

CITY COUNCIL REPORT



Meeting Date: November 14, 2022
 General Plan Element: *Land Use*
 General Plan Goal: *Create a sense of community through land uses*

ACTION

NEC McDowell Road and Hayden Road 2-ZN-2022

Request to consider the following:

1. Adopt Ordinance No. 4568 approving a zoning district map amendment to amend the Development Plan and zoning stipulations of Case 101-ZN-1984 (101-Z-84) to allow a drive-thru restaurant on a +/- .36-acre site, with Planned Neighborhood Center (PNC) zoning, located at the northwest corner of McDowell Road and Almeria Road.

Goal/Purpose of Request

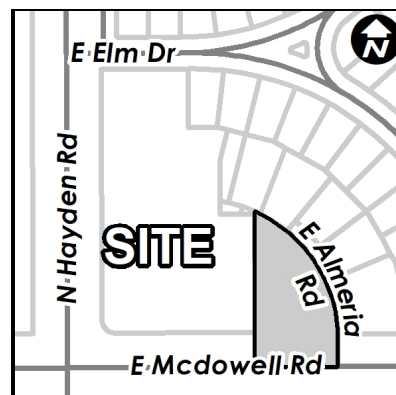
The applicant's request is to expand the list of allowable uses within the Planned Neighborhood Center (PNC) district to allow for a drive-thru restaurant on an outparcel of an existing office development.

Key Items for Consideration

- Associated previous zoning case 101-Z-84
- Site-specific amendments to original PNC development plan's allowed uses
- Site near single-family developments to the east/northeast
- No increased traffic impact expected; proposal removes one existing McDowell Road driveway
- Public comment includes 2 citizens speaking at the PC hearing, and one digitally received comment.
- Planning Commission heard this case on October 12, 2022 and recommended approval with a vote of 6-1 (Commissioner Kaminski dissenting).

OWNER

Waseem J. Hamadeh
 (602) 327-8169



Action Taken _____

APPLICANT CONTACT

Justin Gregonis
(480) 241-3604

LOCATION

E MCDOWELL RD / N HAYDEN RD (NE Corner) (APN: 131-04-087H; northwest corner of McDowell Road and Almeria Road)

BACKGROUND

General Plan

The City of Scottsdale General Plan 2035 Future Land Use Map designates the property as Mixed-Use Neighborhoods, a land use category that accommodates higher-density housing combined with complementary office or retail uses. These areas focus on human-scale development, in locations with strong access to multiple modes of transportation and major regional services. Further, Mixed-Use Neighborhoods are most suitable near and within Growth and Activity Areas. The subject site is located within the McDowell Road / Scottsdale Road Growth Area, a Growth Area that is less intense/dense than the Old Town and Greater Airpark Growth Areas and provides opportunity for redevelopment and reinvestment.

Character Area Plan

The General Plan establishes Character Area Planning as a means to ensure quality of development and consistency of character within the context of community-wide goals. The subject site is located within the Southern Scottsdale Character Area Plan (SSCAP) – a plan that promotes reinvestment and infill projects. Further, the subject site is located along the SSCAP-designated McDowell Road Regional Corridor, which consists of higher intensity, vertical and horizontal mixed-use development.

Zoning

The site is zoned Planned Neighborhood Center (PNC). The PNC zoning district allows for restaurants, including drive-through; however, case 101-ZN-1984 for this site specifically prohibits drive-thru restaurants.

Context

The subject property is generally located near the northeast corner of N Hayden Road and E McDowell Road, along the north side. More specifically, the site is located at the northwest corner of E McDowell Road and E Almeria Road. Please refer to context graphics attached.

Adjacent Uses and Zoning

- North: Park McDowell Unit 1; Single-family Residential (R1-7).
- South: Scottsdale Commerce Center; Highway Commercial (C-3).
- East: Central Business (C-2) and Single-family Residential (R1-7).
- West: Two-story Commercial Offices; Planned Neighborhood Center (PNC)

Other Related Policies, References:

Scottsdale General Plan 2035, as amended
2010 Southern Scottsdale Character Area Plan
Zoning Ordinance (as amended by 101-ZN-1984)

APPLICANT'S PROPOSAL

Development Information

The development proposal includes expanding the list of allowable uses within the Planned Neighborhood Center (PNC) district to allow for a drive-thru restaurant on an outparcel of an existing office development. The original zoning case prohibited drive-thru financial institutions and restaurants, largely due to then-resident concerns about traffic.

IMPACT ANALYSIS

Land Use

The proposal meets the zoning development standards and the allowance of the drive-through is consistent with other properties with similar zoning throughout the city. The site design addresses anticipated impacts. The final design will be provided and reviewed with the future Development Review Board submittal.

The previous zoning case required screen walls along the property's eastern perimeter. The proposed site plan adds additional walls for increased screening from eastern neighbors.

Transportation/Trails

The proposed site work includes closing off an existing ingress/egress driveway onto McDowell Road, roughly 120 feet west of E Almeria Rd. Staff is supportive of removing that redundant access point, where pedestrian access will be subsequently improved between the existing offices and the subject site.

Parking considerations for the proposed site will require a shared parking agreement or land assemblage to tie the subject lot to the larger overall development site.

Housing Cost

In conjunction with state law, staff has considered the scope of the zoning district map amendment, as well as aspects which would affect the cost of construction of housing for sale or rent. Staff has not identified any factors that would substantially impact the cost to construct housing for sale or rent.

Community Involvement

The applicant sent out letters to property owners within 800-feet of the site; held a virtual open house meeting; and hosted various small group, one-on-one meetings, phone calls, and house visits. Once the application was filed, the City also sent out notice to the property owners within 750-feet of the site. No comments have been received as of the writing of this report.

Community Impact

The proposed amendment is specific to this site and would not apply to other previously-adopted PNC-zoned uses within the overall development or general PNC district areas city-wide. The

applicant's proposal indicates that the existing and proposed improvements provide sufficient walls and landscape buffer areas on this site to minimize potential impacts of new development relative to its proximity to the adjacent residential lots.

OTHER BOARDS AND COMMISSIONS

Planning Commission:

Planning Commission heard this case on October 12, 2022 and recommended approval with a vote of 6-1 (Commissioner Kaminski dissenting).

Staff recommended that the Planning Commission find that the Zoning District (PNC) criteria have been met and determine that the proposed zoning district map amendment to amend the development plan and uses is consistent and conforms with the adopted General Plan, and make a recommendation to City Council for approval, per the attached stipulations.

STAFF RECOMMENDATION

Recommended Approach:

Adopt Ordinance No. 4568 approving a zoning district map amendment to amend the Development Plan and zoning stipulations of Case 101-ZN-1984 (101-Z-84) to allow a drive-thru restaurant on a +/- .36-acre site, with Planned Neighborhood Center (PNC) zoning, located at the northwest corner of McDowell Road and Almeria Road.

RESPONSIBLE DEPARTMENT

Planning and Development Services

Current Planning Services

STAFF CONTACT

Casey Steinke

Planner

480-312-2611

E-mail: csteinke@ScottsdaleAZ.gov

APPROVED BY



Casey Steinke, Report Author

10/31/22

Date



Tim Curtis, AICP, Current Planning Director
Planning Commission Liaison
Phone: 480-312-4210 Email: tcurtis@scottsdaleaz.gov

10/25/2022

Date



Erin Perreault, AICP, Executive Director
Planning, Economic Development, and Tourism
Phone: 480-312-7093 Email: eperreault@scottsdaleaz.gov

10/27/2022

Date

ATTACHMENTS

1. Context Aerial
- 1A. Aerial Close-Up
2. Ordinance No. 4568
 - Exhibit 1: Zoning Map
 - Exhibit 2: Stipulations
 - Exhibit A to Exhibit 2: Development Plan
3. Applicant's Narrative
4. Existing General Plan Land Use Map
5. Community Involvement
6. City Notification Map
7. October 12, 2022 Draft Planning Commission meeting minutes





Close-up Aerial

2-ZN-2022

ORDINANCE NO. 4568

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, AMENDING ORDINANCE NO. 455, THE ZONING ORDINANCE OF THE CITY OF SCOTTSDALE, BY AND FOR THE PURPOSE OF CHANGING THE ZONING ON THE "DISTRICT MAP" TO ZONING APPROVED IN CASE NO. 2-ZN-2022 BY AMENDING THE DEVELOPMENT PLAN AND ZONING STIPULATIONS OF CASE 101-Z-1984 TO ALLOW A DRIVE-THRU RESTAURANT ON A +/- .36-ACRE SITE, WITH PLANNED NEIGHBORHOOD CENTER (PNC) ZONING, LOCATED AT THE NORTHWEST CORNER OF MCDOWELL ROAD AND ALMERIA ROAD (APN: 131-04-087H).

WHEREAS, the Planning Commission held a hearing on October 12th, 2022; and

WHEREAS, the City Council has considered the probable impact of Zoning Ordinance 4568 on the cost to construct housing for sale or rent; and

WHEREAS, the City Council finds that the proposed development is in substantial harmony with the General Plan of the City of Scottsdale and will be coordinated with existing and planned development; and

WHEREAS, it is now necessary that the comprehensive zoning map of the City of Scottsdale ("District Map") be amended to conform with the decision of the Scottsdale City Council in Case No. 2-ZN-2022.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Scottsdale, as follows:

Section 1. That the "District Map" adopted as a part of the Zoning Ordinance of the City of Scottsdale, showing the zoning district boundaries, is amended by amending the zoning stipulations and Development plan in case 101-Z-1984 to allow a drive thru restaurant on a +/- .36-acre site with Planned Neighborhood Center (PNC) zoning located at the northwest corner of McDowell Road and Almeria Road and marked as "Site" (the Property) on the map attached as **Exhibit 1**, incorporated herein by reference, with Planned Neighborhood Center (PNC) zoning located at the northwest corner of McDowell Road and Almeria Road.

Section 2. That the above rezoning approval is conditioned upon compliance with all stipulations attached hereto as **Exhibit 2** and incorporated herein by reference.

Ordinance No. 4568

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ATTACHMENT 2

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this _____ day of _____, 2022.

