

CITY COUNCIL REPORT



Meeting Date: June 4, 2013
 General Plan Element: *Land Use*
 General Plan Goal: *Create a sense of community through land uses*

ACTION

Villas 136
2-GP-2013 & 4-ZN-2013

Request to consider the following:

1. Adopt Resolution No. 9418 approving a non-major amendment to the City of Scottsdale General Plan 2001 from the Commercial Land Use designation to the Urban Neighborhoods Land Use designation on 8.8 +/- acres located at the southeast corner of N. 136th Street and E. Coyote Road.
2. Adopt Ordinance No. 4092 approving a zoning map amendment from the Planned Neighborhood Center, Environmentally Sensitive Lands, Hillside District (PNC ESL HD) to Medium Density Residential, Environmentally Sensitive Lands (R-3 ESL) district, finding that the proposed zoning district map amendment is consistent and conforms with the adopted General Plan on 8.8 +/- acres located at the southeast corner of N. 136th Street and E. Coyote Road.

OWNER

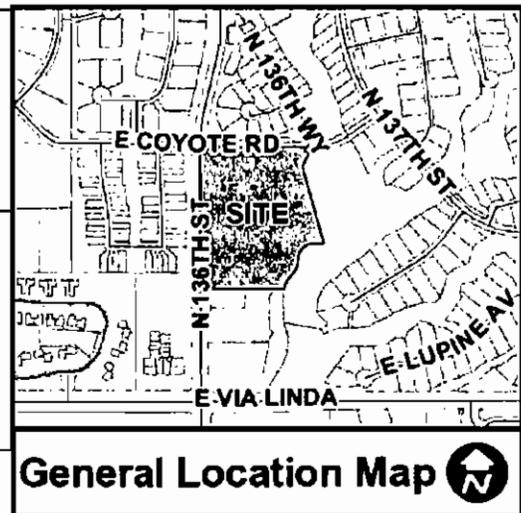
Saddle 136, LLC
 480-624-5060

APPLICANT CONTACT

John Berry
 Berry Riddell & Rosensteel
 480-385-2727

LOCATION

11755, 11675, 11615 & 11601 N. 136th Street



BACKGROUND

General Plan

The City of Scottsdale General Plan 2001 Land Use Map designates the property as Commercial. According to the General Plan Land Use element, the commercial category includes areas designated for commercial centers providing goods and services frequently needed by the surrounding residential population.

Character Area Plan

The site is located within the boundaries of the Shea Area Plan, which was adopted June 15, 1993. One of the overarching goals of the plan is to encourage site planning which is sensitive to environmental features while enhancing and protecting existing neighborhoods. More specifically, located within the specified Mayo Support District, this area encourages that development / redevelopment enhance support services near the Mayo Clinic. The intent is encourage supportive land uses for the Mayo Clinic that would be "clustered" so that a pedestrian environment can be achieved, thus minimizing the necessity of travel on Shea for clinic patrons and employees.

Zoning

The subject property was annexed from Maricopa County into the City of Scottsdale in 1975 (Ordinance #891), and subsequently zoned single-family residential (R1-43) with case 31-Z-75. In 1979, the property was rezoned to Planned Neighborhood Center Hillside District (PNC HD) with case 30-Z-79.

Context

The subject property is located at the southeast corner of N. 136th Street and E. Coyote Road, and currently contains mostly vacant retail stores. To the north, across E. Coyote Road is a single-family residential subdivision within Scottsdale Mountain zoned R-4 ESL. To the east is a vista corridor drainage wash, with a single-family residential subdivision within Scottsdale Mountain beyond the wash zoned R1-7 ESL. To the south is the southern half of the Saddle Mountain retail center zoned PNC ESL. To the west, across N. 136th Street is the Summit View subdivision zoned R-4 ESL. Please refer to context graphics attached.

Key Items for Consideration

- Maintains a Natural Area Open Space (NAOS) buffer between proposed development and the existing single-family homes to the east.
- Much of the existing retail space has been vacant for many years.
- Proposed building heights are comparable to the existing retail buildings.
- Planning Commission heard this case on May 8, 2013 and recommended approval with a vote of 6-0.

Other Related Cases, Policies, References:

116-DR-1998: Approved the Site Plan and Building Elevations for the Saddle Mountain Retail Center in 1998.

2001 City of Scottsdale General Plan

Environmentally Sensitive Lands Ordinance

Shea Area Plan/Mayo Clinic Support District (adopted in 1993)

APPLICANTS PROPOSAL

Goal/Purpose of Request

The applicant’s request is for a non-major amendment to the City of Scottsdale General Plan 2001 from the Commercial Land Use designation to the Urban Neighborhoods Land Use designation, which would allow the requested zoning map amendment from Planned Neighborhood Center, Environmentally Sensitive Lands, Hillside District (PNC ESL HD) to Medium Density Residential, Environmentally Sensitive Lands (R-3 ESL) on approximately 8.8 +/- acres located at the southeast corner of N. 136th Street and E. Coyote Road.

Development Information

- Existing Use: Commercial Center
- Proposed Use: 90 unit condominium development
- Buildings/Description: 10 main buildings, 1 carriage building and 1 garage building
- Zoning Area: 8.8 +/- acres gross to be rezoned to R-3
- Building Height Allowed: 30-feet above natural grade
- Building Height Proposed: 25-feet above top of foundation, 30-feet above natural grade
- Parking Required: 171 (if all units had 3 bedrooms)
- Parking Provided: 190 spaces (91 garage spaces) (17 guest spaces) (82 spaces in front of garages)
- Open Space Required: 122,791 s.f.
- Open Space Provided: 122,802 s.f.
- NAOS Required: 111,224 s.f.
- NAOS Provided: 112,848 s.f.
- R-3 Density Allowed: 3,370 gross square feet per dwelling unit – 114 units maximum
- Density Proposed: 90 units

NON-MAJOR GENERAL PLAN AMENDMENT IMPACT ANALYSIS

General Plan

The applicant’s request is recognized as a non-major amendment based upon criteria outlined in the City of Scottsdale General Plan 2001. Furthermore, this assessment was made by utilizing the

Change in Land Use Category Table and the Area of Change Criteria outlined within the City of Scottsdale General Plan 2001. The Change in Land Use Category table identifies that a change from a Commercial Land Use designation (Group E) to an Urban Neighborhoods Use designation (Group C) does not constitute a Major General Plan Amendment. The Area of Change Criteria, (Planning Zone C2), states that any change in land use within this area of the city that includes 15 or more gross acres would constitute a Major General Plan amendment. The subject site is approximately +/- 8.8 gross acres and would not constitute a major General Plan amendment. The Character Area Criteria requires that any change in the land use category comply with the guidelines and standards embodied within an approved character area plan, this application has done so by aligning itself with the umbrella goals, policies, and guidelines of the 1993 Shea Area Plan. Lastly, the Water/Wastewater Infrastructure Criteria and its application in this proposal has been determined that it will not result in an increase that would classify the proposal as Major Amendment.

The General Plan Land Use Element describes the Urban Neighborhoods Land Use Designation as areas within the community that include usually more than eight dwellings per acre – this aligns with the multifamily dwellings/apartments as a product type. Sites with minimal environmental constraints are looked to as preferred locations for this land use.

Policy Implications (Non-Major General Plan Amendment)

One of the Six Guiding Principles, established through the CityShape 2020 and incorporated into the City of Scottsdale General Plan 2001, is “Enhance Neighborhoods”. This guiding principal acknowledges that Scottsdale’s residential and commercial neighborhoods are a major defining element of this community. It also acknowledges that Scottsdale is committed to maintaining and enhancing existing and future neighborhoods, and states that development, revitalization, and redevelopment decisions, including rezoning, must meet the needs of the neighborhoods in the context of broader community goals.

As such, the proposal is consistent with the 2001 General Plan and implements the following goals:

Land Use

- Goal 4: Maintain a balance of land uses that support a high quality of life, a diverse mixture of housing and leisure opportunities and the economic base needed to secure resources to support the community.
- Goal 7: Sensitively integrate land uses into the surrounding physical and natural environments, the neighborhood setting, and the neighborhood itself.

Character and Design

- Goal 1: Determine the appropriateness of all development in terms of community goals, surrounding area character, and the specific context of the surrounding neighborhood.

The Character Type for the area surrounding this proposal is the Employment Core Type, which contains higher-density residential neighborhoods and a variety of mixed use, commercial and employment centers and resorts. The Employment Core supports a wide range of activities and regional community employment uses including residential land uses. It is important to note that this area was designated as an Employment Core Type as a result of the 1993 Shea Area Plan and its associated outreach, which created a Mayo Clinic Support District which emphasizes supporting land uses for the Mayo Clinic, such as residential.

Housing

- Goal 2: Seek a variety of housing options that blend with the character of the surrounding community.
- Goal 3: Seek a variety of housing options that meet the socioeconomic needs of people who live and work here.
- Goal 4: Encourage housing development that provides for “live, work, and play” relationships as a way to reduce traffic congestion, encourage economic expansions and increase the overall quality for our residents.
- Goal 6: Encourage the increased availability and integration of a variety of housing that supports flexibility, mobility, independent living, and services for all age groups and those with special needs.

Neighborhoods

- Goal 3: Sustain the long-term economic well-being of the city and its citizens through redevelopment and neighborhoods preservation and revitalization efforts.
- Goal 5: Promote and encourage context-appropriate new development in established areas of the community.

Preservation

- Goal 2: Enhance the quality of life in Scottsdale, by safeguarding the natural environment.

Economic Vitality

- Goal 7: Sustain the long-term economic well-being of the city and its citizens through redevelopment and revitalization efforts.

The proposal achieves the goals and policies outlined above, by ensuring a compatible, multi-family, infill project that will be integrated near existing suburban residential while maintaining scenic views to preserve the aesthetic values of the area through the implementation of the Environmentally Sensitive Lands Overlay. Consequently, a non-major amendment from Commercial to Urban Neighborhoods for the subject property is supported by the 2001 General Plan.

1993 Shea Area Plan

The following policies in the Shea Area Plan relate to this proposal:

Umbrella Goals, Policies, & Guidelines

- Goal 1, Policy 1 – New development should be compatible to existing development through appropriate transitions. Encourage new residential development and revitalization that complements the established urban form.
- Goal 2, Policy 1 – open space should be provided to link neighborhoods with trails and recreational areas, act as buffers between major streets and adjacent land uses, provide for drainage, and protect significant habitat corridors, and to visually enhance the character of the area.
- Goal 7, Policy 1, Guideline 2 – support uses could include, but are not limited to: hotels, restaurants, specialty retail, office, research and development campus, housing, and educational facilities. Others support uses should be evaluated based on whether they follow the intent of this policy.

2010 Citywide Development Forecast by Applied Economics

In 2009, the City of Scottsdale contracted with Applied Economics to perform forecasts for future development for all of Scottsdale. The study examined Scottsdale in three geographic areas—south, central and north Scottsdale. The Central Sub-Area is generally bounded by Deer Valley Road to the north, City of Phoenix to the west, Town of Fountain Hills and Maricopa County to the east, Indian Bend Road and the Salt River Pima-Maricopa Indian Community contiguous to its southern boundary.

According to the study, the Central Sub-Area is projected to absorb approximately another +/-1655 acres of residential land area by 2030, and more than 34% of that being in urban residential development alone. This projection for development/redevelopment is that the amount of land that has been designated for urban residential development in the central area “will be important to providing workforce housing and bolstering retail demand.”

The full Development Forecast text can be found at:

http://www.scottsdaleaz.gov/Assets/Public+Website/generalplan/Development_Forecasts_2010.pdf

Land Use Impact Model

Long-Range Planning Services uses a land use impact model to generally assess the impacts of potential changes in land use designations. The application of the model on the subject property as Urban Neighborhoods indicates that the change in land use classification would result in an increase in resident population of 236 people and an increase of 90 residential units. The model indicates an increase of 42 school-aged students across grades K-12 and an increase of 96 workers. Water usage will increase by 5 million gallons per year more than the existing Commercial designation. Traffic, according to the model, could be 527 vehicle trips per day, substantially less than counts associated with the existing Commercial designation for the site. Because the existing land use designation allows for a considerable range of use types, the actual increases in measured categories are at best an estimate and should not be considered conclusive.

Zoning

This proposal conforms to the General Plan description of Urban Neighborhoods. The applicant proposes a multifamily residential neighborhood that will include approximately 10.22 dwelling units per acre which will both support and transition to the “character and context” of established adjacent neighborhoods. Goals in the General Plan Land Use Element involve maintaining a balance of land uses needed to support the community and maintaining a citywide balance of land uses that support changes in community vision/dynamics over time. In addition, by focusing development to established areas, existing infrastructure can be further utilized to support said development, thus reducing potential impacts on natural resources and open space areas.

Zoning Comparison

Development Standards	Existing PNC Zoning	Standard R-3 Zoning	Provided
Density	4 dwelling units per gross acre (35 units maximum)	383,328 gsf of property / 3,370 square feet per dwelling unit = 114 units maximum, 12.95 dwelling units per acre maximum	90 units, 10.23 dwelling units per acre requested
Floor Area Ratio	(.3) allowed or 102,326 sf (.19) provided or 64,500 s.f. of retail	N/A	N/A
Building Height	36-feet above natural grade per code, 25-feet built with tower element on grocery store at 35-feet above finished floor	30-feet above natural grade	30-feet above natural grade, 25-feet above finished floor
Open Space	51,163 s.f. required	122,791 s.f. required	122,802 s.f. provided
Parking	215 spaces required, 264 spaces existing	1.3 spaces per unit for 1BR units, 1.7 spaces per unit for 2BR units, 1.9 spaces per unit for 3BR units.	190 spaces 91 in garages, 82 in front of garages and 17 guest spaces
Traffic	5,107 daily trips	662 daily trips	527 daily trips

Traffic/Trails

The Transportation Department has reviewed the proposed development and the submitted Traffic Generation Comparison report, which compares the traffic of the existing development with that of the proposed project. The applicant’s Trip Generation Comparison estimates a total of 5,107 daily trips when the retail center is the fully leased. The proposed 90 unit residential condominium project is estimated to generate 527 daily trips, a reduction of 4,580 daily trips.

The main access into the gated community is from N. 136th Street, in the same location it is today leading into the retail center. A secondary, resident only gated access will be provided on the south side of the community leading from the existing retail center driveway, which also connects to N. 136th Street. No access is planned to E. Coyote Road, which is consistent with the existing retail center.

Parking for the proposed site requires 171 spaces, 190 spaces are provided.

There is an existing trail which runs north-south within the wash corridor to the east. The developer plans to construct a connection to this amenity as part of the project.

Water/Sewer

With this development, water usage will increase by five (5) million gallons per year. Water Resources staff has said there is adequate water and sewer capacity for the proposed development.

Public Safety

The site plan provides twenty-four (24) foot wide drive-aisles, which provide adequate room for the circulation of emergency vehicles. The nearest Fire Station is located at 11160 N. 130th Street, which is located approximately 0.8 miles to the south and west of the subject property. The property is located within Police Patrol District 3, serviced by Beat Patrol 14. The proposed development should not have major impacts on public safety services.

School District Comments/Review

The applicant has notified the Scottsdale Unified School District of the proposal. The school district has confirmed that there are adequate school facilities to accommodate the projected number of additional students generated by the proposed rezoning within the school district's attendance area.

Open Space/Natural Area Open Space

The subject property is located within the Upper Desert Landform delineated on the ESLO Landforms map. 2.55 acres of Natural Area Open Space (NAOS) is required and 2.59 acres of NAOS are provided. The development will also comply with the open space and private outdoor living space requirements of the Zoning Ordinance.

Community Involvement

In January 2012, this property was the subject of application 1-ZN-2012, which was a request to rezone from PNC to R-5 to construct a three story, 150 unit multi-family development. The application was met with significant opposition from residents within the Scottsdale Mountain vicinity, and was ultimately withdrawn. Since that time, the development team has been having meetings with an assembled Scottsdale Mountain HOA task force regarding the property, having informal open house meetings with residents, and meeting privately with individual property owners. These meetings resulted in the submittal of the subject application, which changed the requested zoning district to R-3, reduced the unit count from 150 to 90, and reduced the building height to two stories.

On February 1, 2013, the applicant mailed out notices to property owners within 750 feet. The notification contained information about the application, contact information, and information regarding an upcoming open house meeting.

On February 13, 2013, the applicant held a neighborhood open house meeting at Mountainside Middle School from 5-6 PM. 53 residents attended the open house. Per the applicant's Neighborhood Involvement Report, attendees were generally supportive of the project. However; there were some concerns about traffic, visitor parking, height and density. The Neighborhood Involvement Report is attached to this report.

Staff has received calls and e-mails both in opposition and support of this application. E-mails received as of the drafting of this report are attached.

Policy Implications

The General Plan amendment will replace a commercial land use with an urban residential land use to allow more residential units in the East Shea area. A downzoning from commercial to medium density residential creates minimal impacts to existing service levels and infrastructure.

OTHER BOARDS AND COMMISSIONS

Planning Commission

Planning Commission heard these cases on May 8, 2013, and supported the General Plan Amendment and found that the proposed zoning district map amendment is consistent and conforms to the adopted General Plan and recommended approval with a vote of 6-0. Public attendees at the meeting both supported and opposed the application. Those who supported the application had concerns about the vacant retail center and want to see it get redeveloped. Those not supporting the application had concerns about the project potentially blocking their mountain and city light views.

Staff Recommendation to Planning Commission

Staff recommended that the Planning Commission:

1. Recommend that the City Council approve a Non-Major General Plan Amendment to the City of Scottsdale General Plan 2001 from the Commercial Land Use designation to the Urban Neighborhoods Land Use designation on 8.8 +/- acres located at the southeast corner of N. 136th Street and E. Coyote Road.
2. Find that the proposed zoning district map amendment is consistent and conforms with the adopted General Plan, and recommend that the Planning Commission approve a zoning map amendment from the Planned Neighborhood Center, Environmentally Sensitive Lands, Hillside District (PNC ESL HD) to Medium Density Residential, Environmentally Sensitive Lands (R-3 ESL) district on 8.8 +/- acres located at the southeast corner of N. 136th Street and E. Coyote Road.

OPTIONS & STAFF RECOMMENDATION

Recommended Approach:

1. Adopt Resolution No. 9418 approving the a non-major amendment to the City of Scottsdale General Plan 2001 from the Commercial Land Use designation to the Urban Neighborhoods Land Use designation on 8.8 +/- acres located at the southeast corner of N. 136th Street and E. Coyote Road.
2. Adopt Ordinance No. 4092 approving a zoning map amendment from the Planned Neighborhood Center, Environmentally Sensitive Lands, Hillside District (PNC ESL HD) to Medium Density Residential, Environmentally Sensitive Lands (R-3 ESL) district, finding that the proposed zoning district map amendment is consistent and conforms with the adopted General Plan on 8.8 +/- acres located at the southeast corner of N. 136th Street and E. Coyote Road.

RESPONSIBLE DEPARTMENT

Planning, Neighborhood and Transportation

Current Planning Services

STAFF CONTACT

Keith Niederer

Senior Planner

480-312-2953

E-mail: kniederer@ScottsdaleAZ.gov

APPROVED BY



Keith Niederer, Report Author

5-9-2013

Date



Tim Curtis, AICP, Current Planning Director
480-312-4210, tcurtis@scottsdaleaz.gov

5/16/2013

Date



Randy Grant, Administrator
Planning, Neighborhood and Transportation
480-312-2664, rgrant@scottsdaleaz.gov

5/20/13

Date

ATTACHMENTS

1. Resolution No. 9418
Exhibit 1. Proposed General Plan Map
2. Ordinance No. 4092
Exhibit 1. Stipulations
Exhibit A to Exhibit 1: Site Plan
Exhibit B to Exhibit 1: Building Height Summary
Exhibit 2. Zoning Map
3. Additional Information
4. Applicant's Narrative
5. Context Aerial
- 5A. Aerial Close-Up
6. Existing General Plan Map
7. Traffic Impact Summary
8. Citizen Involvement
9. City Notification Map
10. Neighborhood Correspondence
11. May 8, 2013 Planning Commission minutes

RESOLUTION NO. 9418

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, ADOPTING AN AMENDMENT TO THE GENERAL PLAN FOR THE CITY OF SCOTTSDALE, FROM THE COMMERCIAL LAND USE CATEGORY TO THE URBAN NEIGHBORHOODS LAND USE CATEGORY ON APPROXIMATELY 8.8 +/- ACRES LOCATED AT THE SOUTHEAST CORNER OF N. 136TH STREET AND E. COYOTE ROAD.

WHEREAS, the City Council, through its members and staff, has solicited and encouraged public participation in the development of the General Plan amendment, consulted and advised with public officials and agencies as required by Arizona Revised Statutes Section 9-461.06, transmitted and submitted a review copy of the general plan amendment proposal to each agency required by ARS Section 9-461.06 and all persons or entities who made a written request to receive a review copy of the proposal, and considered comments concerning the proposed amendment and alternatives; and

WHEREAS, the Planning Commission held a hearing on May 8, 2013 concerning the General Plan Amendment; and

WHEREAS, the City Council, held a public hearing on June 4, 2013, and has incorporated, whenever possible, the concerns expressed by all interested persons.

