

CITY COUNCIL REPORT



Meeting Date: December 2, 2014
 General Plan Element: *Land Use*
 General Plan Goal: *Create a sense of community through land uses*

ACTION

Graythorn
12-GP-2013 & 21-ZN-2004#2

Request to consider the following:

1. Adopt Resolution No. 9921 approving a non-major General Plan amendment to change the City of Scottsdale General Plan 2001 land use designation from Office to Suburban Neighborhoods on an approximate 4.6 +/- acre property located at the Northeast corner of N. 98th Street and E. McDowell Mountain Ranch Road.
2. Adopt Ordinance No. 4175 approving a Zoning District Map Amendment to amend the site plan and prior zoning stipulations, which were approved with case 21-ZN-2004, including an amendment to the Development Plan, finding that the proposed Zoning District Map Amendment is consistent with the adopted City of Scottsdale General Plan 2001 on an approximate 4.6 +/- acre property located at the Northeast corner of N. 98th Street and E. McDowell Mountain Ranch Road with Planned Community (P-C) District zoning with a comparable Service Residential, Environmentally Sensitive Lands (S-R ESL) zoning district.
3. Adopt Resolution No. 9922 declaring "Graythorn Development Plan," as a public record.

Key Items for Consideration

- General Plan Goals and Policies
- 30 new, single-story residential condominium units.
- Airport Advisory Commission recommended approval by a vote of 4-1 at their May 14, 2014 meeting.
- Project would add a new residential use adjacent to Westworld
- Minimal public comment regarding the application.
- Planning Commission heard these cases on October 22, 2014 and recommended approval with a unanimous vote of 7-0.

OWNER

Mac98, LLC
 602-989-3630

Action Taken _____

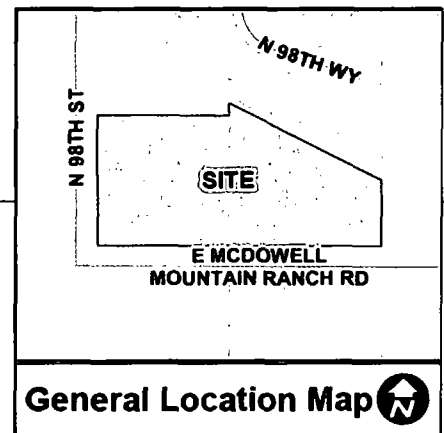
APPLICANT CONTACT

William J. Patterson
Cypress Group
602-329-0943

LOCATION

16039 N 98th St

Northeast Corner of N. 98th Street and E. McDowell Mountain Ranch Road.



BACKGROUND

General Plan

The 2001 General Plan Conceptual Land Use Map designates the property as Office. This land use category includes a variety of office uses, inclusive of minor offices. Minor offices have a residential scale and character which generate low to moderate traffic volumes and could be located along collector as well as arterial streets.

Character Area Plan

There is currently no adopted Character Area Plan for this area.

Zoning

The site is currently zoned Planned Community District, Environmentally Sensitive Lands (P-C ESL) with a comparable zoning of Service-Residential, Environmentally Sensitive Lands (S-R ESL). Zoning case 21-ZN-2004 was stipulated to a site plan having offices.

Context

The subject property is located at the northeast corner of N. 98th Street and E. McDowell Mountain Ranch Road. Please refer to context graphics attached.

Adjacent Uses, Land Use and Zoning

- North Horseman's Park single-family residential subdivision, with a General Plan land use designation of Suburban Neighborhoods and zoned single-family residential, R1-5 PCD ESL.
- South Westworld Multi-Use event facility, with a General Plan land use designation of Cultural Institutional or Public Use and Office with a zoning of Western Theme Park, W-P, with the vacant 1.6 acre property zoned R1-35 PCD ESL.
- East Horseman's Park single-family residential subdivision, with a General Plan land use designation of Suburban Neighborhoods and zoned single-family residential R1-5 PCD ESL.
- West Westworld Multi-Use event facility, with a General Plan land use designation of Suburban Neighborhoods and zoned Western Theme Park, W-P.

Other Related Policies, References:

2001 City of Scottsdale General Plan

22-ZN-1972: Rezoned the property from County Rural-35 to R1-35 after annexation.

55-Z-1990: The Environmentally Sensitive Lands zoning overlay is applied to the property on February 19, 1991.

33-ZN-2000: Rezoned the property from R1-35 ESL to Planned Community District, Environmentally Sensitive Lands with a comparable R1-35 zoning (R1-35 PCD ESL).

3-GP-2004: Amended the General Plan 2001 land use designation from Suburban Neighborhoods to Office.

21-ZN-2004: Rezoned the property from Planned Community with a comparable zoning of R1-35 (R1-35 PCD ESL) to Planned Community with a comparable zoning district of Service Residential, Environmentally Sensitive Lands (S-R PCD ESL).

1-AB-2004: Abandoned the 33-foot wide General Land Office (GLO) patent roadway easement within the subject property.

APPLICANTS PROPOSAL

Goal/Purpose of Request

The applicant's request is for a non-major General Plan amendment to change the City of Scottsdale General Plan 2001 land use designation from Office to Suburban Neighborhoods, and a Zoning District Map Amendment to amend the site plan and prior zoning stipulations, which were approved with case 21-ZN-2004, including an amendment to the Horseman's Park East Development Plan.

The applicant's proposal is to develop the site with 30 single-story residential condominium units. Access to the gated development will be from E. McDowell Mountain Ranch Road near the eastern end of the site. The Verde Canal and berm which separates the subject property from the existing single-family residential subdivision to the north and east will remain mostly intact and preserved as Natural Area Open Space. A large wash, which runs north to south across the western portion of the site, will also remain mostly intact and preserved as Natural Area Open Space, except where the street and associated drainage culvert crosses the wash. A minimum 25-foot wide building setback is proposed from the N. 98th Street right-of-way line, and a minimum 10-foot wide building setback with an average 34-foot building setback is proposed along E. McDowell Mountain Ranch Road right-of-way line.

Development Information

- | | |
|-----------------|---|
| • Existing Use: | Undeveloped |
| • Proposed Use: | 30 units single-story condominium development |
| • Parcel Size: | 3.6 +/- net acres, 4.6 +/- gross acres |

- Building Height Allowed: 18 feet above natural grade
- Building Height Proposed: 18 feet above natural grade
- Open Space Required: 56,434 s.f. (1.30 acres)
- Open Space Provided: 61,174 s.f. (1.40 acres)
- Front Open Space Required: 18,812 s.f. (.43 acres)
- Front Open Space Provided: 27,942 s.f. (.64 acres)
- NAOS Required: 38,315 s.f. (.88 acres)
- NAOS Provided: 41,816 s.f. (.96 acres)
- Density Allowed: 12.4 dwelling units per acre (57 units)
- Density Proposed: 6.6 dwelling units per acre (30 units)

NON-MAJOR GENERAL PLAN AMENDMENT ANALYSIS

General Plan

The request is for a non- major General Plan amendment from the Office land use designation to the Suburban Neighborhoods land use designation on an approximate 4.6 +/- acre site. The Suburban Neighborhoods category includes medium to small-lot single-family neighborhoods or subdivisions. Densities within Suburban Neighborhoods are usually more than one unit per acre, but less than eight units per acre.

General Plan Amendment Criteria

Criteria #1: Change in Land Use Category

Typically, the applicant's request would be determined as a major General Plan amendment based upon the criteria outlined in the City of Scottsdale General Plan 2001. More specifically, the Change in Land Use Category Table (Criterion #1) identifies that a change from Office (Group E) to Suburban Neighborhoods (Group B) constitutes a major General Plan amendment. However, the "General Plan" Section of the 2001 General Plan, Page 24, also allows for a project applicant to appeal the designation of a major amendment to the Chief Planning Officer, or the position equivalent, who will evaluate the appeal and make a major amendment determination.

The applicant's initial submittal (December 2013) and second submittal (June 2014) was a request to amend the land use designation from Office to Urban Neighborhoods; a non-major General Plan amendment. At that time, the applicant proposed to construct 33 dwelling units on the 4.6 acre site. The Urban Neighborhoods land use definition identifies expected densities as usually more than eight units per acre. However, the applicant was unable to assemble a site plan that would function with the proposed housing type, satisfy city design and technical requirements at the zoning level, and maintain the density described by the Urban Neighborhoods land use definition.

In an effort to assemble a site plan that would function with the proposed housing type and satisfy city design and technical requirements, the applicant's third submittal (August 2014) produced a site plan that provided 30 dwelling units on the 4.6 acre site, a resulting 6.6 dwelling units per acre. Subsequently, staff determined that the proposed density of 6.6 du/acre, as described by the

General Plan land use densities, met the definition of the Suburban Neighborhoods land use designation and not Urban Neighborhoods. Consequently, pursuant to Criterion #1 – Change in Land Use Category, a change from Office to Suburban Neighborhoods land use designation determined by the 2001 General Plan is a major General Plan amendment. Through a series of submittals in an attempt to address staff's zoning comments, the applicant decided to exercise their right to appeal on August 29, 2014. This appeal was submitted to Planning and Development Services Director, Randy Grant; the position equivalent of the Chief Planning Officer.