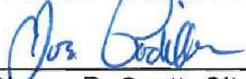
ATTEST:

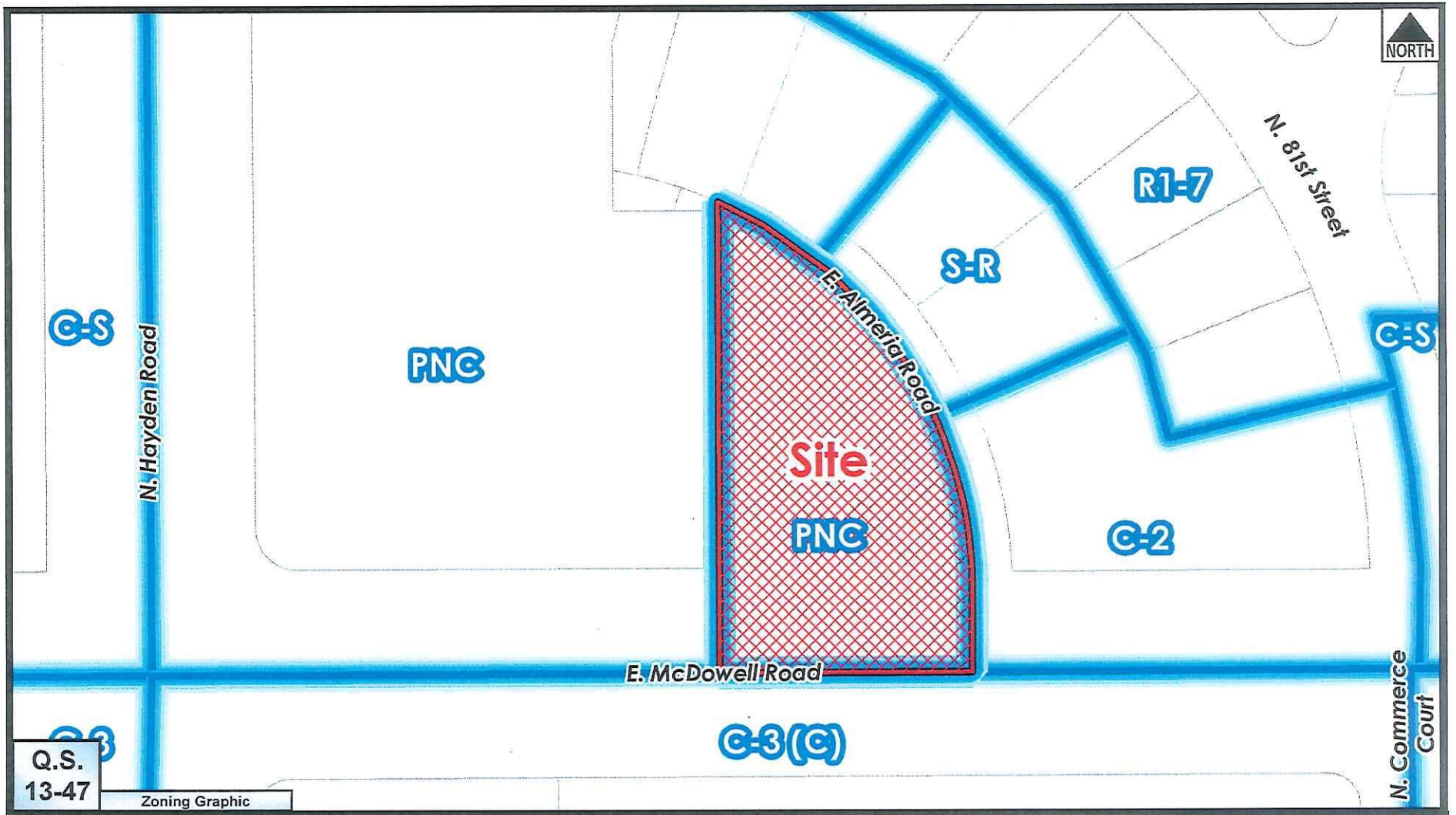
CITY OF SCOTTSDALE, an Arizona
municipal corporation

By: _____
Ben Lane
City Clerk

By: _____
David D. Ortega
Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By:  _____
Sherry R. Scott, City Attorney
By: Joe Padilla, Deputy City Attorney



Q.S.
13-47

Zoning Graphic

Zoning

Ordinance No. 4568
Exhibit 1
Page 1 of 1

2-ZN-2022

**Stipulations for the Zoning Application:
NEC McDowell Road and Hayden Road
Case Number: 2-ZN-2022**

These stipulations are in order to protect the public health, safety, welfare, and the City of Scottsdale.

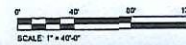
SITE DESIGN

- A. GOVERNANCE. Original stipulations from case 101-Z-84 continue to apply except as modified below as shown in **BOLD CAPS** and strikethrough.
1. Development shall be in substantial conformance with the **DEVELOPMENT PLAN/site plan** submitted as part of the application **AS EXHIBIT A TO EXHIBIT 2, AND SHALL EXECUTE A LOT TIE ASSEMBLING ALL PARCELS WITHIN PROJECT BOUNDARIES INTO ONE PARCEL OR EXECUTE A SHARED PARKING AGREEMENT PRIOR TO BUILDING PERMITS.**
 2. Dedication, **IF NOT ALREADY MADE**, shall be made of the following right-of-way within 6 months of date of City Council approval:

Hayden Road	65' (half-street)
McDowell Road	65' (half-street)
 3. Two-story buildings shall be set back a minimum of 90 feet from the centerline of Hayden and McDowell Roads unless otherwise approved by the Development Review Board.
 4. Any use permitted in the PNC zone is permitted on this site, subject to the following restrictions:
 - a. ~~No restaurant or~~ financial institution shall have drive-thru facilities.
 - b. No use shall be permitted which results in a parking requirement of more than 243 spaces. If office or restaurant facilities are proposed, the floor area of the buildings shall be reduced, where necessary, to comply with the parking requirement limit.
 - c. If the number of parking spaces actually provided is less than 243, the requirements of 4b above shall be applied based on the lesser number of spaces.
 5. The development Review Board shall pay particular attention to the wall design and landscape buffer to be provided along the abutting residential area.



SITE PLAN
SCALE: 1" = 40'-0"



GENERAL SITE PLAN NOTES

1. DEVELOPMENT AND USE OF THIS SITE WILL CONFORM TO ALL APPLICABLE CODES AND ORDINANCES.
2. ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND.
3. ALL SITE SIGNS SHALL BE PERMITTED UNDER A SEPARATE CITY SUBMITTAL PROCESS. SITE SIGNS NOT SHOWN WITHIN THIS SCOPE.
4. ANY LIGHTING WILL BE PLACED 90 AS TO DIRECT LIGHT AWAY FROM THE ADJACENT PROPERTIES AND WILL NOT EXCEED ONE FOOT CANDLE AT THE PROPERTY BOUNDARY.
5. ALL ON-SITE ACCESSIBLE SIDEWALKS SHALL BE A MINIMUM OF 3 FEET 3 INCHES WIDE AND HAVE A MAXIMUM SLOPE OF 1:20 WITH THE MAXIMUM CROSS SLOPE OF 1:60. ALL CURBS MUST PROVIDE ACCESSIBLE RAMPS PURSUANT TO THE AMERICANS WITH DISABILITIES ACT ADA STANDARDS.

PROJECT TEAM

ARCHITECT UPWARD ARCHITECTS 1155 W. RIO SALADO PARKWAY, STE. B-101 TEMPE, ARIZONA 85281 PHONE: 602.753.5222 FAX: E-MAIL: justin@upwardarchitects.com CONTACT: Justin Gregonis	DEVELOPER H2H INVESTMENT GROUP 11811 N. TATUM BLVD. #101 PHOENIX, AZ 85028 PHONE: 602.327.8188 FAX: E-MAIL: vlamash@h2hinvestmentgroup.com CONTACT: Vlasem & Humadel
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SITE LEGEND

--- PEDESTRIAN ACCESS TO PUBLIC WAY

SITE DATA

PARCEL NUMBER: 131-04-027H
EXISTING ZONING: PNC
SITE AREA: 16,015 SF / 0.38 AC
TOTAL BUILDING AREA: NEW RESTAURANT - PAD A: 2,440 S.F.
FLOOR AREA RATIO: 14.69%

OPEN SPACE AREA
FRONT OPEN SPACE REQUIRED: 1,163 S.F.
COMMON OPEN SPACE REQUIRED: 1,193 S.F.
FRONT OPEN SPACE PROVIDED: 5,084 S.F.
COMMON OPEN SPACE PROVIDED: 3,979 S.F.

PARKING
TOTAL PARKING REQUIRED: 2,440 S.F. / 120 = 21 SPACES
PAD A: RESTAURANT
TOTAL PARKING PROVIDED = 1 SPACE*
* PARKING COMPLIANCE ACCOMPLISHED BY CROSS PARKING AGREEMENT

PARCEL NUMBER: 131-04-027H
EXISTING ZONING: PNC
SITE AREA: 142,062 SF / 3.28 AC
TOTAL BUILDING AREA
EXISTING OFFICE: 43,590 S.F.
EXISTING RESTAURANT: 2,805 S.F.
TOTAL: 46,395 S.F.

FLOOR AREA RATIO: 32.43%

TOTAL PARKING REQUIRED: = 145 SPACES
EXISTING OFFICE: = 24 SPACES
EXISTING RESTAURANT: = 108 SPACES
TOTAL: 108 SPACES

TOTAL PARKING PROVIDED: 213 SPACES
PARKING RATIO: 4.36 SPACES / 1,000 S.F.
TOTAL ACCESSIBLE PARKING REQUIRED: 7 SPACES
TOTAL ACCESSIBLE PARKING PROVIDED: 9 SPACES

PROJECT DESCRIPTION

THIS SUBMITTAL INCLUDES INFORMATION FOR A NEW 4,340 S.F. RESTAURANT BUILDING LOCATED IN THE EXISTING CENTER. THE DESIGN AND COLOR & MATERIAL PALETTE IS CONSISTENT WITH THE EXISTING CENTER.

SCOPE OF WORK INCLUDES ARCHITECTURAL, CIVIL, LANDSCAPE, STRUCTURAL, MECHANICAL, PLUMBING, & ELECTRICAL TO COMPLETE THE TENANT'S SHELL SPECIFICATIONS.

VICINITY MAP



Ordinance No. 4568
Exhibit A to Exhibit 2
Page 1 of 1

Site Plan

NEC McDowell Road and Hayden Road, Scottsdale, AZ

02.03.2022
PROJECT NO.: 21088



UPWARD
ARCHITECTS

1155 W. Rio Salado Parkway, Suite B-101, Tempe, AZ 85281
602.753.5222 www.upwardarchitects.com

Hayden & McDowell Zoning Map Amendment

Project Narrative

Case No: 2-ZN-2022



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Project Overview

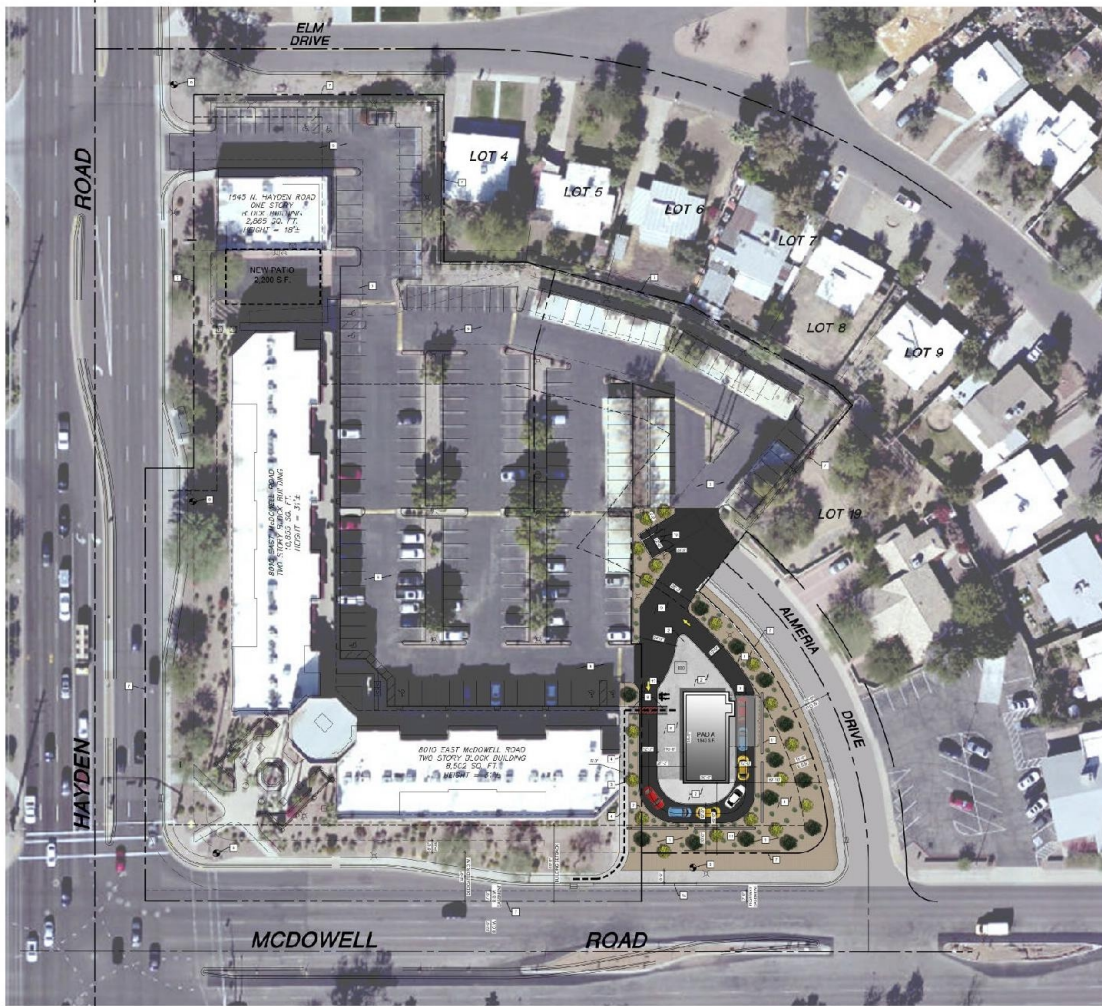
The request is for a zoning map amendment to modify the existing Planned Neighborhood Center (“PNC”) district and 1984 zoning stipulations for a 0.60+/- gross acre site located east of the northeast corner of Hayden Road and McDowell Road (the “Property”) to allow for a new pad site with drive-thru at the southeast corner of the existing commercial center. The conditions approved with zoning case 101-Z-84 included a stipulation which stated: “no restaurant or financial institution shall have drive-thru facilities.”