NOW, THEREFORE, LET IT BE RESOLVED, by the City Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. That the City Council hereby amends the General Plan Land Use, Element Conceptual Land Use Map for the City of Scottsdale, for the property located southeast corner of N. 136th Street and E. Coyote Road from the Commercial Land use category to the Urban Neighborhoods land use category.

Section 2. That the above amendment is described in Case No. 2-GP-2013 (processed in conjunction with zoning case 4-ZN-2013) and on Exhibit 1 attached hereto and incorporated herein.

Section 3. That copies of this General Plan amendment shall be on file in the Office of the City Clerk, located at 3939 North Drinkwater Boulevard, Scottsdale, Arizona.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this 4th day of June, 2013.

ATTEST:

CITY OF SCOTTSDALE, an Arizona
municipal corporation

By: _____
Carolyn Jagger
City Clerk

By: _____
W.J. "Jim" Lane
Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By: 
Bruce Washburn, City Attorney
By: Sherry R. Scott, Deputy City Attorney

Proposed General Plan Land Use Map



	RURAL NEIGHBORHOODS		EMPLOYMENT
	SUBURBAN NEIGHBORHOODS		NATURAL OPEN SPACE
	URBAN NEIGHBORHOODS		DEVELOPED OPEN SPACE (PARKS)
	MIXED-USE NEIGHBORHOODS		DEVELOPED OPEN SPACE (GOLF COURSES)
	RESORTS/TOURISM		CULTURAL/INSTITUTIONAL OR PUBLIC USE
	SHEA CORRIDOR		MCDOWELL SONORAN PRESERVE (AS OF 8/2003)
	MAYO SUPPORT DISTRICT		RECOMMENDED STUDY BOUNDARY OF THE MCDOWELL SONORAN PRESERVE
	REGIONAL USE DISTRICT		CITY BOUNDARY
	COMMERCIAL OFFICE		LOCATION NOT YET DETERMINED

Exhibit 1
Resolution No. 9418



2-GP-2013
4-ZN-2013

ORDINANCE NO. 4092

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. 4-ZN-2013 FROM PLANNED NEIGHBORHOOD CENTER, ENVIRONMENTALLY SENSITIVE LANDS, HILLSIDE DISTRICT (PNC, ESL, HD) ZONING TO MEDIUM DENSITY RESIDENTIAL, ENVIRONMENTALLY SENSITIVE LANDS (R-3, ESL) LOCATED ON A 8.8 +/- ACRES SITE LOCATED AT THE SOUTHEAST CORNER OF N. 136TH STREET AND E. COYOTE ROAD.

WHEREAS, the Planning Commission held a hearing on May 8, 2013;

WHEREAS, the City Council held a hearing on June 4, 2013; 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. 4-ZN-2013.

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 rezoning a 8.8 +/- acre located at the southeast corner of N. 136th Street and E. Coyote Road and marked as "Site" (the Property) on the map attached as Exhibit 2, incorporated herein by reference, from Planned Neighborhood Center, Environmentally Sensitive Lands, Hillside District (PNC, ESL, HD) zoning to Medium Density Residential, Environmentally Sensitive Lands (R-3, ESL) zoning.

Section 2. That the above rezoning approval is conditioned upon compliance with all stipulations attached hereto as Exhibit 1 and incorporated herein by reference.

PASSED AND ADOPTED by the Council of the City of Scottsdale this 4th day of June, 2013.

ATTEST:

CITY OF SCOTTSDALE, an Arizona
Municipal Corporation

By: _____
Carolyn Jagger
City Clerk

By: _____
W.J. "Jim" Lane
Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By: 
Bruce Washburn, City Attorney
By: Sherry R. Scott, Deputy City Attorney

Stipulations for the Zoning Application:
Villas 136
Case Number: 4-ZN-2013

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

CHANGES MADE AFTER PLANNING COMMISSION ARE SHOWN IN BOLD

SITE DESIGN

1. CONFORMANCE TO CONCEPTUAL SITE PLAN. Development shall conform with the conceptual site plan submitted by Swaback Partners, PLLC and with the city staff date of 3/28/2013, attached as Exhibit A to Exhibit 1. Any proposed significant change to the conceptual site plan as determined by the Zoning Administrator, shall be subject to additional action and public hearings before the Planning Commission and City Council.
2. MAXIMUM DWELLING UNITS/MAXIMUM DENSITY. There shall be a maximum of 90 dwelling units for the entire 8.8 +/- acres, as shown on the Conceptual Site Plan submitted Swaback Partners, PLLC with a date of 3/28/13.
3. BUILDING HEIGHT LIMITATIONS. No building on the site shall exceed 25 feet in height as measured from finished floor or 30 feet above natural grade, per Exhibit B to Exhibit 1, **whichever is more restrictive.**
4. OUTDOOR LIGHTING. The maximum height of any outdoor lighting source, except any light sources for patios and/or balconies, shall be 16 feet above the adjacent finished grade.
5. OUTDOOR LIGHTING FOR PATIOS AND BALCONIES. Light sources that are utilized to illuminate patios and/or balconies that are above 16 HEIGHT feet shall be subject to the approval of the Development Review Board.

INFRASTRUCTURE AND DEDICATIONS

6. CIRCULATION IMPROVEMENTS. Before any certificate of occupancy is issued for the site, the owner shall make the required dedications and provide the following improvements in conformance with the Design Standards and Policies Manual and all other applicable city codes and policies.
 - a. STREETS. Dedicate the following right-of-way and construct the following street improvements:

Street Name	Street Type	Dedications	Improvements	Notes
N. 136 th Street	Minor Collector	40' Right-of-Way Half Street (existing)	Construct Pedestrian refuge at existing median crossing	a.1.

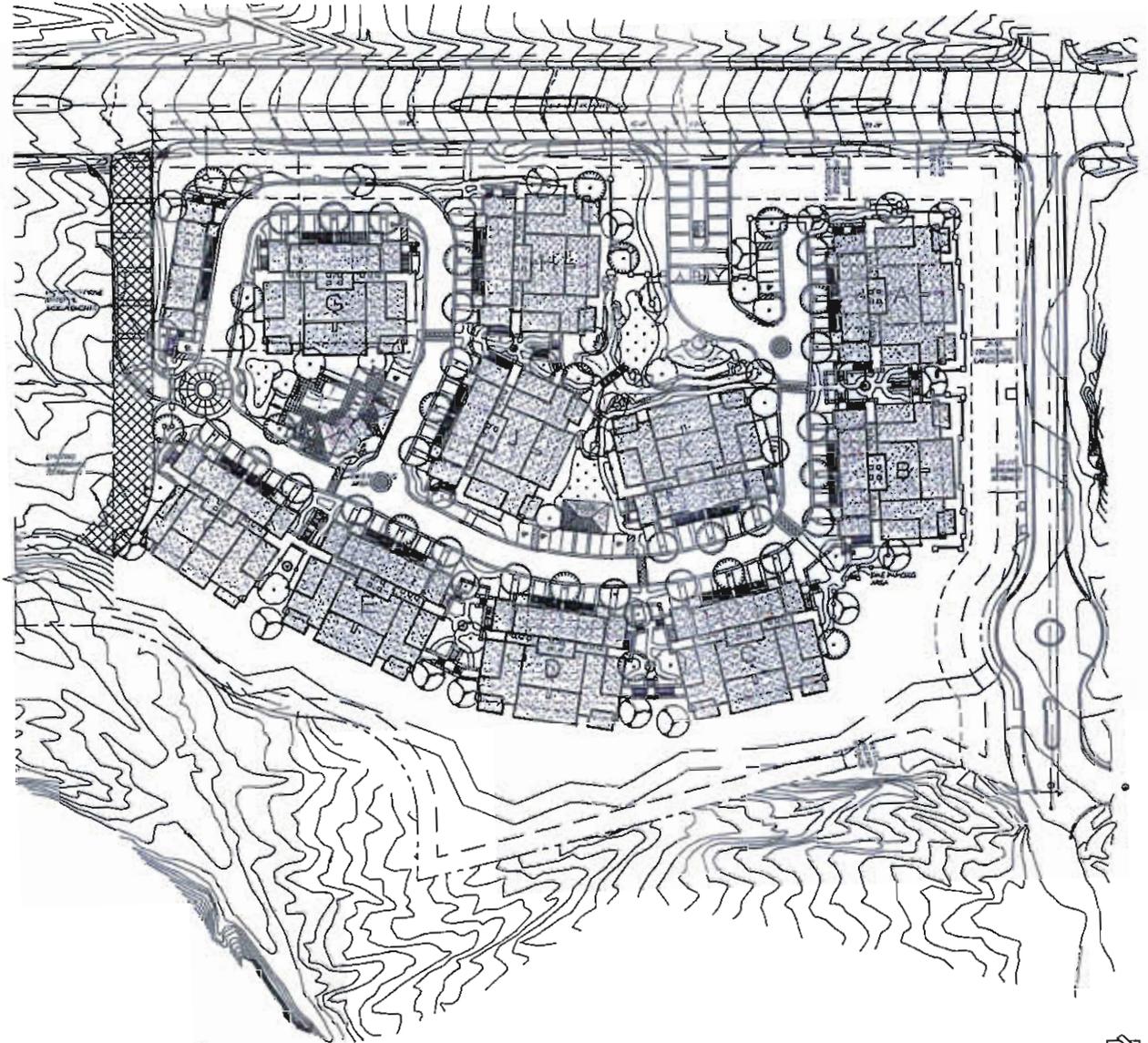
E. Coyote Road	Local Collector	25' Right-of-Way Half Street (existing)		
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a.1. The owner/developer shall provide a pedestrian crossing refuse area and accessible ramps on the median island in N. 136th Street

7. ACCESS. Access to the site shall conform to the following restrictions:
- a. There shall be a maximum of two site driveways from N. 136th Street as shown on the site plan dated 3/28/2013, Exhibit A to Exhibit 1.
 - b. The design of private gate entry shall conform to City of Scottsdale Standard. The entry shall be a minimum of 20 feet wide, excluding curb and gutter. The gate shall set back a minimum distance of 25 feet from adjacent parking aisle. A turn around with of 50 feet shall be provided.
 - c. Internal driveway shall be 24 feet wide, excluding curb and gutter. The drive aisles shall accommodate emergency and service vehicles with outside turning radius of 55 feet and internal radius of 25 feet. Prior to the issuance of permits, the owner shall dedicate a 24 foot wide emergency and service access easement over internal drives to the City of Scottsdale.
 - d. The shared driveway to the south shall be accessible for fire and emergency vehicles. Prior to the issuance of permits, the owner shall dedicate a motorized public access easement over the shared driveway.
8. PEDESTRIAN CONNECTION. The owner/developer shall construct a pedestrian connection to the existing public trail located in the wash to the east side of the site and from the site to 136th Streets sidewalk at both site entrances, as shown on the Conceptual Site Plan with a date by staff of 3/28/2013, Exhibit A to Exhibit 1.

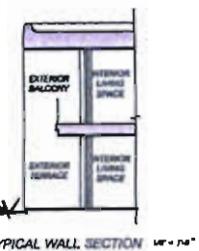
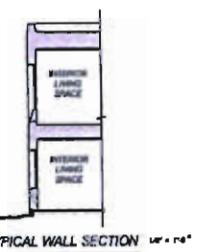
PROJECT DATA

PROJECT NAME: VILLAS 136
PARCEL ADDRESS : APN 217-30-0027
ADJACENT LAND USES: SEE "CONTEXT AERIAL / PROPOSED SITE IMPROVEMENTS" EXHIBIT
LOT AREA: 382,542 SQ. FT. (8.8 ACRES)
NAOS PROVIDED: 112,000 SQ. FT. (2.6 ACRES) (SEE "NAOS ALLOCATION" EXHIBIT)
LOT AREA LESS NAOS: 270,542 SQ. FT. (6.2 ACRES)
CURRENT ZONING: PNC ESLO
PROPOSED ZONING: R-3 ESLO
MAX BUILDING HEIGHT ALLOWED: 30 FT.
BUILDING HEIGHT PROPOSED: 25 FT. (SEE "BUILDING HEIGHT SUMMARY")
DWELLING UNITS ALLOWED: 114 UNITS PER (12.9 DU / GROSS ACRE)
DWELLING UNITS PROVIDED: 90 (10.2 DU / GROSS ACRE)
BUILDING SETBACKS ALLOWED: 15 FT. ADJACENT TO RESIDENTIAL ; 0 FT. TO 10 FT. ADJACENT TO NON-RESIDENTIAL.
BUILDING SETBACKS PROVIDED: 50 FT. MINIMUM ADJACENT TO RESIDENTIAL; MINIMUM 20 FT. ADJACENT TO NON-RESIDENTIAL AND ALONG 136TH STREET.
PARKING REQUIRED: 1.3 SPACES PER 1 BEDROOM, 1.7 PER 2 BEDROOM UNIT, 1.9 PER 3 BEDROOM UNIT
PARKING PROVIDED: 2 PER UNIT (190) PLUS GUEST PARKING
REQUIRED ADA UNITS: 5 UNITS
PROVIDED ADA UNITS: 5 UNITS
REQUIRED ADA PARKING: 8 PARKING STALLS WITH REQUIRED LOADING AREA
PROVIDED ADA PARKING: 8 PARKING STALLS WITH REQUIRED LOADING AREA
DISTANCE BETWEEN BUILDINGS: 10' MINIMUM
PRIVATE OUTDOOR LIVING SPACE: SEE "OPEN SPACE PLAN"
PRIVATE OPEN SPACE: SEE "OPEN SPACE PLAN"

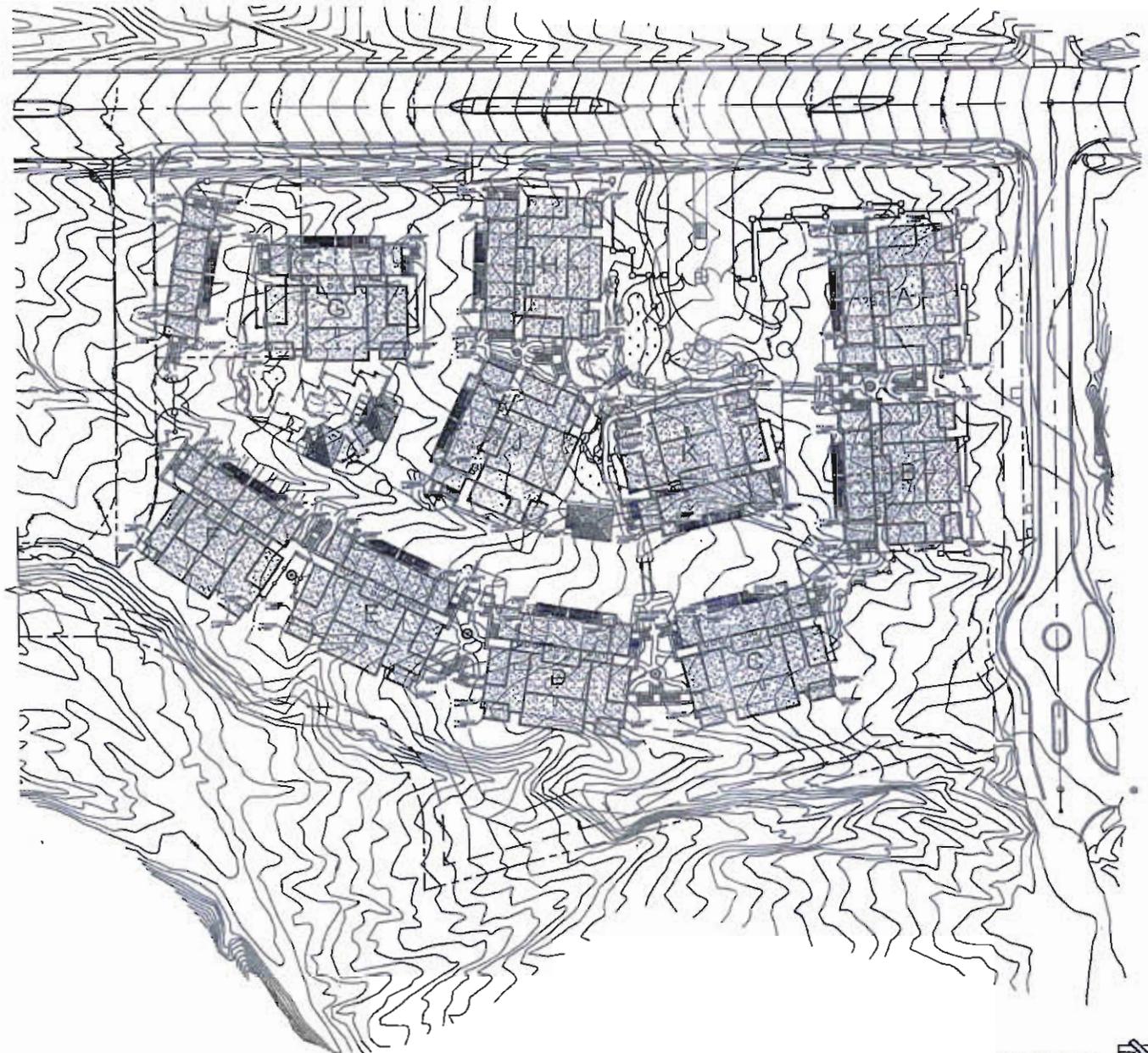


VILLAS
136

CONCEPTUAL SITE PLAN 

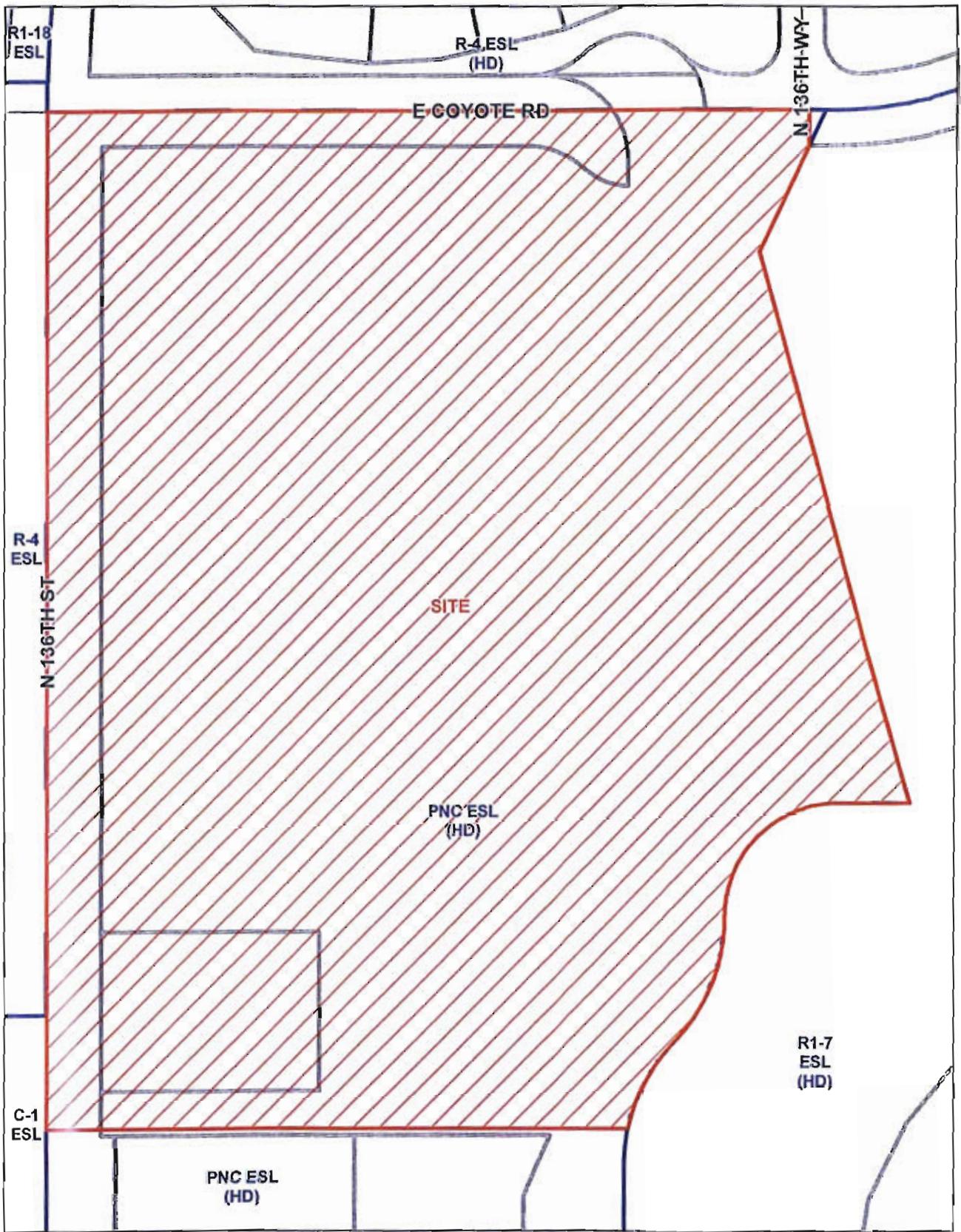


- BUILDING 'A'**
 - 25 FOOT BUILDING
 - FINISH FLOOR AT 1727.0
 - TOP OF PARAPET AT 1752.0
 - LOWEST NATURAL GRADE AT 1731.0
 - HIGHEST NATURAL GRADE AT 1736.5
- BUILDING 'B'**
 - 25 FOOT BUILDING
 - FINISH FLOOR AT 1727.0
 - TOP OF PARAPET AT 1752.0
 - LOWEST NATURAL GRADE AT 1729.0
 - HIGHEST NATURAL GRADE AT 1736.0
- BUILDING 'C'**
 - 25 FOOT BUILDING
 - FINISH FLOOR AT 1725.0
 - TOP OF PARAPET AT 1750.0
 - LOWEST NATURAL GRADE AT 1766.0
 - HIGHEST NATURAL GRADE AT 1731.0
- BUILDING 'D'**
 - 25 FOOT BUILDING
 - FINISH FLOOR AT 1721.5
 - TOP OF PARAPET AT 1746.5
 - LOWEST NATURAL GRADE AT 1720.0
 - HIGHEST NATURAL GRADE AT 1726.0
- BUILDING 'E'**
 - 25 FOOT BUILDING
 - FINISH FLOOR AT 1715.0
 - TOP OF PARAPET AT 1740.0
 - LOWEST NATURAL GRADE AT 1716.0
 - HIGHEST NATURAL GRADE AT 1719.0
- BUILDING 'F'**
 - 25 FOOT BUILDING
 - FINISH FLOOR AT 1714.0
 - TOP OF PARAPET AT 1738.0
 - LOWEST NATURAL GRADE AT 1711.0
 - HIGHEST NATURAL GRADE AT 1714.0
- BUILDING 'G'**
 - 25 FOOT BUILDING
 - FINISH FLOOR AT 1714.0
 - TOP OF PARAPET AT 1730.0
 - LOWEST NATURAL GRADE AT 1712.0
 - HIGHEST NATURAL GRADE AT 1717.0
- BUILDING 'H'**
 - 25 FOOT BUILDING
 - FINISH FLOOR AT 1721.0
 - TOP OF PARAPET AT 1746.0
 - LOWEST NATURAL GRADE AT 1719.0
 - HIGHEST NATURAL GRADE AT 1724.0
- BUILDING 'J'**
 - 25 FOOT BUILDING
 - FINISH FLOOR AT 1721.0
 - TOP OF PARAPET AT 1746.0
 - LOWEST NATURAL GRADE AT 1718.0
 - HIGHEST NATURAL GRADE AT 1723.0
- BUILDING 'K'**
 - 25 FOOT BUILDING
 - FINISH FLOOR AT 1723.0
 - TOP OF PARAPET AT 1748.0
 - LOWEST NATURAL GRADE AT 1723.0
 - HIGHEST NATURAL GRADE AT 1730.0
- CARRIAGE BUILDING**
 - 25 FOOT BUILDING
 - FINISH FLOOR AT 1710.0
 - TOP OF PARAPET AT 1735.0
 - LOWEST NATURAL GRADE AT 1710.0
 - HIGHEST NATURAL GRADE AT 1710.0