Planning and Development Services Director, Randy Grant recognized that the current General Plan land use designation of Office and the companion zoning entitlements were approved in 2004 (Cases 3-GP-2004/21-ZN-2004) yet no office use has been developed on the subject property in the past ten years under these entitlements. Mr. Grant also recognized that prior to the major amendment approval to the Office land use designation in 2004; the subject property was previously designated as Suburban Neighborhoods under the 2001 General Plan. As part of the 2001 General Plan adoption process, this Suburban Neighborhoods designation was City Council approved, and voter ratified by the community.

Consequently, Mr. Grant determined that since the applicant's current request constitutes a reversal back to the previously designated General Plan land use of Suburban Neighborhoods originally approved under the 2001 General Plan, a land use previously deemed compatible for the site and with the other surrounding land use designations, this amendment will be processed and considered as a non-major General Plan amendment.

Criteria #2: Area of Change (Acreage)

The Area of Change Criteria (Criterion #2), (Planning Zone C3), 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 +/- 4.6 gross acres and thus would not constitute a major General Plan amendment pursuant to this criterion.

Criteria #3: Character Area Criteria

The Character Area Criteria (Criterion #3) requires that any change in General Plan land use category comply with the guidelines and standards embodied within an approved character area plan. There is currently no adopted Character Area Plan for this area.

Criteria #4: Water/Wastewater Infrastructure Criteria

The Water/Wastewater Infrastructure Criteria (Criterion #4) states that if a proposal to change the General Plan land use category results in the premature increase in the size of planned water/wastewater infrastructure, then the proposal would qualify as a major amendment. The proposed project does not result in such a premature increase, thus the General Plan request has been determined as a non-major amendment as it pertains to Criteria #4.

Conformance with the 2001 Scottsdale General Plan

One of the General Plan's foundational Six Guiding Principles is "Enhance Neighborhoods". This guiding principal acknowledges that Scottsdale's residential and commercial neighborhoods are major defining features of the 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 our neighborhoods in the context of broader community goals.

As such, the proposed change in General Plan land use category from Office to Suburban Neighborhoods is consistent with the 2001 General Plan and implements the following primary considerations:

Character and Design Element

- *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 Suburban Desert Character Type, which contains medium density neighborhoods that could include a variety of commercial and employment centers and resorts. The proposed medium density of the General Plan Suburban Neighborhoods land use category is consistent with the existing Character Type.

- *Goal 2: Review the design of all development proposals to foster quality design that enhances Scottsdale as a unique southwestern desert community.*

The applicant proposes to preserve the Verde Canal which is contiguous to the property's north property line – additionally; the north-south wash that traverses the subject property will also be preserved in its natural state. The applicant has remarked that the development will have a strong emphasis on open space which will be protected by the provisions outlined in the Environmentally Sensitive Lands Ordinance and proposes to develop the site in a manner that is respectful of natural grade in an effort to minimize impacts to the surrounding residential properties.

- *Goal 6: 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.*

The proposal complies with ESLO requirements and proposed low-water use desert landscape palettes in keeping with the existing ESLO and Horseman's Park context. The applicant states that the site and landscape design will enhance the surrounding character, minimize building mass, and naturally integrate with adjacent properties.

Land Use Element

- *Goal 3: Encourage the transition of land uses from more intense regional and citywide activity areas to less intense activity areas within local neighborhoods.*

The subject property is contiguous to the Horseman's Park single family residential community at its northern and eastern edges. The Suburban Neighborhoods land use designation serves as an appropriate, continued transitional buffer, between the more intense commercial uses of Westworld south and southwest of the site and the single family neighborhoods that surround the subject property.

The applicant remarks that the property is in close proximity to numerous recreational opportunities including Scottsdale's McDowell Sonoran Preserve, the McDowell Mountain Ranch Aquatic Center, schools, and outdoor activities, all of which provide recreational amenities and choices to future residents.

- *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.*

The proposed development provides opportunity in offering a variety of housing product types within this area of the city while transitioning to surrounding neighborhoods. The context area provides predominately R1-5 PCD single family lots with a Suburban Neighborhoods land use designation, (3.2 du/ac), R-5 PCD apartments with an Urban Neighborhoods land use designation, (17du/ac), S-R residential condominiums with an Office land use designation, (12 du/ac), and W-P zoning for Westworld with a Cultural Institutional or Public Use land use designation, which includes ancillary commercial supportive type uses. Within the context area, the proposed housing type will provide another option for residents aside from the traditional detached single family or multi-family housing.

- *Goal 5: Develop land use patterns that are compatible with and support a variety of mobility opportunities/choices and service provisions.*

The proposal supports multi-modal opportunities by way of the improved trails, sidewalks, and its accessible location to public transportation (bus service) in the area.

- *Goal 7: Sensitively integrate land uses into the surrounding physical and natural environments, the neighborhood setting, and the neighborhood itself.*

The proposal transitions to the physical and natural environments through the provisions required by the Environmentally Sensitive Lands Ordinance, as well as the Scenic Corridor/ Scenic Roadway Buffer Design Guidelines, are consistent with surrounding subdivisions. These considerations, incorporated into the site plan, contribute towards an appropriate transition with respect to the development pattern and intensity of development within the area.

Economic Vitality

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

As an infill property, this proposal represents an effort to provide newer residential development in a context appropriate manner, and redevelopment of an underutilized site.

Housing

- *Goal 2: Seek a variety of housing options that blend with the character of the surrounding community.*

The proposed development blends with the character of the surrounding community through the Scenic Roadway Buffer Design Guidelines provided at a width comparable to the surrounding developments, as well as the site's orientation to environmental features (Old Verde Canal), as well as with the proposed amount of Natural Area Open Space that is being offered.

Neighborhoods

- *Goal 4: Preserve and enhance the unique sense of neighborhood found in diverse area of Scottsdale through neighborhood conservation.*

The proposed development creates opportunity to offer a newer housing type not commonly found within the area that transitions and compliments an established neighborhood – Horseman’s Park.

Open Space

- *Goal 1: Protect and improve the quality of Scottsdale’s natural and urban environments as defined in the quality and quantity of its open spaces.*

Specific to the Scenic Roadway Buffer, the proposal designates view sheds, protects the visual quality of open space, as well as preserving integrative visual and functional connections between major city open spaces into the design of the project. From a character and design perspective, the proposal responds to the topography, view corridors, wildlife corridors and open spaces that exist throughout the site and within the context area.

- *Goal 5: Improve the quality of life for all Scottsdale residents by ensuring a wide range of recreational facilities and services.*

The proposal will provide a meaningful connection to the comprehensive open space that exists through portions of the Verde Canal while also providing for connection to existing neighborhoods’ established circulation patterns.

Preservation and Environmental Planning

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

The proposal implements innovative policies and practices that support the city’s leadership in environmental stewardship and quality protection of environmental features such as the provision of Scenic Corridor Buffered Roadway setbacks and wash corridor preservation.

- *Goal 9: Protect and conserve native plants as a significant natural and visual resource.*

Within the Scenic Corridor Buffered Roadway, as well as in other areas of the project site, the proposal retains, preserves, and in some instances restores native plantings to maintain the Sonoran Desert character in context with the surrounding area.

Community Mobility

- *Goal 2: 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.*

The applicant has remarked that based on the proximity to the Scottsdale Airpark employment core and in providing housing types as proposed (cluster), there will be a reduction in daily trip counts (compared to the current Office land use designation), improving air quality, and thereby enhancing the quality for surrounding residents.

- *Goal 7: Maintain a Scottsdale’s high aesthetic values and environmental standards in the city’s transportation system.*

The proposal sensitively integrates infrastructure along streets rights-of-way within the local setting and preserves the integrity of the scenic corridors.

2013 Citywide Land Use Assumptions Report

In 2013, the City of Scottsdale completed, and City Council adopted, a Land Use Assumptions Report that illustrates “projections of changes in land uses, densities, intensities and population over a period of at least ten years and pursuant to the General Plan of the municipality”. The study examined Scottsdale in three general geographic areas—south, central and north. 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 at its southern boundary.

According to the study, the Central Sub-Area is projected to absorb approximately +/-1655 acres of residential land area by 2030, and about 22% (an equivalent of approximately 2,038 units) will be suburban residential development. Consequently, the proposed change in General Plan land use category to Suburban Neighborhoods is in keeping with the projected suburban residential development anticipated in this area of the community.