The Property is ideally situated for a new restaurant pad building given its arterial road frontage with existing drive-by traffic, and close proximity to the range of retail, residential, and employment uses in the immediate vicinity. The proposal to redevelop this Property from an underutilized surface parking lot will bring an additional restaurant/coffee shop option for area residents and nearby employees, further bolstering the economic success of surrounding Southern Scottsdale businesses. The redevelopment proposal includes one conceptual drive-thru restaurant building consisting of approximately 2,240 s.f. The site design proposes to remove one existing driveway from McDowell Road and excess surface asphalt parking, while also increasing the amount of landscaped open space. The site design allows for safe pedestrian circulation around the restaurant pad with a path connecting to the public sidewalk and existing commercial center. Existing tenants in the center include, but are not limited to, Edward Jones Financial Advisor, De Bruin Chiropractor, Rosenstein Law Group, and Cortiva Institute of Massage Therapy.

Existing Site Condition



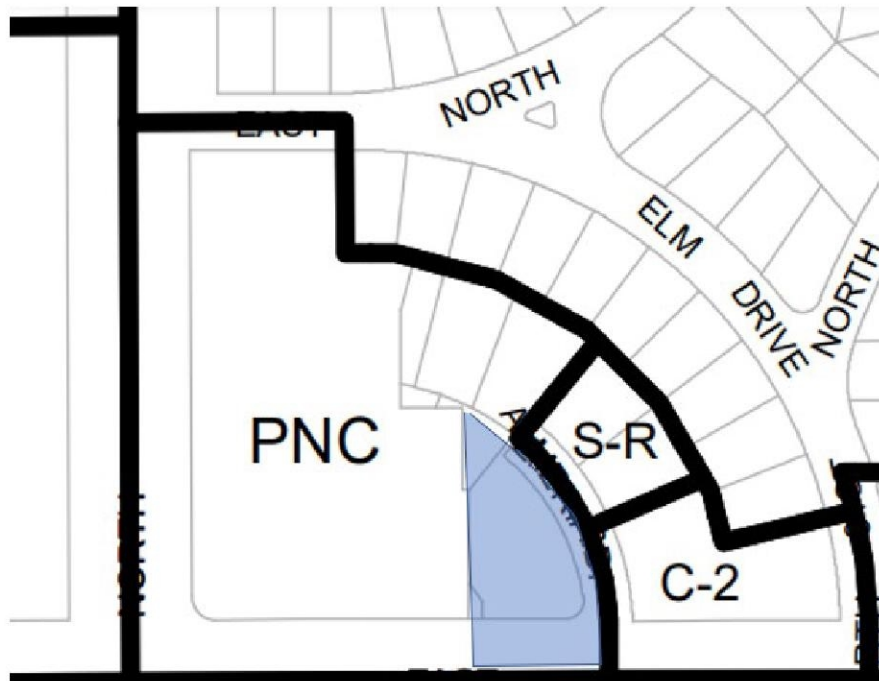
Context Aerial



Site Plan



Zoning Map



2035 General Plan

“Our future begins today. Building upon decades of planning and thousands of hours of community involvement, General Plan 2035 guides the physical development of Scottsdale and acts as a blueprint to enhance our community aspirations—Exceptional Experience, Outstanding Livability, Community Prosperity, and Distinctive Character—over the next 20 years.”

The General Plan is a tool for guiding future development and contains community goals and policies on a variety of components that play a role in creating the community in which we live, work, and enjoy. These goals and policies are broken down into 24 elements. The 2035 General Plan organizes the 24 elements under the following chapters with a series of goals and policies. A summary of the development’s conformance to these goals and policies is provided below.

1. *Character & Culture*
2. *Sustainability & Environment*
3. *Collaboration & Engagement*
4. *Community Well-Being*
5. *Connectivity*
6. *Revitalization*
7. *Innovation & Prosperity*
8. *Implementation*

❖ CHARACTER & CULTURE

Character Types

- *Urban Character Types {McDowell Road} consist of higher-density residential, non-residential, and mixed-use neighborhoods, including apartments, high-density townhouses, business and employment centers, and resorts. Development in Urban Character Types should have pedestrian orientation, shade, activity nodes, and useable open spaces that encourage interaction among people. Building form and heights typically transition to adjacent Rural and Suburban Character Types. Taller buildings may be appropriate in Growth Areas, depending on context (see Growth Areas Element). Examples include Old Town Scottsdale, a mixed-use center of distinct urban districts; mixed-use portions of the Greater Airpark, particularly along Scottsdale Road; areas within the Scottsdale Road and Shea Boulevard Couplet; and the HonorHealth hospital/medical campus near Shea Boulevard and 90th Street.*

The proposed restaurant use is consistent with the Urban Character Type described above by providing a neighborhood serving land use adjacent to established residential, commercial retail, and employment uses including but not limited to General Dynamics, Republic West, Mission Restoration, and Innovation Health. Further, this Property is located along McDowell Road just east of Hayden Road, both major arterials, thus making it an ideal location for a new restaurant pad site with significant existing drive-by traffic.

Character & Design Element

CD 1

Determine the appropriateness of all development in terms of community goals, surrounding area character, and context.

CD 1.1 New and revitalized development should respond to the regional, citywide, and neighborhood contexts in terms of:

- *Scottsdale's southwestern, Sonoran Desert characteristics, such as climate, native plants, topography, and history/culture.*
- *Scottsdale as a part of a larger metropolitan area with a unique image, character, and identity within the regional setting.*
- *Relationships and sensitivity to surrounding land forms, land uses, and transportation corridors.*
- *Compatibility with and sensitive integration into established neighborhood character, including historical preservation policies.*
- *Contributions to citywide linkages of open space, Growth Areas, and Activity Areas.*
- *Creation of new or reinvention of the existing character of an area, when necessary.*
- *Physical scale relating to human experience.*
- *Visual impacts on and accessibility to public settings, significant natural features, and neighboring properties.*

- *Impacts on and sensitivity to the natural environment.*
- *Public buildings and facilities that demonstrate the above principles.*

CD 1.2 Consider the effects of building height, overall development density, and building orientation on adjacent neighborhood character, privacy, and viewsheds

CD 1.3 Ensure that all development is a part of and contributes to established Character Types.

CD 1.4 Encourage transitions and blending of character between Character Types, including, open space areas, building height, massing, and orientation

Response: The character and design of the proposed development includes a low-impact, single-story design resulting in minimal visual impact along McDowell Road as the Property serves as a transition between the two-story commercial building to the west and the single-story office uses to the east. The drive-thru queuing wraps the building offering ample stacking room for cars. Additionally, new landscaping will be installed, and the amount of open space will be increased from the existing condition providing an enhanced buffer and removal of heat island inducing asphalt. Building architecture is still being designed but will complement the existing brick commercial buildings in the center.



CD 2

Develop, maintain, and refine Character Areas and Character Area Plans to foster quality development and consistent character and context within various areas of the community.

CD 2.1 Set priorities for the creation and updating of Character Area Plans.

CD 2.2 Character Area Plans should address “edges,” places where two Character Areas meet or places where Scottsdale’s boundaries abut other governmental jurisdictions, to ensure compatible transitions of character and connections.

CD 2.3 Ensure the involvement and participation of Character Area residents, businesses and property owners in planning and implementation.

Response: The proposed development complies with the Southern Scottsdale Character Area Plan by bringing redevelopment that is contextually appropriate and implements synergist land uses along McDowell Road. The proposed restaurant site will incorporate site design, connectivity, landscaping, architecture and building materials that complement the developed sites surrounding the Property. Further discussion regarding the character area plan conformance is provided in the Southern Scottsdale Character Area Plan (“SSCAP”) section below.

CD 4

Enhance the design of streets and public spaces to improve Scottsdale’s visual quality, experience, Sonoran Desert context, and social life.

CD 4.1 Promote contextually compatible streetscapes that correspond with the following classifications:

- *Urban Streetscapes encourage pedestrian comfort, safety, and accessibility using decorative elements, such as arcade-covered walkways, shade, pedestrian lighting, decorative paving and street crossings, transit shelters, seating, waste receptacles, and landscaping. Urban Streetscapes strive for equality among pedestrians, bicyclists, and automobiles in the design of the public realm.*

CD 4.5 Identify and establish consistent entrances to Scottsdale and, as appropriate, key gateways to neighborhoods and Character Areas so that residents and visitors have a sense of arrival.

Response: The building contributes towards the pedestrian-oriented atmosphere with activation of street frontages linking to the range of established uses in the area by maintaining the existing sidewalks along McDowell Road and Almeria Road while also providing a new pedestrian connection into the site. As such, specific design considerations will be given to the street frontages maintaining pedestrian-scaled architectural elements/overhangs, landscape shaded walkways, increased open space, and enhanced hardscape design. Lighting will be incorporated in a manner that strengthens the unique design of the project while maintaining safety for pedestrians.

CD 5

Promote the value and visual significance landscaping has on the character of the community.

CD 5.1 Employ appropriate heat island reduction techniques to reduce the effects of reflective heat and glare on buildings and paved surfaces.

CD 5.2 To the greatest extent possible, replace dead and dying landscaping with drought resistant plants to maintain or improve density pattern, shade, and area character.

Response: The landscape character will include predominately desert-lush design with a variety of Southwestern plants that will provide year-round color, shade, and texture for the site and demonstrated with the landscape plan. Preservation of existing trees and shrubs will be emphasized. Landscaping will include plants proven to thrive in our desert climate while creating a shaded vegetative pedestrian experience greatly improving the existing condition of the Property. Redevelopment of the existing surface parking lot and increased open space will result in passive cooling and reduced heat island effect.

