotes the stability and integrity of the adjacent neighborhoods.

    Additionally, please expand upon Section 5.5003.A. Item 1.d. regarding adequacy of City infrastructure to include a response regarding traffic and street infrastructure in the area.

11. The project narrative and application documents discuss the provision of 7 live/work units along the Gold Dust frontage. Please provide additional information regarding these units to include floor plans and square footages of workspace relative to dwelling space. Please note, to function as live/work units these units may need to be constructed to a commercial standard rather than a residential standard.

12. The project narrative and application documents discuss a request for amended development standards as part of the PUD application. Acknowledging the discussion above regarding adjustment to the building stepback requirements along the west and south boundaries, please revise the legislative draft of amended development standards to

include a new Diagram illustrating the proposed Section 5.5005.F.2. See also comment #2 above.

13. The proposed parking plan includes tandem parking spaces and compact parking spaces. The zoning ordinance does not allow compact spaces, so please remove from the garage, reconfigure to meet code, and/or remove from the provided parking tabulations. In accordance with zoning ordinance Section 9.106.C.1.c.ii.(1), tandem parking spaces are only allowed when both spaces are assigned to the same dwelling unit. The proposed plan includes 41 tandem parking slots, totaling 82 spaces in a tandem format. Please revise the parking plans to specify which units these tandem spaces will be assigned to and verify that rest of the units will be adequately parked without the use of the tandem parking spaces.
14. The proposed parking plan includes 2 separate details for handicap accessible parking spaces, one of which does not meet the minimum standard of 11 feet wide with a 5 feet wide aisle. Please reference zoning ordinance section 9.105.F. and revise the parking plans accordingly.
15. Please revise the proposed building elevations to include a building height dimension to the top of the roof parapets, demonstrating compliance with zoning ordinance Section 5.5005.C. Please also add the average top of curb benchmark to the building elevations as the point of reference for measuring building height in accordance with zoning ordinance Section 3.100.
16. Please revise the roof plan to include hatching or other pattern of delineation to show the areas of the roof that are above the 48 feet maximum height allowance and included under the exceptions of zoning ordinance Section 5.5005.D.

<u>Fire:</u>

17. Please revise the site plan to demonstrate the location of the Fire Department Connection (Fire Ord. 4283, 912).
18. Please revise the site plan to demonstrate the location of the Fire Riser room (DS&PM 6-1.504(1)).
19. With the resubmittal, or prior to Development Review Board application, please complete a P.E.P. (is uploaded P.E.P. checklist).

<u>Engineering:</u>

20. In accordance with SRC 47: Please acknowledge the following construction restrictions:
    a) MARSHALLING + STORAGE YARD. City ROWs, including alleys, may not be used for marshalling or storage yards without the approval of the city's transportation department and payment of associated fee through the application and approval of the Marshalling + Storage yard permit. City approval is not guaranteed.
    b) Any soil nails or tie back construction systems, protruding past property lines:
        a. May not do so into privately owned parcels.
        b. May not be steel.
        c. Will require ownership execution of a city private improvement in the ROW prior to permit issuance.
21. In accordance with DSPM. 2-1.305 F. please provide loading and unloading areas, minimum length of 45' and width of 12'. Update plan with dimensions of loading zones proposed. Confirm 2 are being provided as 2 are required, and clearly label on the site plan accordingly.

22. In accordance with DSPM 2-1.309, the use of vertical compactors is limited to a maximum of 4 -4 cubic yard containers per project (this would not be sufficient to serve a project of this size). As such, please provide a refuse plan providing for a 20 cubic yard horizontal compactor and with the following requirements:
    a) Compactor Type + Capacity: - State on site plan compactor capacity conversion equating to the city's required 1 enclosure for every 20 units with no recycling or 2 enclosures for every 30 units with recycling. Although recycling is not a requirement, it has been determined to be an amenity that city residents are looking for in this type of development.
    b) Location: Place the refuse compactor container and approach pad so that the refuse truck route to and from the public street has a minimum unobstructed vertical clearance of thirteen (13) feet six (6) inches (fourteen 14 feet is recommended), and unobstructed minimum vertical clearance above the refuse truck staging area and compactor location of twenty-five (25) feet (this height may be reduced for horizontal compactors placed on a platform at the same elevation of truck bed).
    c) Place the refuse compactor in a location that does not require the bin to be maneuvered or relocated from the bin's storage location to be loaded on to the refuse truck.
    d) Provide a compactor container approach area that has a minimum width of fourteen (14) feet and length of sixty (60) feet in front of the container.
    e) Demonstrate path of travel for refuse truck accommodates a minimum vehicle turning radius of 45', and vehicle length of 40'.
    f) Non-self-contained compactors will require a grease interceptor with drain placed in compactor enclosure.
23. In accordance with DSPM 2-1.310, please update the plans to provide a 6' wide accessible pedestrian route from the main entry of the development Scottsdale Road.
24. 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 acknowledge and update technical reports and plans accordingly.
25. In accordance with DSPM 5-8.205, all non-ADA compliant pedestrian ramps abutting project shall be reconstructed by the owner with development of the subject site; this will include both sides of driveways at Gold Dust and Scottsdale Rd. Please update the site plan accordingly.