WINDOW TREATMENTS:
 THE MAJORITY OF THE USE OF GLAZING THAT SERVES THE MAIN LIVING SPACE OF EACH UNIT SHALL BE LOCATED UNDER BALCONIES AND OVERHANGS WHILE TYPICAL SECONDARY WINDOW PENETRATIONS ARE TO BE DEEPLY RECESSED WITHIN THE OPENINGS.

8'



2-GP-2013 / 4-ZN-2013

EXHIBIT 2
ORDINANCE No. 4092



Additional Information for:

Villas 136

Case: 4-ZN-2013

PLANNING/DEVELOPMENT

1. **DEVELOPMENT CONTINGENCIES** Each element of this zoning case—including density/intensity, lot/unit placement, access and other development contingencies—may be changed as more information becomes available to address public health, safety and welfare issues related to drainage, open space, infrastructure and other requirements.
2. **DEVELOPMENT REVIEW BOARD.** The City Council directs the Development Review Board's attention to:
 - a. wall design,
 - b. pedestrian circulation,
 - c. the type, height, design and intensity of proposed lighting on the site to ensure compatibility with adjacent land uses,
 - d. Improvement plans for common open space, common buildings and/or walls, and amenities such as ramadas, landscape buffers on public and/or private property (back-of-curb to right-of-way or access easement line included).
 - e. walls adjacent to Vista Corridors and NAOS tracts and corridors,
 - f. signage and
 - g. native plant inventory.
3. **NATIVE PLANT PRESERVATION.** The owner shall secure a native plant permit as defined in the Scottsdale Revised Code for each parcel. City staff will work with the owner to designate the extent of the survey required within large areas of proposed undisturbed open space. Where excess plant material is anticipated, those plants shall be offered to the public at no cost to the owner in accordance with state law and permit procedure or may be offered for sale.
4. **RESPONSIBILITY FOR CONSTRUCTION OF INFRASTRUCTURE.** The developer shall be responsible for all improvements associated with the development or phase of the development and/or required for access or service to the development or phase of the development. Improvements shall include, but not be limited to washes, storm drains, drainage structures, water systems, sanitary sewer systems, curbs and gutters, paving, sidewalks, streetlights, street signs, and landscaping. The granting of zoning/use permit does not and shall not commit the city to provide any of these improvements.
5. **REMAINING NATURAL AREA OPEN SPACE.** There shall be a separate NAOS easement dedicated in favor of the remaining PNC parcel to the south as shown on the Natural Area Open Space Allocation Plan dated 3/28/13.

6. **NATURAL AREA OPEN SPACE – DEDICATION, CONVEYANCE AND MAINTENANCE.** With the Development Review Board submittal, the developer shall submit documents, to the satisfaction of city staff, showing that all required NAOS shall be dedicated or conveyed in conformance with the Scottsdale Revised Code and permanently maintained as NAOS
7. **NATURAL AREA OPEN SPACE – STAKING.** Before issuance of any building permit for the site, the developer shall survey all NAOS boundaries and stake all boundaries between NAOS areas and development, in conformance with the approved grading plan. Such surveying and staking shall be subject to inspection and approval prior to construction in each development phase.
3. **NATURAL AREA OPEN SPACE – REVEGETATION.** Before final site inspection, the developer shall revegetate NAOS in conformance with the Scottsdale Zoning Ordinance, to the satisfaction of City Staff.
4. **BASIS OF DESIGN REPORT (WATER):**
 - a. The Basis of Design Report (Water) shall be reviewed and accepted prior to submittal of final improvement plans to the City of Scottsdale.
5. **BASIS OF DESIGN REPORT (WASTEWATER):**
 - a. The Basis of Design Report (WASTEWATER) shall be reviewed and accepted prior to submittal of final improvement plans to the City of Scottsdale.
6. **DRAINAGE REPORT.** In the required drainage report, the owner shall address:
 - a. The owner/develop shall provide a final drainage report with improvement plans that is consistent with the accepted report prepared by C&S Companies dated 2/2013.
7. **EASEMENTS.**
 - a. **EASEMENTS DEDICATED BY PLAT.** The owner shall dedicate to the city on the final plat, all easements necessary to serve the site, in conformance with the Scottsdale Revised Code and the Design Standards and Policies Manual.
 - b. **EASEMENTS CONVEYED BY SEPARATE INSTRUMENT.** Before any building permit is issued for the site, each easement conveyed to the city separate from a final plat shall be conveyed by an instrument or map of dedication subject to city staff approval, and accompanied by a title policy in favor of the city, in conformance with the Design Standards and Policies Manual.
8. **EMERGENCY AND SERVICE VEHICLE ACCESS EASEMENT.** Before any building permit is issued for the site, the owner shall dedicate to the city, an Emergency and Service Vehicle Access Easement over the internal driveways.
9. **HEIGHT OF NON-INDIGENOUS PLANT MATERIAL.** Non-indigenous plant material, which has the potential to reach a mature height greater than twenty (20) feet, shall not be planted on the site. A plant list that complies with this stipulation is subject to Development Review Board approval. The developer shall state this stipulation on the final plans.
10. **FEES.** The construction of water and sewer facilities necessary to serve the site shall not be in-lieu of those fees that are applicable at the time building permits are granted. Fees shall include, but not be limited to the water development fee, water resources development fee, water recharge fee, sewer development fee or development tax, water replenishment district charge, pump tax, or any other water, sewer, or effluent fee.

VILLAS 136

Project Narrative

Location: North of the Northeast corner of
136th Street & Via Linda

Request for a Non- Major General Plan Amendment
from Commercial to Urban Neighborhoods
&
Rezoning from PNC ESL (HD) to R-3 ESL

Prepared for:
Villas 136

Prepared by:
Berry, Riddell & Rosensteel, LLC
John V. Berry, Esq.
Michele Hammond
6750 E. Camelback Road, Suite 100
Scottsdale, AZ 85251

I. Project Introduction

The request is for a non - major General Plan Amendment (“GPA”) from the Commercial land use category to the Urban Neighborhoods land use category on approximately 8.8+/- gross acres located north of the northeast corner of 136th Street and Via Linda (the “Property”). The Property is located on the northern portion of an existing, nearly vacant commercial shopping center.

The companion rezoning request is to modify the existing PNC ESL (HD) (Planned Neighborhood Center, Environmentally Sensitive Lands (Hillside District)) to R-3 ESL (Medium Density Residential District, Environmentally Sensitive Lands) on approximately 8.8+/- gross acres as identified above to develop *Villas 136*, a 90-unit luxury villa home community.

II. Project Overview

The site was originally rezoned under case 30-ZN-1979 from R1-43 HD to PNC HD and S-R HD. In 1987, the southern portion of the site (not part of this application) was rezoned from S-R HD to PNC-HD for the development of a commercial shopping center on a 12+/- acre site.

In 1998, the Development Review Board (DRB) approved a commercial shopping center on the 12+/- acre site including approximately 106,000 +/- s.f. of retail and office space (case 116-DR-1998). Under this approval, architectural tower elements were allowed to extend up to 35 feet in height on the Major A (grocery store) building. Upon completion, the site was occupied by ABCO Grocery Store (subsequently Bashas) on the north end, Walgreens on the south end and a number of retail shops and restaurants on the balance of the site.

In 2000, just a few years after the completion of the center, the City altered the Circulation Element of the General Plan and eliminated the long-planned extension of Via Linda east into Fountain Hills. The extension was intended to provide a secondary and emergency east-west circulation alternative for this area. Unfortunately, the center’s economic viability was predominately based on the Via Linda extension and the demise of the center was an unintended but real consequence. The grocery building, Walgreens, and the majority of the remaining retail and office spaces have been and remain vacant.

The proposal is to replace the northern portion of the defunct center with a luxury villa home community comprising 10 clustered villa buildings with a maximum of 90 units. Although the R-3 zoning allows a density of 12.93 dwelling units/acre and three-story buildings, the proposed density is only for 10.23 dwelling units/acre and buildings are being limited to two-stories. Furthermore the project is designed in a manner that preserves significant view corridors and provides sensitive and sensible transition to the surrounding residential development.

Through the experienced hands of the renowned architectural and planning firm SWABACK Partners (the original master planners of Scottsdale Mountain who are also

recognized for their Frank Lloyd Wright design and sensitivity to the Sonora Desert), considerable focus is being directed to providing a quality upscale lifestyle environment with a main pool, work out facilities, a group entertainment and social area and desert "lush" landscaping. The design direction for *Villas 136* is to deliver Scottsdale Mountain's newest exclusive, private for sale attached residential community.

The *Villas 136* partnership is led by Mr. Geoffrey Becker-Jones and Mr. John Rosso - two well-known local developers in the Valley. Most notable developments to their credit include;

- As Managing Partner of *Villas 136*, LLC, Mr. Becker-Jones is most well-known for his role with the development of the CopperWynd Resort & Residential Community and The Scottsdale Links Resort rental community, as well as being a residential & leisure consultant to many of the top national and international resort and leisure firms.

As Partner of *Villas 136*, LLC, John H. Rosso has a proven history of acquiring and improving commercial properties in Maricopa and is most well-known for the 9400 & Shea development (a 73,000 SQ FT mixed use office and retail development) along with several other commercial developments in the area.

III. General Plan Overview

General Plan - Six Guiding Principles:

This request is for a non-major General Plan Amendment to the land use category and map contained in the Land Use Element of the General Plan. Per the City's 2001 General Plan, six Guiding Principles articulate how the appropriateness of a land use change to the General Plan is to be qualified. These six Guiding Principles are as follows:

- 1. Value Scottsdale's Unique Lifestyle & Character***
- 2. Support Economic Vitality***
- 3. Enhance Neighborhoods***
- 4. Preserve Meaningful Open Space***
- 5. Seek Sustainability***
- 6. Advance Transportation***

Further, there are twelve "Elements" or sections of the General Plan containing the City's policies on the following sub-categories: 1) character and design, 2) land use, 3) economic vitality, 4) community involvement, 5) housing, 6) neighborhoods, 7) open space and recreation, 8) preservation and environmental planning, 9) cost of development, 10) growth areas, 11) public services and facilities and 12) community

mobility. These Elements further breakdown the “goals and approaches” established in each chapter. The following section will provide a detailed description of how this request and proposed development satisfies and is emblematic of the Guiding Principles found within the City’s General Plan.

The current 2001 General Plan land use designation for the site is Commercial. This category includes areas designated for commercial centers providing goods and services frequently needed by the surrounding residential population. The population density in this area of Scottsdale does not support the amount of retail originally planned for this site, and therefore, the commercial center is largely vacant.

The Mayo Support District is designated for the area surrounding the Mayo Clinic campus. The General Plan states that within this district, “a flexible approach to locating support uses should be considered.”

The proposed Urban Neighborhoods category is design for areas of multi-family and medium density dwellings. Densities in Urban Neighborhoods are usually more than eight dwelling units per one acre.

IV. The Guiding Principles/Elements of the General Plan

The General Plan sets forth a collection of goals and approaches intended to integrate the Guiding Principles into the planning process and provide as a framework for proposed development and the built environment. These goals and approaches are, however, not intended to be static or inflexible and the General Plan clearly recognizes this by stating: “The General Plan is designed to be a broad, flexible document that changes as the community needs, conditions and direction change.” It is with this inherent flexibility in mind that the proposed non-major GPA not only meets but exceeds the goals and approaches established by the City in the General Plan.

This request is for a non-major General Plan Amendment to the land use category and map contained in the Land Use Element of the General Plan. As previously stated, the six Guiding Principles and twelve Elements (sub-categories of the Guiding Principles) articulate, via goals and approaches, how the appropriateness of a land use change to the General Plan is to be qualified. The following sections of the Project Narrative describes how the application and proposed development of the Property satisfies the Guiding Principles within the General Plan.

A. Guiding Principle: Character & Lifestyle

i. Character and Design Element

The Character and Design Element 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 redevelopment and revitalization of this largely vacant commercial property with luxury residential villas will enhance the quality of the existing neighborhood. The architecture, color palette and building materials will be compatible with the Scottsdale Mountain Design Guidelines.

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

Response: The proposed development will have a strong emphasis on maintaining vista corridors. The existing Natural Area Open Space (NAOS) will be protected in conformance with the Environmentally Sensitive Lands Ordinance (ESLO).

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

Response: The proposed two-story villa home community is designed with stepped buildings (north to south) that will blend with the natural grade of the site minimizing impacts to the surrounding residential properties.

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

Response: Previous development set aside approximately 28% of the site as NAOS. The proposed development not only intends to maintain the dedicated NAOS and integrity of the ESLO through site design, architectural character and landscaping, but will provide additional open space.

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: Native landscaping and design elements will be incorporated with the development of this community both internally and along the perimeter streetscape. The proposed water feature will be visually

screened from the road with vegetation and berming at the arrival point so that the water activity will be concealed from passing traffic.

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 existing trail network (136th Street Trail) located along the east within the NAOS open space corridor will be maintained. The 136th Street Trail extends north and connects into the Sunrise Trail, a multi-use trail network within the McDowell Sonoran Preserve. The Sunrise Trailhead is located a little over one mile to the east of the site (145th & Via Linda). The nearby trail system will provide as an excellent recreational amenity for future residents. Public transportation is available along Shea Boulevard which is located approximately ½-mile from the site.

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.

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

Response: The building character planned for the site includes two-story villa homes and single-story amenity buildings designed to step-down with the natural grade of the site and provide appropriate environmentally sensitive massing.

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 climate by creating abundant outdoor living spaces and recreational amenities for its residents.

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.

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 native 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 (ie: Native Mesquite, Foothills Palo Verde, Desert Willow, and Desert Ironwood) and make efforts to preserve existing native vegetation found on site.

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 and the City's dark-sky policy while maintaining safety for future residents.

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.

In addition to the character and design factors discussed above, this non-major GPA is consistent with the following goals and approaches contained within the Character and Design Element:

General Plan, Page 43

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

Response: The Character Types Map of the General Plan designates the Property as an Employment Core Type. The General Plan identifies the Employment Core as falling within the Urban Character Type which contains areas of higher residential densities,

mixed use, commercial and employment centers, and resorts. The Employment Core supports a wide range of activities and regional/community employment uses including residential land uses. This Property and surrounding properties were designated as an Employment Core as a result of the Mayo Clinic (located at the southwest corner of 136th Street and Via Linda). The proposed luxury villa home community land use accommodates a demand in this sub-market due to the anticipated future growth and development of the Mayo Clinic campus including the future Mayo Clinic Medical School and maintains the goals and policies set forth in the Shea Area Plan.

Recognize the value and visual significance that landscaping has upon the character of the community and maintain standards that result in substantial material landscaping that reinforce the character of the City.

Response: The development proposal promotes a low-water use desert landscape palette in keeping with the existing context. The site and landscape design will enhance the surrounding character, minimize building mass, and naturally integrate with adjacent properties while providing shade and comfort for the future residents of the community.

Encourage sensitive outdoor lighting that reflects the needs and character of different parts of the City.

Response: Lighting will be designed in an appropriate manner and respectful of the surrounding single-family residential development, minimizing glare and promoting the City's dark-sky policy while maintaining safety for future residents. Lighting standards will be selected to coincide with the high quality design of the overall project.

ii. Land Use Element

The Land Use Element section of the Character and Lifestyle Guiding Principle embraces the concept that land uses complement each other visually, aesthetically, socially, and economically, and to void conflicting, damaging or otherwise unwanted land uses from compromising the overall character of a site, a neighborhood, or the community.

The General Plan states "Neighborhoods" focus on a range of mostly residential classifications and "residential land uses should be designated to accommodate a mix of dwelling types and densities for the a variety of neighborhood and environmental conditions."

This non-major GPA is consistent with the following goals and approaches contained within the Land Use Element.

Encourage the transition of land uses for more intense, regional and Citywide activity areas to less intense activity areas within local neighborhoods.

Response: The surrounding mix of land uses in the nearby area includes a wide range of zoning districts and residential densities. The Scottsdale Mountain master planned community is located to the north and east with residential subdivisions zoned R-4 ESL (HD) directly to the north and R1-7 ESL (HD) directly to the east. To the west, is the Summit View residential community zoned R-4 ESL and the Basis School zoned C-1 ESL on the northwest corner of 136th and Via Linda. Directly to the south of the Property, is the remainder of the PNC ESL (HD) shopping center which currently occupies an animal hospital, Basis School offices, retail shops and a vacant pad site (former Walgreens) on the hard northeast corner of 136th and Via Linda. A vacant C-1 ESL parcel is located on the on the hard southwest corner of 136th and Via Linda and the Mayo Clinic campus, zoned C-O S-C ESL (approximately 170+/- acres), is located beyond the C-1 parcel extending to Shea Boulevard.

The proposed luxury villa home community will provide an aesthetic character and density commensurate with the surrounding context and will provide a logical transition from the variety of land uses at the near corner of 136th and Via Linda to the single-family residential neighborhoods to the north and east.

Maintain a balance of the land uses that support a high quality of life, a diverse mixture of housing and leisure opportunities and the economic base needed to secure resources to support the community.

Response: Locating the proposed villa home community within the Mayo Support District on an underutilized commercial parcel is a logical fit. Maintaining a Citywide balance of land uses is an important planning goal that stimulates the economic base of Scottsdale. The proposed development will bring a wider array of housing options to the Scottsdale community.

Sensitively integrate land uses into the surrounding physical and natural environments, the neighborhood setting and the neighborhood itself.

Response: The development proposal meets the goal of incorporating appropriate land use transitions to better integrate into surrounding neighborhoods by providing a site design that responds to the natural grade and integrates stepped building masses which intend to preserve view corridors. Further, the existing NAOS buffers will be maintained with the proposed residential community and new interior open space, amenities, and courtyards will be incorporated with the design. The neighborhood sensitive development goals proposed for this project all contribute towards an appropriate transition with respect to development pattern, intensity and character.

Encourage land uses that create a sense of community among those who live, work, and play within local neighborhoods.

Response: The surrounding mix of land uses in the immediate area includes a master plan community with single-family lots (ranging in density), medium density residential communities, commercial development, commercially zoned vacant land, the Basis School, and the Mayo Clinic campus. The development of the subject Property as a distinctive Scottsdale residential community will provide additional housing opportunities for the general community along with the employees, administrators, and teachers of the Mayo Clinic responding to the live, work, and play philosophy established in the General Plan.

