

# DEVELOPMENT REVIEW BOARD REPORT



Meeting Date: May 4, 2023  
General Plan Element: *Character and Design*  
General Plan Goal: *Foster quality design that enhances Scottsdale as a unique southwestern desert community.*

## ACTION

**Tropical Smoothie Cafe** | Request for approval of a site plan, landscape plan, and building elevations for a new one-story restaurant with an associated drive-through on a +/- 0.46-acre site.  
**47-DR-2021**

## SUMMARY

### Staff Recommendation

Approve, subject to the attached stipulations (Attachment #6)

### Key Issues

- None

### Items for Consideration

- Conformance with Development Review Board Criteria – staff confirms
- Integration of Sensitive Design Principles – staff confirms
- Conformance with the Restaurant Design Guidelines-staff confirms
- McCormick Ranch Property Owners' Association approval
- Conformance with associate case #12-ZN-2021, rezone to allow for additional commercial uses.

## BACKGROUND

**Location:** 9550 90<sup>th</sup> Street

**Zoning:** Planned Community District with comparable Central Business (PCD C-2)

### Adjacent Uses

North: Open Space with public trails

East: 3-story, Residential Healthcare Facility under construction

South: Automobile repair (Firestone), constructed in 1990

West: Automobile repair center, constructed in 1983



### Property Owner

Ranch Auto Center, LLC

### Applicant

Julie Chambers, Retail Design Collaborative  
479-202-6122

### Architect/Designer

Retail Design Collaborative

### Engineer

Hunter Engineering, Inc

## DEVELOPMENT PROPOSAL

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The City of Scottsdale General Plan 2035 Land Use Element designates the property as Commercial, a land use category that provides a variety of goods and services to the people who live, work, or visit Scottsdale and, further, has been designated throughout the community at various locations. Neighborhood-serving commercial uses should be located at frequent intervals in relationship to the density of nearby housing to reduce travel time and distance. The proposal is for a new one-story restaurant with drive-through.

### Development Review Board Criteria

Staff confirms that the development proposal generally meets the applicable Development Review Board Criteria. For a detailed analysis of the Criteria, please see Attachment #4.

### Sustainability

The City of Scottsdale promotes the goal of sustainability through the incorporation of appropriate design considerations in the development of the built environment. This development proposal incorporates several design elements that align with the City’s goal of sustainability including recessed windows, deep roof overhangs, and use of low water use plant species.

## STAFF RECOMMENDED ACTION

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Staff recommends that the Development Review Board approve the Tropical Smoothie Cafe development proposal per the attached stipulations, finding that the Character and Design Element of the General Plan and Development Review Board Criteria have been met.

### RESPONSIBLE DEPARTMENTS

**Planning and Development Services**  
Current Planning Services

### STAFF CONTACTS


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Senior Planner  
480-312-4211    mtessier@ScottsdaleAZ.gov

## APPROVED BY

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Meredith Tessier, Senior Planner, Report Author

04/20/2023  
Date

  
Brad Carr, AICP, LEED-AP, Planning & Development Area Manager  
Development Review Board Liaison  
Phone: 480-312-7713    Email: bcarr@scottsdaleaz.gov

4/25/2023  
Date

## **ATTACHMENTS**

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1. Context Aerial
2. Close-up Aerial
3. Applicant's Narrative
4. Development Review Board Criteria Analysis
5. Development Information
6. Stipulations / Zoning Ordinance Requirements
7. Combined Context Aerial and Site Plan
8. Site Plan
9. Landscape Plan
10. Building Elevations (color)
11. Zoning Map
12. Community Input



Context Aerial

47-DR-2021



Close-up Aerial

47-DR-2021

## Tropical Smoothie – DRB Submittal Narrative

Project Location: 90<sup>th</sup> St. & San Victor

### Site Overview:

The proposed project is within approximately .47 acres of the City of Scottsdale, on part of the APN 217-36-343D. This development will consist of the construction of a free-standing Tropical Smoothie Café building on the north-west corner of 90<sup>th</sup> St. and San Victor. This site was the former location of a Valero Gas Station and has been vacant for several years, and this development looks forward to breathing life back into this intersection with a neighborhood servicing restaurant amenity.

The site has recently been approved for a rezone from C-4 PCD to C-2 PCD in order to accommodate the less intense use of the Tropical Smoothie Café. Our project is consistent with the 2035 General Plan land use designation of Commercial and will not need to be modified.

This proposed development also meets the Required Findings in the Zoning Code for 5.2104 which states:

- A. *That the development proposed is in substantial harmony with the 2035 General Plan, and can be coordinated with existing and planned development of surrounding areas.*

This proposed project meets the commercial land use designation in the 2035 General Plan. Additionally, the drive through and fast-food restaurant use is a complimentary use for the surrounding C-4 and residential areas, adding in a commercial use that will provide utility to the employment and residents in the immediate vicinity.

- B. *That the streets and thoroughfares proposed are suitable and adequate to serve the proposed uses and the anticipated traffic which will be generated thereby.*

The proposed drive-through restaurant will be able to utilize the existing road infrastructure with the traffic signal and curb cuts to allow for a safe and seamless ingress and egress without requiring any other road improvements and without overly burdening the existing roadway infrastructure. Having a different commercial use and designation on this corner of C-2 PCD, will reduce the traffic demands at the intersection.

And, specifically, this proposed development meets Required Findings for commercial uses, which states:

- C. *(3) In the case of proposed commercial, educational, cultural, recreational and other nonresidential uses, that such development will be appropriate in area, location and overall planning to the purpose intended; and that such development will be in harmony with the character of the surrounding areas.*

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This proposed select service drive through restaurant, with its proximity to residential to the west and east, and located on a commercial corner, is actually a much better fit than the current auto uses. The recent approval of our rezoning from C-4 PCD to C-2 PCD is going to allow for a more appropriate use to be developed in this location.