The full Development Forecast text can be found at:

<http://www.scottsdaleaz.gov/Assets/Public+Website/water/Rates+&Fees/LUAR2013.pdf>

Land Use Impact Model

Long-Range Planning Services uses a land use impact model to generally assess the impacts of potential changes in General Plan land use designations. The application of the model on the subject property utilizing the proposed Suburban Neighborhoods land use designation indicates that such a change in land use (Office to Suburban Neighborhoods) would result in an increase in resident population of approximately 78 people and an increase of 30 residential units. The model indicates a projected increase of 14 school-aged students across grades K-12. The labor force provided by the proposed development is 32 workers; a reduction in 8 jobs from the change in the Office land use designation. Water usage is projected to increase over the demand that would be required by the existing Office designation. Traffic, according to the model, is projected to decrease by 189 vehicle trips per day. Because zoning associated with the existing land use designation allows for a considerable range of residential use types/densities, the actual increases in measured categories are at best an estimate and should not be considered conclusive.

Policy Implications (Non-Major General Plan Amendment)

The proposal achieves the General Plans’ goals and policies outlined above, and ultimately will allow for a compatible, suburban residential neighborhood project that can be integrated with adjacent, established neighborhoods within the context area, while supporting other established non-residential land uses in the vicinity as well. Consequently, a non-major amendment from Office to Suburban Neighborhoods for the subject property is supported by the 2001 General Plan, especially since it was originally designated as Suburban Neighborhoods at the time of Council adoption and voter ratification associated with the 2001 General Plan.

IMPACT ANALYSIS

Airport Vicinity

The site is located approximately 1.8 miles east of the approach end of runway 21 at Scottsdale

Airport. Although the subject site falls outside the 55 decibel (dB) noise contour of the airport, it is located within the AC-1 Airport Influence Zone, which allows for residential uses provided a fair disclosure statement and Avigation Easement is obtained as a condition of development or building permit approval. The Airport Advisory Commission reviewed the proposal at their May 14, 2014 hearing, and voted 4-1 for approval with Commissioner Hobbi dissenting. The Commission did request a stipulation that additional sound insulation be added to the buildings to further reduce exterior to interior noise. Per the Airport Overlay Zone Matrix, the sound insulation should reduce interior to exterior noise by 25dB. The property owner has agreed to accept this stipulation.

Planned Residential District (PRD) Findings

That the development proposed is in substantial harmony with the General Plan of the City of Scottsdale, and can be coordinated with existing and planned development of surrounding areas.

- **There is an associated Non-major General Plan Amendment, which if approved, will change the land use designation from Office to Suburban Neighborhoods. The applicant said an office use is not viable at this location, which has limited visibility from major streets. The proposed residential development has an overall density of 6.6 dwelling units, which provides a transition between the lower density residential to the north and east, and the commercial Westworld use to the west and south.**

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

- **The proposed development is estimated to generate 175 daily vehicle trips. The 33,000 square foot office development that is currently approved on this site was estimate to generate 363 daily trips. Ingress and egress from the development will be via E. McDowell Mountain Ranch Road. Half street improvement, including paving, curbing and sidewalks will be built by the applicant along both street frontages. The existing adjacent street network has the capacity to handle the anticipated traffic this project would generate.**

The Planning Commission and City Council shall further find that the facts submitted with the application and presented at the hearing will establish beyond a reasonable doubt that the planned residential development will constitute a residential environment of sustained desirability and stability that will be in harmony with the character of the surrounding area; and that the sites proposed for public facilities such as schools, playgrounds and parks, are adequate to serve the anticipated population.

- **The proposal is generally compatible with the surrounding land uses, although there is some concern that the proposed residential use could generate some noise complaints resulting from activities at Westworld. Regarding the proposed site plan, Desert Scenic Roadway Setbacks are being provided along both street frontages. The existing wash will remain mostly in its natural condition and will be dedicated as Natural Area Open Space. The Verde Canal and associated berm will also be maintained mostly in its natural condition and be dedicated as Natural Area Open Space. Finally, there are adequate support services including schools, parks and retail in the area to serve the proposed community.**

Traffic/Trails

The proposed development is estimated to generate 175 daily vehicle trips. The 33,000 square foot office development that is currently approved on this site was estimate to generate 363 daily trips. Access to the development is via E. McDowell Mountain Ranch Road, which provides access to a signalized intersection to the east at Thompson Peak Parkway, and also provides access to N. 98th Street, which provides access to a signalized intersection to the north at Bell Road. An existing non-motorized public access/trail easement is provided along the northern boundary of the site.

Water/Sewer

There is adequate water and sewer capacity for the proposed project.

Public Safety

The Zoning Map Amendment is not anticipated to impact public safety services. There is an existing fire station within ½ mile of this property at 16701 N. 100th Street. There is a police substation at Horizon Park, which is located within 3 miles of the site.

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

The proposed development exceeds the minimum open space, frontage open space and private outdoor living space requirements. The Natural Area Open Space requirement has been reduced by preserving the majority of the Verde Canal and associated berm, as allowed per the Zoning Ordinance.

Community Involvement

Letters were mailed by the applicant to property owners within 750 feet of the subject property on October 7, 2013. The applicant also met with Westworld staff and the Notre Dame Preparatory School staff.

The applicant held a neighborhood meeting at the Scottsdale Arabian Library on Monday October 21 from 5:30-7:30. Seven residents were in attendance and most of the comments were in support of the application.

As of the drafting of this report, staff has received one call and one e-mail requesting additional information. Staff also received one resident call with concerns about increased traffic near the school along N. 98th Street.

Community Impact

The office site plan, which has been approved on this property since 2005 has never been constructed and doesn't appear to be viable at this location due to lack of visibility from the major roads of Bell Road and Thompson Peak Parkway. A multi-family residential development will provide transition from the events and activities at Westworld to the nearby single-family residential subdivision to the north and east.

OTHER BOARDS & COMMISSIONS

Airport Advisory Commission

The Airport Advisory Commission reviewed the proposal at their May 14, 2014 hearing, and voted 4-1 for approval with Commissioner Hobbi dissenting. The Commission did request a stipulation that additional sound insulation be added to the buildings to further reduce exterior to interior noise. Per the Airport Overlay Zone Matrix, the sound insulation should reduce interior to exterior noise by 25dB. The property owner has agreed to accept this stipulation.

Planning Commission

Planning Commission heard these cases on October 22, 2014 and recommended approval with a unanimous vote of 7-0.

Staff Recommendation to Planning Commission

1. Recommend that the City Council approve the request for a non-major General Plan amendment to change the City of Scottsdale General Plan 2001 land use designation from Office to Suburban Neighborhoods on an approximate 4.6 +/- acre property located at the Northeast corner of N. 98th Street and E. McDowell Mountain Ranch Road.
2. Find that the Planned Community (P-C) District criteria have been met, and recommend that the City Council approve a Zoning District Map Amendment to amend the site plan and prior zoning stipulations, which were approved with case 21-ZN-2004, including an amendment to the Development Plan on an approximate 4.6 +/- acre property located at the Northeast corner of N. 98th Street and E. McDowell Mountain Ranch Road with Planned Community (P-C) District zoning with a comparable Service Residential, Environmentally Sensitive Lands (S-R ESL) zoning district.

OPTIONS & STAFF RECOMMENDATION

Recommended Approach:

1. Adopt Resolution No. 9921 approving a non-major General Plan amendment to change the City of Scottsdale General Plan 2001 land use designation from Office to Suburban Neighborhoods on an approximate 4.6 +/- acre property located at the Northeast corner of N. 98th Street and E. McDowell Mountain Ranch Road.
2. Adopt Ordinance No. 4175 approving a Zoning District Map Amendment to amend the site plan and prior zoning stipulations, which were approved with case 21-ZN-2004, including an amendment to the Development Plan, finding that the proposed Zoning District Map Amendment is consistent with the adopted City of Scottsdale General Plan 2001 on an approximate 4.6 +/- acre property located at the Northeast corner of N. 98th Street and E. McDowell Mountain Ranch Road with Planned Community (P-C) District zoning with a comparable Service Residential, Environmentally Sensitive Lands (S-R ESL) zoning district.
3. Adopt Resolution No. 9922 declaring "Graythorn Development Plan," as a public record.

RESPONSIBLE DEPARTMENTS

Planning and Development Services

Current and Long Range Planning Services

STAFF CONTACTS

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Planner

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APPROVED BY


Keith Niederer, Report Author

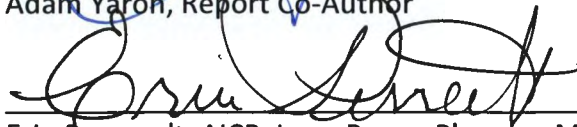
11-13-2014

Date


Adam Yaron, Report Co-Author

11.13.2014

Date


Erin Perreault, AICP, Long Range Planning Manager
480-312-7093, eperreault@scottsdaleaz.gov

11.13.2014

Date


Tim Curtis, AICP, Current Planning Director
480-312-4110, tcurtis@scottsdaleaz.gov

11/16/2014

Date


Randy Grant, Director
Planning and Development Services
480-312-2664, rgrant@scottsdaleaz.gov

11/17/14

Date

ATTACHMENTS

1. Resolution No. 9921
Exhibit 1. 2001 Existing and Proposed General Plan Land Use Map
2. Ordinance No. 4175
Exhibit 1. Stipulations
Exhibit 2. Zoning Map
3. Resolution No. 9922
Exhibit A. Graythorn Development Plan (Project Narrative and Site Plan)
4. Additional Information
5. 2001 General Plan Amendment Appeal Determination
6. Context Aerial
- 6A. Aerial Close-Up
7. Citizen Involvement
8. City Notification Map
9. Correspondence
10. October 22, 2014 Planning Commission minutes

RESOLUTION NO. 9921

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, ADOPTING AN AMENDMENT TO THE CITY OF SCOTTSDALE 2001 GENERAL PLAN, CONCEPTUAL LAND USE MAP FROM OFFICE LAND USE DESIGNATION TO SUBURBAN NEIGHBORHOODS LAND USE DESIGNATION ON A 4.6 +/- ACRE SITE LOCATED AT THE NORTHEAST CORNER OF N. 98TH STREET AND E. MCDOWELL MOUNTAIN RANCH 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 October 22, 2014 concerning the General Plan Amendment; and

WHEREAS, the City Council, held a public hearing on December 2, 2014, 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 Conceptual Land Use Map for the City of Scottsdale, for the property located at 16039 N. 98th Street from Office Land Use Designation to Suburban Neighborhoods Land Use Designation.

Section 2. That the above amendment is described in Case No. 12-GP-2013 (relating to zoning case 21-ZN-2004#2) and on Exhibit 1 attached hereto and incorporated by this reference.

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 2nd day of December, 2014.

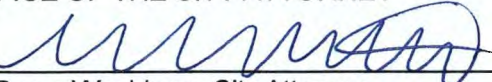
ATTEST:

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

Case: 12-GP-2013

Graythorn














From Land Use Designation:
Office



To Land Use Designation:
Suburban Neighborhoods



Land Use Map Legend

	Rural Neighborhoods		Commercial
	Suburban Neighborhoods		Office
	Urban Neighborhoods		Employment
	Mixed-Use Neighborhoods		Natural Open Space
	Resorts/Tourism		Developed Open Space (Parks)
	Regional Use District		Developed Open Space (Golf Courses)
			Cultural/Institutional or Public Use

ORDINANCE NO. 4175

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 AMENDING THE SITE PLAN AND PRIOR ZONING STIPULATIONS FROM CASE NO. 21-ZN-2004 INCLUDING AN AMENDMENT TO THE DEVELOPMENT PLAN ON AN APPROXIMATE 4.6 +/- GROSS ACRE PROPERTY LOCATED AT THE NORTHEAST CORNER OF N. 98TH STREET AND E. MCDOWELL MOUNTAIN RANCH ROAD WITH PLANNED COMMUNITY (P-C) DISTRICT ZONING WITH A COMPARABLE SERVICE RESIDENTIAL, ENVIRONMENTALLY SENSITIVE LANDS (S-R ESL) ZONING DISTRICT.

WHEREAS, the Planning Commission held a public hearing on October 22, 2014 and made the required recommendations; and

WHEREAS, the City Council held a hearing on December 2, 2014; 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;

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 on a 4.6 +/- acre parcel located at the Northeast corner of N. 98th Street and E. McDowell Mountain Ranch Road, marked as "Site" (the Property) on the map attached as Exhibit 2, with Planned Community (P-C) District zoning with a comparable Service Residential, Environmentally Sensitive Lands (S-R ESL) zoning district by adopting that certain document entitled "Graythorn Development Plan," declared a public record by Resolution No. 9922, which is incorporated into this ordinance by reference as if fully set forth herein.

Section 2. That the above approval is conditioned upon compliance with all stipulations attached hereto as Exhibit 1.

PASSED AND ADOPTED by the Council of the City of Scottsdale this 2nd day of December, 2014.


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



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

Stipulations for the Zoning Application:

Graythorn

Case Number: 21-ZN-2004#2

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

STIPULATION CHANGES MADE SINCE THE 10/22/2014 PLANNING COMMISSION HEARING ARE INDICATED IN BOLD AND CAPS

SITE DESIGN

1. CONFORMANCE TO DEVELOPMENT PLAN. Development shall conform with the Development Plan, entitled "Graythorn Development Plan," which is on file with the City Clerk and made a public record by Resolution No. 9922 and incorporated into these stipulations and ordinance by reference as if fully set forth herein.
2. PREVIOUS APPROVAL. Except as amended by stipulations herein for the subject property, all stipulations associated with case 33-ZN-2000 shall continue to apply, including the following:
 - A. N. 98TH STREET LANDSCAPE BUFFER. A minimum 25-foot landscape buffer shall be provided along N. 98th street.
 - B. N. 98TH STREET SETBACK. A minimum 25-foot buildings and parking setback shall be provided along N. 98th street.
3. OUTDOOR LIGHTING. The maximum height of any outdoor lighting source shall be 16 feet above the adjacent finished grade.
4. NATURAL AREA OPEN SPACE. A minimum of 41,000 square feet or .94 acres of Natural Area Open Space shall be dedicated to the City of Scottsdale at time of final plans.
5. DESERT SCENIC ROADWAY SETBACK ALONG E. MCDOWELL MOUNTAIN RANCH ROAD. The Desert Scenic Roadway Setback width along E. McDowell Mountain Ranch Road shall be a minimum of 10 feet, and an average 34 feet measured from the back of curb of the E. McDowell Mountain Ranch Road right of way.
6. NORTH/SOUTH WASH & VERDE CANAL AND BERM. The owner/developer shall leave the north/south wash and the Verde canal berm primarily in a natural state, as per the submitted Development Plan.

AIRPORT

7. FAA DETERMINATION. With the Development Review Board Application, the owner shall submit a copy of the FAA Determination letter on the FAA FORM 7460-1 for any proposed structures and/or appurtenances that penetrate the 100:1 slope. The elevation of the highest point of those structures, including the appurtenances, must be detailed in the FAA form 7460-1 submittal.

8. AIRCRAFT NOISE AND OVERFLIGHT DISCLOSURE. With the final plans submittal, the owner shall provide noise disclosure notice to occupants, potential homeowners, employees and/or students in a form acceptable to the Scottsdale Aviation Director.
9. AVIGATION EASEMENT. With the Development Review Board submittal, the owner shall provide a signed and completed Avigation Easement in a form acceptable to the City for recording.
10. SOUND ATTENUATION MEASURES. With the final plans submittal, the owner shall provide sound attenuation measures that will reduce interior to exterior noise levels by 25dB.

INFRASTRUCTURE AND DEDICATIONS

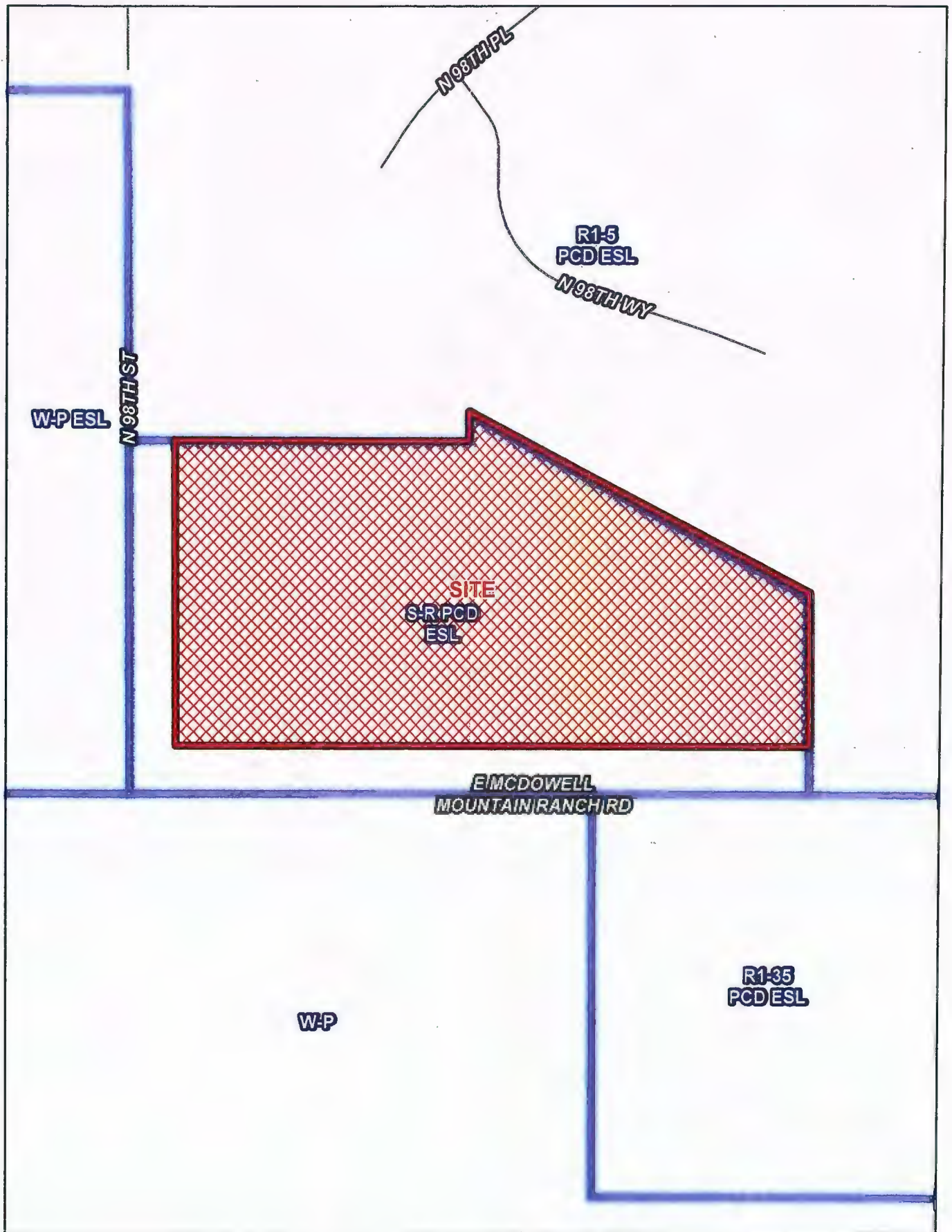
11. CIRCULATION IMPROVEMENTS. Before any certificate of occupancy is issued for the site, the owner shall make the required dedications and provide the following improvements in conformance with the Design Standards and Policies Manual and all other applicable city codes and policies.

- a. STREETS. Dedicate the following right-of-way and construct the following street improvements:

Street Name	Street Type	Dedications	Improvements	Notes
E. McDowell Mountain Ranch Road	Major Collector	None - 45 feet Right-of-Way (existing)	Half street improvement (pavement, paving, roll curb and gutter, 8 foot wide sidewalk, pavement marking modification)	a.1., a.2.
N. 98 th Street	Major Collector	None - 45 feet Right-of-Way (existing)	Sidewalk, relocate west curb return	a.3., a.4.

- a.1. The developer shall provide half street improvements along the site frontage of E. McDowell Mountain Ranch Road conforming to Section 5-3.104 "Major Collectors Rural/ESL Character" (Figure 5.3-8) as set forth in the DS&PM.
- a.2. The developer shall design and construct the improvements on E. McDowell Mountain Ranch Road to match the existing curb line to the east and move the curb return west of N. 98th Street to line up with the proposed curb return east of N. 98th Street. With the Development Review Board submittal, the developer shall provide conceptual design to City of Scottsdale Transportation Department for approval.

- a.3. The developer shall construct a 6-foot wide sidewalk along the N. 98th Street frontage.
- a.4. The developer shall remove existing west curb return on N. 98th Street and relocate the curb return north of the existing location to line up with the proposed curb return on the east side of N. 98th Street.
- b. PEDESTRIAN CONNECTION. The developer shall provide a minimum 5-foot wide sidewalk around one side of the internal drive connecting the site to McDowell Mountain Ranch Road and 98th Street. The sidewalk leading into community from McDowell Mountain Ranch Road shall be minimum 6 feet wide.
- c. INTERNAL CIRCULATION. Internal circulation shall be designed and constructed to accommodate emergency and service vehicles with **40-FOOT, 6-INCH** outside turning radius and 25-foot inside turning radius.
- d. The property owners association is responsible for operation, maintenance of the private drive. The owner shall dedicate to the City of Scottsdale an Emergency and Service Vehicle Access Easement (ESVAE) over the private drive.



21-ZN-2004#2

RESOLUTION NO. 9922

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK OF THE CITY OF SCOTTSDALE AND ENTITLED "GRAYTHORN DEVELOPMENT PLAN."

WHEREAS, State Law permits cities to declare documents a public record for the purpose of incorporation into city ordinances; and

WHEREAS, the City of Scottsdale wishes to incorporate by reference amendments to the Zoning Ordinance, Ordinance No. 455, by first declaring said amendments to be a public record.

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

Section 1. That certain document entitled "Graythorn Development Plan," attached as Exhibit A, three copies of which are on file in the office of the City Clerk, is hereby declared to be a public record. Said copies are ordered to remain on file with the City Clerk for public use and inspection.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this ____ day of December, 2014.

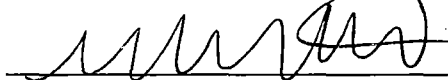
ATTEST:

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



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

Graythorn Development Plan

I. Project Introduction

The request is for a non-major General Plan Amendment (“GPA”) from the Office land use category to the Suburban Neighborhoods land use category on approximately 4.6+/- gross acres located at northeast corner of 98th Street and McDowell Mountain Ranch Road (the “Property”).

The companion zoning request is to modify the existing S-R PCD ESL (Service Residential, Planned Community District, Environmentally Sensitive Lands) site plan approved in case 21-ZN-2004 in 2005 on approximately 4.6+/- gross acres, as identified above, to develop a 30-unit, single story residential community with a density of 6.5 dwelling units/acre.

Case 21-ZN-2004 zoned the site for a garden office project providing 33,600 sq. ft. of office and surface parking for 113 cars. In requesting a change to the zoning to 30 townhomes, it seems appropriate to compare the currently approved office project with the proposed townhome development.

In looking at the two site plans, the most obvious difference is that Building A of the office plan is sited over a large portion of the wash even though it is stated on the site plan that the existing wash is undisturbed (*see accompanying two graphics*). As a result, many of the open space and NAOS calculations are inaccurate. To correct this issue, Building A needs to be moved about fifty feet to the west. In doing so, there is a significant impact on the 98th Street view corridor and the openness on the corner of 98th and McDowell Mountain Ranch Road is greatly diminished.

In addition, while the office plan is sited in several places at or near the ten foot setback line along McDowell Mountain Ranch Road, the townhome site plan creates an articulated frontage along McDowell Mountain Ranch Road and overall averaging a setback of thirty feet.

While site coverage is an important comparison, so is building mass. The townhome proposal has a twelve foot height to the top of parapet from natural grade and a sixteen foot two inch height along the ridge of a small skylight, well below the maximum allowed height of eighteen feet. The office project, in several locations, pushes right to the maximum eighteen foot height. Using the lowest reasonable roof pitch of 4:12, the volume of office building above the twelve foot height of the townhomes is about 135,000 cu. ft. So, while the townhomes stay below the view line of the homes to the north, the office massing has a major impact on the views from adjacent homes.

The site plan for the original office plan, calls for 113 surface parking stalls. These will be visible from the surrounding properties and by drive by traffic. With the exception of 9 visitor parking stalls, the townhome project contains all of its resident parking in two car garages attached to the units. Additionally, the parking and the entrance/exit for the office plan infringes on the fifteen foot required landscape buffer along the easterly property line. The townhomes respect the landscape buffer.

The office plan generates substantially more vehicular activity with 172 more daily trips to and from the site than does the proposed residential use. The neighbors have already expressed concern over the volume of traffic generated by the nearby school.

All in all, the proposed townhome development has a much lesser visual impact on the surrounding neighborhood than the office project. This is reinforced by the opinions of the residents of Horsemen's Park who at a neighborhood meeting and in continuing canvassing expressed their support for the townhomes rather than the office plan.

II. Zoning Overview

The Property was originally rezoned under case 21-ZN-2004 from R1-35 PCD ESL to S-R PCD ESL as part of the Horseman's Park master plan.

The vacant Property adjoins the Horseman's Park single-family residential community on the north and east. The Property is within close proximity to Westworld Equestrian and Special Events Center, which is located to the south and southwest of the site. The subject medium density residential condominium use is an ideal transitional land use and provides as a buffer between the more intense commercial and event functions at Westworld to the south and the Horseman's Park single-family residential to the north.

This application is a request to develop a medium density residential community consisting of 30 units on 4.6+/- acres with an overall density of 6.5 dwelling units/acre.

The S-R zoning district allows multifamily residential dwelling units by right with a maximum density of 12.45 dwelling units/acre. This proposal for 30 units equates to a much lower density of 6.5 dwelling units/acre, which are designed in a manner that provides a sensitive transition to neighboring single-family residential development.

The site is located in the AC-1 Airport Influence Area. The developer of Graythorn will dedicate an aviation easement and provide disclosure to the future residents (both requirements of the AC-1).

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 Office. This category includes a variety of office uses from low-scale offices with a residential scale to larger office developments in a campus setting. Specific zoning categories determine specific building height and setbacks. The proposed Suburban Neighborhoods category is intended for areas including townhouses at densities less than eight units/acre

The requested GPA is technically a major GPA based on the criteria set forth in the General Plan (per page 20 of the City of Scottsdale General Plan 2001). However, it is the determination of the City of Scottsdale's Planning and Development Services Director that this limited request shall not require a Major GPA to affect this requested "Change in Land Use Category" from Office (Group E) to Suburban Neighborhoods (Group B). Also, the "Area of Change Criteria" does not trigger a major GPA based on property size of 4.56+/- gross acres which does not exceed the 15 acre threshold for Planning Zone C-2.