Drainage:

26. Please submit a revised Drainage Report with the rest of the resubmittal material identified in Attachment A. The redlined report is available for download via the internet file exchange for Case 4-ZN-2022.

Water and Wastewater:

27. Please submit a revised Water and Wastewater Design Reports with the rest of the resubmittal material identified in Attachment A. The redlined reports are available for download via the internet file exchange for Case 4-ZN-2022.

Significant Policy Related Issues

The following policy related issues have been identified in the first review of this application. While these issues may not be critical to scheduling the application for public hearing, they may

affect the City Staff's recommendation pertaining to the application and should be addressed with the resubmittal of the revised application material. Please address the following:

Circulation:

28. The site plan calls out a "covered arcade" along the eastern building front adjacent to the sidewalk in front of the building, however, the covered area appears to be no more than 3.5' wide. Please clarify the intent of this covered area and consider expanding to cover the width of the sidewalk as a typical covered arcade would.
29. In accordance with DSPM 2-1.310 & 2-1.312, please increase the width of the sidewalk along the eastern building front to be a minimum of 8 feet wide and provide a 6' wide accessible pedestrian route from the main entry of the development Scottsdale Road.
30. The proposed pedestrian and vehicular circulation plan identifies a pedestrian connection in a mid-project location, from the proposed building toward Scottsdale Road and tying in with improvements near the existing CVS. Please revise the site plan to show this pedestrian connection and associated improvements to make this connection.
31. Please revise the site plan to Use the City's CL-1 driveway standard for the modified site driveway on Gold Dust Avenue, COS Standard Detail #2256. DSPM 5-3.200; DSPM Sec. 5-3.205.
32. Please revise the site plan to modify the site driveway from Gold Dust Avenue so that it comes directly into the main site driveway, rather than curving into the site.
33. Please revise the site plan to align the garage entrance with the main access aisle that connects to Scottsdale Road.
34. In accordance with DSPM 3: EASEMENTS: An emergency and services access easement will need to be dedicated by the owner to city prior to construction plan permit issuance over the drive aisle used to service the California Pizza Kitchen refuse enclosure. Please acknowledge with the resubmittal as this will be a stipulation of project.

TIMA:

35. With the resubmittal, please include turn lane warrant and queue calculations per DPSM 5-3.206. Also calculate expected northbound queue at the intersection of Driveway A/Gold Dust Avenue. Will the westbound left-turn into Driveway A block the eastbound left-turn lane at Scottsdale Road?
36. Page 8 – Please update reported 2018 values to 2020 values. These maps are provided in the previously provided report. Staff will work to place these maps on our website along with the previous years' maps.
37. Page 9 – Please reiterate in this section that Driveway B is a right-in/right-out access.
38. Page 13 – Please ensure analysis uses seasonal adjustment factors per updated 2020 values. Per MAG, the traffic count shall be divided by the provided monthly/seasonal factor.
39. Page 18 – The building elevations show that the site is split into sections of 3-story residential and 4-story residential. Please recalculate trip generation using LUC 220 for the 3-story units and LUC 221 for 4-story units. If the difference in expected trip generation is greater than 10% in any peak hour, please revise the analysis.

40. Please provide discussion on existing traffic levels and flow/congestion on the surrounding roadway network – specifically Scottsdale Road, Shea Boulevard, and Gold Dust Avenue (school traffic periods).

Please resubmit the revised application requirements and additional/supplemental information identified in Attachment A, Resubmittal Checklist, and a written summary response addressing the comments/corrections identified above as soon as possible for further review. The City will then review the revisions to determine if the application is to be scheduled for a hearing date, or if additional modifications, corrections, or additional/supplemental information is necessary.

In an effort to get this General Plan Amendment and Zoning District Map Amendment request to a Development Review Board & Planning Commission hearing, please submit the revised material identified in Attachment A as soon as possible.

These **1st Review Comments** are valid for a period of 180 days from the date on this letter. The Zoning Administrator may consider an application withdrawn if a revised submittal 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 please contact me at 480-312-2258 or at bcluff@ScottsdaleAZ.gov.

Sincerely,

Bryan Cluff
Principal Planner

cc: OWNER

ATTACHMENT A
Resubmittal Checklist

Case Number: 2-GP-2022 & 4-ZN-2022
Key Code: J4924 (4-ZN-2022)
99T66 (2-GP-2022)

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 (see above). 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)
☒ Revised Parking Study / Analysis
☒ Context Aerial with the proposed Site Plan superimposed
☒ Site Plan:
☒ Open Space Plan:
☒ Elevations:
☒ Perspective(s)
☒ Streetscape Elevation(s):
☒ Landscape Plan:
☒ Floor Plan(s):
☒ Floor Plan worksheet(s):
☒ Site Cross Sections:

Technical Reports: Please submit one (1) digital copy of each report requested

☒ Revised Drainage Report:
☒ Revised Water Design Report:
☒ Revised Wastewater Design Report: