

Case Research



Current Planning Services

7447 East Indian School Road, Suite 105
Scottsdale, Arizona 85251

To: Case File (10-ZN-2011 & 11-DR-2012)
From: Kroy Ekblaw, Zoning Administrator *KE*
CC: Ed Bull, Burch & Cracchiolo, P.A.
Date: August 10, 2012
Re: LIV North Scottsdale building height clarification

As part of a recent request made by Ed Bull of Burch & Cracchiolo, P.A. on behalf of Plinth Venture, LLC, the following clarification is made with regards to building height in the Planned Unit Development (PUD) District as it pertains to the LIV North Scottsdale project (fka Zocallo Residential):

Sections 5.5005.C., 5.5005.D. and 5.5005.F. of the Scottsdale Zoning Ordinance define building height standards for the Planned Unit Development District ("PUD District"). Specifically, Section 5.5005.C. states that building height "Shall be a maximum of forty-eight (48) feet, except as otherwise provided in Section 5.5005.D. and 5.5005.F." Further, Section 5.5005.D. provides exceptions to the maximum building height, including stairwells, railings, screen walls, elevator bulkheads and other roof top mechanical equipment, up to a maximum height of ten (10) feet.

The LIV North Scottsdale project ("LIV") is comprised of four multi-family residential buildings. Building 2 of the project is located near the center of the entire LIV project and has a proposed roof top garden that recently received Development Review Board approval. Due to various public safety, ADA, and resident requirements, the roof top garden must be serviced by an elevator. In accordance with ASME A17.1, AAC R20-5-507, OSHA Regulation 1926.554(a)(6), Scottsdale's building code and the elevator manufacturer's Safety handbook, a minimum "refuge" or "clear" space is required above the top of the elevator. To accommodate these requirements, the bulkhead of the elevator servicing the roof top garden is proposed to extend to an overall building height of sixty-one (61) feet (as measured from one foot above the average top of curb). The proposed elevator is centralized within Building 2 and measures (horizontally) approximately eighty (80) square feet. At approximately 80 square feet, the proposed 3-foot extension of the elevator above the maximum building height occupies less than 0.003 of the roof surface area of Building 2 and less than 0.001 of the roof surface of all the buildings of the LIV project.

The PUD District encourages and facilitates flexibility and states in the purpose statement (Section 5.5001.) that "This zoning district recognizes that adherence to a traditional pattern of

development standards, i.e. height . . . contained elsewhere in this code would preclude the application of the more flexible PUD concept." Section 5.5005.D.3. of the PUD District contemplates and allows roof top gardens.

In conformance with the intended and desired flexibility of the PUD District and based on the de minimis size of the required elevator bulkhead located atop Building 2 of the LIV project as well as requirements for various design and safety requirements the proposed extension of the elevator bulkhead is determined to be necessary and conforms with the spirit, intent and practical application of Section 5.5005.C. and 5.5005.D. of the Zoning Ordinance.



Pre-Application Request

Purpose:

The purpose of the Pre-Application submittal, and meeting, is for the applicant and City Staff to discuss a proposed Development Application, and the information and process that is necessary for City Staff to process the proposal.

In accordance with the Zoning Ordinance, no development application shall be accepted before a Pre-Application has been submitted, and a Pre-Application meeting has been conducted with City Staff, unless the Pre-Application meeting has been waived by the Zoning Administrator.

Submittal:

The completed Pre-Application request form, all required materials and fees should be submitted in person to the One-Stop-Shop located at 7447 East Indian School Road; or, may they be submitted digitally at following website:

<https://eservices.scottsdaleaz.gov/eServices/PreApps/Default.aspx>

All checks shall be payable to "City of Scottsdale."

Scheduling

After the Pre-Application packet has been accepted at the One-Stop-Shop, a staff member will contact the Applicant within five (5) Staff Working Days to schedule a Pre-Application meeting with the assigned staff member(s). Generally, a Pre-Application meeting is scheduled within five (5) to fifteen (15) Staff Working Days from the date of the submittal.