B. Guiding Principle: Economic Vitality

i. Economic Vitality Element

The Economic Vitality Guiding Principle is intended to secure Scottsdale's future as a desirable place to live, work, play and visit based on the foundation of a dynamic, diversified and growing economic base that complements the community.

This non-major GPA is consistent with the following goals and approaches contained within the Economic Vitality Element.

General Plan, Page 85

Sustain the long-term economic well-being of the City and its citizens through redevelopment and revitalization efforts.

Response: The proposed development represents an opportunity to implement the recommendations of the General Plan by integrating residential in the Mayo Support District and revitalizing a largely vacant commercial center that has struggled to maintain retail tenants. The proposed villa home community will provide additional housing options for the employees of the Mayo Clinic along with the larger community.

C. Guiding Principle: Neighborhoods

i. Community Involvement Element

This non-major GPA is consistent with the following goals and approaches contained within the Community Involvement Element:

Seek early and ongoing involvement in project/policy making discussions.

Public participation is an important component of successful planning and community building and decision making. Scottsdale prides itself as a community that encourages citizen involvement and public participation. The development team for *Villas 136* began neighborhood outreach efforts through individual meetings with neighbors, key

stakeholders and City Staff in spring of 2012. The development team continues to meet with the surrounding neighbors and stakeholders and these efforts will be ongoing throughout the process to ensure the community is aware of the proposed development and encourage and maintain meaningful dialogue with the community. Additionally, a public open house meeting was held on February 13th and citizens were notified and encouraged to attend to gather details about the proposed residential community. A complete Citizen Outreach Report has been provided with this application documenting the outreach efforts and community feedback.

As the last Report states, neighbors attending the recent February 13th Open House were indeed supportive of the developer's changes and new site plan direction that now reduces all building heights to two stories, has garage and guest parking for all units, and provides view corridors on the site due to reductions in density from the previous proposal. The developer's progress has also been evident due to the one on one on-going meetings with neighbors conducted by the developers and their development team and by all responses received from the Neighborhood Task Force which has been working for over a year with proposals on this site. This Neighborhood Task Force is represented with homeowners in the Scottsdale Mountain Community Association and outside the SMCA such as Villa Montavo. Attendees at the Open House were appreciative of the Development Team's continuing efforts regarding height and density reductions from earlier proposals they have seen and felt the planned architectural character for this community was appropriate.

ii. Housing Element

Scottsdale has historically been a community that embraces a variety of housing opportunities to enhance the character, diversity, and vitality of the City, as well as respect and conserve the Sonoran Desert. Scottsdale encourages housing options that provide a wide range of opportunities for people and provide sustainable, environmentally sensitive qualities that blend with the City's natural surroundings.

This non-major GPA is consistent with the following goals and approaches contained within the Housing Element:

General Plan, Page 98

Seek a variety of housing options that blend with the character of the surrounding community.

Response: The surrounding mix of land uses in the nearby vicinity includes single-family residential subdivisions with a range of densities, condominiums, commercial development, a school and a medical campus. This proposal offers a medium density villa community (10.23 dwelling units/acre), which fits appropriately within the range of residential densities and intensity already developed in area. Additionally, the proposed architectural style and scale are in harmony with the surrounding neighborhood character.

Encourage housing development that provides for “live, work, and play” relationships as a way to reduce traffic congestion, encourage economic expansion and increase overall quality of life for our community. .

The General Plan encourages a variety of housing densities throughout Scottsdale, with mixed-use and urban neighborhood areas near major employment cores, such as the Mayo Support District. The development of the subject Property as a distinctive Scottsdale villa home community will provide additional housing opportunities for the wider community along with the employees of the Mayo Clinic responding to the live, work, and play concept supported by the General Plan.

iii. Neighborhood Element

The Neighborhood Guiding Principle of the General Plan identifies several goals and approaches intended to ensure Scottsdale’s long-standing commitment to providing a quality physical and social environment for its citizens. The General Plan recognizes that neighborhood viability and sustainability is as equally important as a strong economic foundation. Further, changes in neighborhoods should be in harmony with the existing character.

This non-major GPA is consistent with the following goals and approaches contained within the Neighborhood Element:

General Plan, Page 105

Preserve and enhance the unique sense of neighborhood found in diverse areas of Scottsdale through neighborhood conservation.

Response: The Neighborhood section of the General Plan focuses on Scottsdale’s vision to preserve, reinforce, and where appropriate, revitalize the characteristics and stability of neighborhoods. This is accomplished by making sure that neighborhoods are in harmony with their existing character and defining features. With any new development, particular attention should be paid to the unique character and special qualities of an individual neighborhood. The proposed development will encourage sensitive design and neighborhood compatibility while preserving existing NAOS and the distinctive ESL character of the property.

Preserve and encourage context appropriate new development in established areas of the community.

Response: The proposed development satisfies the General Plan goal of encouraging new development efforts within existing developed areas in Scottsdale and the use of existing infrastructure while supporting developed areas in a manner that is complementary and sustainable. The site plan emphasizes contextually sensitive design to complement the surrounding suburban neighborhoods to the north, west, and east, and commercial uses to the south and southwest of the site.

D. Guiding Principle: Open Space

i. Open Space and Recreation Element

The Open Space and Recreation guiding principle found within the General Plan specifically addresses the significance of natural and urban open spaces and recreational opportunities. By maintaining connected open space corridors, such as trail systems, continuous visual and functional linkages within and between local neighborhoods reinforces the regional open space network.

This non-major GPA is consistent with the following goals and approaches contained within the Open Space and Recreation Element:

General Plan, Page 113

Protect and improve the quality of Scottsdale's natural and urban environments as defined in the quality and quantity of its open space.

Response: The Property contains a significant amount of NAOS along the eastern property line running the entire length of the property. This open space area provides an opportunity for people to experience and enjoy the native Sonoran Desert through the preservation of vista corridors, natural washes and native vegetation. Preserving open space also contributes to interconnectivity and relationship with the surrounding neighborhood by maintaining trail connectivity and wildlife corridors. The proposed development not only complies with the City's ESLO requirements, but will provide additional open space beyond the base requirement.

Improve the quality of life for all Scottsdale residents by ensuring a wide range of recreational facilities and services.

Response: The proposed community will offer its residents onsite amenities including a fitness center, pool, landscaped courtyards and a clubhouse facility. As highlighted above, the development plan intends to preserve and enhance the NAOS currently dedicated on site with the goal of maintaining a comprehensive open space program that is responsive to the greater public benefit. Additionally, the nearby 136th Street Trail and Sunrise Trail which access the McDowell Sonoran Preserve will provide as an excellent recreational amenity for future residents.

ii. Preservation and Environmental Planning Element

The preservation of our community relies on a built environment that is sustainable and in harmony with the natural environment. There are several ways to accomplish this goal which include, but are not limited to, encouraging green building standards and environmentally sensitive design philosophies, and maintaining meaningful, connective open space. The overarching theme is to bring a close and supportive relationship between natural resources, environmental quality and the economy of the area.

This non-major GPA is consistent with the following goals and approaches contained within the Preservation and Environmental Planning Element:

General Plan, Page 132

Enhance the quality of life in Scottsdale by safeguarding the natural environment.

Response: As previously mentioned the proposed residential community will preserve native vegetation, wildlife habitats, and scenic view corridors inherent to Scottsdale's vision for ESL properties.

Reduce energy consumption and promote energy conservation.

Response: The development program will focus on utilizing sustainable, climate sensitive building techniques (overhangs, recessed windows, shade elements, insulation) for building cooling and heating systems, utilizing landscaping that contributes to energy conservation, reducing the amount of hardscape surfaces onsite, and integrating shade elements for parking and pedestrian areas commensurate with Scottsdale's Sensitive Design Principles all of which contribute towards reducing energy consumption.

Protect and conserve native plants as a significant natural and visual resource.

Response: Native plants are considered to be a significant environmental feature that promotes the sustainment of natural conditions and aesthetic benefits to the community. The NAOS areas will be preserved and enhanced with the redevelopment of the site and strong efforts will be made to salvage native vegetation where ever possible. The proposed development will maintain a low-water use plant palette including, but not limited to, Native Mesquite, Foothills Palo Verde, Desert Willow, and Desert Ironwood integrated with the existing desert vegetation.

E. Guiding Principle: Sustainability

The issue of sustainability is addressed within three chapters of the General Plan that include 1) cost of development; 2) growth areas; and 3) public services and facilities. These chapters and the discussion of "sustainability", for the purposes of the General Plan discussion, relates more to effective management of Scottsdale's finite and renewable environmental, economic, social, and technological resources to ensure that they serve future needs.

The City has long held the philosophy that new development should "pay for itself" and not burden existing residents and property owners with the provision of infrastructure and public services and facilities. Through the zoning process and development review process the City can evaluate appropriate dedications, development fees and infrastructure provisions associated with the proposed development.

F. Guiding Principle: Transportation

i. Community Mobility Element

The Community Mobility Element relates to protecting the function and form of regional corridors and protecting the physical integrity of regional transportation networks to reduce the number, length and frequency of automobile trips. Additionally, this section of the General Plan seeks to prioritizing regional connections to safely and efficiently move people and goods beyond City boundaries, to relieve traffic congestion, to optimize all forms of mobility, and to protect neighborhoods from the negative impact of regional and Citywide transportation networks. Finally, the General Plan recognizes that there is diversity throughout neighborhoods and that each neighborhood may, in fact, have different mobility needs.

This non-major GPA is consistent with the following goals and approaches contained within the Community Mobility Element:

General Plan, Page 177

Protect the physical integrity of regional networks to help reduce the number, length, and frequency of automobile trips, to improve air quality, reduce traffic congestion, and enhance quality of life and the environment.

Response: The Property has adjacency to the Mayo Clinic and will provide a housing opportunity to its employees, administrators and teachers as well as the larger community. Clustering housing near employment cores reduces the number and distance of automobile trips, improves air quality, thereby enhancing the quality of life for surrounding residents. The anticipated traffic counts for the proposed residential development (90 dwelling units) are substantially less than the counts associated with the existing commercial zoning designation for the site.

The Property is accessed via 136th Street which is classified as a minor arterial (between Shea and Via Linda). Via Linda is designated as a minor collector. Shea Boulevard, which is located approximately ½ mile south of the site, is classified as a major arterial and functions as Scottsdale's primary east-west transportation corridor between Fountain Hills and Phoenix. The new development's primary access driveway will closely match the existing driveway location near the Major A building. No vehicular access is proposed to Coyote Road consistent with previous development approvals.

Maintain Scottsdale's high aesthetic values and environmental standards in the city's transportation system.

Response: The perimeter and internal streetscapes will provide continuity through use of cohesive native landscaping and design elements established for the proposed residential community and will uphold the aesthetic values and environmental standards of Scottsdale's transportation system.

V. Shea Area Plan

The Shea Area Plan was adopted by the City Council in June 1993 and created a set of goals, policies, and guidelines for the Shea Boulevard Corridor which runs between Hayden Road east to the City's boundary with the Town of Fountain Hills. The Shea Corridor Plan focuses on lands patterns, edge conditions, transitions, open space and transportation.

Following are Shea Corridor policies which specifically relate to the proposed development for luxury residential community.

Shea Corridor Policy:

New development should be compatible to existing development through appropriate transitions.

The development team has taken thoughtful consideration through architecture and site design to integrate the proposed development with the surrounding land uses in both density and intensity and provide as an appropriate transition from the single-family residential to the existing commercial, office, school and medical uses in the nearby area. Compatibility was the primary focus of the development plan which is evidenced through the stepped-down massing of the proposed buildings, preservation of open space and native plant material, reduction in hard-scape, landscape buffering, preservation of view corridors, and emphasis on southwestern architectural themes consistent with the surrounding built environment. Additionally, the building heights will be restricted to 25' above finished floor (and 30' above natural grade) for all buildings and in several cases the buildings will actually be lower than 25' above finished floor.

Setbacks along the north and west are commensurate with the established residential development with 50' along the northern edge and 30-67' along the western edge. Significant design consideration was given to the building massing and character along the northern edge, adjacent to the existing single-family homes. The design of the proposed Villas is evocative of the single-family architecture of Scottsdale Mountain. Buffering and landscaping is an important design element for the entire Villas 136 community to create a mature desert setting for the proposed buildings. Ample landscaping is provided along the edges and pedestrian connectivity has been emphasized.

Shea Corridor Policy:

Open Space should be provided to link neighborhoods with trails and recreational areas, act as buffers between major streets and adjacent land uses, provide for drainage, and protect significant habitat corridors, and to visually enhance the character of the area.

There is an existing open space buffer with approximately 400 feet of NAOS between the existing commercial property and the single-family residential homes to the east. The revitalization of this site to accommodate a strong demand for housing in the Mayo

Support District will maintain the existing open space buffers, trail connections, and drainage and habitat corridors that exist on site today.

Shea Corridor Policy:

For a specific area surrounding the Mayo Clinic, a Mayo Clinic support district should be established. Within this district, a flexible approach to locating support uses should be considered.

The General Plan and Shea Area Plan both encourage flexibility in land use decisions to allow developments that support the Mayo Support District designated on the Land Use Map. The development of the subject Property as a distinctive Scottsdale residential community will provide additional housing opportunities for the general community along with the employees of the Mayo Clinic responding to the live, work, and play concept supported by the General Plan and will respond to the housing demand in this sub-market due to the anticipated future growth of the Mayo Clinic campus.

VI. Conclusion

Villas 136 will provide a luxury villa home community within the East Shea Corridor and Mayo Support District and revitalize an underutilized commercial shopping center, which is largely vacant. The R-3 ESL zoning district allows up to 12.93 dwelling units/acre. However, the proposal for 90 units equates to a much lower density of 10.23 dwelling units/acre designed in a manner that blends with the surrounding development. The proposed two-story residential villa home community will provide an aesthetic character and density commensurate with the surrounding context and will provide as a logical transition from the variety of uses near the corner of 136th and Via Linda to the single-family residential neighborhoods to the north and east. The development will preserve existing NAOS, provide additional community open space, maintain view corridors, preserve existing wildlife and drainage patterns, and uphold Scottsdale's Sensitive Design Principles through context appropriate southwestern architecture, building techniques and landscape design.



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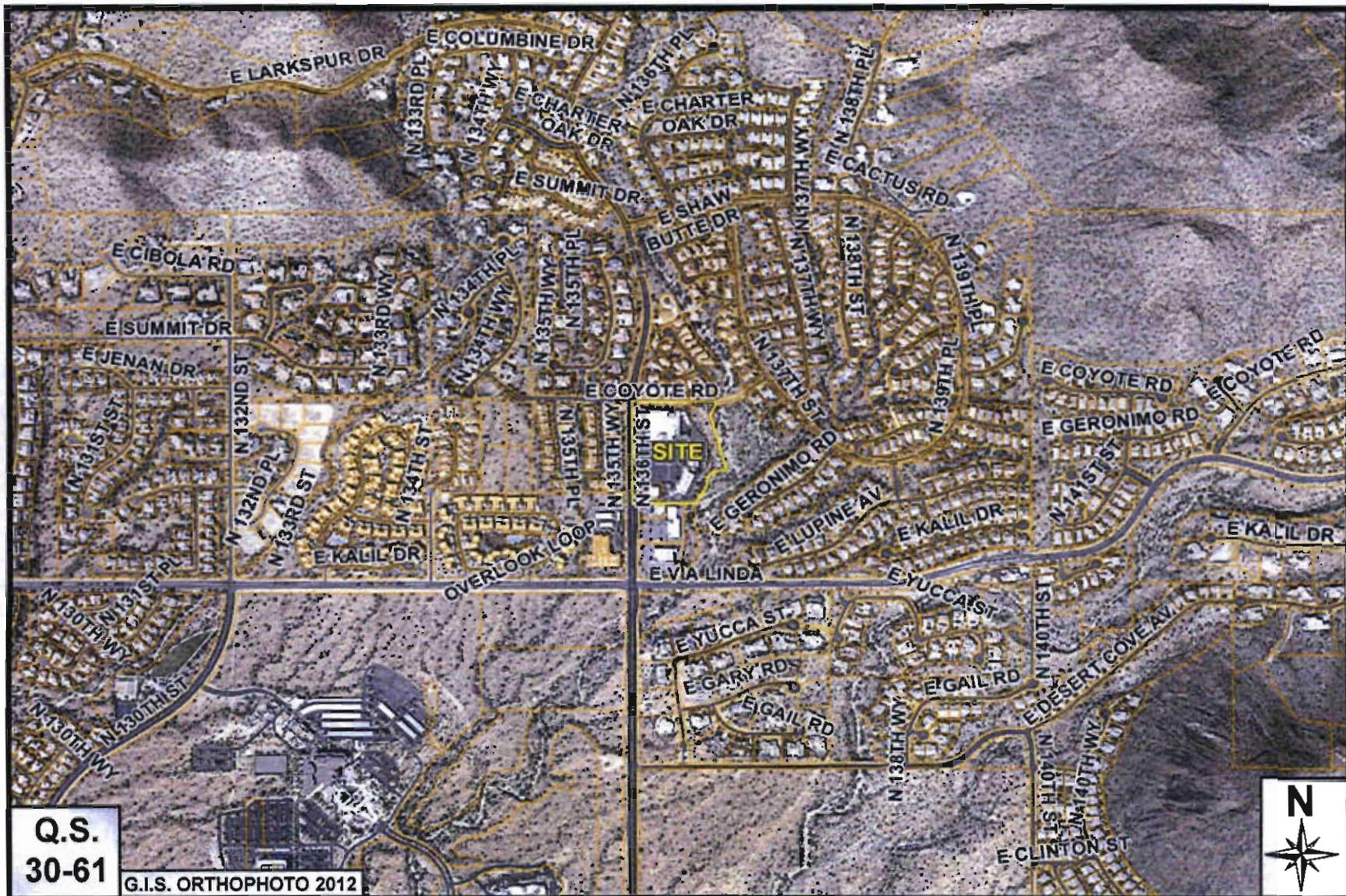
 SWABACK PARTNERS pllc
Architecture • Planning • Interior Design

VILLAS 136

CONCEPTUAL SITE PLAN 

Rezoning Submittal
Project No. 738-PA-2012
Date: 02.15.13 - Rev. 1

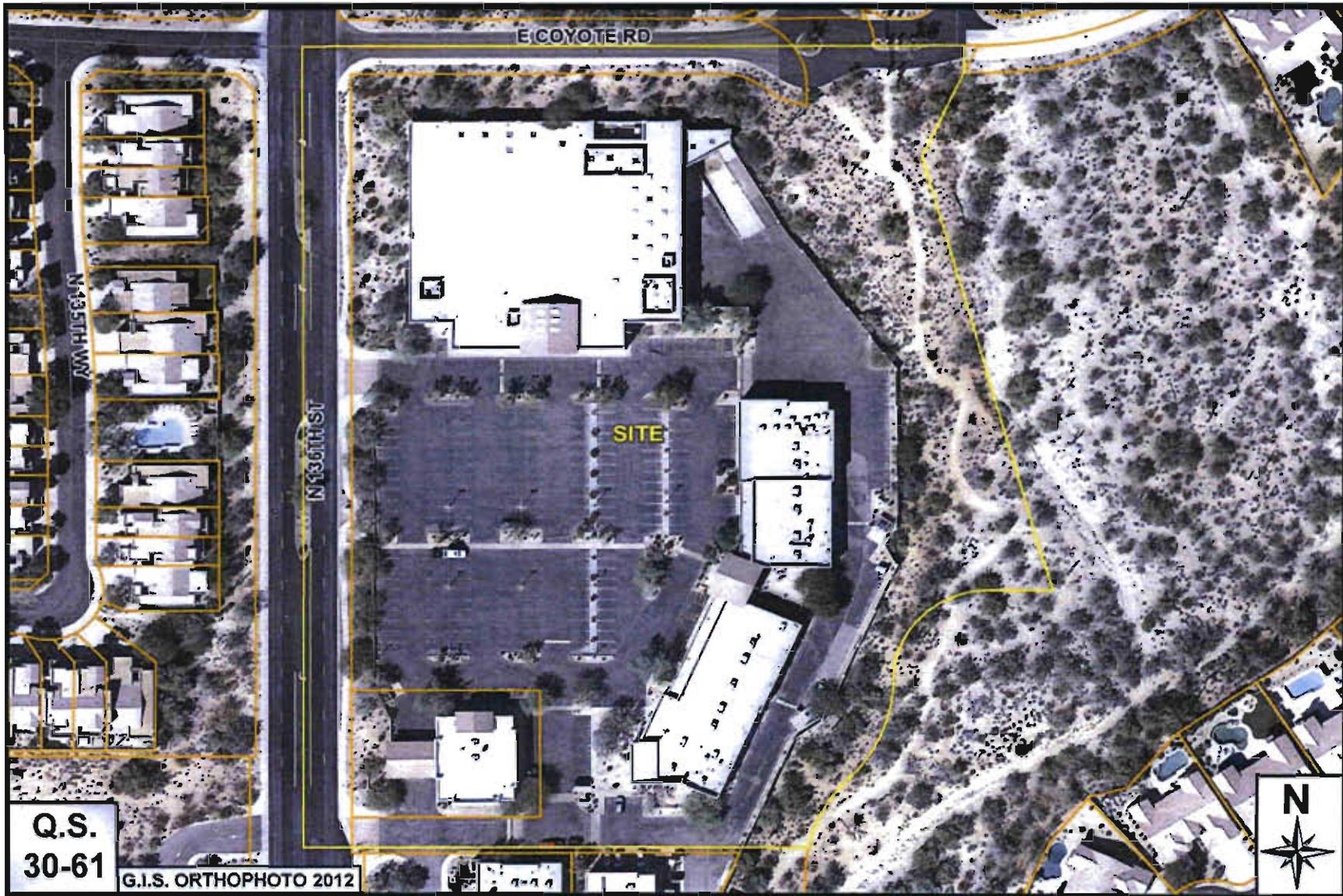
2-GP-2013/4-ZN-2013
3/28/2013



Villas 136

2-GP-2013 / 4-ZN-2013

ATTACHMENT #5



Villas 136

2-GP-2013 / 4-ZN-2013

ATTACHMENT #5A

Existing General Plan Land Use Map



	RURAL NEIGHBORHOODS		EMPLOYMENT
	SUBURBAN NEIGHBORHOODS		NATURAL OPEN SPACE
	URBAN NEIGHBORHOODS		DEVELOPED OPEN SPACE (PARKS)
	MIXED-USE NEIGHBORHOODS		DEVELOPED OPEN SPACE (GOLF COURSES)
	RESORTS/TOURISM		CULTURAL/INSTITUTIONAL OR PUBLIC USE
	SHEA CORRIDOR		MCDOWELL SONORAN PRESERVE (AS OF 8/2003)
	MAYO SUPPORT DISTRICT		RECOMMENDED STUDY BOUNDARY OF THE MCDOWELL SONORAN PRESERVE
	REGIONAL USE DISTRICT		CITY BOUNDARY
	COMMERCIAL		LOCATION NOT YET DETERMINED
	OFFICE		