Our goal is to create an attractive, high-quality project that promotes appropriate commercial use in this commercial corner. The inclusion of the small service restaurant with drive through on the corner of the site will complement the existing commercial uses, while also providing differentiation and scaled-up offerings for the more auto focus of the adjacent uses. The small size of this development is the perfect fit for this corner lot, while also allowing for adequate access, circulation and parking to accommodate all of the commercial uses without creating a detriment to the nearby residential community.

### **Site Proposal:**

Our proposal is to develop the following:

- Building a +/- 1,100 sf Tropical Smoothie Café on approximately .47 acres
- Requesting a Design Review Board (DRB) approval.
- Project will occupy site that was the former Valero Gas Station.
- Former Valero has already been demolished, tanks pulled, and there is a clean Phase 1 for the site
- Project will need to subdivide the existing parcel to accommodate for this separate use
- Project will include a drive-through that will be fully screened from public right-of-way
- Project will be constructed to have dual site access off of both 90<sup>th</sup> St. and San Victor to accommodate a smooth and safe traffic flow through the site

### **Site Design:**

We seek the following site and architectural features/design as part of our rezoning request:

- Building will encourage interaction and activation for pedestrians, as well as screen the auto-related uses behind the development from the public right-of-way
- Durable and hand-scaled materials and accents like, stucco / EIFS, siding, lap siding, trim, molding, will be used to provide a more human scale to the development and produce a lower profile aesthetic vs. an auto-focused commercial one.
- All HVAC equipment, other mechanical equipment, and trash enclosures will be screened from view.
- All muted earth tone colors that will be considered for building design in keeping with the City of Scottsdale's restaurant design guidelines and in elevating the design for the adjacent community
- The massing of the proposed buildings should not overpower the corner. Architectural wainscot treatment and metal awnings provide scale and function to the surrounding environment and climate. Trees and setbacks will also help reduce the perceived massing.
- The entire development project will be landscaped and screened to enhance the pedestrian experience and encourage walkability.
- Project provides ample parking, cross access, and safe ingress and egress for visitors, both for vehicular and pedestrian travel as well as a designated parking and building access for third-party mobile deliveries.

**Parking:**

This site meets or exceeds the parking standards for the C-2 PCD zoning category for both cars and bicycles.

- Parking Required: 1 space: 120 sf, and 1 space: 350sf of patio; or 10 total spaces
- Parking Provided: 13 spaces
- Accessible Parking Required: 1 space (1 Van Accessible)
- Accessible Parking Provided: 1 space (1 Van Accessible)

**Zoning Development Regulations:**

As part of our rezoning approval from C-4 PCD to C-2 PCD, we will accommodate the purpose of the C-2 zoning designation, specifically mentioned in Section 5.1401 of the City of Scottsdale’s Zoning Ordinance:

*This district is intended to permit uses for recurring shopping and service needs for multiple neighborhoods. This district includes uses usually associated with office and retail shopping developments, typically located near residential neighborhoods.*

Our project meets the overarching purpose of the C-2 PCD zoning designation, by putting an appropriately scaled commercial use that will upgrade the offerings for the neighborhood as it transitions and is revitalized.

Additionally, a drive through restaurant is permitted as an outright use in C-2 PCD zoning designation, per the City’s 11.201 Use Regulations Table.

Finally, we are not proposing any changes to the development standards, as directed by C-2 PCD and will adhere to the following regulations, as listing in the City’s Zoning Ordinance, Section 5.1404:

<b>Development Standard</b>	<b>C-2 Required</b>	<b>Proposing</b>
Floor Area Ratio	.80 (maximum)	.05
Total Open Space (.10 times net lot)	2,029.9 sf (for our .46 acre site)	7,255 sf (36%)
Minimum Lot Width	50’	50’
Minimum Lot Depth	100’	100’
Maximum Lot Coverage	80%	59.1%
Maximum Height	36’	19’
Setback for Side and Rear Yards, adjacent to residential	50’	NA (no immediate adjacent residential uses)

All operations and storage shall be conducted within a completely enclosed building or within an area contained by a wall or fence as determined by Development Review Board approval.

**Adherence to the City's General Plan:**

This proposed development project will meet the goals of the City's 2035 General Plan in the following ways:

- Developing appropriately scaled neighborhood development
- Providing neighborhood-servicing development
- Providing appropriate and market-servicing infill development on what has been an undeveloped parcel

The development of an infill commercial use fulfills the goals and objectives of the 2035 General Plan, specifically in the following areas:

*6. Revitalization Chapter*

*The Revitalization Chapter recognizes that the majority of future development in Scottsdale will consist of revitalization, redevelopment, and infill projects. The goals and policies in the Revitalization Chapter focus on preserving the unique qualities and character of Scottsdale's neighborhoods, addressing the fiscal impacts of development, guiding the locations for concentrated growth and reinvestment in the city, providing public services, and allocating public facilities citywide. Six State-mandated elements are included in this chapter: Neighborhood Preservation & Revitalization; Conservation, Rehabilitation & Redevelopment; Growth Areas; Cost of Development; Public Services & Facilities; and Public Buildings.*

Our project takes an underserved developable corner, in an intense auto servicing area, and provides for a neighborhood serving use in the quick service restaurant use. The infill redevelopment of this corner through the development of this project will jumpstart revitalization in the area and truly focuses on the City's goal to rehabilitate and revitalize aging areas of the community into vibrant, neighborhood servicing commercial uses.

Additionally, per Policy C.8.1, and per the Urban Character Type, as defined in the City's 2035 General Plan, this proposed zoning change and redevelopment provides for enhanced pedestrian orientation, comfort, and safety within the through the subject site by adhering to the principals in the Urban Character Area. This is done by developing a non-residential retail use at this corner and contributing to the mixture of uses in the adjacent shopping center to service adjacent residential through the Tropical Smoothie Café use, which also creates a space that enhances the pedestrian experience through improved sidewalks, landscape (including pedestrian shade cover) and activating a declining intersection in the City, without building something too intense and with too much height or density that it doesn't transition to adjacent Suburban Character areas to the north.

Further, the Urban Streetscape as proposed in this development will enhance and encourage pedestrian comfort, safety, and accessibility by using decorative elements, such as tree-lined walkways, shade, improved pedestrian lighting, decorative paving and landscaping. This is further achieved by construction of a new 8ft wide sidewalk along 90<sup>th</sup> street, that is separated from the road by a 4ft landscape strip, as well as pedestrian cross-connectivity to the rest of the center, and enhanced lighting, both on and off-site.

This proposed project promotes the Goals from the 2035 General Plan, specifically in the following:

1. Goal CD 5, Character through Landscaping: This proposed project adheres to the Policy Goals in this section by adding value and visual significant to an underdeveloped corner, by bringing the landscape setback up to current code standards, and recessing the sidewalk back behind a landscape setback, allowing for better visual value to the site, as well as a safer route for pedestrians.

Additionally, our project fulfills the specific Policies of this Goal CD5 in the following:

- Policy CD 5.1: The design of both the site landscape and building design mitigates glare and uses building materials that absorb vs reflect the sun and heat. The increase in site landscaping and open space allows for a significant reduction in the current site pavement and reduces the overall heat island effect on the property; and
- Policy CD 5.2: The project is currently vacant with old landscaping along the right of way. This proposed project will not only bring the landscaping up to current code, but it will completely replace dead and dying landscaping with better drought resistant plants to maintain or improve density pattern, shade, and area character.

2. Land Use Element Goal: This proposed project promotes appropriate land use elements goals in the following specific ways:

- LU 1.3: By promoting development use with retail/restaurant that is in keeping with the character of the residential neighborhood to the North, and by rezoning from industrial uses to commercial and neighborhood servicing uses, like the Tropical Smoothie Café. This proposed project will elevate the adjacent development, without negatively impacting the consistency of development in areas with fragmented or evolving patterns.
- LU 2: This proposed project sensitively transitions and integrates land uses with the surrounding natural and built environments, through the following policies:
  - Policy LU 2.1: This proposed project ensures that neighborhood “edges” transition to one another through compatible land uses and development patterns, but continuing sidewalks north of the subject site to better integrate into the surrounding uses; and
  - Policy LU 2.2: This proposed project sensitively integrates lower-density development patterns and land uses by down zoning the industrial site to neighborhood commercial and being sensitive to the surrounding area; and
  - Policy LU 2.3: This proposed project has placed a neighborhood and community commercial use in the Tropical Smoothie Café which will provide a lower demand to the City’s transportation network than an industrial commercial use, like the former Valero Gas Station.
- LU 6: This proposed project executes on the goal of LU 6 to attract and retain diverse employment, business, and retail land uses to improve the economic well-being of Scottsdale’s residents, through adherence to the following policies:
  - LU 6.1 This proposed project promotes opportunities for the expansion and revitalization of employment and commercial uses within the city by taking an undeveloped parcel and bringing a commercial use, which will better serve the adjacent residential and bring a much needed improvement to a more blighted intersection; and
  - LU 6.2 This project also supports well-planned, clustered development areas, including in its proximity to Scottsdale Shea Medical Center and the nearby residential neighborhoods by

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bringing a food use that better serves both the employment and residential uses in the area than the former auto service use did; and

- LU 6.3 We also hope that the proposed project also encourages and spurs new restaurant and commercial land uses of similar scale and character in the adjacent area in order to better encourage and facilitate pedestrian connections to the adjacent residential.

3. Goal Conservation, Rehabilitation, & Redevelopment Element, CRR 1: Our project supports high-quality, context-appropriate redevelopment, rehabilitation, and conservation to promote long-term neighborhood stability through the following policies:

- Policy CRR 1.1: This project is a clear redevelopment of a former gas station site that is sensitive to the identity and character of Scottsdale’s maturing neighborhoods and provides a more appropriately scaled and supported neighborhood servicing use; and
- Policy CRR 1.6: This proposed project will provide important upgrades to substandard infrastructure through enhancing the existing driveways onto the entire parcel, enhancing and replacing landscaping and providing new sidewalks and new a street light.

This project also supports the goal in CRR 2 by sustaining long-term economic well-being through redevelopment of area in transition in the City through the following policies:

- Policy CRR 2.1 No new commercial activity has happened in this area in many decades. In fact, businesses have closed or are in disrepair. The arrival of a new commercial project will go a long way to support and encourage public and private economic reinvestment in this declining area of the City; and
- CRR 2.2 The proposed project should also encourage reinvestment that positively impacts the visual impressions and experiences of residents, businesses, and visitors; and
- CRR 2.3: This new proposed commercial development will promote additional redevelopment and rehabilitation of this older industrial commercial area and help to maintain Scottsdale’s standing as one of the major retail, restaurant, and entertainment destinations within the metropolitan area; and
- CRR 2.4: This proposed commercial project will foster redevelopment and rehabilitation of mature employment centers to enhance Scottsdale’s commercial property inventory and provide new job opportunities; and
- CRR 2.5: The addition of this project with its energy efficient building materials and methods and the reduction in pavement and increase in landscape and open space will encourage healthy lifestyle and conservation; and
- CRR 2.6: This proposed project promotes the presence and capacity of existing infrastructure, such as telecommunications, as an incentive to encourage more infill development; and
- CRR 2.7: This proposed project is a better use suited to the transitioning neighborhood and employment and will help to coordinate the processing of redevelopment proposals across city departments to reduce project costs and promote expediency

The City of Scottsdale General Plan 2035 Character & Design Element categorizes the property as Urban Character Type (Character Types Map, page 40), and classified as Urban Streetscape (Policy CD 4.1, Streetscapes Map, page 42), where pedestrian orientation, comfort, and safety is encouraged within the public realm. Similarly, the Circulation Element discusses the importance of providing for pedestrian safety and comfort (Policy C 8.1). Our proposed zoning change to allow for neighborhood commercial use, and our above adherence to the General Plan 2035 maps and policies, should

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springboard redevelopment and investment in the area, as well as enhance and improve the pedestrian orientation, comfort, and safety within and through the subject sites and as they connect to adjacent properties.

Finally, this proposed development addresses the Goals, as clarified in the City of Scottsdale's Shea Area Plan through the following:

1. Compatibility of new development to existing development is sought through monitoring building heights, setbacks, building massing, buffering techniques, project walls (6 feet limitation), and neighborhood review of proposed development.

Additionally, the proposed project is consistent with the Shea Area Plan's, Goal 1, Policy 1, which requires that the proposed project provide compatible transition with adjoining properties and uses in the following ways:

- It will extend the sidewalk improvements beyond the outer limits of the project and bring the entire frontage up to code and allow for a safe pedestrian experience and more natural transition to the adjacent property to the north; and
- It enhances the driveways onto the entire site and for the adjacent uses and focuses on internal circulation so as not to burden or force undue traffic from the project onto adjacent properties;
- Building Massing and Building Height: the lower profile of both the building massing and height allows this building to be appropriately scaled to the existing commercial uses, and blend well with the Suburban Character area to the north
- Buffering Techniques: enhanced landscaping will provide pedestrian shade and further the goals of the Urban Streetscape by providing min 20ft landscape buffer and a total landscape area that's approximately 36% of the site.
- Project Walls: limited to less than 6' (specifically, the walls match the 3' height as requested by City staff
- Neighborhood Review: Neighborhood letters were sent to all residences within 600' of the property, briefing them about the project, during the rezoning process and all neighborhood groups and associations within 1 mile. A neighborhood meeting was also held for this project at that time. There were no attendees at this meeting. In addition, a letter of approval was provided from the HOA. Any additional outreach and neighborhood engagement will be proactively sought and responded to as it arises.

## **DEVELOPMENT REVIEW BOARD CRITERIA ANALYSIS**

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Per Section 1.904. of the Zoning Ordinance, in considering any application for development, the Development Review Board shall be guided by the following criteria:

1. The Board shall examine the design and theme of the application for consistency with the design and character components of the applicable guidelines, development standards, Design Standards and Policies Manual, master plans, character plan and General Plan.
  - *The applicant states that the development project conforms with the General Plan by proposing an appropriately scaled neighborhood development, providing neighborhood-servicing development, and providing appropriate and market-servicing infill development on what has been an undeveloped parcel.*
  - *Staff finds that the proposal is consistent with the Zoning Ordinance as well as the Character and Design Element of the General Plan. Additionally, staff has found the site to be designed in conformance with the Design Standards and Policies Manual.*
2. The architectural character, landscaping and site design of the proposed development shall:
  - a. Promote a desirable relationship of structures to one another, to open spaces and topography, both on the site and in the surrounding neighborhood;
  - b. Avoid excessive variety and monotonous repetition;
  - c. Recognize the unique climatic and other environmental factors of this region to respond to the Sonoran Desert environment, as specified in the Sensitive Design Principles;
  - d. Conform to the recommendations and guidelines in the Environmentally Sensitive Lands (ESL) Ordinance, in the ESL Overlay District; and
  - e. Incorporate unique or characteristic architectural features, including building height, size, shape, color, texture, setback or architectural details, in the Historic Property Overlay District.
  - *The applicant states that the building will encourage interaction and activations for pedestrians, as well as screen the auto related uses behind the development from the public right of way. All colors for the building design are in keeping with the City of Scottsdale's design guidelines.*
  - *Staff finds that the placement and the design of the building responds to the contextual area through the use of various forms, volumes, and massing that provide a hierarchy to the building features and elements that is consistent in with Sensitive Design Principles (SSDP).*
3. Ingress, egress, internal traffic circulation, off-street parking facilities, loading and service areas and pedestrian ways shall be designed as to promote safety and convenience.
  - *The applicant states that the site meets the parking standards for both cars and bicycles.*
  - *Staff finds that the site is bounded by E. San Victor Drive to the south and N. 90<sup>th</sup> Street to the east. Vehicular access is provided with two existing driveways along both street frontages. The drive through queue travels along the western portion of the site and fully screened from street view. A new 8-foot-wide sidewalk that detached from the street curb is proposed along N. 90<sup>th</sup> Street.*
4. If provided, mechanical equipment, appurtenances and utilities, and their associated screening shall be integral to the building design.
  - *The applicant states that all HVAC equipment, other mechanical equipment, and trash enclosures will be screened from view.*

- *Staff finds that the mechanical equipment is integrated into the building design and rooftop units are fully screened and enclosed.*
5. Within the Downtown Area, building and site design shall:
- a. Demonstrate conformance with the Downtown Plan Urban Design & Architectural Guidelines;
  - b. Incorporate urban and architectural design that address human scale and incorporate pedestrian-oriented environment at the street level;
  - c. Reflect contemporary and historic interpretations of Sonoran Desert architectural traditions, by subdividing the overall massing into smaller elements, expressing small scale details, and recessing fenestrations;
  - d. Reflect the design features and materials of the urban neighborhoods in which the development is located; and
  - e. Incorporate enhanced design and aesthetics of building mass, height, materials and intensity with transitions between adjacent/abutting Type 1 and Type 2 Areas, and adjacent/abutting Type 2 Areas and existing development outside the Downtown Area.
- *This criterion is not applicable.*
6. The location of artwork provided in accordance with the Cultural Improvement Program or Public Art Program shall address the following criteria:
- a. Accessibility to the public;
  - b. Location near pedestrian circulation routes consistent with existing or future development or natural features;
  - c. Location near the primary pedestrian or vehicular entrance of a development;
  - d. Location in conformance with Design Standards and Policies Manual for locations affecting existing utilities, public utility easements, and vehicular sight distance requirements; and
  - e. Location in conformance to standards for public safety.
- *This criterion is not applicable.*

## **DEVELOPMENT INFORMATION**

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### **Zoning History**

On February 28, 2023, the City Council approved the rezone request from Planned Community District with comparable General Commercial (PCD C-4) zoning to Planned Community District with comparable Central Business (PCD C-2) zoning to allow additional commercial uses.

### **Community Involvement**

With the submittal of the application, staff notified all property owners within 750 feet of the site. In addition, the applicant has been in communication with property owners surrounding the site. As of the publishing of this report, staff has received one e-mail regarding the excavation of the underground fuel tanks. As part of the rezone request, the applicant held a virtual open house meeting on June 17, 2021, and no members of the public attended the meeting.

### **Context**

The subject property is located at the northwest corner of N. 90<sup>th</sup> Street and E. San Victor Drive and is surrounded by open space to the north, automobile repair to the west and south, and offices to the east. The property was previously a gas station.

### **Project Data**

- Existing Use: Vacant, commercial pad
- Proposed Use: Restaurant with drive-through
- Parcel Size: 33,914 square feet / 0.78 acre (gross)  
20,299 square feet / 0.46 acre (net)
- Restaurant Building Area: 1,100 square feet
- Patio Area: 350 square feet
- Total Building Area: 1,450 square feet
- Floor Area Allowed: 0.8
- Floor Area Provided: 0.05
- Building Height Allowed: 36 feet (exclusive of rooftop appurtenances)
- Building Height Proposed: 18 feet 4 inches (inclusive of rooftop appurtenances)
- Parking Required: 10 spaces
- Parking Provided: 12 spaces
- Open Space Required: 731 square feet
- Open Space Provided: 2,436 square feet

**Stipulations for the  
Development Review Board Application:  
Tropical Smoothie Cafe  
Case Number: 47-DR-2021**

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

**APPLICABLE DOCUMENTS AND PLANS:**

1. Except as required by the Scottsdale Revised Code (SRC), the Design Standards and Policies Manual (DSPM), and the other stipulations herein, the site design and construction shall substantially conform to the following documents:
  - a. Architectural elements, including dimensions, materials, form, color, and texture shall be constructed to be consistent with the building elevations prepared by Site Design Collaborative, with a city staff date of March 27, 2023.
  - b. The location and configuration of all on and off - site improvements shall be consistent with the site plan prepared by Site Design Collaborative, with a city staff date of March 27, 2023.
  - c. Landscape improvements, including quantity, size, and location shall be installed to be consistent with the preliminary landscape plan prepared by Landtekstudios, with a city staff date of March 27, 2023.
  - d. The water and sewer basis of design report submitted by SDC and accepted by the Water Resources Department.

**RELEVANT CASES:**

**Ordinance**

- A. At the time of review, the applicable Zoning case for the subject site was 12-ZN-2021.

**ARCHAEOLOGICAL RESOURCES:**

**Ordinance**

- B. Any development on the property is subject to the requirements of Scottsdale Revised Code, Chapter 46, Article VI, Section 46-134 - Discoveries of archaeological resources during construction.

**ARCHITECTURAL DESIGN:**

**DRB Stipulations**

2. All exterior window glazing shall be recessed a minimum of fifty (50) percent of the wall depth, including glass windows within any tower/clerestory elements. The amount of recess shall be measured from the face of the exterior wall to the face of the glazing, exclusive of external detailing. With the final plan submittal, the developer shall provide head, jamb and sill details clearly showing the amount of recess for all window types.
3. All exterior doors shall be recessed a minimum of thirty (30) percent of the wall depth, the amount of recess shall be measured from the face of the exterior wall to the face of the glazing, exclusive of

external detailing. With the final plan submittal, the developer shall provide head, jamb and sill details clearly showing the amount of recess for all door types.

**SITE DESIGN:**

**DRB Stipulations**

4. All drive aisles that are fire lanes shall have a width of twenty-four (24) feet.
5. All drive-thru lanes shall provide a minimum of 120 feet of queuing distance.
6. Patio umbrellas shall be solid and a warm earthtone color.
7. Prior to issuance of any building permit for the development project, the property owner shall submit plans and receive approval to construct all refuse enclosures in conformance with the City of Scottsdale Supplements to MAG Standard Details, detail 2146-2, and as per zoning site plan, re city case number 12-ZN-2021 and Ord. No. 4583.

**LANDSCAPE DESIGN:**

**Ordinance**

- C. The property owner shall obtain approval of a Salvage/Native Plant Plan Application and obtain a permit to remove any tree.

**DRB Stipulations**

8. Prior to the issuance of any building permit for the development project, the property owner shall submit landscape improvement plans that demonstrate how the salvaged vegetation from the site will be incorporated into the design of the landscape improvements.
9. With the final plans submittal, the property owner shall update the landscape plans to show all utility lines and ensure that all new trees are placed at least eight (8) feet away from any utility lines.

**EXTRIOR LIGHTING:**

**Ordinance**

- D. Any exterior luminaire with a total initial lumen output of greater than 1600 lumens shall have an integral lighting shield.
- E. Any exterior luminaire with a total initial lumen output of greater than 3050 lumens shall be directed downward and comply with the Illuminating Engineering Society of North America (IES) requirements for full cutoff.