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 development of this vacant property with a luxury medium density residential community will enhance the quality of the existing neighborhood. The architecture, color palette and building materials will be consistent with and complimentary to the surrounding built environment. The development will have contemporary style architecture focusing on a very low-scale development not in conflict with existing development to the north and east.

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

Response: Graythorn will have a strong emphasis on open space and buffering to create a quality residential community. Natural Area Open Space (NAOS) will be protected in conformance with the Environmentally Sensitive Lands Ordinance (ESLO). While the Verde Canal is not a protected historical site and has been removed in many nearby locations, the site plan has been designed in a manner that materially preserves the Verde Canal which runs along the north side of the Property, and disturbs an extremely small portion of the earthen spoils berm, at the east end of the site, where the berm has previously been removed by others. The

north-south wash that traverses the Property will also be preserved in its natural state.

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

Response: The Property has minimal grade change on site. The proposed residential community is designed in a manner that is respectful of natural grade minimizing impacts to the surrounding residential properties by limiting the buildings to well below 18' feet in height above natural grade consistent the S-R district maximum building height standard. NAOS will be maintained along the Old Verde Canal, and along the wash corridor that traverses the site.

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

Response: The Property consists of approximately 4.6 +/- gross acres and the proposed residential development is setting aside more than 39% of the site as both NAOS and functional open space (common area) combined. The proposed development will maintain the purpose and integrity of the ESLO through site design, architectural character and landscaping.

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 desert appropriate design elements will be incorporated with the development of this community internally as well as along the perimeter streetscape tying into adjacent developments. The developer is providing a 25-foot wide landscape buffer (with a measurably greater average frontage open space) along 98th Street and, in response to the Buffered Roadway policy, is providing an average of thirty feet of open space along McDowell Mountain Ranch Road.

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 Property is within close proximity to numerous recreational activity opportunities including the McDowell Mountain Ranch Aquatic Center, Arabian Library, McDowell Mountain Golf Course, McDowell Sonoran Preserve, and nearby trail system, all of which provide as excellent recreational amenities for future residents. The

proposed development ties into the surrounding recreational activities with sidewalk connections along both 98th Street and McDowell Mountain Ranch Road as well as a the trail connection that runs along the Old Verde Canal. An on-site pedestrian connection to the trail is provided along the east side of the site as well as to 98th St. on the west side.

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 and connectivity along the perimeter of the site (see response under #6 above).

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

Response: The architecture includes all single-story buildings (maximum 18' in height from pre-disturbed natural grade) respective of the natural topography of the site and designed with 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 celebrate the Southwest climate by creating 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 such as, but not limited to, low-e glass, upgraded insulation, and energy efficient appliances and fixtures.

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 development 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 and efforts will be made 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 commensurate with the City's dark-sky policy and ELSO requirements while maintaining safety for residents. Specific lighting placement and fixture types have not been determined at this time. A full lighting submittal will be included with the DRB package. There are currently no street lights along 98th Street or McDowell Mountain Ranch Road adjacent to the proposed development. Street lights will be provided per the City's criteria.

- 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 to the Horseman's Park master plan.

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:

Goal 1: 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 a Suburban Desert character type. The General Plan identifies the Suburban Desert character type as containing medium density residential neighborhoods that include a variety of commercial and employment centers and resorts. The proposed residential land use provides additional residential housing opportunities in a diverse land use area that contains a range of recreational activity amenities and retail-commercial land uses.

Goal 6: 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 ESLO 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.

Goal 7: 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 adjacent single-family residential development, minimizing glare and promoting the City's dark-sky policy while maintaining safety for future residents. Lighting fixtures 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 avoid 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 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:

Goal 3: Encourage the transition of land uses for more intense, regional and Citywide activity areas to less intense activity areas within local neighborhoods.

Response: This vacant Property adjoins the Horseman's Park single-family residential community on the north and east. The Property is within close proximity to Westworld Equestrian and Special Events Center, which is located to the south and southwest of the site. The subject medium density residential use is an ideal transitional land use and provides as a buffer between the more intense commercial and event functions at Westworld to the south and the low density Horseman's Park single-family residential to the north.

When the Office land use designation was proposed and approved by the City in case 3-GP-2004 the market conditions were different and the anticipation of local services/office and/or employment opportunities being developed on this property may have been relevant at the time. After the economic downturn and re-evaluation of this property as a service/office use, current market demand and demographics show that developing this parcel with medium density residential land use makes more sense in today's market. Current office vacancy rates remain at 25-30% for the area. The proposed Suburban Neighborhoods category is far more appropriate for this site than the current Office land use for which no demand exists, now, nor in the foreseeable future.

It's also important to note that the previously proposed office structures were much more massive buildings in terms of volume as compared to the proposed residential development. With pitched roofs, the office development pushed the limit on the 18' height limitation while the proposed residential will have a 12' floor to roof parapet height (16'-2" at skylight ridge) and will stay well within the 18' above natural grade limitation.

Additionally, the Property is within close proximity to numerous recreational activity opportunities including the McDowell Mountain Ranch Aquatic Center, McDowell Sonoran Preserve, Arabian Library, McDowell Mountain Ranch Golf Course (as well as others) and nearby trail system, all of which provide as excellent recreational amenities for future residents.

Goal 4: 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.

- ***Provide a variety of housing types and densities and innovative development patterns and building methods that will result in greater housing affordability.***

Response: The proposed residential community on this vacant infill Property achieves this goal by maintaining a Citywide balance of land uses and supporting the economic base of Scottsdale. The proposed development will provide a wider range of housing options in the area. Graythorn is a medium density community with homes ranging from 1,200 to 1,700 square feet with a common pool amenity and connectivity to the nearby trail system. This proposal offers a residential development (6.5 dwelling units/acre), which fits appropriately within the range of residential densities and intensity already established in the area and offers another housing-type option for the residents of Scottsdale apart from traditional detached single-family or multi-storied multi-family living. The surrounding area consists predominately of R1-5 (small single-family lots at 3.2 du/ac), R-5 (apartments 17 du/ac), S-R (residential condos at 12 du/ac and office), W-P (Westworld) and nearby commercial support services at Thompson Peak Parkway and McDowell Mountain Ranch Road and Thompson Peak Parkway and Bell.

Goal 7: Sensitively integrate land uses into the surrounding physical and natural environments, the neighborhood setting and the neighborhood itself.

Response: The development proposal meets this 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 contextually appropriate architecture. NAOS will be preserved commensurate with the ESLO requirements and interior open space, amenities, patios and front porch courtyards incorporated with the design to be enjoyed by the residents of the community. The neighborhood sensitive development goals proposed for this project all contribute towards an appropriate

transition with respect to development pattern, intensity and character. The required NAOS area is 24.5% of the site and the plan allows 26.7%.

Goal 8: 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, but primarily consisting of smaller lots), multifamily communities, schools, community recreational facilities, commercial retail and commercial office development, and the McDowell Sonoran Preserve at Thompson Peak and Bell approximately one mile away. The development of the subject Property as a low-scale residential community will provide additional housing opportunities for the general community in keeping with the land use balance and ‘live, work, 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 policies contained within the Economic Vitality Element by providing additional residential development that contributes towards, and supports, the economic base of Scottsdale and provides more residents in an infill area located near existing commercial development, the Loop 101 and the Airpark employment core. This development will add more housing supporting the area’s retail land uses.

The requested General Plan Amendment is from the Office land use designation to Suburban Neighborhoods. Ten years ago (October 2004), when the Office land use designation was proposed and approved by the City (3-GP-2004) the market conditions were very different and the anticipation of local services/office and/or employment opportunities being developed on this property may have been relevant at the time. After the economic downturn and re-evaluation of this property as a service/office use, current market demand and demographics show that developing this parcel with medium density residential land use makes more sense in today’s market and is better suited to this location. The Suburban Neighborhoods category is an ideal transitional land use and provides as a buffer between the more intense commercial and event functions at Westworld to the south and the Horseman’s Park single-family residential to the north.

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:

Goal 1: 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. These efforts will be ongoing throughout the process to ensure the community is aware of the proposed development and encourage meaningful dialogue with the community. Neighborhood Open House meeting was held on October 21st and the proposal was well received. A complete Citizen Outreach Report was provided with this application documenting the outreach efforts and community feedback. Recent continuing contact with the community affirms broad support of the residential use.

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:

Goal 2: Seek a variety of housing options that blend with the character of the surrounding community.

Response: The surrounding mix of land uses in the immediate area includes single-family lots (ranging in density, but primarily consisting of smaller lots), multifamily communities, community recreational facilities, commercial retail and commercial office development, and the McDowell Sonoran Preserve at Thompson Peak and Bell approximately one mile away. This proposal offers a medium density residential development (6.5 dwelling units/acre), which fits appropriately within the range of residential densities and intensity already established in area, which include 3.2 du/ac (R1-5) up to 17 du/ac (R-5). Additionally, the proposed architectural style and scale are in balance with the surrounding character.