2-GP-2013
4-ZN-2013

ATTACHMENT #6

RESIDENCES AT SADDLE MOUNTAIN DEVELOPMENT SITE LAND USE ALTERNATIVES TRIP GENERATION COMPARISON

Trip Generation Potential, as Previously Approved/Occupied

Land Use	ITE LUC	Quantity	Units	Trips Generated						
				Daily	AM Peak Hour			PM Peak Hour		
					In	Out	Total	In	Out	Total
Shopping Center	820	64,500	SF	5,107	73	46	119	232	242	474
Totals		64,500	SF	5,107	73	46	119	232	242	474

Trip Generation Potential, as Currently Proposed

Land Use	ITE LUC	Quantity	Units	Trips Generated						
				Daily	AM Peak Hour			PM Peak Hour		
					In	Out	Total	In	Out	Total
Residential Condominiums	230	90	DU	527	7	33	40	31	16	47
Totals		90	DU	527	7	33	40	31	16	47

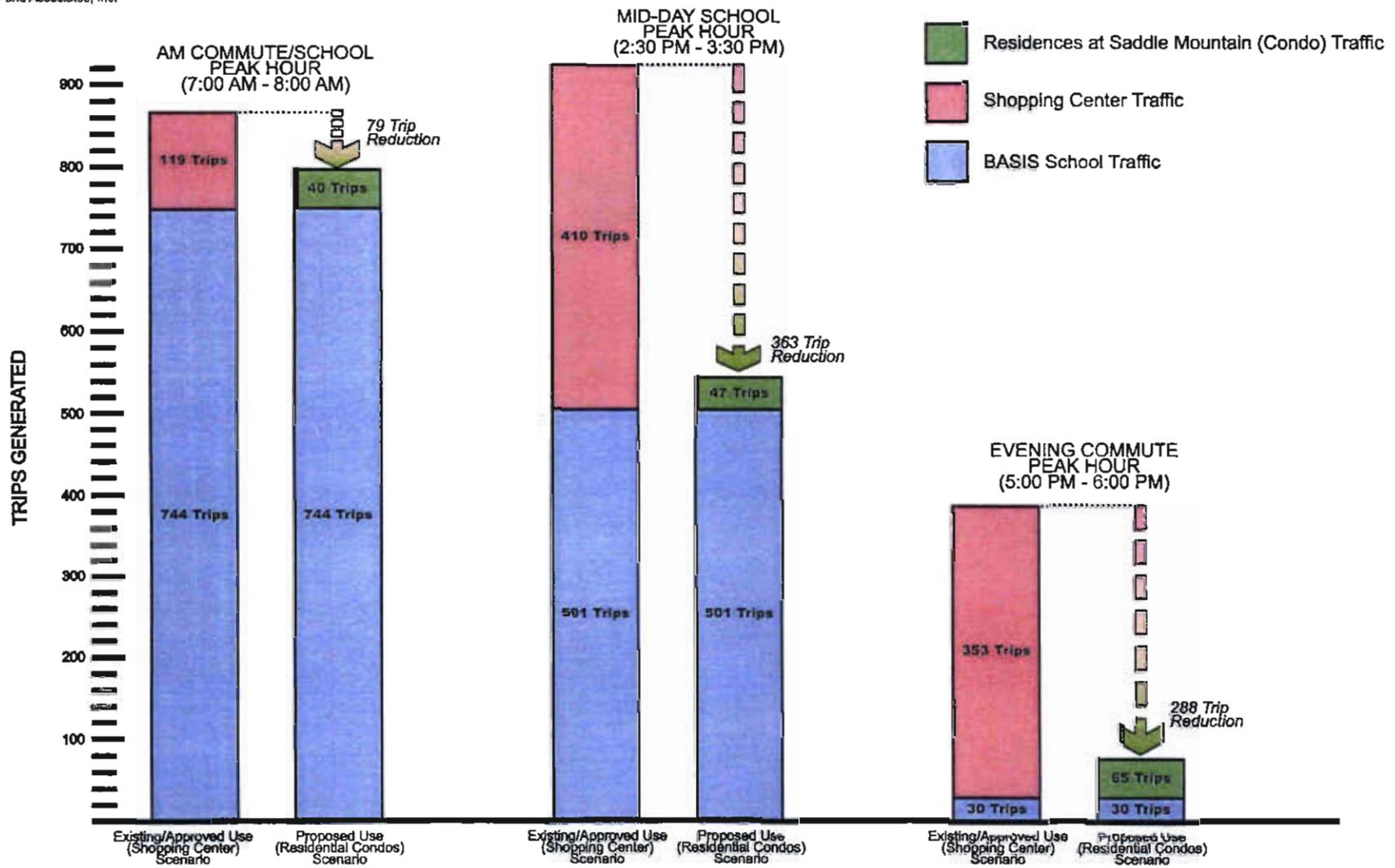
Note: Rates and equations used to estimate trip generation were obtained from Institute of Transportation Engineers (ITE) Trip Generation, 8th Edition.

Trip Generation Comparison Summary

Daily Trip Reduction	AM Peak Hour Trip Reduction	PM Peak Hour Trip Reduction
4,580	79	427
90%	66%	90%

ATTACHMENT #7

4-ZN-2013
2/15/13



4-ZN-2013

February 2013

Trip Generation Comparison
Residences at Saddle Mountain Preliminary Traffic Impact Analysis

EXHIBIT B



CITIZEN REVIEW PLAN & NEIGHBORHOOD INVOLVEMENT REPORT

Villas 136

February 14, 2013

Overview

This citizen outreach and neighborhood involvement report is being performed in association with a land use category and rezoning request for the redevelopment of approximately 8.78 gross acres located near the northeast corner of 136th Street and Via Linda. The design team has created a project that is architecturally striking and sensitive to neighboring properties. As part of the request, this citizen review and neighborhood involvement report has been written and will be updated throughout the process.

The entire project team is sensitive to the importance of neighborhood involvement and creating a relationship with property owners, residents, business owners, homeowners associations, and other interested parties. Work on compiling stakeholders and preparing for the neighborhood outreach began prior to the application filing and will continue throughout the process. Communication with impacted and interested parties has started will continue via verbal, written, electronic, small meeting, and door-to-door contact.

Community Involvement

The project team has been busy conducting outreach into the community to date. Door-to-door work and meetings with nearby homeowner's associations and neighborhood groups has occurred and will continue throughout the process. Specifically, there have been multiple meetings with the Scottsdale Mountain Community HOA Task Force and an informal open house public meeting with the Scottsdale Mountain HOA. In addition, since April of 2012, numerous individual meetings have been held with neighbors in the surrounding area with members of the development team. These meetings have resulted in a dramatic reduction in unit count, a reduction in height (from 3-story buildings to 2-story buildings), a change from a desired R-5 zoning to R-3

ATTACHMENT #8

zoning, as well as several design improvements. Members of the outreach team will continue to be available to meet with any neighbors who wish to discuss the request. Additionally, they will be contactable via telephone and email to answer any questions relating to the request.

Surrounding property owners and other interested parties were noticed via first class mail regarding the request. This notification contained information about the request, contact information to receive additional information, and the opportunity to give feedback. The notification also contained information regarding a Neighborhood Open House that was held for anyone who wished to learn more about the request. The date and time for the Open House were posted on the site in accordance with the City requirements. This Open House was held on February 13th, 2013 from 5-6 PM at Mountainside Middle School. 53 interested neighbors attended the Open House. Due to the site plan changes, attendees were generally supportive of the project. Several neighbors expressed concern about ongoing traffic issues with the charter school across the street from the site. One neighbor in particular expressed concerns about the projected visitor parking on the site while a couple of others still remain concerned about height and density of the proposal.

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. As previously stated the entire team realizes the importance of the neighborhood involvement process and is committed to communication and outreach for the request.

Attached to this report you will find the Notification Letter that was sent out to inform the surrounding community of the Open House as well as the Notification List of the neighbors that received said letter. Also accompanying this report, you will find the Sign-in Sheets that list all of the neighbors in attendance of the Open House, a picture of the Sign Posting on the site, and the Affidavit of Posting that meets the City's requirements.



February 1, 2013

Dear Neighbor,

On behalf of the partnership of Villas 136, LLC, please accept our sincere thanks for taking the time to review this letter, the attached conceptual architectural perspective along with a personal invitation for you to join us at the upcoming Open House.

If we may, as a brief introduction to our company, Villas 136, LLC is a special entity set up by its partnership for the purchase and re-development of the 8.79 acre northerly parcel of the Saddle Mountain Plaza shopping center (the vacant Basha's grocery store site) located at 136th Street and Via Linda. For purposes of clarification, our company Villas 136, LLC, has entered into a Purchase & Sale Agreement with the existing land owner Saddle 136, LLC to acquire the 8.79 acre parcel with the land closing date subject to Villas 136, LLC receiving rezoning approval.

Further, the Villas 136, LLC partnership is headed up by Mr. Geoffrey Becker-Jones and Mr. John Rosso – both of us local developers with much experience in the Valley with several notable developments to our credit.

- As Managing Partner of Villas 136, LLC, Geoffrey Becker-Jones has committed his career to the design, development and management of luxury resorts and residential properties, and is most known locally here for his role with the development of the CopperWynd Resort & Residential Community and The Scottsdale Links community.
- As Partner of Villas 136, LLC, John W. Rosso has a proven history of acquiring and improving commercial properties in Maricopa and is most well-known for the 9400 & Shea development (a 73,000 SQ FT mixed use office and retail development) along with several other commercial developments in the area.

With much deviation away from the previous developer's concept for this special site, our company's vision (highly influenced by the many helpful neighborhood meetings, suggestions and concerns received by the partners) is to pursue redeveloping the property (which we refer to as "*Villas 136*") as a gated, luxury residential villa home community of no more than 90 homes of an average conditioned space of 1,550 square feet, all with garages. Through the experienced hands of our renowned architectural and planning firm SWABACK Partners (the original master planners of Scottsdale Mountain who are also recognized for their Frank Lloyd Wright design and sensitivity to the Sonora Desert), considerable focus is being directed to providing a quality upscale lifestyle environment with a main pool, work out facilities, a group entertainment and social area and desert "lush" landscaping. The design direction for *Villas 136* is to bring to the market Scottsdale Mountain's newest exclusive, private for sale attached residential community, with pre-construction pricing expected to start around \$275 per square foot.

To further help you understand the current status of our development activity, in late December Villas 136, LLC submitted its Pre-Application to the City of Scottsdale and have already received comments back from City Staff. In response to the feedback and direction (both from the City and local residents), we revised substantially our company's development plan and re-submitted it to the City on January 4th 2013. The major changes from the original Application that made up our Re-submittal are as follows:

- An adjusted site plan (reflecting ten 2-story buildings)
- An adjusted unit count of no more than 90 Villa homes
- A reduced density of 10.5 units per acre
- A new request to modify the existing PNC ESL (HD) down to R-3 ESL (Medium Density Residential District, Environmentally Sensitive Lands)
- A revised Pre-App Narrative that outlined and supported all of these changes

Page Two

In the continuing spirit of our working relationship with our local neighbors, and in order to further help you understand the proposed planning direction we are pursuing and provide you with an opportunity to ask any/all questions you may have with respect to this planned community, on behalf of our Villas 136, LLC partnership, we would like to personally invite you to meet with us, our development team, and the design team of SWABACK Partners in the planned "Open House" which will be held at Mountainside Middle School in room #401 located at 11256 N. 128th Street in Scottsdale, from 5:00 p.m. to 6:00 p.m. on Wednesday, February 13, 2013.

Should you have any questions at all, please contact Susan Bitter Smith or Paul Smith, our Community Relations Liaisons at Technical Solutions at 602-957-3434.

With kindest regards, for
Villas 136, LLC



Geoffrey Becker-Jones
Managing Partner



John Rosso
Partner

Villas 136

Neighborhood Meeting Sign-In Sheet

Wednesday, February 13, 2013

First Name	Last Name	Street Address	City, State & Zip
Dolly: Chuck	Emerson	13614 E. Geronimo Rd	Scottsdale, AZ 8525
Chuck	E. Emerson	"	"
Harvey	Chimarrino	13669 E. Laurel Ln	SCOTTSDALE 85259
LORRY	"	"	"
Toni	NOLDE	13555 E. CORTAZ DR.	SCOTTSDALE 85259
DONALD	NOLDE	13555 E. CORTAZ DR.	"
JOSEPH	LEONTE	11919 N. 138TH	SCOTTSDALE 85259
RICHARD	FRENCH	13517 E. Columbine Dr	Scottsdale 85259
JAY	CRANFORD	11860 N 137	"
Tom	Walker	13615 E Geronimo	"
CECILIA	SEARS	13515 E Broomfield Dr	"
JIM + JUDY	TERREL	13923 E COYOTE RD	SCOTTSDALE 85259
JASON	LAUREL A	13579 E. CORTAZ DR.	Scottsdale 85259
Debra	Coopersmith	13759 E Laurel Lane	Scottsdale 85259
Tom	PINKERT	13466 E Columbine Dr	SCOTT 85259

Villas 136

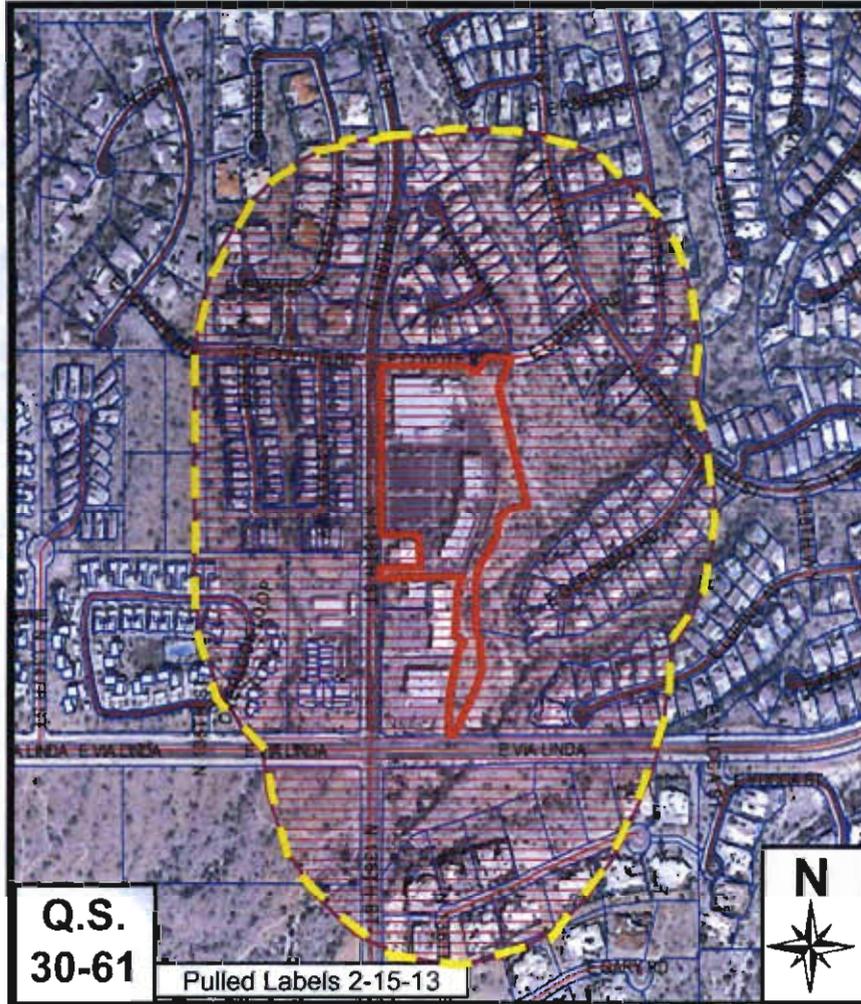
Neighborhood Meeting Sign-In Sheet

Wednesday, February 13, 2013

First Name	Last Name	Street Address	City, State & Zip
Dr. John	Wells	12868 N 136th	Scottsdale
Denise Amide	Dulac	13463 E Bloomfield DR	Scottsdale
Gregg	Robinson	12449 N 137th Way	Scottsdale 85259
DENNIS	FEDRIGUES	13997 E KACIC DR	" "
Lee	Steers	13424 E. Bloomfield Dr	Scottsdale 85259
BONNIE	Muhammad	13560 E Bloomfield Dr	Scottsdale 85259
Anita/Steve	Elliott	13734 Yucca St.	
M. Lieberman	Lieberman	11635 N. 134th	Scottsdale 85259
Nancy	LWaldeck	13615 E. Geronimo	Scottsdale
DORIS M. Lieberman	MCCarty	CITY OF SCOTTSDALE	
PAT	Snyder	12309 N. 134th WAY	Scottsdale
KRIS	PAT HALLIS	13558 E Paradise Dr	Scott
Mary Lou	Mulloy	13981 E. Geronimo Rd.	Scottsdale, AZ 85259
Sharon	Barnes	13485 E Ocotillo Rd	Scottsdale
MARTIN	COOPERSMITH	13759 E LAUREL LN	"

City Notifications – Mailing List Selection Map

ATTACHMENT #9



Map Legend:

-  Site Boundary
-  Properties within 750-foot

Additional Notifications:

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

NEC of 136Th St. & Via Linda

4-ZN-2013

ATTACHMENT #9

Niederer, Keith

From: lorry <lhchime2@cox.net>
Sent: Saturday, February 23, 2013 1:54 PM
To: Niederer, Keith
Subject: Re: 136th St. and via Linda

From: lorry
Sent: Saturday, February 23, 2013 1:52 PM
To: kniederer@scottsdaleaz.gov
Subject: 136th St. and via Linda

Dear Mr. Niederer,

My husband and I have viewed the plans for the old Basha's site and we are not happy about it at all for many reasons.

We live directly north of the propriety in question. The buildings, that will be 6 ft. higher then they are now, will completely block our city lights. Some buildings will be 2ft. higher and block part of our mountain view. We were told that each unit will have a 1 car garage. Some units will be 3 bedrooms, where will the people park? There is no parking allowed on 136th St. or Coyote.

They are talking about building about 90 units, if so that will be over 225 people living on that site. The density for that piece of land is way too high.

When Basha's was in operation there was a sewer problem, that is from 1 market, can you imagine the problem from at least 180 toilets flushing. The stench will be unbearable. This problem has to be fixed before any builders do anything on that propriety.

We bought in Scottsdale Mtn. for the serenity and beauty of the mountains. We purchased our house because of the lovely views of both city lights and mountains. We do realize that something must be done with this propriety as its been sitting there empty for 5 years, but do not feel that we should suffer and lose our views because of it.

Traffic, on 136th St., will be a bear during rush hour. We will not be able to get out of Coyote onto 136th St during morning rush hours. 136th St is a 2 lane road, going North and South from Coyote.

This is not the correct project for this area. We are against it being built and destroying our serene and beautiful area.

Your prompt response will be greatly appreciated.

Thank You,

Lorry and Harvey Chimerine
13669 E. Laurel Lane
Scottsdale Az. 85259

Niederer, Keith

From: Lucky Moldenhauer <luckym13@cox.net>
Sent: Friday, March 01, 2013 5:29 PM
To: Niederer, Keith
Subject: Fw: Villas 136 - Case Number: 2-GP-2013 & 4-ZN-2013

Dear Mr Niederer:

I am forwarding a somewhat recent e-mail exchange with the developers of Villas 136 on 136th Street just north of Via Linda - next to Scottsdale Mountain Homeowners Association (former Bashas grocery store site).

I continue to urge you and the planning committee to decline the developers request for rezoning.