CD 6

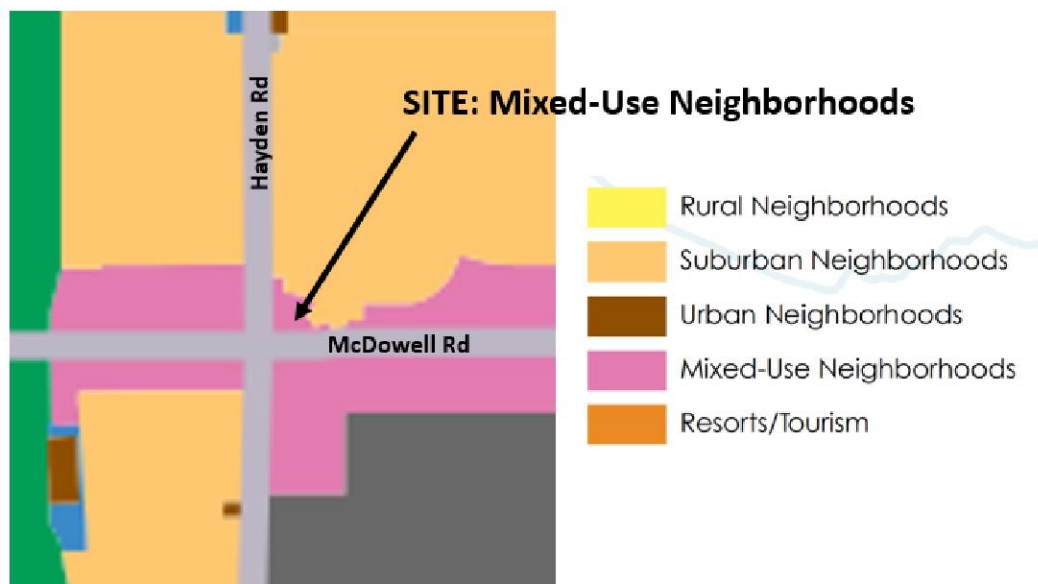
Minimize light and noise pollution.

CD 6.1 Support Scottsdale’s dark sky areas and designation as an Outdoor Light Control City by reducing light pollution, glare, and trespass where possible, while still attending to public safety needs.

CD 6.2 Encourage creative, energy-efficient, and high-quality designs for outdoor lighting that reflect the character of the local context.

Response: Lighting will be designed in a manner that is respectful of the surrounding context while maintaining safety for restaurant patrons. Lighting designs will be commensurate with the architectural style, low-level with no glare. Lighting will be placed in a thoughtful way to provide safe pedestrian wayfinding at night and highlight paths leading along street frontages.

2035 General Plan Land Use Map



Land Use Element

LU 3

Maintain a balance of land uses to support a high quality of life.

LU 3.3 Maintain a citywide balance of land uses and consider modifications to the land use mix to accommodate changes in community vision, demographic needs, and economic sustainability.

LU 3.5 Engage the community in all land use discussions.

Response: The proposed drive-thru restaurant/coffee shop provides for a seamless transition from the greater intensity of McDowell Road, a major arterial, to the commercial office and residential development north and east of the commercial center, while providing a land use that will serve not only the nearby residents but the patrons of the surrounding retail and employment businesses as well. From a building massing standpoint, the one-story building planned for this Property is appropriate given the overall context and variety of land uses, architectural character, and building heights in the area.

LU 4

Develop context appropriate land use patterns that support a variety of compatible mobility choices and services.

LU 4.1 Integrate land uses and transportation systems to allow for a variety of mobility choices.

LU 4.2 Provide opportunities for pedestrian-oriented development, reduced parking demand, and context appropriate mobility choices.

Response: This proposal brings a new restaurant/coffee shop option to the area residents and employees versus an existing underutilized surface parking lot. The balance of the commercial center is under the same ownership and is planned for building and site improvements. Reinvestment in existing development in Southern Scottsdale brings new synergy to the area, creating opportunities to improve the pedestrian environment.

LU 6

Attract and retain diverse employment, business, and retail land uses to improve the economic well-being of Scottsdale's residents.

LU 6.1 Promote opportunities for the expansion and revitalization of employment and commercial uses within the city.

Response: Revitalizing and reinvesting in properties is a critical part of the economic vitality of a maturing community and provides sustainability for the City as a whole. This project embodies this goal by turning an underutilized surface parking lot into a job-creating

restaurant/coffee shop use with direct access to McDowell Road and range of nearby employment (General Dynamics, Republic West, etc.) and residential communities that will benefit from the new restaurant.

❖ SUSTAINABILITY & ENVIRONMENT

Open Space Element

OS 5

Provide developed open space and outdoor opportunities in Scottsdale neighborhoods, giving priority to areas that are most lacking open space.

OS 5.3 Capitalize on opportunities to create new, or connect and expand existing, open spaces in established areas when redevelopment occurs.

Response: Redevelopment of the existing surface parking lot will result in increased open space, removal of asphalt parking spaces, and improved pedestrian connections. Further, preservation of existing trees and shrubs will be emphasized. Landscaping will include plants proven to thrive in our desert climate while creating a shaded vegetative pedestrian experience greatly improving the existing condition of the site.

Environmental Planning Element

EP 1

Protect and enhance Scottsdale's human and Sonoran Desert habitats.

EP 1.3 Require developments to retain and integrate the Sonoran Desert ecosystem.

Response: The proposed development will maintain a low water use plant palette (see landscape plan). Context appropriate Sonoran Desert plant materials will be utilized with the development of the Property, consistent with the established vegetative pattern along McDowell Road. The project intends to create a comfortable and walkable experience that joins seamlessly with the existing commercial center and McDowell Road streetscape.

EP 7

Identify and reduce heat islands.

EP 7.1 Identify areas most impacted by the heat island effect and prioritize mitigation for these areas to reduce heat impacts.

Response: Preservation of existing trees and shrubs will be emphasized. Landscaping will include plants proven to thrive in our arid desert climate while creating a shaded vegetative pedestrian experience greatly improving the existing condition of the site. Redevelopment of the existing surface parking lot and increased open space will result in passive cooling and reduce heat island effect.

Conservation Element

CONSV 1

Achieve a sustainable balance between the conservation of natural resources and development of the built environment.

CONSV 1.4 Encourage landscape designs that promote water conservation, prevent erosion, reduce the heat island effect, and decrease stormwater runoff.

Response: Focus on a sustainable balance between conservation of natural resources and the built environment will predominately be achieved by reducing the amount of asphalt on site and increasing the amount of open space and landscaping. Use of sustainable building methods will also be emphasized.

❖ COLLABORATION & ENGAGEMENT

Community Involvement Element

CI 1

Seek early and ongoing community involvement through broad public input in project and policy-making discussions.

CI 1.1 Maximize opportunities for early notification of proposed projects using a variety of methods.

CI 1.2 Use public involvement plans to identify and engage interested parties and provide opportunities for information exchange.

Response: Public participation and community outreach is an important part of the rezoning process. Technical Solutions began neighborhood outreach early in the process and maintains on-going dialogue with the community and stakeholders. Feedback from one-on-one meetings, phone calls, and the required open house is shared with City Staff and memorialized in the Public Participation plan submitted with the zoning application.

❖ CONNECTIVITY

Circulation Element

C 1

Design and improve transportation corridors to safely and efficiently move people and goods.

C 1.1 Support the public transit system to assure adequate and affordable access to and within our community for citizens, employees, visitors, and businesses through the use of future technologies and micro-mobility options.

Response: Improving pedestrian connectivity and promoting multimodal transportation options will be emphasized with the redevelopment of the Property. An eastbound transit stop for Route 17 exists on the south side of McDowell Road, immediately south of the site. Two westbound transit stops for Route 17 are located on the north side of McDowell Road approximately 600-ft east and west of the site. Additionally, a southbound Route 81 transit stop is located on Hayden Road just south of McDowell Road, and a northbound transit stop is located on Hayden Road just north of McDowell Road in front of the contiguous commercial center. Indian Bend Wash, the City’s most predominate improved open space corridor with a network of continuous pedestrian and bicycle pathways, is located approximately one-half mile to the west of the Property. Surrounding businesses will benefit from the existing pedestrian network along Hayden Road and McDowell Road providing access to the new restaurant/coffee shop. The property is well situated for regional access while also taking advantage of the transit opportunities and promoting walkability.

❖ **REVITALIZATION**

Neighborhood Preservation & Revitalization Element

NPR 1

Preserve and enhance the character, identity, and quality of Scottsdale’s diverse neighborhoods.

NPR 1.1 Support innovative, well-designed, sustainable building construction and rehabilitation to enhance neighborhood character and identity.

NPR 1.2 New construction and exterior remodels or renovations should sensitively address neighborhood character and transition areas.

Response: The character and design of the proposed development includes a low-impact, single-story design resulting in minimal visual impact along McDowell Road as the site serves as a transition between the two-story commercial building to the west and the single-story office uses to the east. The drive-thru queuing wraps the building offering ample stacking room for cars. Additionally, new landscaping will be installed, and the amount of open space will be increased from the existing condition providing an enhanced buffer. Building architecture is still being designed but will complement the existing brick commercial buildings in the center.

Conservation, Rehabilitation, & Redevelopment Element

CRR 2

Sustain long-term economic well-being through redevelopment, rehabilitation, and conservation.

CRR 2.1 Support and encourage public and private economic reinvestment in declining areas.

CRR 2.2 Encourage reinvestment that positively impacts the visual impressions and experiences of residents, businesses, and visitors.

CRR 2.3 Promote redevelopment and rehabilitation of older commercial areas to maintain Scottsdale's standing as one of the major retail, restaurant, and entertainment destinations within the metropolitan area.

CRR 2.4 Foster redevelopment and rehabilitation of mature employment centers to enhance Scottsdale's commercial property inventory and provide new job opportunities.

Response: Redevelopment, reinvestment, and revitalization of existing properties is a critical part of the economic vitality of a maturing community and provides sustainability for the City as a whole. This project embodies this goal by turning an underutilized surface parking lot into a job-producing restaurant/coffee shop use with direct access to McDowell Road and range of nearby employment (General Dynamics, Republic West, etc.) and residential communities that will benefit from the new restaurant/coffee shop.

Growth Areas Element

GA 1

Direct growth in areas of the city that can support a concentration of development density and intensity, as well as a broad mix of uses.

GA 1.1 Designate Growth Areas in locations:

- *With infrastructure capacity to accommodate higher levels of activity and a mix of uses;*
- *Where infrastructure upgrade/extension will be most cost-effective;*
- *With multimodal transportation access;*
- *Needing focused reinvestment;*
- *Where regional attractions exist or are planned; and/or*
- *That will reduce development pressures in lower-intensity areas of the city.*

GA 1.3 Ensure that such development sensitively responds to neighborhoods, infrastructure, and character within and next to Growth Areas.

Response: McDowell Road is classified as a Growth Area in the General Plan. Integrating a new restaurant/coffee shop use along McDowell Road will enliven and enhance the mixed-use corridor consistent with the goals and policies of the General Plan. Revitalization of the site brings enhanced landscape and hardscape, improved pedestrian connectivity, sensitive edge buffering, and vibrant architecture, while bringing an additional service to area residents and employees. The site has multimodal transportation access and integrates respectfully with the surrounding context.

GA 5

Recognize and build on the character and diversity of Scottsdale's various Growth and Activity Areas.

GA 5.1 Support land use compatibility with nearby neighborhoods through context-appropriate development within Growth and Activity Areas.

GA 5.4 Promote new development, revitalization, and redevelopment within Growth and Activity Areas that maintains fiscal sustainability, promotes long-term economic development goals, and enhances quality of life.

Response: The proposed development is contextually appropriate with respect to land use and physical improvements including massing, architecture, materials, landscape, hardscape, and lighting. The synergy of uses between the proposed restaurant/coffee shop and existing adjacent commercial retail and employment uses will further bolster the economic vitality of the area. Redeveloping an underutilized infill site along the McDowell Road corridor promotes land use and economic sustainability; allowing reinvestment to further strengthen the long-term success of Southern Scottsdale.

Cost of Development Element

COD 1

As permitted by State Law, require development to pay its fair share of the cost of public service needs it generates.