| | |
|--|--|
| Project Name: <u>Scottsdale Entrada</u> | |
| Property's Address: <u>NEC of 64th Street and McDowell Road</u> | APN: <u>129-09-003N,P,Q,S,T, U,V,&W</u> |
| Property's Zoning District Designation: <u>C-4 to PUD</u> | |
| Property Details: | |
| <input type="checkbox"/> Single-Family Residential | <input checked="" type="checkbox"/> Multi-Family Residential |
| <input checked="" type="checkbox"/> Commercial | <input type="checkbox"/> Industrial |
| <input checked="" type="checkbox"/> Other | |
| Has a 'Notice of Compliance' been issued? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <small>If yes, provide a copy with this submittal</small> | |
| Owner: <u>See attached</u> | Applicant: <u>Ed Bull</u> <i>Call Ricki Horowitz 602-234-8728</i> |
| Company: <u>c/o Todd Tupper, SunChase</u> | Company: <u>Burch & Cracchiolo, P.A.</u> |
| <u>85250</u> | |
| Address: <u>5665 N. Scottsdale Rd, Ste 135, Scottsdale, AZ</u> | Address: <u>702 E. Osborn Road, Suite 200, Phx., AZ 85014</u> |
| Phone: <u>480-398-2626</u> | Fax: <u>480-398-2627</u> |
| Phone: <u>602-234-9913</u> | Fax: <u>602-343-7913</u> |
| E-mail: <u>ttupper@suncap.com</u> | E-mail: <u>ebull@bcattorneys.com</u> |
| <u></u> | <u></u> |
| Owner Signature <u>Philip J. Handley, Manager</u> | Applicant Signature <u>Ed Bull</u> |
| Official Use Only Submittal Date: _____ | Application No.: <u>883</u> -PA- <u>2015</u> |
| Project Coordinator: _____ | |

Planning and Development Services Department

7447 E Indian School Road Suite 105, Scottsdale, Arizona 85251 Phone: 480-312-7000 Fax: 480-312-7088

OWNERS

McDowell 64, LLC, an Arizona limited liability company;

McDowell 6500, LLC, an Arizona limited liability company;

McDowell 6620, LLC, an Arizona limited liability company; and

The Car Collection, LLC, an Arizona limited liability company



Pre-Application Request

Development Application Type:

Please check the appropriate box of the Type(s) of Application(s) you are requesting

| Zoning | Development Review | Signs |
|--|--|--|
| <input type="checkbox"/> Text Amendment (TA) | <input type="checkbox"/> Development Review (Major) (DR) | <input type="checkbox"/> Master Sign Program (MS) |
| <input checked="" type="checkbox"/> Rezoning (ZN) | <input type="checkbox"/> Development Review (Minor) (SA) | <input type="checkbox"/> Community Sign District (MS) |
| <input type="checkbox"/> In-fill Incentive (II) | <input type="checkbox"/> Wash Modification (WM) | Other |
| <input type="checkbox"/> Conditional Use Permit (UP) | <input type="checkbox"/> Historic Property (HP) | <input type="checkbox"/> Annexation/De-annexation (AN) |
| Exemptions to the Zoning Ordinance | Land Divisions | <input type="checkbox"/> General Plan Amendment (GP) |
| <input type="checkbox"/> Hardship Exemption (HE) | <input type="checkbox"/> Subdivisions (PP) | <input type="checkbox"/> In-Lieu Parking (IP) |
| <input type="checkbox"/> Special Exception (SX) | <input type="checkbox"/> Subdivision (Minor) (MD) | <input type="checkbox"/> Abandonment (AB) |
| <input type="checkbox"/> Variance (BA) | <input type="checkbox"/> Perimeter Exceptions (PE) | <input type="checkbox"/> Single-Family Residential |
| <input type="checkbox"/> Minor Amendment (MA) | | <input type="checkbox"/> Other |

Submittal Requirements: (fees subject to change every July)

Pre-Application Fee: \$ 87.00
(No fees are charged for Historic Preservation (HP) properties.)

Records Packet Fee: \$ 21.00
Processed by staff. The applicant need not visit the Records desk to obtain the packet.
(Only required for ZN, II, UP, DR, PP, AB applications, or otherwise required by Staff)

Application Narrative:
The narrative shall describe the purpose of the request, and all pertinent information related to the request, such as, but not limited to, site circulation, parking and design, drainage, architecture, proposed land use, and lot design.

Property Owner Authorization Letter
(Required for the SA and MS Pre-Applications)

- Site / Context Photographs
- Provide color photographs showing the site and the surrounding properties. Use the guidelines below for photos.
 - Photos shall be taken looking in towards the project site and adjacent to the site.
 - Photos should show adjacent improvements and existing on-site conditions.
 - Each photograph shall include a number and direction.
 - Sites greater than 500 ft. in length, also take the photo locations shown in the dashed lines.
 - Photos shall be provided 8 ½ x 11 paper, max. two per page.



