



**SCOTTSDALE DEVELOPMENT REVIEW BOARD
KIVA-CITY HALL
3939 DRINKWATER BOULEVARD
SCOTTSDALE, ARIZONA**

THURSDAY, JANUARY 22, 2009

MEETING MINUTES

PRESENT: Robert Littlefield, Council Member
Michael Edwards, Vice Chairman
David Brantner, Development Member
Eric Gerster, Development Member
Eric Hess, Planning Commission Member
Jeremy Jones, Design Member
David Ortega, Design Member

STAFF: Greg Bloemberg
Brad Carr
Bryan Cluff
Joe Collins
Don Hadder
Jesus Murillo
Keith Niederer
Joe Padilla
David Reichert
Dan Symer
Meredith Tessier
Steve Venker

CALL TO ORDER

Councilman Littlefield called the meeting of the Scottsdale Development Review Board to order at 1:03 p.m.

ROLL CALL

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

OPENING STATEMENT

Councilman Littlefield read the opening statement that describes the role of the Development Review Board and the procedures used in conducting this meeting. He made special note of the focus on quality building and design.

MINUTES

1. Approval of December 18, 2008 Development Review Board Study Session Minutes
2. Approval of December 18, 2008 Development Review Board Meeting Minutes

VICE-CHAIRMAN EDWARDS MOVED TO APPROVE THE DECEMBER 18, 2008 DEVELOPMENT REVIEW BOARD MEETING MINUTES INCLUDING THE STUDY SESSION. SECONDED BY BOARD MEMBER ORTEGA, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SEVEN (7) TO ZERO (0).

CONSENT AGENDA

It was the consensus of the Board to move item four, 10-PP-2008 Summit Vistas, to the regular agenda.

3. 4-PP-2008 Hawk Nest Desert Estates
5. 66-DR-2008 Newpath Networks Antenna Site

Councilman Littlefield withdrew his previous objection to approval, which had been based on the concern that approval would set precedent that would be used to influence contract negotiations with the City Council. He noted that Newpath submitted a letter indicating they would not attempt to use an approval to affect negotiations.

Mr. Clif Tait spoke on behalf of Grayhawk residents in opposition to the Newpath applications. He felt that the installations were premature and would deteriorate the desert and detrimentally affect the Grayhawk community.

6. 72-DR-2008 Discount Tire

Board Member Ortega provided positive comments regarding the revised elevations and coordination with the Scottsdale streetscape plan.

7. 78-DR-2008 Newpath Networks, LLC - WCF H145-02
8. 91-DR-2008 Perimeter Center Office
9. 104-DR-1981#2 Scottsdale Financial Center
10. 101-DR-2008 Club Troon Residences
11. 29-DR-2005#4 Rancho Reata Parcel B-1

APPROVED 02-05-2009/cb

VICE-CHAIRMAN EDWARDS MOVED TO APPROVE ITEMS 4-PP-2008, 66-DR-2008, 72-DR-2008, 78-DR-2008, 91-DR-2008, 104-DR-1981#2, 101-DR-2008, AND 29-DR-2005#4. SECONDED BY BOARD MEMBER JONES, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SEVEN (7) TO ZERO (0).

REGULAR AGENDA

4. 10-PP-2008 Summit Vistas

Mr. Murillo reviewed the case which was submitted in conjunction with an abandonment case, 9-AB-2004#2. He highlighted wash locations related to the site plan and reviewed the amended development standards requests.

Mr. Robert Hartsock explained that the intent was to build custom homes that would integrate the natural features of each site. Because significant changes were made to the preliminary plat, amended development standards are requested in order to fit the building envelopes between the washes. As part of the project a public trail will be routed along the northern boundary within the scenic corridor easement. He felt the development would serve as an example of the positive relationships possible between development and the unique features of the Sonoran Desert.

In response to a question by Councilman Littlefield, Mr. Hadder explained that the City is currently in negotiations with the owner to purchase approximately three acres to be used for a fire station. Discussion is agendaized for City Council in February.

Board Member Brantner noted appreciation for Mr. Hartsock's efforts in minimizing the effects of the development on the natural landscape.

In response to a question by Board Member Brantner, Mr. Hartsock explained how the site would be adjusted if lots 9, 10, and 11 are purchased by the City.

In response to a question by Board Member Ortega, Mr. Hartsock explained that there would be no street destruction in relation to installing sewer and utility lines. He noted that the lots would be individually owned and no HOA would be necessary for the subdivision.

Mr. John May owner of two adjacent parcels expressed concerns about the project. He felt the reduced setbacks will allow structures to be put on lots that are not buildable; natural elements such as washes and boulders will be affected. Allowing smaller lots will affect the open space of the area and diminish surrounding property values.

Mr. Phil Rogers spoke in opposition to the project, noting concern about the small sites and destruction of the natural landscape.

Mr. Jon Hanlon expressed concerns about density, that exterior walls might be constructed, and about maintaining the NAOS along Cave Creek Road.

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Mr. Dave Ehrhard noted that the majority of neighbors are opposed to the project density and setbacks. He also expressed concern about the possible fire station, which he felt was unnecessary for the area because they receive fire service from an existing station.

Mr. Bob Krahman spoke in opposition to the project density; lots should be kept to one acre and height should be minimized.

Mr. Murillo explained that the ESL requires height to be limited to 24 feet.

Mr. Robert Reed had no objection to building on the site, but felt the lots should be kept to one acre. He was concerned about setting precedent by allowing the Applicant to circumvent the rules pertaining to the area. He noted a potential drainage problem that would be created.

In response to a request by Board Member Brantner, Mr. Hadder reviewed the proper procedure for amended development standards in the ESL. Approximately two years ago City Council approved an amendment making the process available to smaller sites. The neighborhood to the east was created through a lot split and therefore was not provided the opportunity to amend setbacks.