COD 1.6 Continue to use water, water resources, and sewer development fees to ensure that new growth pays for itself without adversely impacting existing customers.

Response: The development will comply with all City requirement with respect to water and sewer development fees.

COD 2

Promote development timing guided by the adequacy of existing and/or expandable infrastructure, services, and facilities.

COD 2.2 Ensure proposed development commits to construction of primary water, wastewater, and circulation systems, as necessary, before approval.

Response: Consistent with City requirements, the builder has submitted water and sewer basis of design reports, as well as a traffic report, with the zoning application to ensure adequate infrastructure and transportation systems are in place to serve the proposed use.

❖ INNOVATION & PROSPERITY

Economic Vitality Element

EV 1

Foster Scottsdale’s resiliency to economic change through support of our core industries (e.g., tourism, healthcare, bio/life sciences, advanced business services), assets, regional competitiveness, and economic diversity.

EV 1.2 Support retention and expansion of established businesses and provide resources for businesses to adapt to changing market conditions.

EV 1.3 Diversify Scottsdale’s businesses, focusing on industries that add value to the existing economic environment.

Response: Providing a variety of commercial and support services strengthens the economic base of Southern Scottsdale. New land uses help diversify the local economy and support a sustainable economic future as the City continues to grow, change, and mature. By turning an underutilized, heat-generating surface parking lot into a job-creating restaurant/coffee shop use with direct access to substantial existing drive-by traffic on McDowell Road and a range of nearby employment (General Dynamics, Republic West, etc.) and residential communities, the retention and expansion of nearby commercial and employment is achieved.

Southern Scottsdale Character Area Plan (SSCAP)

As a result of City Shape 2020, Scottsdale implemented “Character-based General Planning” which includes three distinct levels of planning: 1. City-wide Planning, 2. Character Planning and 3. Neighborhood Planning. Character Plans speak specifically to the goals and policies of an identifiable area of the City. Character Plans ensure that the quality of development and character of the built environment are consistent with the overarching goals of the General Plan while highlighting the goals of distinct areas of town, ie: Airpark, Downtown, Southern Scottsdale.

The City Council adopted the Southern Scottsdale Character Area Plan (“SSCAP”) in October 2010. The proposed development is not only consistent with the SSCAP but upholds the goals and policies established in this document. The public outreach process for the SSCAP identified five community priorities which are listed below:

- 1. Develop a strong economic core with community gathering places*
- 2. Focus on local mobility and walkability*
- 3. Maintain and enhance existing neighborhoods and identity*
- 4. Balance growth*
- 5. Promote well designed architecture and sustainability*

From its inception, this proposed project utilized these five priorities as guiding principles to the overall design and architectural character. Bringing a new job-producing restaurant/coffee shop to Southern Scottsdale will strengthen the economic core of the area and enhance the existing character of the surrounding neighborhoods.

LAND USE

Goal LU 2

Create a hierarchy of Regional, Opportunity, and Resort Corridors to guide future land use, development and redevelopment throughout Southern Scottsdale.

• Policy LU 2.1

Regional Corridors consist of higher intensity development and exist only within the General Plan designated Growth Areas. These corridors will:

- Connect Regional Centers;*
- Be bordered exclusively by a mixed-use neighborhood land use designation;*
- Contain vertical and horizontal mixed-use development; and*
- Support greater residential density to complement Regional Center land uses.*



Regional corridor with a mix of land uses.

Response: The McDowell Road Regional Corridor supports a variety of retail and service-related uses including, residential, hotels, office, personal services, and restaurants in a mixed-use setting. Additionally, revitalizing and redeveloping properties is a critical part of the economic vitality of a maturing community and provides sustainability of the City as a whole. Redeveloping this underutilized surface parking lot into a thriving land use with direct access to McDowell Road and an array of nearby support employment and commercial businesses contributes to the vision for Regional Corridors as described in the SSCAP.

Goal LU 3

Promote revitalization, reinvestment and development along Southern Scottsdale's Corridors.

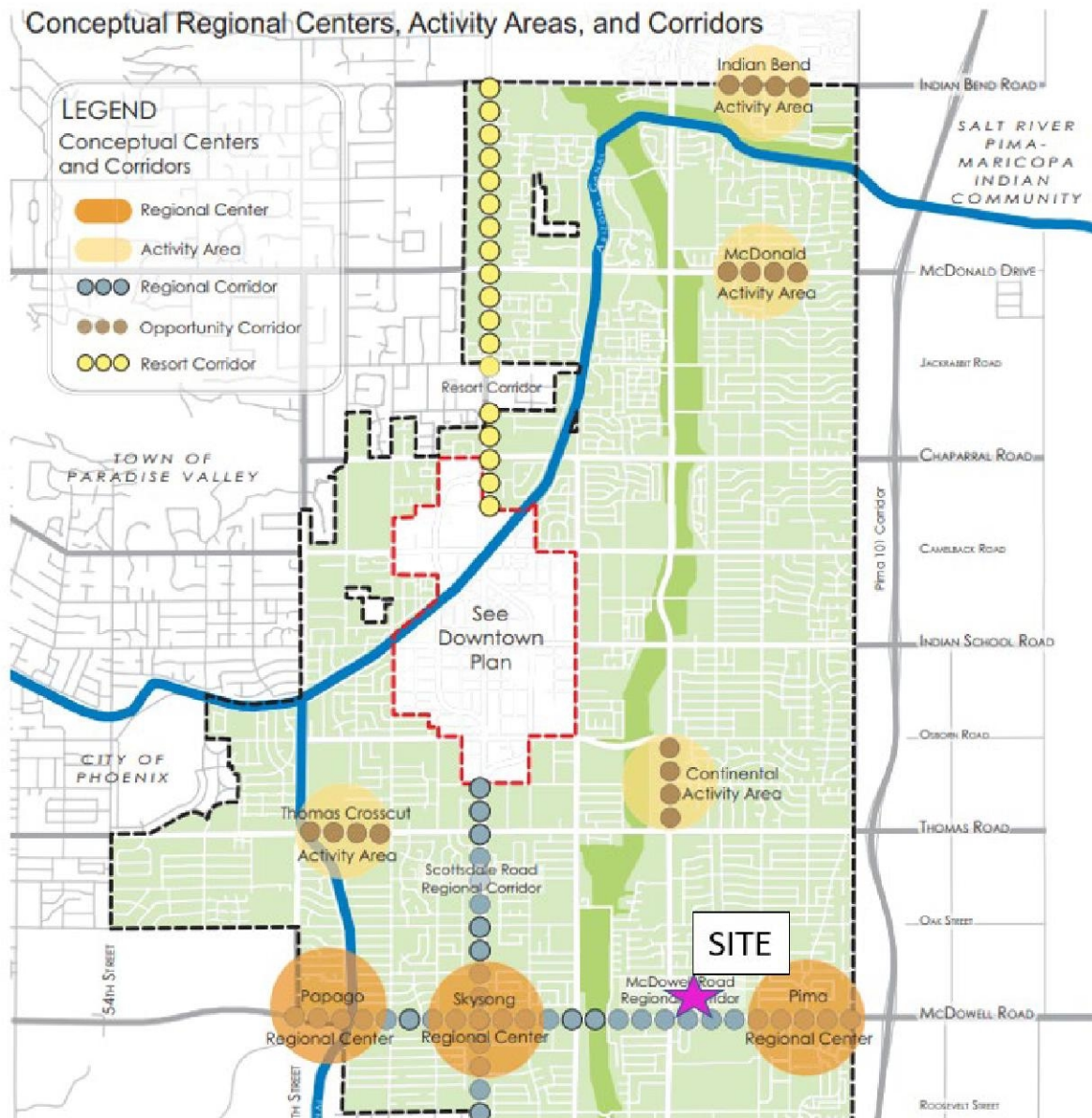
• Policy LU 3.1

Create and encourage the utilization of flexible land use regulations as incentives for reinvestment and new development along Corridors.

Response: The proposed development meets this land use goal by revitalizing an underutilized property and redeveloping the site with a land use that will bring an additional restaurant/coffee shop opportunity to the McDowell Road Regional Corridor. The requested

modification to the PNC zoning provides for low-scale commercial development while respecting the built environment along McDowell Road between adjacent office uses and residential neighborhoods.

Below is a map from the SSCAP which depicts the regional centers, activity areas and designated corridors. As indicated below, the subject Property is located along the McDowell Road Regional Corridor which supports a variety of retail and service-related uses including, specialty shops and restaurants.



Source: SSCAP, page 12

Goal LU 3

Promote revitalization, reinvestment and development along Southern Scottsdale's Corridors.

• Policy LU 3.6

Encourage a diversity of new development, redevelopment, and infill projects that incorporate vertical and horizontal mixed-use development along Southern Scottsdale Corridors.

Response: The rezoning request (modification to the existing PNC zoning stipulations) will allow for redevelopment of the Property for a new restaurant/coffee shop. Development patterns identified in the SSCAP embrace a range of land uses including freestanding commercial uses/restaurants integrated within the existing urban fabric and commercial centers that serve the surrounding employment and residential established in the area. Based on this mixed-use setting, redevelopment of this site will further provide a walkable environment tying into and celebrating the established pedestrian network along McDowell Road and Hayden Road.

CHARACTER & DESIGN

Goal CD 2

The character and design of mixed-use and commercial development should accommodate a variety of land uses, engage the pedestrians, and extend indoor spaces to the outside.

• Policy CD 2.1

Encourage pedestrian-oriented site design for new and revitalized development within Corridors, Regional Centers, and Activity Areas.

Response: The Property is walking distance to an established mixed-use core including various offices, multiple restaurants/services and residences, and as such, the site plan has been designed with an emphasis on pedestrian connectivity tying to the existing pedestrian network. The proposed restaurant, as shown on the site plan, will include outdoor patio space along the north side of the building celebrating the indoor/outdoor appeal that is enjoyed in Scottsdale numerous months out of the year; climate and moderate winters being one of the contributing factors for our thriving community. Providing additional restaurant amenities, will further strengthen McDowell Road as a mixed-use corridor.

Goal CD 3

Promote high quality design for new and revitalized mixed-use, commercial and residential development along Corridors, within Regional Centers, and Activity areas.

- **Policy CD 3.3**

Encourage new development to demonstrate a relationship with the design characteristics of the surrounding area and, as appropriate, incorporate those qualities into its design.

- **Policy 3.4**

Building design should be sensitive to the evolving context of an area over time.

Response: This Property serves as a transitional site located between existing office and service retail at the intersection of Hayden and McDowell, and the residential community to the northeast. As such, the site plan was designed to provide appropriate queuing for vehicles and shaded pedestrian connectivity from the existing network of sidewalks around the site linking to the surrounding land uses. Building architecture will take inspiration from the existing the commercial context and proposed upgrades to the contiguous commercial center by implementing fresh contemporary lines, materials, and architectural character.

Goal CD 4

Site and building design of new development and redevelopment should respond to the Sonoran Desert Climate

- **Policy CD 4.1**

Encourage new development to incorporate designs such as shade structures, deep roof overhangs and recessed windows to address passive solar cooling opportunities.

- **Policy CD 4.2**

Encourage the use of a variety of textures and natural building materials to provide architectural visual interest and richness, particularly at the pedestrian level.

- **Policy CD 4.3**

Support landscape design that responds to the desert environment by utilizing indigenous and adapted landscape materials that complement the Southern Scottsdale built environment.

Response: The proposed development will utilize a variety of desert appropriate textures and building finishes, incorporate architectural elements that provide solar shading and overhangs, and celebrate the Southwestern climate by creating outdoor seating areas for the restaurant/coffee shop patrons. Context appropriate desert plant materials will be utilized with the development of the Property, consistent with the established vegetative pattern along McDowell Road. A low-water use plant palette will be upheld through the careful selection of plant materials in terms of scale, density, and arrangement.