Other

- *The following list of Additional Submittal Information is not required for a Pre-Application meeting, unless indicated below by staff prior to the submittal of this request.*
- *Applicants are advised to provide any additional information listed below. This will assist staff to provide the applicant with direction regarding an application.*

Additional Submittal Information

- Site Plan
- Subdivision plan
- Floor Plans
- Elevations
- Landscape plans
- H.O.A. Approval letter
- Sign Criteria Regulations & Language
- Material Samples – color chips, awning fabric, etc.
- Cross Sections – for all cuts and fills
- Conceptual Grading & Drainage Plan
- Exterior Lighting – provide cut sheets, details and photometrics for any proposed exterior lighting.
- Boundary Survey (required for minor land divisions)
- Areal of property that includes property lines and highlighted area abandonment request.
- One copy of the recorded document for the area that is requested to be abandoned. Such as: subdivision plat, map of dedication, GLO (General Land Office) federal patent roadway easement, or separate dedication document. A copy of most recorded documents to be abandoned may be purchased at the City of Scottsdale Records Dept. (480-312-2356), or the Maricopa County Recorder's Office (602-506-3535). A copy of the General Land Office (GLO) federal patent roadway easement may be purchased from the Bureau of Land Management (602-417-9200).

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PROJECT NARRATIVE

This Pre-Application Request is for a proposed Development Application to rezone a portion of the property at the northeast corner of 64th Street & McDowell Road. (Exhibit 1)

The entire property is approximately 30 acres and the redevelopment area to be rezoned is approximately 23 acres. This redevelopment area is bordered by 64th Street on the west, McDowell Road on the south, zoned and improved Open Space on the north and zoned C-4 but improved as Open Space on the east. The Arizona Crosscut Canal borders the open space on the east. (Exhibit 2)

The request is to rezone the approximately 23 acre redevelopment area from C-4 to Planned Unit Development (PUD).

The current C-4 Zoning District allows for heavy commercial activities including light manufacturing, warehousing, wholesaling and vehicle sales. The existing buildings on the site were car dealerships, but they have not been operating in that capacity for several years.

The proposed PUD Zoning encourages mixed-use development – commercial, specifically office and retail, hospitality, and multi-family residential uses that promote a mix of day and nighttime activities. The location of this site lends itself to this type of redevelopment. It would revitalize an area that currently sits vacant and does not contribute to the surrounding neighborhoods.

This site is situated at the western edge of the City of Scottsdale and can serve as a gateway that signals the arrival to the City. It borders the City of Phoenix and is adjacent to many local attractions. A mixed use redevelopment in this location could be self-sufficient but also provide desired uses for the adjacent neighborhoods. A mixed-use development would be able to withstand a changing market and be successful for the long term.

The 153' wide open space plus east-west alley on the north separates the redevelopment from the adjacent Hy-View residential neighborhood. This open space area will be retained and improved based on the neighborhood input. It creates a buffer from the adjacent neighborhood of approximately 165' to the property line of the neighbors to the north. The residential neighborhoods to the east are buffered by approximately 83' of open space in addition to the Crosscut Canal and (typically) 66th Place. The distance from the proposed PUD to the closest neighbors on the east varies from approximately 182' to 230'. (Exhibit 3)