Goal 4: 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 Scottsdale Airpark, which is located approximately two miles to the southwest. The development of the subject Property as a residential community will provide additional housing opportunities for the wider community responding to the live, work, and play concept supported in 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:

Goal 4: 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 create, preserve and enhance neighborhood linkages while preserving the existing character of a neighborhood and its defining features. This vacant Property adjoins the Horseman’s Park single-family residential community on the north and east. The Property is within close proximity to Westworld Equestrian and Special Events Center, which is located to the south and southwest of the site. The subject low density residential use is an ideal transitional land use and provides as a buffer between the more intense commercial and event functions at Westworld to the south and the Horseman’s Park single-family residential to the north.

Additionally, the Property is within easy walking distance to schools and within close proximity to abundant recreational activities such as the McDowell Sonoran Preserve/Gateway Loop, McDowell Mountain Ranch Aquatic Center, Ice Den hockey arena, McDowell Mountain Golf Course, Westworld equestrian facility, AZ on the Rocks climbing gym, and Zone Athletic Performance, just to name a few. The proposed use fits appropriately within the existing neighborhood framework and combination of established land uses.

Goal 5: Promote 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 of Scottsdale and supporting local businesses and commercial development in a manner that is complementary and sustainable to the overall context. The site plan emphasizes contextually sensitive design to complement the surrounding suburban neighborhoods transitioning to the 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.

Staff has pointed out that the previous office site plan approved under case 21-ZN- 2004, which was never built, partly due to changes in the economic climate, depicted more open space. When comparing the plans (office vs. proposed residential site plan) it is important to clarify that the office site plan also shows an office building (Building A) located in the wash corridor. In order to make the proposed office plan work, Building A would need to be shifted approximately 50' to the west thereby denuding the corner of any significant open space. Generally speaking, a true comparison of the two site plans is unfair due to design omissions on the office plan such as preservation of the wash corridor, half-street widening for McDowell Mountain Ranch Road, encroachment into the buffer setback, and necessary drainage considerations. The current request for a return to residential use exceeds the base open space/NAOS requirements by 4552 sq.ft.

Further, preservation of the Old Verde Canal (which is not an archeological significant feature) is in fact materially accomplished with the proposed site plan even though the Canal alignment has not been consistently preserved on many other properties to the east and west of the site. In this circumstance, the developer has designed the site plan in a manner that penetrates in a very limited way, into the earthen berm, adjacent to the canal, providing an open space buffer between this development and the existing homes to the north.

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

Goal 1: Protect and improve the quality of Scottsdale's natural and urban environments as defined in the quality and quantity of its open space.

Response: Graythorn is providing over and above the amount of required NAOS, including material preservation of the Old Verde Canal and north-south wash corridor, plus common area amenities/open space. NAOS provides an opportunity for people to experience and enjoy the native Sonoran Desert through the preservation of open space corridors, natural washes and native vegetation. Preserving NAOS also provides a natural buffer to the surrounding single-family neighborhood directly to the north. The NAOS buffer is largely the remnants of the Old Verde Canal which is principally comprised of a dirt spoils berm upon which natural desert vegetation has taken root randomly. Despite the "canal" lacking any status as an historic site, careful attention during planning has been given to leaving the "canal" virtually undisturbed.

Goal 5: 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 pool and landscaped central common area. The development plan intends to preserve NAOS consistent with ESLO requirements, with the goal of maintaining a comprehensive open space program that is responsive to the greater public benefit. Additionally, the nearby trails, Arabian Library, Westworld equestrian facility, McDowell Mountain Ranch Aquatic Center, Ice Den and McDowell Sonoran Preserve (approximately one mile away) and area golf courses 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:

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

Response: The proposed residential community will preserve native vegetation, NAOS and wildlife/open space corridors inherent to Scottsdale's vision for ESLO properties. The developer intends to maintain the Old Verde Canal and existing berm as much as feasible, which provides as an additional buffer to the north.

Goal 4: Reduce energy consumption and promote energy conservation.

Response: The development program will focus on utilizing Southwest appropriate, climate sensitive building techniques, implementing sustainable building methods where feasible, utilizing landscaping that contributes to energy conservation commensurate with Scottsdale's Sensitive Design Principles all of which contribute towards reducing energy consumption.

Goal 9: 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 development of the site and strong efforts will be made to salvage native vegetation wherever possible. The proposed development will maintain a low-water use plant palette.

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 prioritize 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:

Goal 2: 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 residential community is accessed from McDowell Mountain Ranch Road, a major collector. The Property is approximately two miles away from the Scottsdale Airpark employment core, the largest employment concentration in Scottsdale. 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 with 30 dwelling units are substantially less than the counts associated with the approved office plan (21-ZN-2004). The ITE daily trips for the existing office use is 364 trips and the ITE daily trips for the proposed residential community is fewer than 192 trips, resulting in at least 172 fewer trips or an almost 50% reduction. The project's design will target younger and/or retired couples, which by extension further reduces the trip count vs. the trip count associated with traditional families.

Goal 7: Maintain Scottsdale's high aesthetic values and environmental standards in the city's transportation system.

Response: The perimeter streetscape and internal drive 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. Planned Community District Findings

Sec. 5.2104. Findings required.

Before approval or modified approval of an application for a proposed P-C District, the Planning Commission and the City Council must find:

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

Response: The application includes a General Plan Amendment from Office to Suburban Neighborhoods consistent with the proposed development.

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

Response: 98th and McDowell Mountain Ranch are adequate to serve the proposed use. Proposed residential community will generate substantially less trips than the approved office plan (almost 50% reduction).

C. The Planning Commission and City Council shall further find that the facts submitted with the application and presented at the hearing establish beyond reasonable doubt that:

- 1. In the case of proposed residential development, that such development will constitute a residential environment of sustained desirability and stability; that it will be in harmony with the character of the surrounding area; and that the sites proposed for public facilities, such as schools, playgrounds and parks, are adequate to serve the anticipated population. The Planning Commission and City Council shall be presented written acknowledgment of this from the appropriate school district, the Scottsdale Parks and Recreation Commission and any other responsible agency.***

Response: The vacant Property adjoins the Horseman's Park single-family residential community on the north and east with a density of 3.2 du/ac). Further to the north and east is multi-family residential development with densities ranging from 12 du/ac to 17 du/ac. The Property is within close proximity to Westworld Equestrian and Special Events Center, which is located to the south and southwest of the site. The subject medium density residential use is an ideal transitional land use and provides as a buffer between the more intense commercial and event functions at Westworld to the south and the Horseman's Park single-family residential to the north.

Additionally, the Property is within easy walking distance to schools and within close proximity to abundant recreational activities such as the McDowell Sonoran Preserve/Gateway Loop, Ice Den hockey arena, McDowell Mountain Golf Course, Westworld equestrian facility, AZ on the Rocks climbing gym, and Zone Athletic Performance, just to name a few. The proposed use fits appropriately within the existing neighborhood framework and combination of established land uses.

Lastly, the school district was notified as part of the application process and adequate facilities have been determined.