Goal CD 6

Promote, plan, and implement design strategies that are sustainable.

- **Policy CD 6.4**

Encourage the use of sustainable design principles for remodeling and new development projects to mitigate building construction and operational impacts on the environment.

Response: Sustainable strategies and building techniques, which minimize environmental impact and reduce energy consumption, will be emphasized. The developer intends to incorporate sustainable design elements where feasible.

ECONOMIC VITALITY

Goal EV 1

Support reinvestment that updates and/or replaces aging commercial properties.

- **Policy EV 1.1**

Support Opportunity and Regional Corridors, Regional Centers, and Activity Areas for areas of mixed-use and higher-density development as part of an overall economic revitalization strategy.

Response: This redevelopment request will result in a \$15,000,000 investment, with the new restaurant/coffee shop and remodel of the existing commercial center bringing economic benefits to nearby Scottsdale businesses/employment further bolstering the McDowell Road Regional Corridor.

In 2010, the City of Scottsdale entered into contract with Applied Economics as a consultant to perform a citywide economic study. The City was broken in to three sub-districts (south, central and north) for the purposes of analyzing economic development, land use and fiscal impacts. The study demonstrates the lack of available vacant land in the south sub-district (area south of Indian Bend Road) and the potential for redevelopment to stabilize the economic future of Scottsdale.

2010 Applied Economics Study

The final market condition factor considered in the analysis was the possibility for redevelopment in the City of Scottsdale. Since the supply of available vacant land is very limited in the south subarea, and is becoming constrained in the central subarea, examining the potential for redevelopment was an important part of preparing development forecasts. Our knowledge of Scottsdale indicates that there are areas in both the south and central subareas that could become targets for redevelopment over the next twenty years.

COMMUNITY MOBILITY

Goal CM 1

Increase the range of mobility options available to the area residents and businesses.

- **Policy CM 1.1**

Develop an effective range of safe, reliable, and where feasible, less congested mobility systems for Southern Scottsdale.

- **Policy CM 1.3**

Provide continuous pedestrian and bicycle pathway access between Regional Centers and Activity Areas, Corridors, park and open spaces and transit systems.



Response: The existing network of mobility options associated with this Property make it ideal for a restaurant/coffee shop use. McDowell Road is a major arterial providing primary east-west connection to through Scottsdale from the Loop 101 into Phoenix, which has a significant concentration of employment, retail, and support service land uses. Additionally, Valley Metro Route 17 traverses McDowell Road and Route 81 traverses Hayden Road with existing bus stops near all four corners of the intersection of Hayden and McDowell. The site is approximately one-half mile east of Indian Bend Wash, the City's most predominate improved open space corridor with a network of continuous pedestrian and bicycle pathways. Redevelopment and revitalization along the McDowell Road Regional Corridor with a range of employment, retail and residential uses and established multi-modal transportation options reduces the number and distance of automobile trips, improves air quality, thereby enhancing the quality of life for surrounding residents.

OPEN SPACE & RECREATION

Goal OSR 1

Develop, improve, maintain and enhance the quality of Southern Scottsdale's open space environments.

- ***Policy ORS 1.2***

Protect mature vegetation while encouraging indigenous and adaptive plan materials to inhabit open and recreational spaces, streetscapes and private development landscaping throughout Southern Scottsdale.

Response: To maintain Scottsdale's aesthetic values and environmental standards, the perimeter streetscape and internal landscape improvements will provide continuity through the cohesive use of mature desert landscaping and quality hardscape design elements for the proposed development. The patio space provides a gathering space for patrons and will link directly into pedestrian pathways leading to and from the site.

Scottsdale Sensitive Design Principles

The Character and Design Element of the General Plan states that "Development should respect and enhance the unique climate, topography, vegetation and historical context of Scottsdale's Sonoran desert environment, all of which are considered amenities that help sustain our community and its quality of life." The City has established a set of design principles, known as the Scottsdale's Sensitive Design Principles, to reinforce the quality of design in our community. The following Sensitive Design Principles are fundamental to the design and development of the Property.

1. ***The design character of any area should be enhanced and strengthened by new development.***

Response: The proposed architectural character takes inspiration from the surrounding area using similar materials, colors and architectural detailing. The character and design of the proposed development includes a low-impact, single-story design resulting in minimal visual impact along McDowell Road as the site serves as a transition between the two-story commercial building to the west and the single-story office uses to the east. The drive-thru queuing wraps the building offering ample stacking room for cars. Additionally, new landscaping will be installed, and the amount of open space will be increased from the existing condition providing an enhanced buffer. Building architecture is still being designed but will complement the existing brick commercial buildings in the center. The balance of the commercial center is under the same ownership and is planned for building and site improvements.

2. *Development, through appropriate siting and orientation of buildings, should recognize and preserve established major vistas, as well as protect natural features.*

Response: Although the setting of this redevelopment site is fully improved with a surface parking lot and does not have natural features such as washes and natural area open space, the design team has taken special consideration in maintaining view corridors and providing additional open space as compared to the currently site condition.

3. *Development should be sensitive to existing topography and landscaping.*

Response: The Property is a redevelopment site. All landscaping will consist of low water use desert appropriate landscaping materials.

4. *Development should protect the character of the Sonoran Desert by preserving and restoring natural habitats and ecological processes.*

Response: The proposed redevelopment will preserve and restore natural habitats and ecological processes through the inclusion of additional desert appropriate landscaping. The proposed site plan includes approximately 5,000 s.f. of open space, an increase from the existing condition. Additional landscaping will contribute to the urban habitat for wildlife and improved air quality. Also, desert appropriate plants will be able to withstand the variations of the local climate and as they mature they will become self-sustaining relative to water demand.

5. *The design of the public realm, including streetscapes, parks, plazas and civic amenities, is an opportunity to provide identity to the community and to convey its design expectations.*

Response: Pedestrian circulation both through and around the site is an important feature of the project, as existing commercial retail and employment uses are within walking distance from this site. The redevelopment of this site will implement the McDowell Road streetscape guidelines with respect to tree selection to provide consistency and harmony with the built environment.

6. *Developments should integrate alternative modes of transportation, including bicycles and bus access, within the pedestrian network that encourage social contact and interaction within the community.*

Response: The proposed restaurant/coffee shop use is compatible with the surrounding context and provides a neighborhood serving land use adjacent to established residential, commercial retail, and employment uses including but not limited to General Dynamics, Republic West, Mission Restoration, and Innovation Health. Further, this Property is located along McDowell Road just east of Hayden Road, both major arterials with substantial existing drive-by traffic, thus making it an ideal location for a new restaurant pad site. The Property is walking distance to an established commercial core and as such, the site plan has

been designed with an emphasis on pedestrian connectivity enhancing walkability of the McDowell Road Regional Corridor. The site is also a little over one mile west of Indian Bend Wash, the City's most predominate improved open space corridor with a network of continuous pedestrian and bicycle pathways. Developing commercial support services along the mixed-use corridor with a range of employment and retail uses and established multi-modal transportation options reduces the number and distance of automobile trips, improves air quality, thereby enhancing the quality of life for surrounding residents and visitors.

7. *Development should show consideration for the pedestrian by providing landscaping and shading elements as well as inviting access connections to adjacent developments.*

Response: The proposed development will incorporate design elements that respect human-scale, providing shade and shelter through building, site and landscape design. Connectivity around and through the site benefit adjacent property owners, employees and nearby residents.

8. *Buildings should be designed with a logical hierarchy of masses.*

Response: The proposed one-story restaurant/coffee shop building is compatible with surrounding development and is appropriately setback from McDowell Road. Building articulation and use of indigenous materials also creates a balance within the McDowell Road streetscape and existing built environment.

9. *The design of the built environment should respond to the desert environment.*

Response: The proposed development will utilize a variety of desert appropriate textures and building finishes, incorporate architectural elements that provide solar shading and overhangs, and celebrate the Southwestern climate.

10. *Developments should strive to incorporate sustainable and healthy building practices and products.*

Response: Sustainable strategies and building techniques, which minimize environmental impact and reduce energy consumption, will be emphasized. The developer will explore sustainable design elements where feasible.

11. *Landscape design should respond to the desert environment by utilizing a variety of mature landscape materials indigenous to the arid region.*

Response: Context appropriate, mature arid-region plant materials will be utilized with the redevelopment of the Property. The desert character will be upheld through the careful selection of plant materials in terms of scale, density, and arrangement.

12. *Site design should incorporate techniques for efficient water use by providing desert adapted landscaping and preserving native plants.*

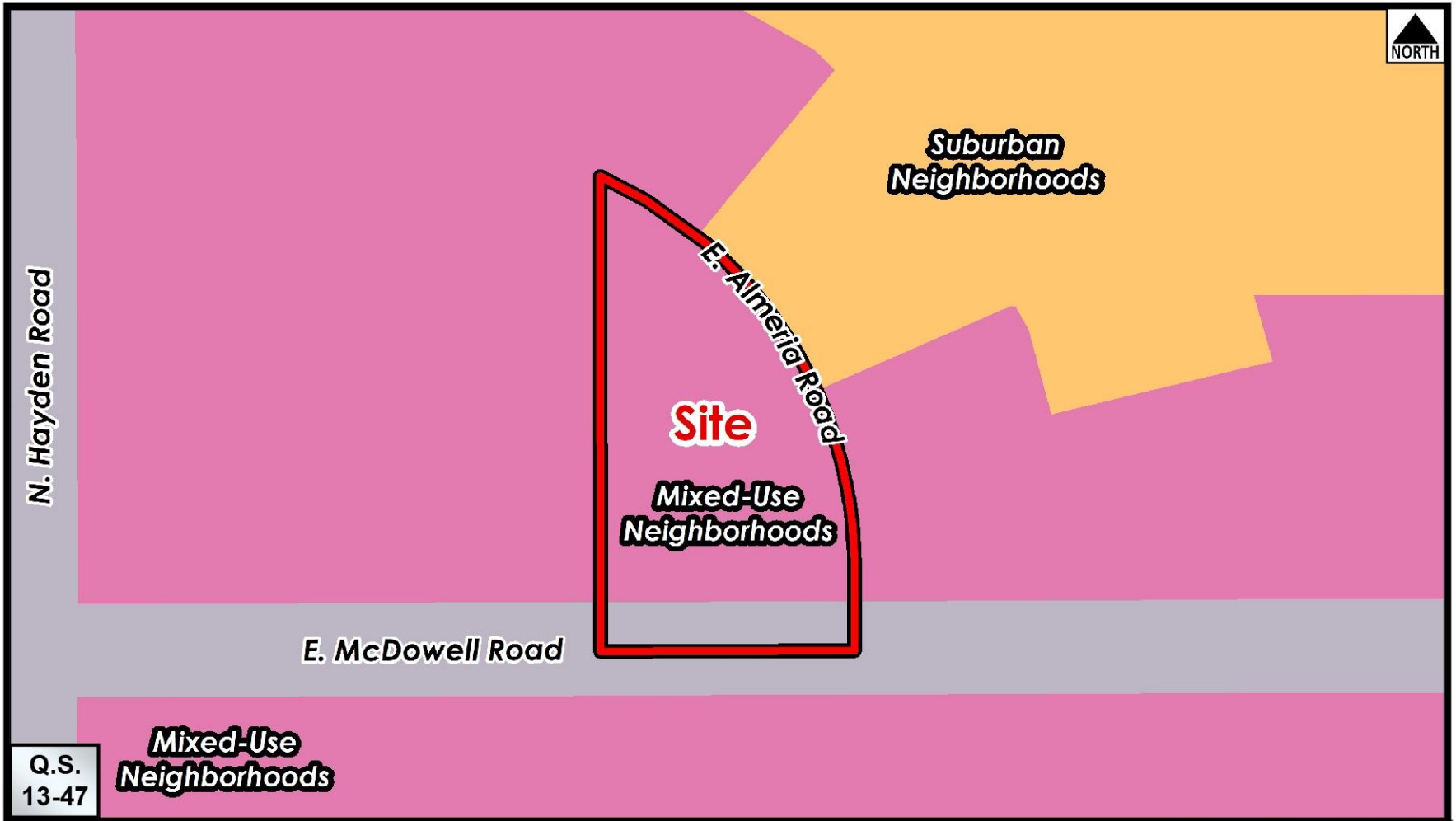
Response: The proposed development will maintain a low-water use plant palette (see landscape plan). Context appropriate desert plant materials will be utilized with the development of the Property, consistent with the established vegetative pattern along McDowell Road.