You should know that they attempt to give the impression of cooperating with the nearby and surrounding neighbors, but I will tell you that they continue to dodge specific questions and ignore specific inquiries. They continue to come back with "well - it is now only two (2) stories" (I firmly believe that is all they wanted in the first place - knowing that 3 stories would never be approved. By now lowering, they can provide some of the neighbors with the impressions that "we have won". It was a ploy at the very start - since the site and zoning and sensitive native areas would not have allowed 3 stories in the first place - and they well knew that).

We have asked them (myself and others) to give heights in feet - from ground level - and they continue to ignore that request. They merely say "it is now two stories". Two stories can mean anything from 20 feet to almost 30 feet - and the base level is very important - which we have spent a great deal of time trying to determine where that base level and base line might be. They continue to be evasive.

What we have determined is there will be a 4 ft and 6 ft increase (sightline) from the old Basha's store. That is not acceptable.

We have, on numerous occasions, asked to have view corridors included in the proposed development. While the developer has stated they would be provided - there are none.

I have asked the developers why they feel they can fill retail shops on the south side of the property (by Via Linda - proposed for the old Walgreens site) but they can't fill the vacant stores that are presently on the property. It is entirely contradictory for them to say the site can NOT support retail development and then bring up a plan that does, indeed, include that same development that can miraculously now be supported - but 100 feet away (they are using that simply as a tease to the residents).

We would like any development to maintain the buildings and the sightlines that are presently at the location.

The traffic problems at 136th Street and Via Linda are a huge issue (with the Charter School already there). I can tell you that there will be a

serious accident (with students) at that corner in the near future. I can't even go to work between 7:15AM and 7:30AM because of the congestion at that corner and with the manner in which the parents of the students zip in and out or drop their children off in a "no standing/no stopping zone" on the NW corner of the intersection. Other parents that drop their children off across the street at the prior Walgreens location also create problems in that one student crosses - then another two cross - then a third group tries to cross - all without any crossing guard. This is a Serious Hazard that will only be increased with 90+ additional condos whether owner occupied or rentals.

My wife and I purchased our home in 2003 - mainly after we saw the nighttime views of city lights from the rear yard. That will completely and totally disappear with the proposed development. We have floated balloons at the height of the proposed 2-story buildings - and my view will disappear.

The developers do not really care about our view and continue to deflect the items that I have raised and skirt the serious issues with their responses.

I have many more issues to raise and items to discuss - but I will save those for another day and time. I wish to go on record as vehemently and strongly objecting to the proposed development. Please reject it!

Respectfully submitted,

Lucky L Moldenhauer
11834 N 137th Street
Scottsdale, AZ 85259

----- Original Message -----

From: "Lucky Moldenhauer" <luckym13@cox.net>
To: "Prescott Smith" <prescott@technicalolutionsaz.com>
Sent: Wednesday, February 20, 2013 4:50 PM
Subject: Re: Villas 136

> Gentlemen:

>

> You are not addressing my concern(s). Your planned development will
> completely block my views of the valley - the main reason that I
> purchased the home in the first place. The height should be given in
> feet - not in stories as a 2 story can have a wide range of heights. You
> continue to ignore the objections (such as the height of the buildings vs.
> the height of the former Bashas building).

>

> You have not address my concern over the loss of property value.

>

> Your response is the same "fluff" that you have been handing out all
> along - skirting the actual stated issues and championing the revisions
> that you have made (which do not at all respond to my concerns).

>

> Unless you can address how I will have the view of the valley back (which
> you can not do with your current plan) and how you would justify my loss
> of property value, you will receive my full and direct opposition (along
> with others').

>
> Respectfully,

>
>
>
>
>
> ----- Original Message -----

> From: "Prescott Smith" <prescott@technicalsolutionfaz.com>

> To: "Lucky Moldenhauer" <luckym13@cox.net>

> Sent: Wednesday, February 20, 2013 9:28 AM

> Subject: Re: Villas 136

>
>
>> Dear Mr. Moldenhauer:

>>
>> Thank you for your recent email. Our team was disappointed to learn
>> that we had not had an opportunity to meet and speak with you the
>> evening of the open house, because we may have been able to point out
>> the numerous changes and compromises that have been made to our plan
>> in order to address and respond to the concerns we have heard and
>> received from the neighborhood. Specifically, the height of the
>> project has been reduced to two story buildings from the original
>> two/three story proposal to address the view issue you mentioned. In
>> addition, the unit count has been decreased to a maximum 90 Villa
>> homes to allow protection of the existing view corridors on the site
>> while also reducing density and traffic. Also, the zoning submittal
>> is requesting an R-3 designation in order to insure that these reduced
>> heights and densities are maintained, consistent with the surrounding
>> neighborhood. Please know that all of these changes have been made in
>> direct response to issues raised by the proximate neighbors - and the
>> current neighborhood task force.

>>
>> As you may recall, a line of site rendering was done from your home
>> under the projections from the old plan and previous developer. We
>> would be delighted to meet with you to review our project as well as
>> produce a line of site rendering with our plan projections if that
>> would be helpful to you to better understand our new proposal.

>>
>> We look forward to visiting with you soon.

>>
>> Sincerely,
>> Geoffrey Becker-Jones
>> and

>> John Rosso

>>
>>
>> On Sat, Feb 16, 2013 at 10:18 AM, Lucky Moldenhauer <luckym13@cox.net>
>> wrote:

>>> Mr Becker-Jones and Mr Rosso:

>>>

>>> It is important for you to know that my wife and I attended your "open
>>> house" on Wednesday night in an effort to determine what changes had
>>> been
>>> made to the original preliminary plans. We came away very disappointed.
>>>

>>> Specifically, there are no view corridors at all - and it appears that
>>> the
>>> newly planned development starts with buildings that are 4 feet higher
>>> than
>>> the former Bashas building on the west and 6 feet higher than Bashas on
>>> the
>>> east.

>>>

>>> I will tell you that your planned community will completely destroy my
>>> view
>>> of the valley and city lights - the main reason that we purchased our
>>> home
>>> in 2003.

>>>

>>> We will lose approximately \$70,000-\$100,000 (written Realtor opinions)
>>> from
>>> the value of our home if your development is constructed.

>>>

>>> It is for that reason that I will be one that actively and vigorously
>>> objects to the rezoning.

>>>

>>> I have seen no effort from your group to placate close neighbors.

>>>

>>>

>>> Respectfully,

>>>

>>> Lucky L Moldenhauer
>>> 11834 N 137th Street
>>> Scottsdale, Arizona 85259

>

Niederer, Keith

From: Ruenger, Jeffrey
Sent: Thursday, March 21, 2013 12:47 PM
To: Niederer, Keith; Castro, Lorraine
Subject: FW: Case Name: Villas 136 Case # 2-GP-2013 & 4-ZN-2013

From: Jay Burwell [<mailto:jaycburwell@hotmail.com>]
Sent: Wednesday, March 20, 2013 1:25 PM
To: Projectinput
Subject: Case Name: Villas 136 Case # 2-GP-2013 & 4-ZN-2013

Dear Sir/Mame at Scottsdale city planning offices,

I am a resident of the Scottsdale Mountain Community, my home is located on the corner lot at Coyote Rd and 137th Street.

The Villas 136 project concerns me. This developer is asking for an inappropriate zoning change. I base that statement upon the project's effects on density in this designated environmentally sensitive community and upon it's effect upon lines of sight or views in the area and the associated traffic problems it will inevitably bring to the area which is not designed for the type of development this company wants to bring into the area.

Scottsdale Mountain is a unique community in that our property in the area has extensive views of the city and the mountain vistas to the southeast of the city. By increasing the building height to an allowable hieght permitting even two story development on the current tract with the present grade, this development will block the views that made us choose to live in this community to begin with and forever change the character of the area. It is not in keeping with the spirit of the environmentally sensitive nature of the area. It will have a negative impact upon my current home value and it will increase the congestion that we have recent seen in the area due to the addition of the Basis Montessori School located across the street from the proposed development known as Villas 136.

As a longtime resident of Scottsdale Mountain and a concerned citizen of the neighborhood, I ask the city of Scottsdale to oppose the current zoning law change and work with this developer to scale back his plan density and building height in keeping with the spirit of the current low density and livable lines of sight in the area. The project known as Summit View in the area is much less dense and the building heights are not blocking mountain and city vista views thereby decreasing home values in the area. There are alternatives such as changing the grade of the parcel which would enable this developer to comply with the current building height restrictions, they are just not willing to pay the price to change the grade of the parcel. That is not acceptable to me as a resident of Scottsdale Mountain and an immediate neighbor located directly adjacent to the proposed project.

Again- I urge the city planners to oppose the currently proposed changes to the zoning and ask the developer to revise his current construction plan, making the new construction less dense and with lower building heights so as not to effect our environmental sensitivity , quality of life and property values in this pristine and beautiful place.

Sincerely,

Jay Burwell
11808 North 137th Street
Scottsdale Az 85259

480 661 1810

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Niederer, Keith

From: Sandra Beutler <beuts@cox.net>
Sent: Tuesday, April 09, 2013 8:38 AM
To: Niederer, Keith
Subject: Villas 136

Just an FYI that we are in favor of the Villas 136 project. Letting that land sit vacant is a terrible waste.

Scott and Sandy Beutler
Sandra Beutler
Independent Miché Rep
e: beuts@cox.net
p: 480-284-4520
w: sandybeutler.miche.com

Niederer, Keith

From: ebuskohl <ebuskohl@gmail.com>
Sent: Tuesday, April 09, 2013 10:11 AM
To: Niederer, Keith
Subject: oppose

i appose the zoning change case file 2-gp-2013\4-zn 2013

Niederer, Keith

From: HTC <haroldtc@cox.net>
Sent: Tuesday, April 09, 2013 11:13 AM
To: Niederer, Keith
Cc: Karen
Subject: Case Number 2-GP-2013\4-ZN-2013

Hello Keith ...

As a long-term resident of the Scottsdale Mountain community on 136th Street, I am keenly interested in the future of the property which is the subject of this case. The current request to rezone this property from its current status as PNC-ESL-HD to residential use of much higher density is a really bad idea! I am strongly opposed to this change.

Please keep in mind that this area is the foothills of the McDowell Mountain Preserve, so important to the city of Scottsdale. Foothills development has (thus far) been limited to low-density residential where residential zoning has been approved. To suddenly alter the city's vision of this valuable resource area, and permit hordes of high-density housing to spoil its character, would take the city on an irreversible course sure to lead to much regret in the future.

I am not opposed to development. The hard decisions require it be done consistently with the city's long-range plan. In this case, "No!" is the right answer.

Respectfully,

*Harold Crutcher
12932 N. 136th Street
Scottsdale 85259*

Niederer, Keith

From: Kimberly ONeill <kbear.oneill@gmail.com>
Sent: Tuesday, April 09, 2013 11:19 AM
To: Niederer, Keith
Subject: Villas 136

I am completely in favor of this project. It's time to improve that ghost town that's been vacant for far too long. I look forward to the community and property improvement.

Niederer, Keith

From: Lainie <butterfly02@cox.net>
Sent: Wednesday, April 10, 2013 6:23 PM
To: Niederer, Keith
Subject: Bashas property

Mr. Niederer,

Once again I am contacting you, beseeching you, and the committee to please not change the zoning on the property at the entrance of Scottsdale Mountain. It is currently zoned PNC-ESL-HD, as I understand it. We have been perfectly happy with that zoning parameter. Our homes and our value of the homes rely on this zoning.

It is fairly obvious the height and density that is being requested by the current owners will affect us who have invested so much in our homes. Would you want to see a huge property change that affects your value of your home? I am sure you would not.

As you are also aware, a change on this corner property, opens the door for the property SW of it to also change. We respectfully ask you, implore you, to not allow the zone change. We are desperate to maintain the value of our properties. The zoning change will definitely change our values that already have decreased during the hard hit metropolitan Phoenix took during this recession.

If you have any suggestions to help us on this issue, I would hope you would pass it on to me, to us.

Another issue is the increase in traffic for all of us. It not only affects the homeowners, but also the children attending Basis. It is tempting fate on safety for all.

Thank you

Respectfully
Elaine Maule

Sent from my iPad

Niederer, Keith

From: James Marsh <jmarsh4777@gmail.com>
Sent: Wednesday, April 10, 2013 8:55 PM
To: Niederer, Keith
Subject: Proposed development at 136th and Via Linda

Dear Mr. Niederer,

I am writing you in reference to case file 2-GP-2013/4-ZN-2013. I want to express my opposition to this project. The area in question at present represents one of the best communities in Scottsdale and consists entirely of single family homes, primarily gated communities. The area in question is currently classified as PNC-ESL-HD and was developed to serve out local communities; the stores in this location have struggled in the recession but business is starting to pick up there and many of us (myself included) frequently use several shops there including two very busy restaurants, There is no reason this shopping center needs to be replaced with condominiums, and with one of the best schools in the state (BASIS) right across the street the big increase in traffic and transient population could lead to real problems. We hope you will join us in opposing this development.

V/R
James C Marsh

Niederer, Keith

From: bjdtkneifl <bjdtkneifl@cox.net>
Sent: Friday, April 12, 2013 9:48 AM
To: Niederer, Keith
Subject: 2-GP-2013/4-ZN-2013 Basha Property

Dear Mr.Keith Niederer,

As you review the developers current plans for the 136-villas at Scottsdale Mountain, please keep in mind all the neighbor that bought property in the secluded foothill of Scottsdale Mountain.

The original HOA guidelines were setup for our area took exception to congested housing and to allow to optimize the pristine natural settings and valley views of our neighborhood.

Traffic congestion has already increased due to approval of the private school at the corner of 136th street and Via Linda, please reject developers plans and protect our neighborhood.

Sincerely,
Scottsdale Mountain Resident,

Mr. & Mrs. Daniel Kneifl

Niederer, Keith

From: Rodney A. Knight <Rod.Knight@cox.net>
Sent: Tuesday, April 16, 2013 4:21 PM
To: Niederer, Keith
Cc: geoffrey.becker-jones@salvago.com; JR@WESTARDEV.COM; Lonnie Muto
Subject: 4-ZN-2013 VILLAS 136

Keith-

I represent the Scottsdale Mountain Community Association, and am writing you about the above re-zoning case relating to the proposed redevelopment of the "Saddle Mountain Plaza" property, which is adjacent to property of the Association and many of its Members.

I understand that the Applicant in late March submitted a revised Application in this case. It has been brought to the Association's attention that the Applicant, on page 11 (first full paragraph) of its Project Narrative, claims that support for the project is evidenced by the "positive responses received from Scottsdale Mountain's HOA Development Committee".

This information is inaccurate, and I am writing in an effort to correct any misimpression that may have been created. The Association does not have and has never had an "HOA Development Committee". Furthermore, neither the Association Board of Directors, nor any committee of the Board, has approved this proposed project or even taken any action one way or the other on the project. There was an informal "task force", chaired by the former President of the Association and consisting of representatives from the communities in the vicinity of the project, that was meeting irregularly with the developers in an effort to make them aware of the concerns of the homeowners in the surrounding communities and to facilitate their process of revising the proposal to address resident's concerns; however, that task force had no official authority and did not act on behalf of any of the communities whose residents were involved - any opinions expressed by members of that task force were purely their personal opinions.

I hope this clarifies the situation, but please let me know if you have any questions.

Please include this letter in the public record for this case.

RODNEY A. KNIGHT, ATTORNEY AT LAW

14362 N. Frank Lloyd Wright Blvd.
Suite 1000
Scottsdale, Arizona 85260
480.338.1612
480.767.7663 (fax)

Niederer, Keith

From: pmav@cox.net
Sent: Wednesday, April 17, 2013 5:31 PM
To: Niederer, Keith
Subject: Case File # 2-GP-2013/4-ZN-2013

Dear Mr. Niederer,

I am writing to you to express my request that the above referenced case, also known as Villas 136, located at the northeast corner of 136th st and coyote not be approved for a zoning change from the initial and present PNC-ESL-HD. I am the original owner of my home since 1996 and located within a 1 minute walk to this property. I purchased the home with the understanding that there would be a neighborhood shopping center built on this site that I could walk to.

High density residential units would not be complimentary to this neighborhood. Traffic and congestion issues will arise, in additionn to view obstructions if zoning changed. WE DO NOT NEED ANY ADDITIONAL HIGH DENSITY RESIENTIAL in this neighborhood. In addition, the land on the SW corner of 136th st and coyote, and the land south of coyote west of 136th st is being considered for residential rezoning. If the aforementioned properties become residential land it would increase the local population making the existing shopping center more viable.

There is no other shopping center in close proximity to our neighborhood. PLEASE DO NOT DESTROY THIS BEAUTIFUL NEIGHBORHOOD SHOPPING CENTER. Under proper management and lease rates it can become a vibrant and succesful shopping center, as was originally intended, for all neighbors to flock to and enjoy.

Sincerely,
Peter Mavrikos
pmav@cox.net

Niederer, Keith

From: Lorry <lhchime2@cox.net>
Sent: Wednesday, May 01, 2013 1:06 PM
To: Niederer, Keith
Subject: We now agree to the latest villas 136 proposal.

We have met with Geophry and John from villas 136 and agree with the latest proposal they showed to us. Harvey & Lorraine Chimerine. We wish them luck. They. Have done everything possible to comply with our questions and concerns and those of the scottsdale mountain homeowners association. We are the closest property to the project. 13669 E. laurel lane.

Sent from my iPad

Niederer, Keith

From: Patti Okun <pattiokun@cox.net>
Sent: Tuesday, April 09, 2013 6:45 AM
To: Niederer, Keith
Subject: 136 and Via Linda proposal

Dear Keith,

As a resident of Scottsdale Mountain I have concerns for high density living and more traffic than we now have with Basis. I want my voice to be heard. I bought her to avoid high density and am adamantly opposed to this being more than the Summit.

Patti Okun
13064 N 136 PI
Scottsdale 85259

Castro, Lorraine

To: Ruenger, Jeffrey; Niederer, Keith
Subject: RE: 2-GP-2013 (Villas 136)

Do not reply to this message via email.
The Internet user did not provide a return email address:

I support the coding change although I may be at risk for a compromised view. The current vacant shopping center is a blight on the neighborhood.
Have concern about noise level during construction phase. Traffic should be of minimal concern as compared to use as a commercial area.

This message was feedback from the following web page:

5/7/2013 12:25:10 PM

74.202.191.66 Mozilla/4.0 (compatible; MSIE 8.0; Windows NT 6.1; Trident/4.0; SLCC2; .NET CLR 2.0.50727; .NET CLR 3.5.30729; .NET CLR 3.0.30729; Media Center PC 6.0; .NET4.0C) sessionID: 0

Castro, Lorraine

To: Niederer, Keith
Subject: RE: Villas 136, Case 4-ZN-2013, 2-GP-2013

From: FRED ROMLEY [<mailto:fromley@msn.com>]
Sent: Tuesday, April 30, 2013 5:11 PM
To: Niederer, Keith
Subject: RE: Villas 136, Case 4-ZN-2013, 2-GP-2013

Mr. Niederer,

I have been in close contact with the developers John and Jeff. What they showed me that there architect had done and i feel much better that this project will not harm my view and may even better them. It will be good to get this space changed and get rid of this eye sore of the vacant shopping center. Please feel free to call if you have any questions and i thank you for listening to me.

Thanks you.

Fred Romley
(480) 248-7652 office
(972) 345-7809 cell

From: KNiederer@Scottsdaleaz.gov
To: fromley@msn.com
Subject: Villas 136, Case 4-ZN-2013, 2-GP-2013
Date: Thu, 25 Apr 2013 16:53:14 +0000

Mr. Romley,

Thanks for your phone call.

The Planning Commission hearing for the rezoning at the southeast corner of N. 136th Street and E. Coyote Road, is scheduled for Wednesday May 8 at 5:00PM.

The Planning Commission will meet at the Kiva City Hall, 3939 N. Drinkwater Blvd. The Planning Commission will hear the rezoning application, and listen to public testimony, then make a recommendation to the City Council.

The City Council will discuss this item either Tuesday June 4, or Tuesday June 18 in the Kiva city Hall. The date has not yet been confirmed.

If you would like to submit an e-mail in support or opposition to this application, you may e-mail it to me no later than Tuesday April 30, and I will include it as part of the Planning Commission report.

Castro, Lorraine

To: Niederer, Keith
Subject: RE: Basha's re-zoning

From: leslie star [<mailto:lesliestar2005@yahoo.com>]

Sent: Tuesday, May 07, 2013 6:20 PM

To: Niederer, Keith

Subject: Basha's re-zoning

Mr. Kniederer: We are contacting you to document our family's strong OBJECTIONS to the proposed re-zoning of the Basha's property for the purpose of the proposed condo project. We have been residents of Scottsdale Mountain for several years. Leslie London, Leon London and Justin London (248) 225-7972

Castro, Lorraine

To: Niederer, Keith
Subject: RE: Villas 136, Case 4-ZN-2013, 2-GP-2013

From: FRED ROMLEY [<mailto:fromley@msn.com>]
Sent: Tuesday, April 30, 2013 5:11 PM
To: Niederer, Keith
Subject: RE: Villas 136, Case 4-ZN-2013, 2-GP-2013

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Thanks you.