**DRB Stipulations**

10. All exterior luminaires shall meet all IES requirements for full cutoff and shall be aimed downward and away from property line except for sign and landscape lighting.
11. Incorporate the following parking lot and site lighting into the project's design:
  - a. The maintained average horizontal luminance level, at grade on the site, shall not exceed 2.5 foot-candles. All exterior luminaires shall be included in this calculation.
  - b. The maintained maximum horizontal luminance level, at grade on the site, shall not exceed 10.0 foot-candles. All exterior luminaires shall be included in this calculation.
  - c. The initial vertical luminance at 6-foot above grade, along the entire property line shall not exceed 1.5 foot-candles. All exterior luminaires shall be included in this calculation.

d. All exterior lighting shall have a color temperature of 3,000 Kelvin or less.

12. The total lumen per luminaire shall not exceed 24,000 lumens.

**STREET INFRASTRUCTURE:**

**Ordinance**

- F. All street infrastructure improvements shall be constructed in accordance with this City of Scottsdale (COS) Supplement to MAG Specifications and Details, and the Design Standards and Policies Manual.
- G. CONSTRUCTION COMPLETED. Prior to issuance of any Certificate of Occupancy or Certification of Shell Building, whichever is first, for the development project, the property owner shall complete all the infrastructure and improvements required by the Scottsdale Revised Code and these stipulations.
- H. STANDARDS OF IMPROVEMENTS. All improvements (curb, gutter, sidewalk, curb ramps, driveways, pavement, concrete, water, wastewater, etc.) shall be constructed in accordance with the applicable City of Scottsdale Supplements to the Maricopa Association of Governments (MAG) Uniform Standard Specifications and Details for Public Works Construction, Maricopa Association of Governments (MAG) Uniform Standard Specifications and Details for Public Works Construction, the Design Standards and Policies Manual (DSPM), and all other applicable city codes and policies.
- I. Pursuant to 12-ZN-2021, the owner shall; replace the light poles (SS2363 and SS2364) with new 32' galvanized streetlight poles per COS Standard Detail 2171-1, with a high-rise luminaire arm per COS Standard Detail 2171-2. The new pole at the NWC of San Victor and 90th Street shall face 90th Street, install a new luminaire on each light pole— Signify Lumec RFS-80W48LED3K-G2-R2M (80 watt, 9901 lumens) and install a Signify CityTouch Connector Node on each, 120-277-CTCN for each new street light luminaire installation. Nodes shall be commissioned to the City of Scottsdale with a 10-year City Touch service agreement and 10-year system hardware warranty.

**DRB Stipulations**

- 13. All curb ramps for public and pedestrian sidewalks that intersect public and private streets, or driveways that intersect public and private streets, shall have truncated domes that are colored to match OSHA Safety Yellow, FED-STD-595C, 13591.

**WATER AND WASTEWATER:**

**Ordinance**

- J. CONSTRUCTION COMPLETED. Prior to issuance of any Certificate of Occupancy or Certification of Shell Building, whichever is first, for the development project, the property owner shall complete all the infrastructure and improvements required by the Scottsdale Revised Code and these stipulations.
- K. STANDARDS OF IMPROVEMENTS. All improvements (curb, gutter, sidewalk, curb ramps, driveways, pavement, concrete, water, wastewater, etc.) shall be constructed in accordance with the applicable City of Scottsdale Supplements to the Maricopa Association of Governments (MAG) Uniform Standard Specifications and Details for Public Works Construction, Maricopa Association of Governments (MAG) Uniform Standard Specifications and Details for Public Works Construction, the Design Standards and Policies Manual (DSPM), and all other applicable city codes and policies.

- L. WATER AND WASTEWATER IMPROVEMENTS. The property owner shall provide all water and wastewater infrastructure improvements, including any new service lines, connection, fire-hydrants, and man-holes, necessary to serve the development.
- M. FIRE HYDRANT. The property owner shall provide fire hydrant(s) and related water infrastructure adjacent to lot, in the locations determined by the Fire Department Chief, or designee

**DRB Stipulations**

- 14. Existing water and sewer service lines to this site shall be utilized or shall be disconnected at the main pursuant to the Water Resources Department requirements.

**DRAINAGE AND FLOOD CONTROL:**

**DRB Stipulations**

- 15. With the civil construction document submittal, the applicant is required to provide a basic drainage report to support the final civil construction plan for the project. The report should evaluate and discuss existing stormwater storage facilities to determine if they meet the requirement specified in Chapter 37 of Scottsdale's revised code, as well as the Design Standards and Policies Manual
- 16. The owner must dedicate to the city, on the final plat all easements that are necessary to serve the site, including Drainage Easement over the existing and proposed stormwater basin, in compliance with the Scottsdale Revised Code and the Design Standards and Policies Manual.

**EASEMENTS DEDICATIONS:**

**Ordinance**

- N. PUBLIC NON-MOTORIZED ACCESS EASEMENT. Prior to issuance of any permit for the development project, the property owner shall dedicate a continuous Public Non-Motorized Access Easement to the City of Scottsdale to contain the public sidewalk in locations where the sidewalk crosses onto private property of the development project.
- O. EMERGENCY AND SERVICES ACCESS, CROSS ACCESS AND TEMPORARY CONSTRUCTION EASEMENTS. Prior to issuance of any permit for the development project, the property owner shall dedicate continuous Emergency and Services Access and Cross Access Easements across all drive aisles within zoning parcel boundary should owner propose to increase the number of parcels within said boundary.
- P. TEMPORARY CONSTRUCTION EASEMENTS. Prior to issuance of any permit for development project, the property owner shall dedicate a temporary construction easement for proposed site work outside project parcel area,
- Q. PLATTING. Owner shall file a preliminary plat with the project Design Review Board submittal, should owner propose to increase the number of parcels within zoning parcel boundary. With city approval, the owner shall file a final plat following the city's land division ordinance requirements should the owner propose to increase the number of parcels within zoning parcel boundary.