13. *The extent and quality of lighting should be integrally designed as part of the built environment.*

Response: Lighting will be designed in a manner that is respectful of the surrounding context while maintaining safety for patrons and pedestrians.

14. *Signage should consider the distinctive qualities and character of the surrounding context in terms of size, color, location and illumination.*

Response: Project identification will be low-scale and contextually appropriate.



Existing General Plan 2035 Future Land Use Map
+/- .36-acres of Mixed-Use Neighborhoods

2-ZN-2022



CITIZEN REVIEW & NEIGHBORHOOD INVOLVEMENT REPORT
NEC of Hayden and McDowell
February 8, 2022

Overview

This Citizen Review Report is being performed in association with a request for a stipulation modification to allow for a new commercial pad with drive-thru on an approximately .60+/- acre site of the existing commercial center located at the northeast corner of Hayden Road and McDowell Road. The site is currently zoned Planned Neighborhood Center and the zoning on the site is not changing as part of this request. This Citizen Review Report will be updated throughout the process.

The entire project team is sensitive to the importance of neighborhood involvement and creating a positive relationship with property owners, residents, business owners, homeowners associations, and other interested parties. Communication with these parties will be ongoing throughout the process. Work on compiling a list of impacted and interested stakeholders and neighborhood outreach began prior to the application filing and will also continue throughout the process.

Community Involvement

The outreach team has been communicating with neighboring property owners, HOAs, and community members by telephone, one-on-one meetings, and small group meetings since November 2021. The outreach team visited **over 100 nearby residences** to get their feedback on this proposal prior to submittal with the City. A majority of this feedback was supportive of the project.

Surrounding property owners, HOAs and other interested parties were noticed via first class mail regarding the project and were provided contact information for those who wanted more information. Additionally, the notice included information regarding a Virtual Open House for the project that was held on Monday, February 7, 2022. The distribution of this notification **EXCEEDED** the City's 750' radius mailing requirements as specified in the Citizen Review Checklist.

Attachment 5

A detailed description and visuals for the project were posted online as well as an opportunity for neighbors to provide comments/questions by phone or by email to the development team. The website and its accessibility date/time were posted on the Early Notification Sign on the property and the website was available from 2/4 through 2/8. There were 19 total views of the online website during that time. The development team did not receive any emails, but did receive 2 phone calls with questions about the project. Those questions revolved around traffic, lighting, and refuse. The development team will continue to be accessible by phone and email to ensure that surrounding property owners and neighbors have ongoing opportunities to comment and ask questions.

A vital part of the outreach process is to allow people to express their concerns and understand issues and attempt to address them in a professional and timely matter. Again, the entire team realizes the importance of the neighborhood involvement process and is committed to communication and outreach for the project.

Attachments:

Notification Letter
Notification List
Affidavit of Posting



January 24, 2022

Dear Neighbor:

We are pleased to tell you about an upcoming request (603-PA-2021) by HOH Investment Group to modify the existing zoning on a parcel located at the northeast corner of Hayden Road and McDowell Road. This modification would result in a change from the currently underutilized surface parking lot (approximately .60+/- acres) and add an additional small building for a restaurant/coffee shop with drive-thru for area residents and employees of nearby businesses. The zoning on the site is not changing as part of this request. The specific request is to modify the stipulations of the previously approved (101-Z-84) zoning of Planned Neighborhood Center (PNC) to allow for a new building with a drive-thru. This use is a permitted use under the existing PNC zoning category. This proposal is in conformance with the City of Scottsdale's newly adopted 2035 General Plan.

In accordance with public safety procedures during COVID-19, we will be hosting this open house virtually, allowing for questions and comments, just as they would be if there were an in person open house. Information will be posted on the web link www.technicalolutionsaz.com/open-house.html and will be accessible on Monday, February 7, 2022. The project team will then be available on February 7, 2022 from 4:30 PM to 6 PM to respond to questions or comments at (602) 957-3434 or email info@technicalolutionsaz.com.

If you are unable to access the Virtual Open House online, please contact the neighborhood outreach team at 602-957-3434 or info@technicalolutionsaz.com and we will be happy to provide you information about the proposal. The City of Scottsdale Project Coordinator for the project is Casey Steinke, who can be reached at 480-312-2611 or CSteinke@ScottsdaleAZ.gov.

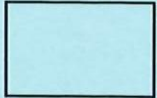
Thank you.

Sincerely,

Susan Bitter Smith
President



REQUEST TO SPEAK



Request to Speak cards must be submitted to City Staff **BEFORE** public testimony begins.

Public testimony is limited to three (3) minutes per speaker.

Additional time *MAY* be granted to speakers representing two or more persons.

Cards for designated speakers and the person(s) they represent must be submitted together.

NAME (print) GEORGE ARMANOVIS MEETING DATE 10-12-2022

NAME OF GROUP/ORGANIZATION (if applicable) _____

ADDRESS 1614 N 81st ZIP 85257

HOME PHONE 214-263-3742 WORK PHONE —

E-MAIL ADDRESS (optional) _____

I WISH TO SPEAK ON AGENDA ITEM # 4 I WISH TO DONATE MY TIME TO _____

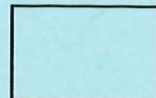
I WISH TO SPEAK DURING "PUBLIC COMMENT"* CONCERNING _____

*Citizens may complete one Request to Speak "Public Comment" card per meeting and submit it to City Staff. "Public Comment" time is reserved for citizen comments regarding non-agendized items. The Board and Commission may hear "Public Comment" testimony, but is prohibited by state law from discussing items which are not listed on the agenda.

This card constitutes a public record under Arizona law.



REQUEST TO SPEAK



Request to Speak cards must be submitted to City Staff **BEFORE** public testimony begins.

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Additional time *MAY* be granted to speakers representing two or more persons.

Cards for designated speakers and the person(s) they represent must be submitted together.

NAME (print) Susan Armanous MEETING DATE 10.12.22

NAME OF GROUP/ORGANIZATION (if applicable) resident

ADDRESS 1614 N. 81st St, Scottsdale ZIP 85257

HOME PHONE - WORK PHONE 214.435.2195

E-MAIL ADDRESS (optional) gsarmans@gmail.com

I WISH TO SPEAK ON AGENDA ITEM # 4 I WISH TO DONATE MY TIME TO _____

I WISH TO SPEAK DURING "PUBLIC COMMENT"* CONCERNING _____

*Citizens may complete one Request to Speak "Public Comment" card per meeting and submit it to City Staff. "Public Comment" time is reserved for citizen comments regarding non-agendized items. The Board and Commission may hear "Public Comment" testimony, but is prohibited by state law from discussing items which are not listed on the agenda.

This card constitutes a public record under Arizona law.

From: [Steinke, Casey](#)
To: [Castro, Lorraine](#)
Subject: FW: Drive Through Restaurant at Hayden & McDowell
Date: Tuesday, November 01, 2022 8:49:41 AM

fyi

From: commissionerkaminski@gmail.com <commissionerkaminski@gmail.com>
Sent: Sunday, October 16, 2022 7:19 AM
To: Steinke, Casey <CSteinke@Scottsdaleaz.gov>; Curtis, Tim <tcurtis@scottsdaleaz.gov>
Subject: Drive Through Restaurant at Hayden & McDowell

⚠ External Email: Please use caution if opening links or attachments!

Hello,

I wanted to follow up after the meeting last week on a few things for consideration as the drive through project moves forward.

After seeing the applicant's presentation and the public comments regarding the drive through restaurant, it raised issues regarding the proposed revision of the condition from the prior zoning entitlement. I tried to convey this during the discussion but not sure it was clear in terms of separating the design issues from the use concerns. Lighting, building signage, landscape, orientation of drive through, etc. are understandably design issues for DRB. But the use restriction of the existing condition was very specific, no drive through restaurants or financial institutions; it did not limit other types of drive throughs like pharmacy or dry cleaner. Removal of restaurants from this condition impacts quality of life because any future land owner or tenant can then have any drive through restaurant by right. The applicant is speculating on a tenant and tenants can always change. Residents were shown an 1,800 s.f. footprint and the commission was shown a 2,400 s.f. footprint, will the building grow before going to Council or DRB? It seems to me that whatever was presented during the required neighborhood meeting should be what the commission sees, not something 25% larger. KFC, Church's, Filiberto's, Jack in the Box, many chains will fit in the size they are proposing; these tenants have longer hours, may attract late night customers and produce smells from the grease frying and the grease trap. I worked a drive through window at a restaurant that stayed open until 3am; I am very familiar with the operations and potential quality of life issues including smells, noise, errant trash from homeless accessing dumpsters or from customers.

The comments from the residents were not addressed in the applicant's submittal, only passing comments on issues raised. I believe many issues can be addressed through design. However, regarding refuse, if there is currently an issue with trash collection at this site, this will be exacerbated when a restaurant goes in and requires more frequent collection. The applicant stated they were working on resolving the time of day for collection; the likelihood of modifying municipal or private collection times is highly unlikely, as the routes are determined by the collection service based on efficiencies of operations. What commitment is there to assure the new drive through restaurant will not exacerbate the existing refuse collection issue?

Based on what they presented to the residents, a condition to allow drive through restaurants no larger than 1,800 s.f. would allow a small coffee shop but not most restaurants.

Based on what they presented at the hearing, a condition that the restaurant would operate from

5am to 8pm with trash collection service to occur during business hours would allow a coffee shop without opening the site up to all drive through restaurant uses.

The first condition might be more appropriate to the DRB for design of the project. The second is really operationally tied to the use. I am sorry I didn't propose these during the hearing to address the residents' concerns. I hope that the public comments that came out during the hearing are addressed when this goes to Council. If it is appropriate to forward this email to the Council and applicant for consideration, please do so.

Thank you,
Diana Kaminski

From: [Steinke, Casey](#)
To: [Ruenger, Jeffrey](#); [Castro, Lorraine](#); [Garofalo, Ryan](#); [Gulsvig, Caitlyn](#); [Hartley, Alexis](#); [Kertis, Mark](#)
Subject: FW: 11.14.22 City Council, 2-zn-2022
Date: Tuesday, October 25, 2022 9:36:30 AM

FYI

From: Steinke, Casey
Sent: Tuesday, October 25, 2022 8:42 AM
To: Geo & Sus <gsarmans@gmail.com>
Cc: info@technicalolutionsaz.com; mh@berryriddell.com
Subject: RE: 11.14.22 City Council, 2-zn-2022

Hey Susan,

The public record (ie, the case file and meeting recording) will capture all public comments. In the old days when we had physical case files we would actually place those yellow and blue hearing comment cards in the file, along with printed off comments forwarded to us through various methods. These days they are scanned into our digital case files. I would expect them to be an attachment in the CC report as well. You can also view the marked agenda below, available to the public, which reflects that you spoke.