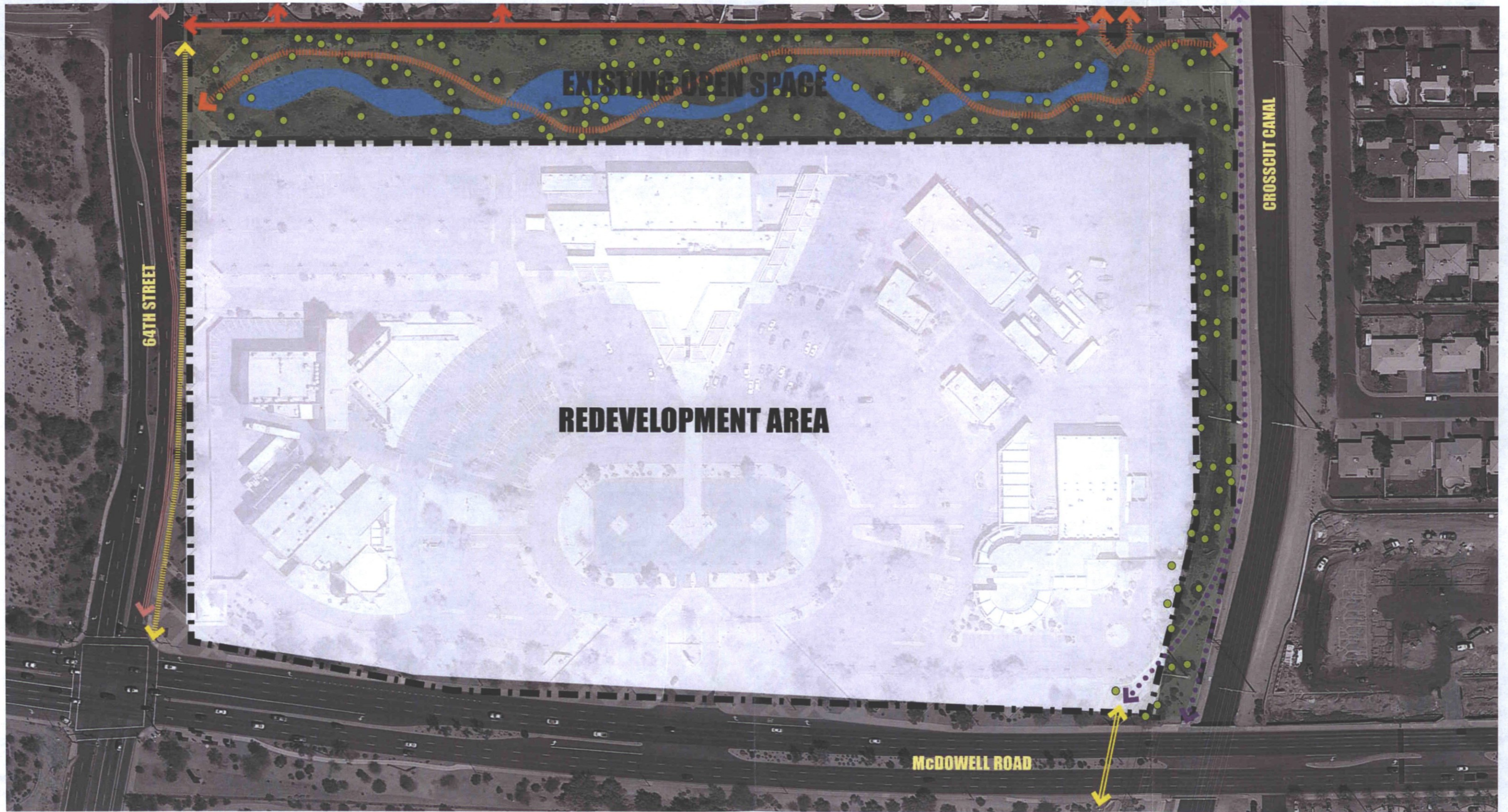
The development standards of the PUD Zoning, regarding building height and setback from residential neighborhoods will be met with the new development. (Exhibit 4)

Site sections to the surrounding residential neighborhoods have been included to show the adherence to the development standards. (Exhibit 5 and 6)

Informal Neighborhood Meetings were held on August 11, 2015 and August 12, 2015. At that initial set of meetings conceptual diagrams and site plans of the redevelopment were presented. A land use diagram (Exhibit 7) was shown with possible mixed-use building locations. A circulation diagram (Exhibit 8) that showed connections through the site as well as the potential pedestrian connections from the Crosscut Canal to the site was presented. A parking access diagram (Exhibit 9) was also shown to reflect the intent to internalize the parking. Conceptual site plans (Exhibit 10, 11, and 12) were shown to the neighbors to give an idea of the possible layout of the site.

Our design intent is that the buildings will include articulation of the façade to create architectural interest. The materials and colors palette for the buildings will be influenced by the unique landscape elements that surround the property. The architectural character will be influenced by mid-century modern architecture in its desire to blend organic materials and modern elements in a clean, contemporary way. The goal is to create an environment that encourages mixed-use development while enhancing the surrounding area.





- - - - - 8' Existing Pathway
- • • • • Existing Canal Pathway
- - - - - Existing McDowell Road Underpass
- • • • • Existing Sidewalk
- = = = = = Existing Bike Lane
- Existing Service Alley
- - - - - Existing Screen Wall
- Existing Open Space
- - - - - Existing Drainage
- Existing Trees

**64th St & McDowell
Site Analysis Diagrams**

SCOTTSDALE, AZ | #31377 | AUGUST 3, 2015

Existing Site Character