**DRB Stipulations**

- 17. Prior to the issuance of any building permit for the development project, the property owner shall dedicate the following easements to the City of Scottsdale on a final plat or map of dedication:
  - a. A sight distance easement, in conformance with figures 5.3-26 and 5.3-27 of Section 5.3 of the DSPM, where a sight distance triangle(s) cross on to the property.

- b. A continuous Public Non-Motorized Access Easement to the City of Scottsdale to contain any portion of the public sidewalk in locations where the sidewalk crosses on to the lot.
- c. A minimum twenty (20) foot wide Water + Sewer Facilities Easement to contain public water and sewer infrastructure located outside public right-of-way.

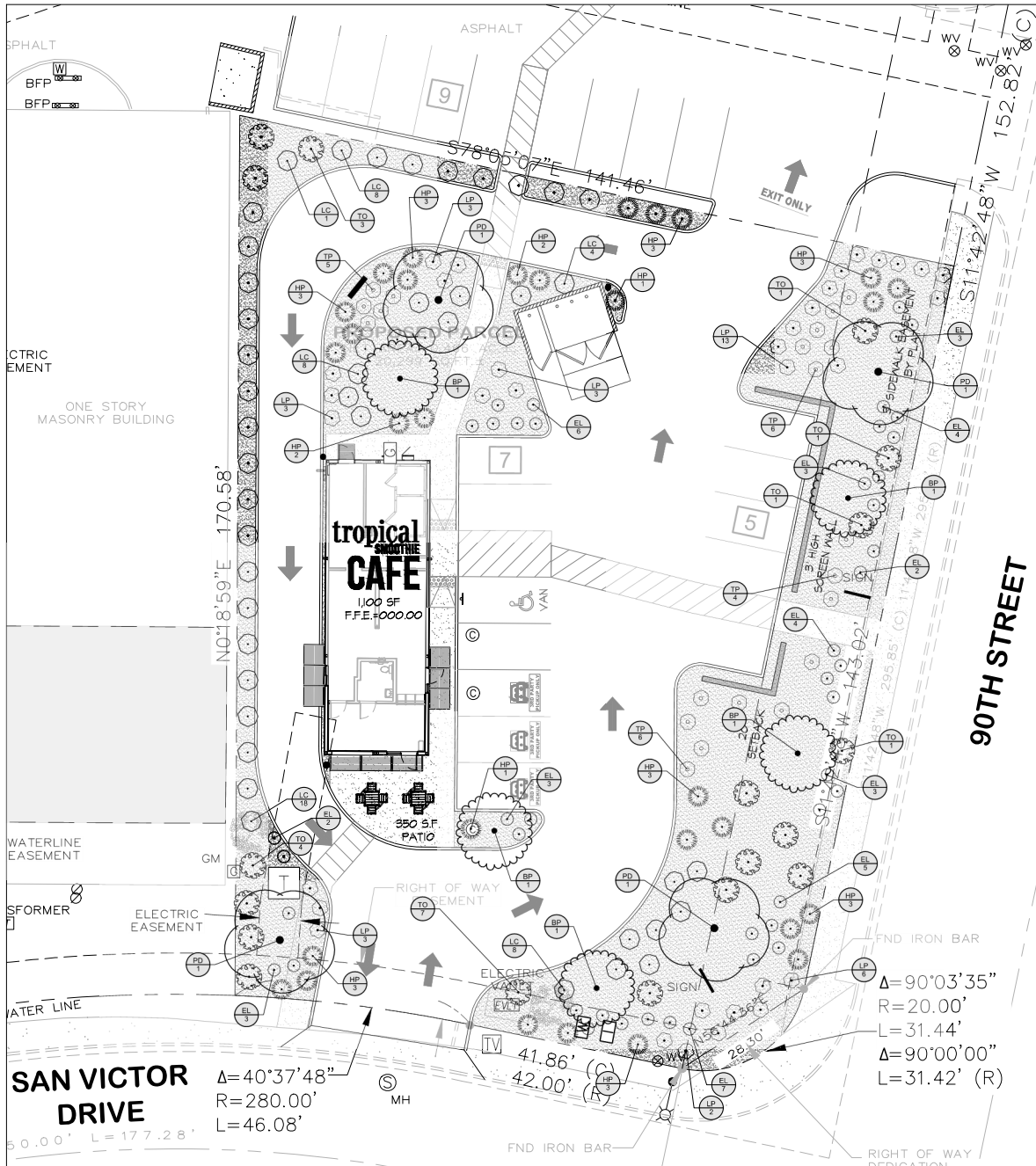
**ADDITIONAL ITEMS:**

**DRB Stipulations**

- 18. CONSTRUCTION MANAGEMENT PLAN. Prior to any permit issuance, a construction management plan that includes construction traffic routes, work force vehicle parking, and construction vehicle parking shall be provided to staff for review and approval.
- 19. MARSHALLING AND STORAGE YARD(S). Any use of City right-of-way, including alleys, for marshalling and/or storage yards shall require prior approval of the City's Transportation Department and payment of any associated fees through the application of a Marshalling and Storage yard permit.