Fred Romley
(480) 248-7652 office
(972) 345-7809 cell

From: KNiederer@Scottsdaleaz.gov
To: fromley@msn.com
Subject: Villas 136, Case 4-ZN-2013, 2-GP-2013
Date: Thu, 25 Apr 2013 16:53:14 +0000

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If you would like to submit an e-mail in support or opposition to this application, you may e-mail it to me no later than Tuesday April 30, and I will include it as part of the Planning Commission report.

Castro, Lorraine

To: Niederer, Keith
Subject: RE: Basha's re-zoning

From: leslie star [<mailto:lesliestar2005@yahoo.com>]

Sent: Tuesday, May 07, 2013 6:20 PM

To: Niederer, Keith

Subject: Basha's re-zoning

Mr. Kniederer: We are contacting you to document our family's strong OBJECTIONS to the proposed re-zoning of the Basha's property for the purpose of the proposed condo project. We have been residents of Scottsdale Mountain for several years. Leslie London, Leon London and Justin London (248) 225-7972

Niederer, Keith

From: Jay Burwell <jaycburwell@hotmail.com>
Sent: Wednesday, May 08, 2013 3:08 PM
To: Niederer, Keith
Cc: jason@sanksassociates.com
Subject: Case Name: Villas 136 Case # 2-GP-2013 & 4-ZN-2013

Executive Summary for Villas 136 Case Remarks to City Planning Commission on May 8th 2013

My parcel Id # is 217-19-629 Parcel 6 c Lot # 1 MCR 380/11 Scottsdale Mountain Community aka 11808 North 137th Street 85259.

I wish to be clear that I have taken the time to attend several community meetings both with and without the developer present which included both Scottsdale Mountain HOA meetings, concerned citizen meetings and then personal meetings directly with the developers Mr(s) Geoffrey Becker Jones and John Russo along with their architect, Mr Job Bernhard.

While I am not in a state of total opposition to this project, I feel that concerns remain to be addressed and that further assurances from this developer are necessary before I can fully endorse the current plan to proceed with this development.

My first concern is the effect on my property valuation. I may be the single most effected person in this case, due to the close proximity of my property to the development, located directly across the street and at a slight elevation to the subject property. Any proposed changes to the site and it's present state of being will have a profound effect upon my line of sight and mountain vista and city lights views which have been recognized as valuable in an official appraisal which is available for your inspection.

During the meetings with this developer, I have continually voiced concerns specifically regarding the building heights of Buildings C through F and the placement of buildings J & K.. Further, the developer has failed to address and respond to my requests for disclosure of the chimney type and placement though out the project which are an integral part of and parcel to the current line of sight discussion and considerations.

To his credit- The developer has recognized my concerns, first in his non-scale artist renderings which prominently depict my home in them and then finally responding by competing a study from my property viewpoint, in which he acknowledges that my property will be significantly impacted. Very importantly- In the past two days he has proposed some eleventh hour changes to his plan which I haven't seen incorporated into the plans under present consideration this evening. Additionally his study is slightly flawed because it is based upon a camera and tripod height of 5.5 feet which doesn't recognize that people usually sit down on their patio's while enjoying their city lights views. I ask that this commission take all opportunity to include and review all of these proposed changes- prior to making any final recommendation to be tendered to the City Council.

Secondary concerns I wish to have taken under consideration in this case include the lack of access to a commercial development within walking distance of our community. In recent times, the city of Scottsdale has taken the position in numerous recent zoning hearings that walkability is desirable in our community planning process. The rezoning of this tract will force me as a resident of Scottsdale Mountain to shop in a Fountain Hills tax district at the closest Fry's store and or journey several miles away to the nearest Scottsdale shopping center

Safeway at the Ancala center which is located at FLW & Via Linda. The developer states an altruistic interest in redeveloping a vacate Walgreens store located adjacent the current site.

First I question his altruistic interest... Moreover, even if a convenience store becomes reality as a "an ancillary gift" from this developer, it is insufficient for all of my household needs and will still require me to take trips for the purpose of genera grocery shopping. This intern increases the traffic in the area which becomes a third concern. The developer has failed recognize that even though traffic study's exist in this case, he is proposing to raise the trips above and beyond the current study perimeters if his separate and distinct proposal for a commercial/retail redevelopment of a currently vacant shop becomes a reality in addition to the traffic increases this project brings to us.

Sale ability of said project.... The developer states his plan to sell these 89 new units will be priced at \$275 per square foot. Currently there are no comparable sales in this zip code above \$200 per square foot. This project may have the accumulative effect of trading one white elephant for yet another. This may further degrade our property value as it has the effect of lowering our property values when comparable sales in our vicinity fall far short of expected returns and therefore effect everyone's property values.

In Summary, This project isn't entirely compatible with the spirit of the area in which we live. It will effect the sky line in a negative fashion for some residents as it actually raises building heights above their current levels. A recent appraisal of my property recognizes the value of the views from my home and this developer acknowledges through his study that his proposal diminishes my view and therefore my home value. he has made an offer to lower the building heights which has not been fully recognized by this commission. The process for that eleventh hour negotiation is as yet incomplete.

I am asking this commission to recommend additional stipulations be placed upon the developer which further reduce and depress his proposed building heights in order to preserve the current line of sight, as seen from my property. This can be accomplished by regrading the land and or reducing the ceiling heights in the individually proposed units, but it is possible as the developer has shown us in his recent offer to reduce the nights from 1750 to 1749. I really need the building height to remain as it is now or to be no more than 1748 feet. Therefore we are asking for a small change which should be considered workable in this process. Further I seek have the commission address walkability issues by requiring entry and egress though the project, so we can access the current area retail stores without being forced to walk around the entire project.

In the absence of these workable agreements, this project should not be approved in it's currently proposed state.

Respectfully submitted in the best interests of all of my neighbors.

Jay Burwell
11808 North 137th Street
Scottsdale, Az 85259

480.661.1810

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WRITTEN COMMENTS

10

This card is used to submit written comments to the Board or Commission.
Written comment cards may be submitted to the Staff at any time. Cards submitted after public testimony has begun will be provided to the Board or Commission at the conclusion of the testimony for that item.

NAME (print) Gregg Robinson MEETING DATE 5/8/13

NAME OF GROUP/ORGANIZATION (if applicable) _____

ADDRESS 12449 N 137th Way ZIP 85259

HOME PHONE 480 860-9122 WORK PHONE N/A

E-MAIL ADDRESS(optional) gregg.robinson@cox.net

AGENDA ITEM # 4-2N-2013 (Villas 136) SUPPORT OPPOSE

COMMENTS (additional space is provided on the back) While I do support the Villas 136 project and their willingness to modify their project to be more acceptable to the residents of Scottsdale Mountain we are concerned about the long term traffic issues (current and potential) at the 136th and Via Linda intersection. The school traffic is already an issue. The SW corner is not yet developed. The congestion is significant

This card constitutes a public record under Arizona law.



WRITTEN COMMENTS

9/10

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NAME (print) Kimberly O'Neill MEETING DATE 5/8/2013

NAME OF GROUP/ORGANIZATION (if applicable) _____

ADDRESS 11684 N. 135th Way ZIP 85259

HOME PHONE 602 615 5059 WORK PHONE 602 364 2401

E-MAIL ADDRESS(optional) Kimberly.oneill@AZDHS.GOV

AGENDA ITEM # 9 & 10 SUPPORT OPPOSE

COMMENTS (additional space is provided on the back) This project will provide a great value added to this community. This property has been vacant for many years and is attracting transient RV's. We need a gated luxury community to bring the property values back up.

This card constitutes a public record under Arizona law.



WRITTEN COMMENTS



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NAME (print) Chuck Emerson MEETING DATE 5/8/13

NAME OF GROUP/ORGANIZATION (if applicable) Concerned Citizens of Scottsdale Mtn

ADDRESS 13614 E Geronimo R ZIP 85259

HOME PHONE 480 661-5705 WORK PHONE N/A

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

AGENDA ITEM # do not support nor ADJ OPPOSE this project. SUPPORT OPPOSE

COMMENTS (additional space is provided on the back) The developer did not reduce
hdg height from 3 stories to 2 stories. ESL Hillside
district only allows for 2 story hdgs. Another example
of misrepresentation we have endured for the past 1 1/2 yrs. What is
chris about this project is maintaining view corridors that
currently exist for all (mis) use of this project.

This card constitutes a public record under Arizona law.



WRITTEN COMMENTS

9810

This card is used to submit written comments to the Board or Commission.
Written comment cards may be submitted to the Staff at any time. Cards submitted after public testimony has begun will be provided to the Board or Commission at the conclusion of the testimony for that item.

NAME (print) Dolly Emerson MEETING DATE May 8, 2013

NAME OF GROUP/ORGANIZATION (if applicable) _____

ADDRESS 13614 E Geranimo Rd. Scottsdale, AZ ZIP 85259

HOME PHONE 480-661-5705 WORK PHONE _____

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

AGENDA ITEM # 2-GP-2013(Villas 136) SUPPORT OPPOSE

COMMENTS (additional space is provided on the back) 4-21-2013(Villas 136)
Geoffrey Becker, James and John Rosso
have communicated with me several times. They have changed
all the roofs to flat. They have reduced heights. Most importantly
they have embraced some of my suggestions to have wind sculptures
to include me in lighting, landscape and naming of the villas
which I appreciate.

This card constitutes a public record under Arizona law.



REQUEST TO SPEAK

9410

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) JOHN Blumentock MEETING DATE 5/8/13

NAME OF GROUP/ORGANIZATION (if applicable) Self

ADDRESS 11938 N. 137th St ZIP ~~48~~ 85259

HOME PHONE 480-350-7880 WORK PHONE 602-402-8572

E-MAIL ADDRESS (optional) _____

I WISH TO SPEAK ON AGENDA ITEM # 9/10 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

9

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) RANDY DEBES ^{Debus} MEETING DATE 5/8/2013

NAME OF GROUP/ORGANIZATION (if applicable) _____

ADDRESS 13976 E. GERONIMO Rd, Scottsdale ZIP _____

HOME PHONE 480.392.7872 WORK PHONE _____

E-MAIL ADDRESS (optional) _____

I WISH TO SPEAK ON AGENDA ITEM # 9 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.

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REQUEST TO SPEAK

9510

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) JAY C BURWELL MEETING DATE May 8 2013

NAME OF GROUP/ORGANIZATION (if applicable) INDIVIDUAL RESIDENT SCOTTSDALE MTN

ADDRESS 11808 N 137th Street Scottsdale AZ ZIP 85259

HOME PHONE 480 661 1810 WORK PHONE 480 206 7309

E-MAIL ADDRESS (optional) jayburwell@hotmail.com

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

I WISH TO SPEAK DURING "PUBLIC COMMENT"* CONCERNING Villas 136

*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.

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REQUEST TO SPEAK

9 & 10

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) JASON SANKS MEETING DATE May 9, 2013

NAME OF GROUP/ORGANIZATION (if applicable) SANKS ASSOCIATES LLC

ADDRESS 18006 E Ellis St, PHX 85042 ZIP 0

HOME PHONE 602 326 0581 WORK PHONE _____

E-MAIL ADDRESS (optional) jason@sanksassociates.com

I WISH TO SPEAK ON AGENDA ITEM # 9 & 10 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.

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REQUEST TO SPEAK

9/10

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) JIM SEIMER MEETING DATE 5/8/13

NAME OF GROUP/ORGANIZATION (if applicable) SELF

ADDRESS 7720 E. ONYX CT, SCOTTSDALE ZIP 85258

HOME PHONE _____ WORK PHONE 602-430-8266

E-MAIL ADDRESS (optional) _____

I WISH TO SPEAK ON AGENDA ITEM # 9+10 I WISH TO DONATE MY TIME TO _____

I WISH TO SPEAK DURING "PUBLIC COMMENT"* CONCERNING ZONING CHANGE

*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

9/10

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) Ray Fausseau MEETING DATE _____

NAME OF GROUP/ORGANIZATION (if applicable) _____

ADDRESS 4215 E Bell Rd # 135 ZIP 85028

HOME PHONE _____ WORK PHONE (602) 266-2802

E-MAIL ADDRESS (optional) pcsa2@hotmail.com

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

I WISH TO SPEAK DURING "PUBLIC COMMENT"* CONCERNING 2-GP-2013

*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.



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

WEDNESDAY, MAY 8, 2013

DRAFT SUMMARIZED MEETING MINUTES

PRESENT: Michael D'Andrea, Chairman
Ed Grant, Vice-Chair
Erik Filsinger, Commissioner
Matt Cody, Commissioner
David Brantner, Commissioner
Jay Petkunas, Commissioner

ABSENT: Michael Edwards, Commissioner

STAFF: Tim Curtis
Sherry Scott
Keith Niederer
Brad Carr
Don Meserve

CALL TO ORDER

Chair D'Andrea called the regular session of the Scottsdale Planning Commission to order at 5:09 p.m.

ROLL CALL

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

* Note: These are summary action minutes only. A complete copy of the meeting audio is available on the Planning Commission website at:
www.scottsdaleaz.gov/boards/PC.asp

MINUTES REVIEW AND APPROVAL

1. Approval of April 24, 2013 Regular Meeting Minutes including Study Session.

COMMISSIONER PETKUNAS MOVED TO APPROVE THE APRIL 24, 2013 REGULAR MEETING MINUTES, INCLUDING STUDY SESSION. SECONDED BY COMMISSIONER FILSINGER, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SIX (6) TO ZERO (0).

EXPEDITED AGENDA

2. 14-UP-2012 (AT&T WCF549-Giants Complex Club Sar)

COMMISSIONER PETKUNAS MOVED TO MAKE A RECOMMENDATION TO CITY COUNCIL, FOR APPROVAL OF CASE 14-UP-2012, PER THE STAFF RECOMMENDED STIPULATIONS, AFTER FINDING THAT THE CONDITIONAL USE PERMIT CRITERIA HAVE BEEN MET; SECONDED BY COMMISSIONER FILSINGER. THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SIX (6) TO ZERO (0).

3. 2-ZN-2013 (La-Z-Boy Furniture Rezone)

COMMISSIONER PETKUNAS MOVED TO MAKE A RECOMMENDATION TO CITY COUNCIL, FOR APPROVAL OF CASE 2-ZN-2013, PER THE STAFF RECOMMENDED STIPULATIONS, AND AFTER DETERMINING THAT THE PROPOSED ZONING MAP AMENDMENT IS CONSISTENT AND CONFORMS WITH THE ADOPTED GENERAL PLAN; SECONDED BY COMMISSIONER FILSINGER. THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SIX (6) TO ZERO (0).

4. 14-ZN-2012 & 5-HP-2012 (Glass & Garden Community Church HP Overlay Zoning)

MOVED TO REGULAR: COMMISSIONER FILSINGER MOVED TO MAKE A RECOMMENDATION TO CITY COUNCIL, FOR APPROVAL OF CASES 14-ZN-2012 AND 5-HP-2012; AFTER DETERMINING THAT THE PROPOSED ZONING MAP AMENDMENT IS CONSISTENT AND CONFORMS WITH THE ADOPTED GENERAL PLAN, AND AFTER FINDING THAT THE GLASS AND GARDEN CHURCH MEETS THE ELIGIBILITY CRITERIA FOR HP DESIGNATION; SECONDED BY COMMISSIONER PETKUNAS. THE MOTION CARRIED WITH A VOTE OF FOUR (4) TO ONE (1) WITH COMMISSIONER BRANTNER DISSENTING.

5. 15-ZN-2012 & 6-HP-2012 (Holy Cross Lutheran Church HP Overlay Zoning)

MOVED TO REGULAR: COMMISSIONER PETKUNAS MOVED TO MAKE A RECOMMENDATION TO CITY COUNCIL, FOR APPROVAL OF CASES 15-ZN-2012 AND 6-HP-2012; AFTER DETERMINING THAT THE PROPOSED ZONING MAP AMENDMENT IS CONSISTENT AND CONFORMS WITH THE ADOPTED GENERAL PLAN, AND AFTER FINDING THAT THE HOLY CROSS LUTHERAN CHURCH MEETS THE ELIGIBILITY CRITERIA FOR HP DESIGNATION; SECONDED BY COMMISSIONER CODY. THE MOTION CARRIED WITH A VOTE OF THREE (3) TO TWO (2) WITH COMMISSIONER FILSINGER AND COMMISSIONER BRANTNER DISSENTING.

Lois Fitch provided written comments.

6. 5-ZN-2013 & 1-HP-2013 (First Church of Christ, Scientist HP Overlay Zoning)

MOVED TO REGULAR: COMMISSIONER CODY MOVED TO MAKE A RECOMMENDATION TO CITY COUNCIL, FOR APPROVAL OF CASES 5-ZN-2013 AND 1-HP-2013; AFTER DETERMINING THAT THE PROPOSED ZONING MAP AMENDMENT IS CONSISTENT AND CONFORMS WITH THE ADOPTED GENERAL PLAN, AND AFTER FINDING THAT THE FIRST CHURCH OF CHRIST, SCIENTIST MEETS THE ELIGIBILITY CRITERIA FOR HP DESIGNATION; SECONDED BY COMMISSIONER PETKUNAS. THE MOTION CARRIED WITH A VOTE OF THREE (3) TO TWO (2) WITH COMMISSIONER FILSINGER AND COMMISSIONER BRANTNER DISSENTING.

Janet Dorris provided written comments

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www.scottsdaleaz.gov/boards/PC.asp

REGULAR AGENDA

7. 1-GP-2013 (60th Street & Carefree Highway)
COMMISSIONER FILSINGER MOVED TO MAKE A RECOMMENDATION TO CITY COUNCIL, FOR APPROVAL OF CASE 1-GP-2013, FOR A NON-MAJOR GENERAL PLAN AMENDMENT TO THE CITY OF SCOTTSDALE GENERAL PLAN 2001 FROM THE CULTURAL INSTITUTIONAL/PUBLIC USE LAND USE CATEGORY TO THE SUBURBAN NEIGHBORHOODS LAND USE CATEGORY ON APPROXIMATELY 13.14+/- ACRES LOCATED NEAR THE SOUTHEAST CORNER OF N. 60TH STREET AND E. CAREFREE HIGHWAY; SECONDED BY COMMISSIONER CODY. THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SIX (6) TO ZERO (0).
8. 1-ZN-2013 (60th Street & Carefree Highway)
COMMISSIONER FILSINGER MOVED TO MAKE A RECOMMENDATION TO CITY COUNCIL, FOR APPROVAL OF CASE 1-ZN-2013, PER THE STAFF RECOMMENDED STIPULATIONS, AND AFTER DETERMINING THAT THE PROPOSED ZONING MAP AMENDMENT IS CONSISTENT AND CONFORMS WITH THE ADOPTED GENERAL PLAN; SECONDED BY COMMISSIONER CODY. THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SIX (6) TO ZERO (0).
9. 2-GP-2013 (Villas 136)
COMMISSIONER FILSINGER MOVED TO MAKE A RECOMMENDATION TO CITY COUNCIL, FOR APPROVAL OF CASE 2-GP-2013, FOR A NON-MAJOR GENERAL PLAN AMENDMENT TO THE CITY OF SCOTTSDALE GENERAL PLAN 2001 FROM THE COMMERCIAL LAND USE CATEGORY TO THE URBAN NEIGHBORHOODS LAND USE CATEGORY ON APPROXIMATELY 8.8+/- ACRES LOCATED AT THE SOUTHEAST CORNER OF N. 136TH STREET AND E. COYOTE ROAD; SECONDED BY COMMISSIONER PETKUNAS. THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SIX (6) TO ZERO (0).

Ray Foussae, Jim Seimer, Jason Sanks, Jay C. Burwell, Randy Debes, John Blumonstock provided comments on items 9 & 10.

Chuck Emerson, Dolly Emerson, Kimberly O'Neill, Gregg Robinson provided written comments on items 9 & 10.

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10. 4-ZN-2013 (Villas 136)

COMMISSIONER FILSINGER MOVED TO MAKE A RECOMMENDATION TO CITY COUNCIL, FOR APPROVAL OF CASE 4-ZN-2013, PER THE STAFF RECOMMENDED STIPULATIONS, AND AFTER DETERMINING THAT THE PROPOSED ZONING MAP AMENDMENT IS CONSISTENT AND CONFORMS WITH THE ADOPTED GENERAL PLAN; SECONDED BY COMMISSIONER PETKUNAS. THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SIX (6) TO ZERO (0).

ADJOURNMENT

With no further business to discuss, the regular session of the Planning Commission adjourned at 6:40 p.m.