Board Member Brantner commented that there is a minimum 30-foot requirement between structures on neighboring properties. Mr. Murillo confirmed that because of the 15-foot amended development standards, each lot is required to provide 15 feet for a total of 30 feet.

Councilman Littlefield commented that the preliminary plan was similar in many ways to rezoning cases; the one objection he has had while on City Council has been carving away at design standards in the City, especially in the northern areas. He recalled the City assuring property owners that the character of the area would be maintained after annexation. He noted opposition to the project, because unless a compelling public benefit exists, development should occur within the existing standards.

Board Member Jones agreed with Councilman Littlefield's comments. He noted that the developer had good intentions; however, the net effect of producing smaller lots and the extent of those effects would set a bad precedent for the area.

Board Member Ortega noted the difficulty of creating lots on triangular sites. He was not convinced that the site was designed efficiently; more sites could meet the one-acre criteria. He expressed an interest in continuing the case in order to allow for further study of the site plan.

Board Member Gerster agreed that triangular sites are difficult to develop.

Councilman Littlefield felt that the case should be denied and the Applicant should return with a more acceptable plot. He commented that it would be more beneficial to the Applicant if he knew the results of the fire station land acquisition.

Mr. Hadder explained that if denied the Applicant would be required to start over from the beginning of the application process; a continuation would allow discussion and lot adjustments without starting over. The fire station land acquisition would not negatively affect the existing plan; site plan adjustments could be made to accommodate the reduction.

Board Member Jones agreed that the most appropriate motion would be for continuance.

Councilman Littlefield noted that he would oppose the application regardless of the results of the land acquisition.

BOARD MEMBER ORTEGA MOVED TO CONTINUE 10-PP-2008, SUMMIT VISTAS, TO A DATE TO BE DETERMINED. COMMISSIONER HESS SECONDED THE MOTION.

Mr. Hartsock argued that the site had been designed to follow the ESL guidelines and fit the topography; if the plan is not approved with amended standards he sees no alternative but to move the washes. He compared the size of the lots to those of neighboring subdivisions, noting that he is only requesting an eight percent reduction leaving a larger average lot size.

Commissioner Hess suggested that the Applicant take the opportunity to meet with neighbors and further discuss their concerns. He commented that neighbors had ample opportunity to express their concerns at open houses prior to the hearing. He noted that Board Members are always available to consult with Applicants prior to the case coming forward for review.

Councilman Littlefield reiterated that he is personally always opposed to all density increases. Any property within the City of Scottsdale can be profitably improved within the current standards. Additional density should not be granted unless a compelling public reason is proven.

THE MOTION CARRIED WITH A VOTE OF SIX (6) TO ONE (1). BOARD MEMBER BRANTNER DISSENTED.

12. 22-DR-2008 Studio Bravo

Mr. Carr reviewed the building elevations and landscape plan. Remodeling primarily consists of upgrading of the façade. The existing business will maintain its current use and is surrounded by retail, office, restaurant/bar, and parking uses.

Board Member Jones noted that the parcel was obviously an add-on to the building that attempted to match what was existing; he noted the poor condition of the entire building. He commented on specific positive and negative design points, which he felt were given minimal effort and would provide a temporary solution; there was an abrupt inconsistency with the rest of the building.

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Ms. Vivian Ayala explained that the goal was to modernize the building and define the business as a separate entity. Ms. Ann Cartwright noted that she hoped her remodeling would encourage other businesses on the street to make improvements.

Board Member Brantner agreed that they were in a difficult situation because any modern design solution will be inconsistent with the existing architecture. He noted his support of the project because it was an improvement and he agreed the effort might encourage other businesses to improve their properties.

Board Member Gerster agreed that remodeling would be an improvement to the area but did not feel that the proposed design was complementary to the existing buildings.

In response to questions by Board Member Ortega, Ms. Ayala presented photographs depicting the seams between the original building and the addition that is being remodeled, noting that they hoped it would appear to stand on its own. She explained that because the building was on a zero lot line, the City was permitting them 18 inches for landscaping. Board Member Ortega made suggestions that would improve the design and strengthen the storefront by shadowboxing the windows. He commented on the deterioration that would occur with the wood attachments and screws. Ms. Ayala said that the wood would be composite and would not require maintenance.

Board Member Gerster suggested raising the parapet and adding a color band to create a transition.

Board Member Brantner noted that after reviewing the color board he was unsure about the use of the composite wood.

Board Member Jones suggested changes that could be included as stipulations to improve the design and make it less in conflict with the surrounding buildings.

Councilman Littlefield commented that generally it is hoped that development will be in context; however, when the existing context is undesirable context is more flexible.

BOARD MEMBER JONES MOVED TO APPROVE 22-DR-2008, STUDIO BRAVO, WITH THE STIPULATION THAT THE APPLIED SIDING BE LIMITED TO WAINSCOT AT THE SILL LEVEL OF THE WINDOWS AND BELOW AND THAT THE DESIGN BE SIMPLIFIED TO SIMPLE STUCCO AND THE DESIGN ELEMENTS SHOWN.

Board Member Ortega suggested that the wainscot be capped by metal trim, which would provide a more rugged appearance.

VICE-CHAIRMAN JONES ADDED A STIPULATION TO CAP THE WAINSCOT WITH METAL TRIM. SECONDED BY BOARD MEMBER BRANTNER, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SEVEN (7) TO ZERO (0).

APPROVED 02-05-2009/cb

ADJOURNMENT

With no further business to discuss, the regular session of the Development Review Board adjourned at 2:37 p.m.

Respectfully submitted,
AV-Tronics, Inc

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