**PLANT SCHEDULE**

TREES	CODE	BOTANICAL / COMMON NAME	GAL/PER	ROOT	HEIGHT	QTY
	BP	Blue Palo Verde Multi-Trunk, 3-6 stems Mature size: 15' x 15'	48" BOX	4" Cal	10' min.	5
	PD	Parkinsonia x 'Desert Museum' / Desert Museum Palo Verde, Upright Multi-Trunk, 3-6 stems Mature size: 25' x 25'	36" BOX	2" Cal.	8' min.	4
SHRUBS	CODE	BOTANICAL / COMMON NAME	SIZE	CONTAINER	SPACING	QTY
	EL	Ericameria laricifolia 'Aguirre' TM / Aguirre Turpentine Bush Mature size: 3' x 3'	5 GAL		30" o.c.	45
	HP	Hesperaloe parviflora / Red Yucca Mature size: 3' x 3'	5 GAL		48" o.c.	30
	LP	Lantana montevidensis / Trailing Lantana Mature size: 3' x 3'	5 GAL		36" o.c.	33
	LC	Leucophyllum frutescens 'Compact' / Compact Texas Ranger Mature size: 4' x 4'	5 GAL		48" o.c.	47
	TO	Tecoma x 'Orange Jubilee' / Orange Jubilee Yellow Bells Mature size: 6' x 6'	5 GAL		60" o.c.	18
	TP	Teucrium chamaedrys 'Prostratum' / Prostrate Germander Mature size: 2' x 3'	5 GAL		36" o.c.	21

GROUND COVERS	CODE	BOTANICAL / COMMON NAME	QTY
	DG	Decomposed Granite / 1/2" Screened, 2" Deep, Coral 3/4" screened 'Madison Gold'. Submit samples to Owner Representative for approval.	7,660 sf

**CITY OF SCOTTSDALE LANDSCAPE CALCULATIONS**

**ZONING: C-4 PCD**  
**PARCEL NO. 217-36-343D**

**TOTAL SITE AREA** 20,299 SF  
**OPEN SPACE REQUIRED** 2,029 SF (10%)  
**OPEN SPACE PROVIDED** 7,809 SF (38.6%)  
**FRONT YARD LANDSCAPE REQUIRED** 3,834 SF (66% OF LANDSCAPE PROVIDED)  
**FRONT YARD LANDSCAPE PROVIDED** 3,864 SF

**PARKING LOT AREA** 5,638 SF  
**LANDSCAPE AREA REQUIRED** 845 SF (15%)  
**LANDSCAPE AREA PROVIDED** 963 SF (17.0%)

**TOTAL PARKING SPACES** 17 SPACES  
**TREE REQUIRED** 2 TREES (2 TREES PER 10 SPACES)  
**TREE PROVIDED** 2 TREES (2 TREES PER 10 SPACES)  
**SHRUBS REQUIRED** 2 SHRUBS (2 SHRUBS PER 10 SPACES)  
**SHRUBS PROVIDED** 2 SHRUBS

**MULCHES**

AFTER ALL PLANTING IS COMPLETE, CONTRACTOR SHALL INSTALL 2" THICK LAYER OF DECOMPOSED GRANITE/ 3/4" SCREENED "MADISON GOLD" IN ALL PLANTING AREAS. CONTRACTOR SHALL SUBMIT SAMPLES OF ALL MULCHES TO LANDSCAPE ARCHITECT AND OWNER FOR APPROVAL PRIOR TO CONSTRUCTION. ABSOLUTELY NO EXPOSED GROUND SHALL BE LEFT SHOWING ANYWHERE ON THE PROJECT AFTER MULCH HAS BEEN INSTALLED.

**ROOT BARRIERS**

THE CONTRACTOR SHALL INSTALL ROOT BARRIERS NEAR ALL NEWLY-PLANTED TREES THAT ARE LOCATED WITHIN FIVE (5) FEET OF PAVING OR CURBS. ROOT BARRIERS SHALL BE "CENTURY" OR "DEEP-ROOT" 24" DEEP PANELS (OR EQUAL). BARRIERS SHALL BE LOCATED IMMEDIATELY ADJACENT TO HARDSCAPE. INSTALL PANELS PER MANUFACTURER'S RECOMMENDATIONS. UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR USE ROOT BARRIERS OF A TYPE THAT COMPLETELY ENIRCLE THE ROOTBALL.



**LANDSCAPE ARCHITECT**  
 JAMES GIBSON, PLA  
 LANDTEK STUDIOS  
 2505 E SWEETSHAR DR.  
 FAYETTEVILLE, AR 72703  
 (479) 283-972

ALL LANDSCAPE AREAS AND MATERIALS, INCLUDING THOSE LOCATED IN PUBLIC RIGHTS-OF-WAY, SHALL BE MAINTAINED IN A HEALTHY, NEAT, CLEAN AND WEED-FREE CONDITION. AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI) ADDITIONAL PRACTICES FOR PRUNING, SUPPORT SYSTEMS, AND SAFETY SHALL BE USED FOR MAINTENANCE CRITERIA. THIS SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER.

**LANDSCAPE PLAN APPROVAL**

DATE:	APPROVED BY:	DATE:
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CONSTRUCTION AND INSTALLATION SHALL BE IN ACCORDANCE WITH THIS PLAN AND ALL DEVIATIONS WILL REQUIRE REAPPROVAL. THE CITY WILL NOT ISSUE A C.O.U.N.T. INSPECTION SERVICES STAFF APPROVES THE LANDSCAPE INSTALLATION.

DESIGNED BY:	243 E. 3rd Street
DRAWN BY:	Long Beach, CA 90802
CHECKED BY:	
SUBMITTED BY:	DATE: 09/24/21

**SDC**  
 SCOTTSDALE DESIGN CENTER

**tropical SMOOTHIE CAFE**  
 E. SAN VICTOR DR @ N. 90TH ST.  
 SCOTTSDALE, AZ 85258

**LANDSCAPE PLAN**

DATE EXPIRES: 9/31/2023

SHEET NO.  
**LP-01**





Q.S.  
27-49

Aerial

Zoning Aerial

47-DR-2021

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**From:** NoReply <NoReply@Scottsdaleaz.gov>

**Sent:** Monday, December 12, 2022 8:41 PM

**Subject:** 47-DR-2021



The proposed site for the Tropical Smoothie Cafe was for many years a gasoline station with a small convenience store. That means there were/are underground fuel tanks at that location. Will those tanks be excavated and the soil remediated before the new project is built? Or has that already been completed? -- sent by Kevin Curran (case# 47-DR-2021)



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