- Marked agenda:

https://www.scottsdaleaz.gov/Assets/ScottsdaleAZ/Boards/Planning/agendas-minutes/2022-agendas/10-12-2022_Regular_Agenda.pdf

We do not go back and amend reports after hearings to reflect public comment post hoc. However when this goes to City Council, the new report for that hearing will show public comment was received during planning commission or up to the CC hearing.

The next step is City Council to get approval for land use. After that, if the applicant so chooses, they can submit for the Development Review Board (DRB), which is the entity that reviews all structure and site design. At that stage, we would expect to see more fleshed-out details on site walls, lighting, etc. Those items are not directly under the purview of Planning Commission or Council for the request at this stage (land use, not design).

You will get another postcard if this item goes to City Council and again for DRB, along with addition notification (site signs, applicant outreach). You can follow the item at the following link to check on when it is scheduled for future hearings:

<https://eservices.scottsdaleaz.gov/bldgresources/Cases/Details/53158>

Best,
Casey Steinke
Planner

From: Geo & Sus <gsarmans@gmail.com>

Sent: Monday, October 24, 2022 9:39 PM
To: Steinke, Casey <CSteinke@Scottsdaleaz.gov>
Cc: info@technicalolutionsaz.com; mh@berryriddell.com
Subject: 11.14.22 City Council, 2-zn-2022

⚠ External Email: Please use caution if opening links or attachments!

Hi Casey!

I'm following up on the 2-ZN-2022 case. I read over the Planning Commission Staff Report dated 10.12.22. Can you tell me why this project is still being recorded as having no community comments?

As addressed at the Planning Commission Meeting, I still have a few concerns that I'd like to get some clarity on, namely mitigation of noise and light in my backyard from a potential late night drive-through operating in that spot. The report mentions a wall for screening, but I don't see a wall in the rendering.

While I am excited about having a nice spot for the neighborhood to enjoy, I am worried about the impact of after dark drive-through activities for the houses that back to this development on the east side. We are very close by.

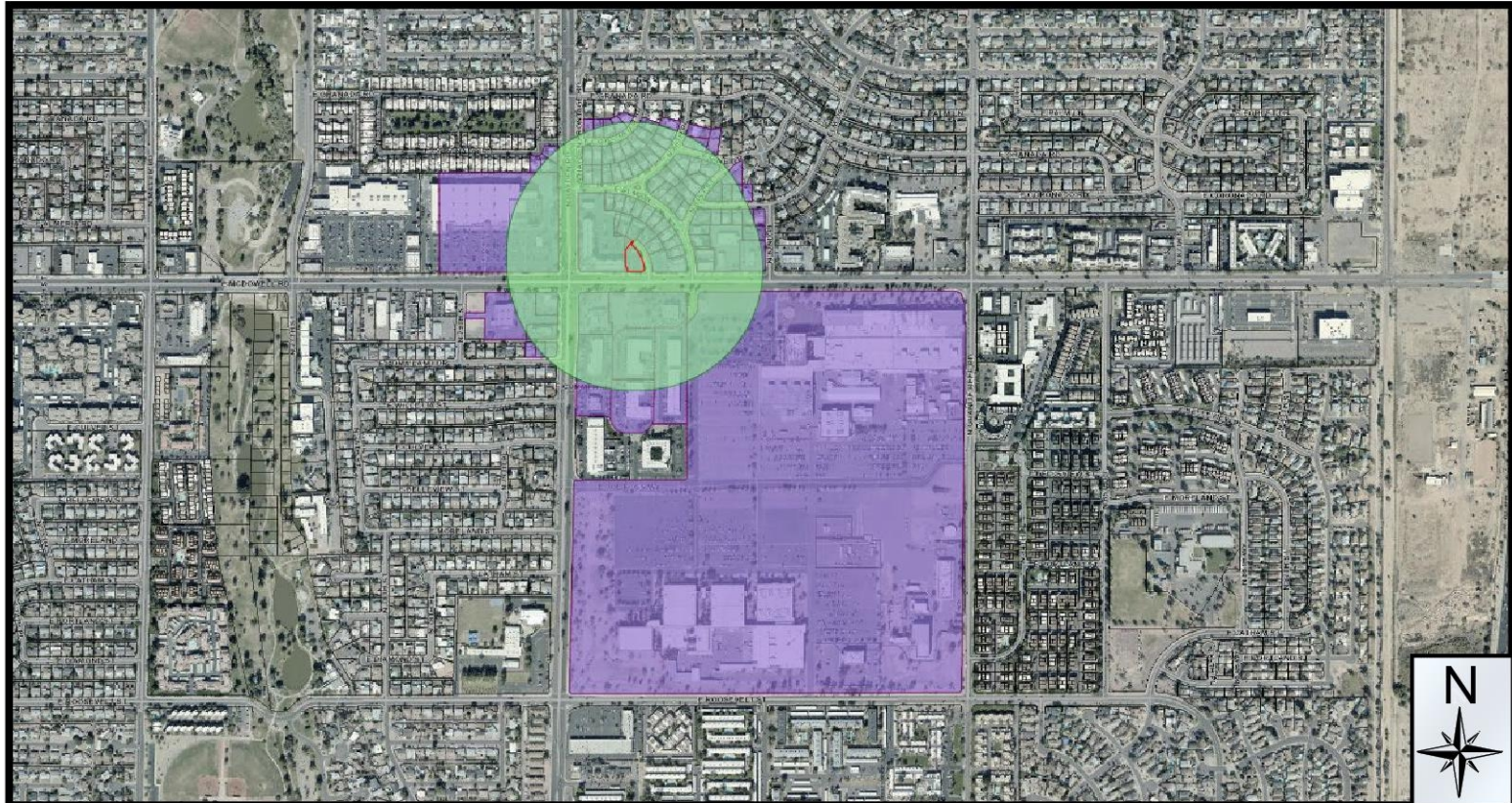
At the last hearing, the plan was ambiguous on intended use and hours. Where is the best place for me to obtain information as it updates?

I appreciate any help you can provide. Thank you, Casey.

Susan Armanovs
214.435.2195

City Notifications – Mailing List Selection Map

NEC McDowell Road and Hayden Road, Scottsdale, AZ



Additional Notifications:

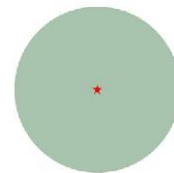
- Interested Parties List
- Adjacent HOA's
- P&Z E-Newsletter
- Facebook
- Nextdoor.com
- City Website-Projects in the hearing process

Pulled Labels
March 28, 2022

Map Legend:



Site Boundary



Properties within 750-feet

Postcards: 150

2-ZN-2022



**SCOTTSDALE PLANNING COMMISSION
KIVA-CITY HALL
3939 DRINKWATER BOULEVARD
SCOTTSDALE, ARIZONA**

WEDNESDAY, OCTOBER 12, 2022

***DRAFT SUMMARIZED MEETING MINUTES ***

PRESENT: Renee Higgs, Chair
Joe Young, Vice Chair
Barney Gonzales, Commissioner

REMOTE: Commissioner Kaminski
Commissioner Ertel
Commissioner Scarbrough
Commissioner Serena

STAFF: Greg Bloemberg
Eric Anderson
Katie Posler
Casey Steinke
Rebecca Cox
Caitlyn Gulsvig
Mark Kertis
Lorraine Castro

CALL TO ORDER

Chair Higgs called the regular session of the Scottsdale Planning Commission to order at 5:00 p.m.

ROLL CALL

A formal roll call was conducted confirming members present as stated above.

MINUTES REVIEW AND APPROVAL

1. Approval of September 28, 2022 [Regular Meeting Minutes](#).

Vice Chair Young moved to approve the September 28, 2022 regular meeting minutes. Seconded by Commissioner Gonzales, the motion carried unanimously with a vote of seven (7) to zero (0) by Chair Higgs, Vice Chair Young, Commissioner Gonzales,

* Note: These are summary action minutes only. A complete copy of the meeting audio is available on the Planning Commission page on ScottsdaleAZ.gov, search "Planning Commission"

ATTACHMENT #7

Commissioner Kaminski, Commissioner Ertel, Commissioner Scarbrough and Commissioner Serena.

CONSENT AGENDA

2. [9-AB-2021 \(Cochise Lot 1 & 2 abandonment\)](#)

Request by owner to abandon the 33-foot-wide GLO roadway easements along the eastern and western boundaries, and south 13-feet of the 33-feet along the northern boundary, of a site with Single-family Residential Environmentally Sensitive Lands (R1-43 ESL) zoning, located at 12549 and 12595 E. Cochise Drive. Staff contact person is Jeff Barnes, (480) 312-2376. **Applicant contact person is Kayvan Sanaiha, (602) 486-0300.**

Item No. 2 moved to the regular agenda; Vice Chair Young moved to make a recommendation to City Council for approval of case 9-AB-2021, per the staff recommended stipulations, based upon the finding that the Abandonment is consistent and conforms with the adopted General Plan. Seconded by Commissioner Ertel, the motion carried unanimously with a vote of seven (7) to zero (0) by Chair Higgs, Vice Chair Young, Commissioner Gonzales, Commissioner Kaminski, Commissioner Ertel, Commissioner Scarbrough and Commissioner Serena.

3. [7-AB-2022 \(Grochowski GLO Abandonment\)](#)

Request by owner to abandon the 33-foot-wide GLO roadway easement along the south property line and the west 8-feet of the 33-foot-wide GLO roadway easement along the east property line for a parcel located at 31610 N. 71st Street with Single-family Residential, Environmentally Sensitive Lands, Foothills Overlay (R1-70 ESL FO) zoning. Staff contact person is Jeff Barnes, (480) 312-2376. **Applicant contact person is Alan Grochowski, (602) 292-2261.**

Item No. 3; Vice Chair Young moved to make a recommendation to City Council for approval of case 7-AB-2022, per the staff recommended stipulations, based upon the finding that the Abandonment is consistent and conforms with the adopted General Plan. Seconded by Commissioner Scarbrough, the motion carried unanimously with a vote of seven (7) to zero (0) by Chair Higgs, Vice Chair Young, Commissioner Gonzales, Commissioner Kaminski, Commissioner Ertel, Commissioner Scarbrough and Commissioner Serena.

4. [2-ZN-2022 \(NEC McDowell Road and Hayden Road\)](#)

Request by applicant for a zoning district map amendment to amend the Development Plan and zoning stipulations of Case 101-ZN-1984 to allow a drive-thru restaurant on a +/- .36-acre site, with Planned Neighborhood Center (PNC) zoning, located at the northwest corner of McDowell Road and Almeria Road (APN: 131-04-087H). Staff contact person is

* Note: These are summary action minutes only. A complete copy of the meeting audio is available on the Planning Commission page on ScottsdaleAZ.gov, search "Planning Commission"

Casey Steinke, (480) 312-2611. **Applicant contact person is John Berry, (480) 385-2727.**

Item No. 4 moved to the regular agenda; Vice Chair Young moved to make a recommendation to City Council for approval of case 2-ZN-2022, per the staff recommended stipulations and after determining that the proposed Zoning District Map Amendment is consistent and conforms with the adopted General Plan. Seconded by Commissioner Scarbrough, the motion carried with a vote of six (6) to one (1) with Chair Higgs, Vice Chair Young, Commissioner Gonzales, Commissioner Ertel, Commissioner Scarbrough and Commissioner Serena all voting in favor and Commissioner Kaminski dissenting.

REQUEST TO SPEAK CARDS:

Item 4: Susan Armanovs, George Armanovs.

ADJOURNMENT

With no further business to discuss, the regular session of the Planning Commission adjourned at 5:50 p.m.