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www.scottsdaleaz.gov/boards/PC.asp

Villas 136

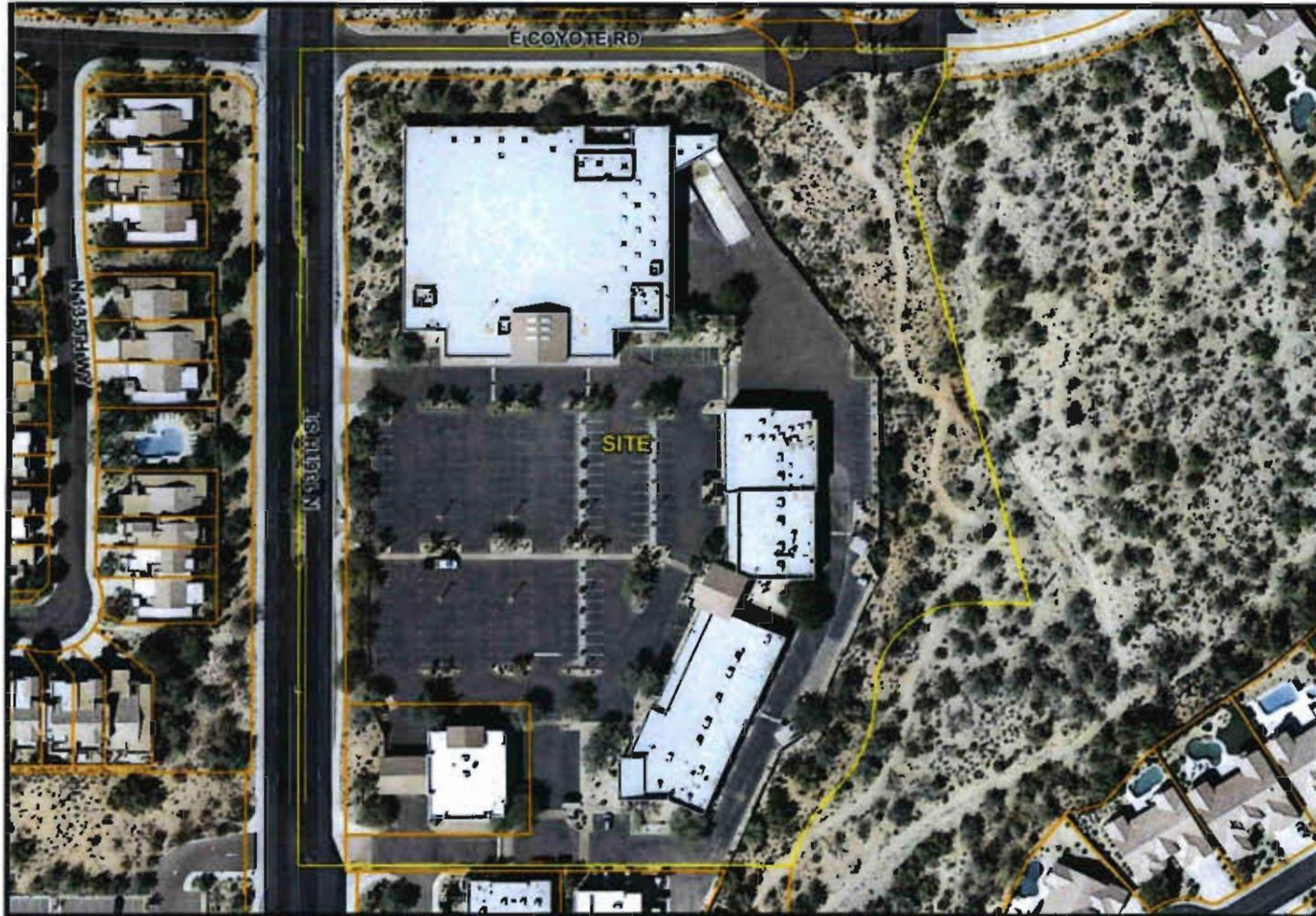
2-GP-2013 / 4-ZN-2013

City Council

June 4, 2013

Keith Niederer

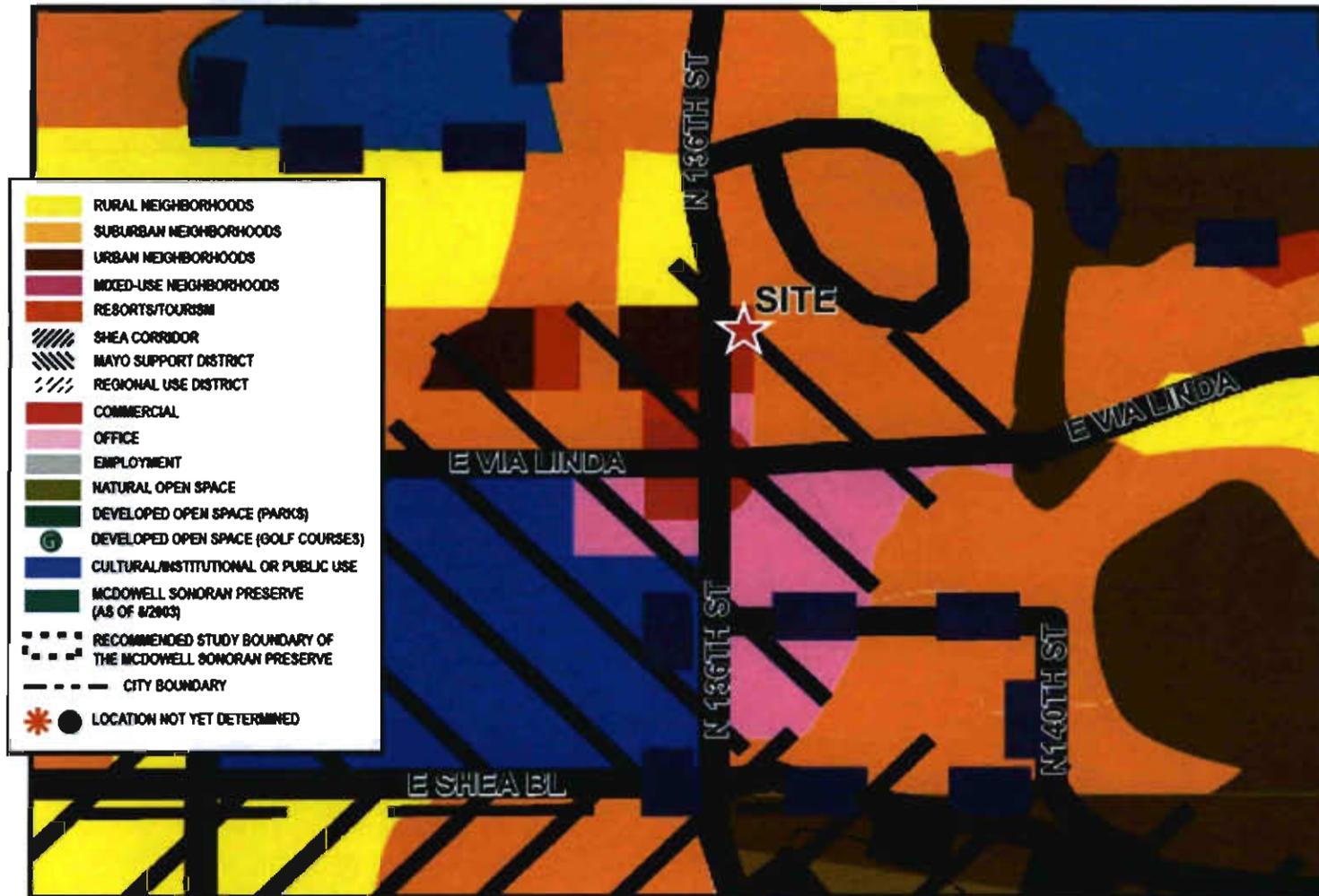
Villas 136



CLOSE AERIAL

2-GP-2013 / 4-ZN-2013

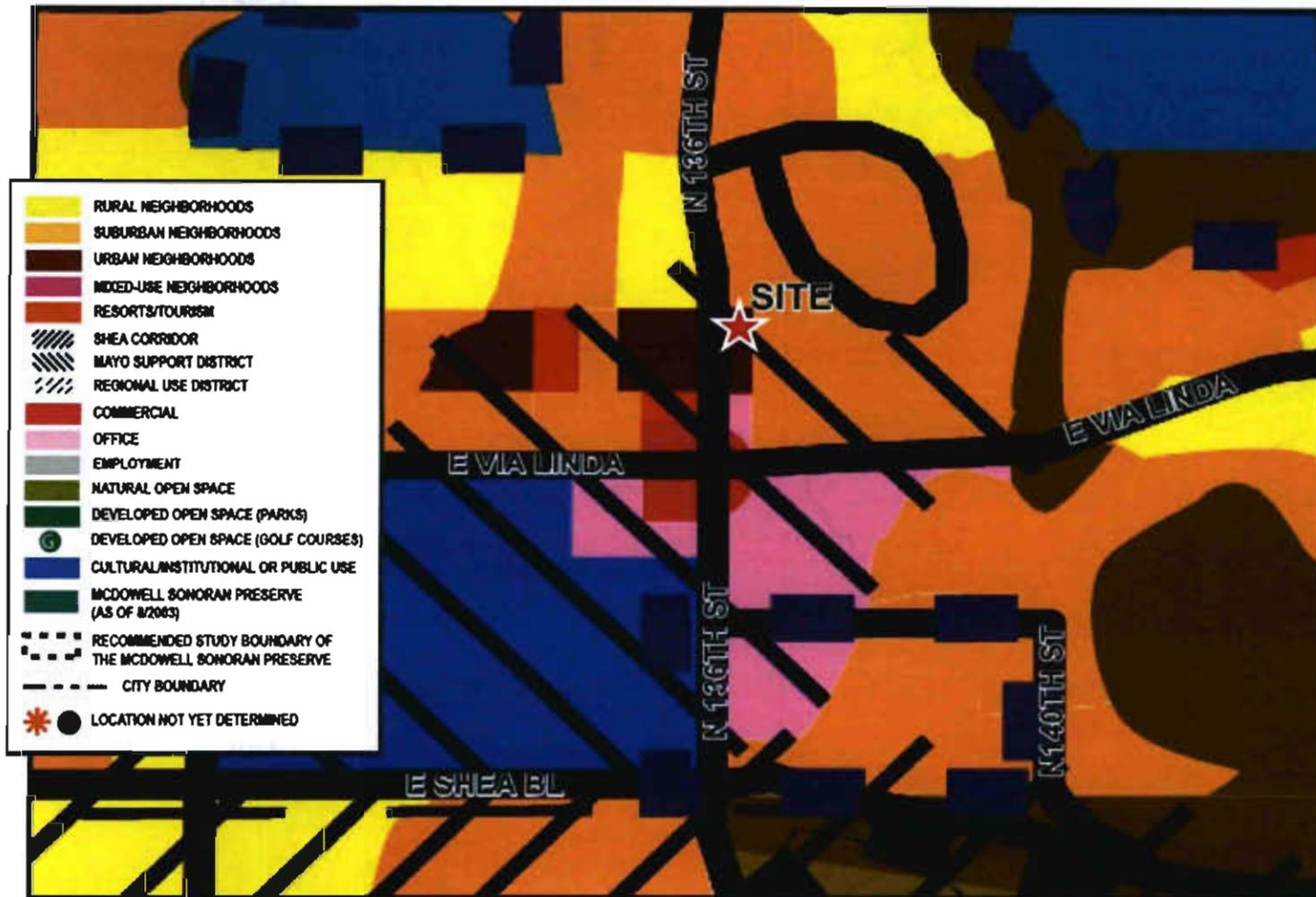
Villas 136



EXISTING LAND USE

2-GP-2013 / 4-ZN-2013

Villas 136

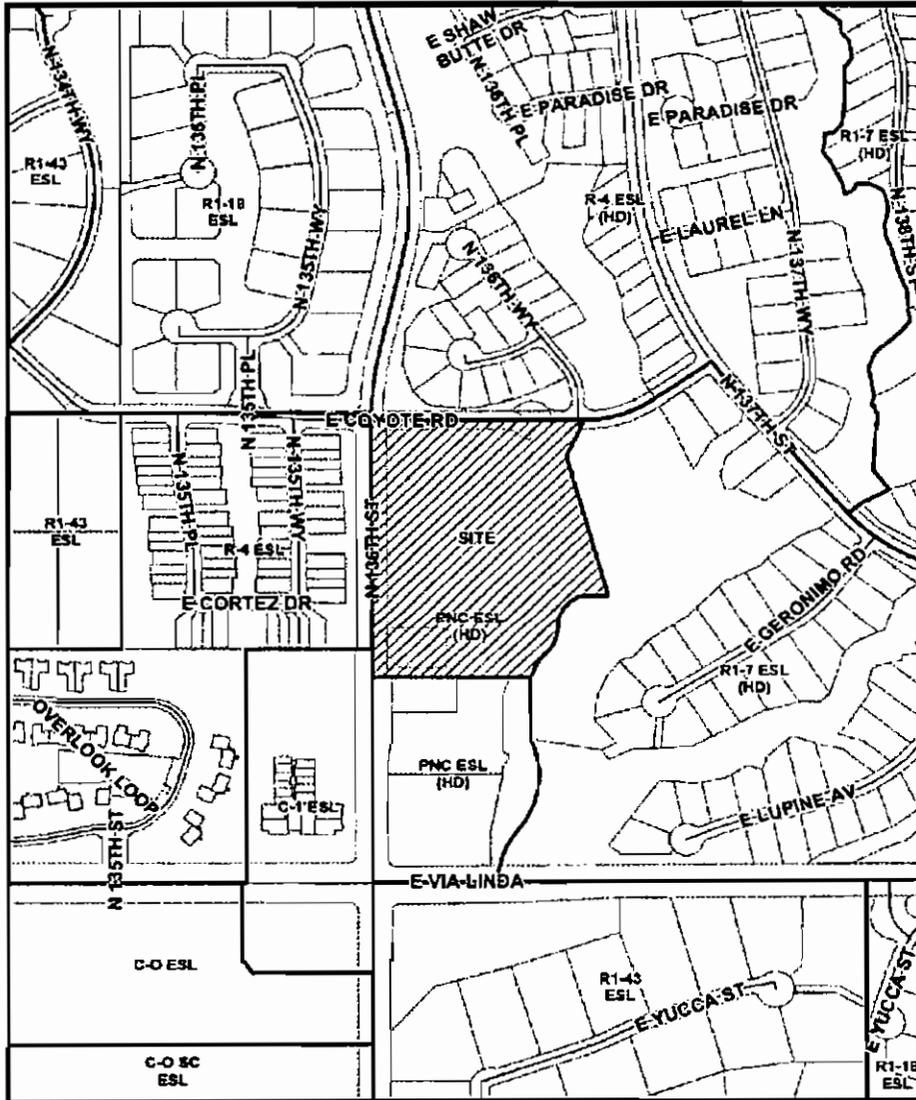


Request 1:
 Minor GP
 Amendment
 From
 Commercial
 To
 Urban
 Neighborhoods

PROPOSED LAND USE

2-GP-2013 / 4-ZN-2013

Villas 136



- Property has been zoned PNC since 1979.
- Shopping center was approved in 1998.
- Request 2 is for a zoning map amendment from PNC ESL to R-3 ESL.



ZONING MAP

2-GP-2013 / 4-ZN-2013

Villas 136

- 90 units
- 10 main buildings
- 1 carriage building
- 1 garage building
- 1 amenity building

- 25' from FFE
- 30' above natural grade

SITE PLAN
2-GP-2013 / 4-ZN-2013



Villas 136

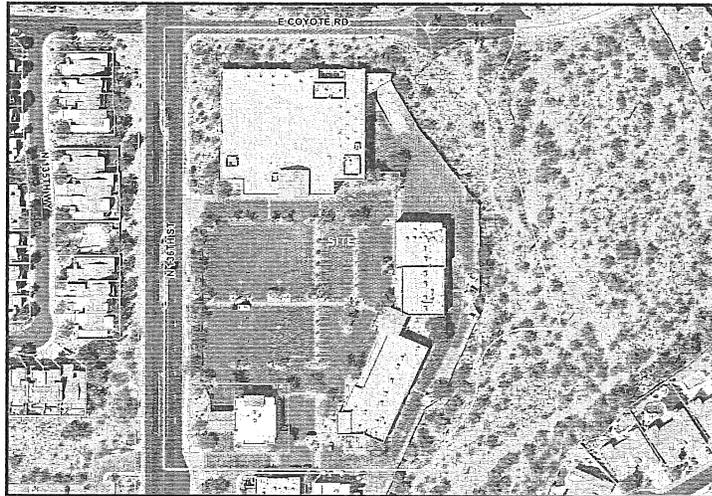
Development Standards	Existing PNC Zoning	Standard R-3 Zoning	Proposed R-3 Zoning
Density	4 units per gross acre (35 units max)	12.95 du/ac, 114 units	10.23 du/ac, 90 units
FAR	102,326 s.f. of floor area at a .3 FAR 64,500 s.f. exist today	N/A	N/A
Building Height	25-feet built, with tower element to 35-feet above finished floor	30-feet above natural grade	25-feet above finished floor, 30-feet above natural grade
NAOS	3.14 acres	2.55 acres	2.59 acres
Open Space	51,163 s.f.	122,791 s.f.	122,802 s.f.
Parking	215 spaces required, 264 spaces existing	Varies by floor plans	91 garage spaces and 17 surface spaces 82 spaces behind garages
Traffic	5,107 daily trips estimated	662 daily trips estimated	527 daily trips estimated

Villas 136

Applicant's Presentation

2-GP-2013 / 4-ZN-2013

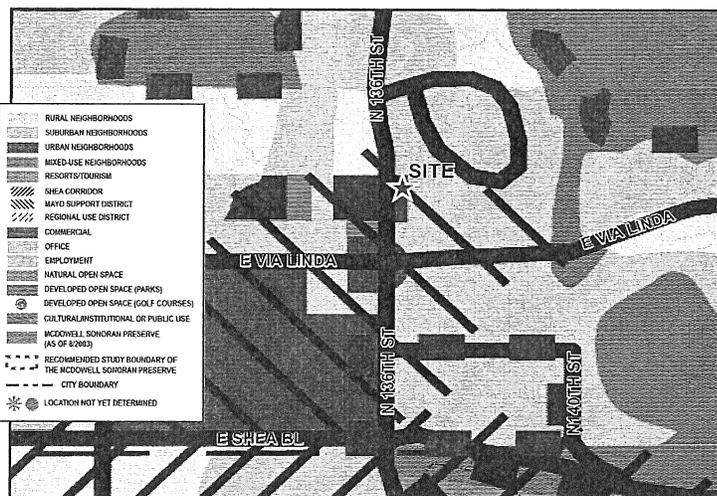
Villas 136



CLOSE AERIAL

2-GP-2013 / 4-ZN-2013

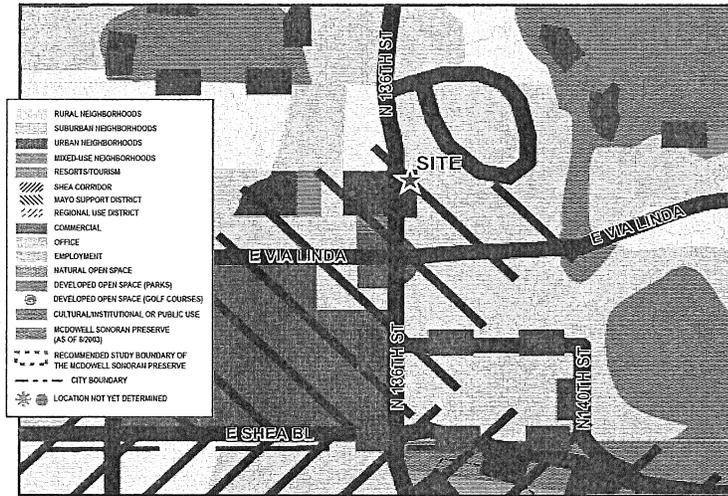
Villas 136



EXISTING LAND USE

2-GP-2013 / 4-ZN-2013

Villas 136

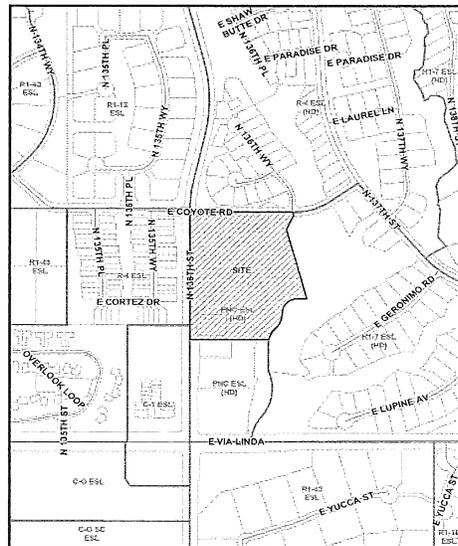


Request 1:
Minor GP
Amendment
From
Commercial
To
Urban
Neighborhoods

PROPOSED LAND USE

2-GP-2013 / 4-ZN-2013

Villas 136



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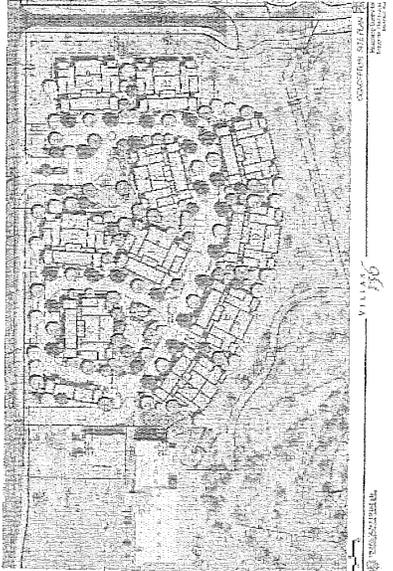
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2-GP-2013 / 4-ZN-2013

Villas 136

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- 30' above natural grade



SITE PLAN
2-GP-2013 / 4-ZN-2013



Villas 136

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Villas 136

Applicant's Presentation

2-GP-2013 / 4-ZN-2013