VI. Environmentally Sensitive Lands Ordinance

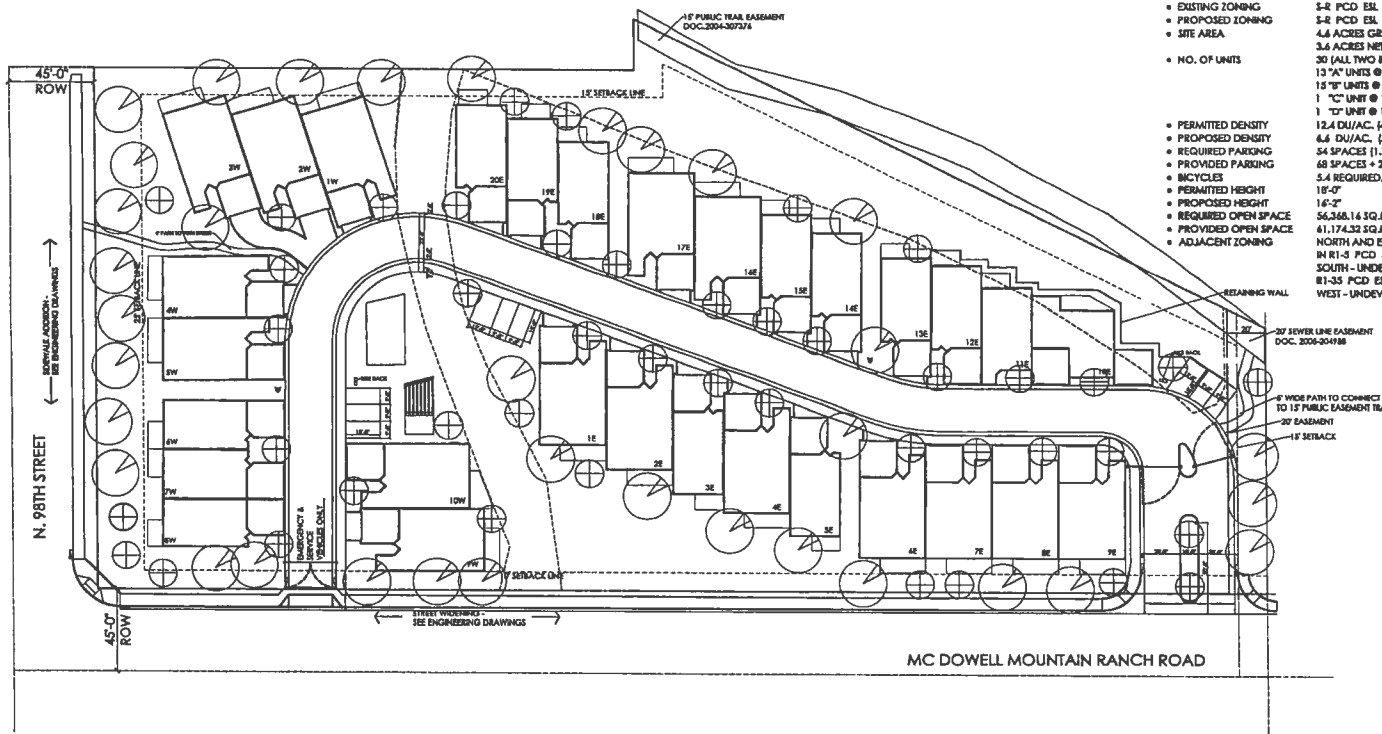
The subject Property is within the ESLO boundary. The purpose of the ESLO is to identify and protect environmentally sensitive lands and promote public health, safety and welfare by providing reasonable controls for the development of ESLO land including the preservation of NAOS. Per section 6.1090 of the Zoning Ordinance, the ESLO submittal requirement have been met and the application includes the following items: location of property, property boundaries, project description, ALTA, site plan,

aerial, context site plan, topography, NAOS exhibit, native plant submittal and drainage report.

VII. Conclusion

In summary, the request is for a non-major GPA from the Office land use category to the Suburban Neighborhoods land use category and a zoning request to modify the existing S-R PCD ESL site plan approved in case 21-ZN-2004 in 2005 on approximately 4.6+/- gross acres to develop Graythorn, a 30-unit, single story residential community.

Graythorn will provide a residential community within the Horseman's Park master plan and provide additional housing opportunities for the residents of Scottsdale. The existing S-R ESL PCD zoning district allows up to 12.45 dwelling units/acre. However, the proposal for 30 units equates to a much lower density of 6.5 dwelling units/acre designed in a manner that blends with the surrounding development. The proposed residential community will provide an aesthetic character and density commensurate with the surrounding context and will provide as a logical transition between the more intense commercial and event functions of Westworld to the south and the Horseman's Park single-family residential to the north. The development will preserve NAOS (including the Verde Canal and wash corridor that traverses the property), provide a central community open space amenity, maintain residential-scaled building massing with a single story design limited to 18' in height, and uphold Scottsdale's Sensitive Design Principles through context appropriate southwestern architecture, sustainable building techniques and landscape design.



5-8 PCD EBL
5-8 PCD EBL
4.6 ACRES GROSS (199,135 SQ.FT.)
3.6 ACRES NET (156,579 SQ.FT.)
30 (ALL TWO BEDROOM + DEN)
13 "AT" UNITS @ 1200 SQ.FT.
15 "F" UNITS @ 1700 SQ.FT.
1 "C" UNIT @ 1200 SQ.FT.
1 "T" UNIT @ 1410 SQ.FT.
12.4 DU/AC. (43,540 SQ.FT./3500 SQ.F. = 12.4 DU/AC.)
6.6 DU/AC. (30 UNITS / 4.6 AC. = 6.6 DU/AC.)
54 SPACES (1.7 SPACES PER 2-BEDROOM UNIT)
68 SPACES + 2 HAND-CAP
15-6 REQUIRED, 4 PROVIDED
15'-0"
16'-2"
56,368.14 SQ.FT. (24%)
61,174.32 SQ.FT. (24%)
NORTH AND EAST - SINGLE FAMILY RESIDENCES
N+5 PCD EBL
SOUTH - UNDEVELOPED & PARKING LOT
W1-35 PCD EBL AND W+P
WEST - UNDEVELOPED & PARKING LOT, W+P EBL

A1.0

Additional Information for:

Graythorn

Case: 21-ZN-2004#2

PLANNING/DEVELOPMENT

1. **DEVELOPMENT REVIEW BOARD.** The City Council directs the Development Review Board's attention to:
 - a. a plan indicating the treatment of washes and wash crossings,
 - b. wall design,
 - c. the type, height, design, and intensity of proposed lighting on the site, to ensure that it is compatible with the adjacent use,
 - d. scenic corridors and buffered parkways,
 - e. 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).
 - f. major stormwater management systems,
 - g. alterations to natural watercourses (all watercourses with a 100 year flow of 250 cfs to 749 cfs),
 - h. walls adjacent to NAOS tracts and corridors,
 - i. signage
3. **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.
4. **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.
5. **DRAINAGE REPORT.** With the final improvement plan and final plat submittal, the developer submit a final Drainage Report that addresses the following:
 - a. Demonstrates consistency with the DSPM and the case drainage report accepted in concept by the Stormwater Manager or designee.
 - b. The McDowell Mountain Ranch Road overflow depth during the 100 Year Storm Event shall

not exceed 8 inches.

- c. The Lowest Finish Floor elevations must be above the proposed and/or existing 100 Year Storm Event High Water Elevation.
6. BASIS OF DESIGN REPORTS (WATER & WASTEWATER). Prior to submittal of improvement plans for review, the owner shall submit Basis of Design Reports (Water & Wastewater) for review and acceptance by City of Scottsdale Water Resource staff.
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. CONSTRUCTION COMPLETED. Before any Certificate of Occupancy is issued for the site, the owner shall complete all the infrastructure and improvements required by the Scottsdale Revised Code and these stipulations, in conformance with the Design Standards and Policies Manual and other applicable standards.

Mr. William J Patterson
Cypress Group LLC
16420 N 92nd Street
Suite 206
Scottsdale, AZ 85260

RE: 12-GP-2013/21-ZN-2004#2, Graythorn Condominiums

Mr. Patterson,

Upon receiving your letter dated August 29, 2014 requesting an appeal of the major General Plan amendment determination made with regard to your General Plan amendment request as part of Case 12-GP-2013, the following is my determination regarding such appeal.

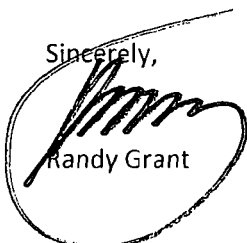
It is recognized that at the current proposed density of 6.6 dwelling units per acre, your proposed development request would constitute a General Plan land use category of Suburban Neighborhoods. The Suburban Neighborhoods land use designation in the 2001 General Plan includes densities ranging from "usually more than one house per acre, but less than eight houses per acre". This General Plan land use category is intended to accommodate medium to small-lot single family neighborhoods similar to the one you are proposing.

Per the major amendment Criteria #1 land use table (Change in Land Use Category), typically a change from the existing General Plan land use category of Office (Category E) to Suburban Neighborhoods (Category B) would constitute a major amendment, hence the email determination you received from City of Scottsdale Planner, Adam Yaron. However, the City of Scottsdale General Plan 2001 includes the following provision: "If a project applicant wishes to appeal the designation of a General Plan major amendment, the Chief Planning Officer, or the position equivalent, will evaluate the appeal and make a major amendment determination".

It is recognized that the current General Plan land use designation of Office and the companion zoning entitlements were approved in 2004 (Cases 3-GP-2004/21-ZN-2004). To date, no office use has been developed on the subject property in the past ten years under these entitlements. It is also recognized that prior to the major amendment approval to Office in 2004, the subject property was previously designated as Suburban Neighborhoods under the 2001 General Plan. As part of the 2001 General Plan adoption process, this Suburban Neighborhoods designation was City Council approved, and voter ratified by the community.

Consequently, since your current request constitutes a reversal back to the previously designated General Plan land use of Suburban Neighborhoods originally approved under the 2001 General Plan, I have determined that your General Plan amendment request from Office to Suburban Neighborhoods in this particular case will be processed and considered as a non-major General Plan amendment per my status as Planning and Development Director, which is the position equivalent of Chief Planning Officer.

Sincerely,



Randy Grant



The
CYPRESS
Group

Cypress Properties, LLC
Cypress Investments, LLC
Cypress Developments, LLC

August 29, 2014

Mr. Randy Grant
Planning and Development Services Director
City of Scottsdale
3939 N. Drinkwater Blvd.
Scottsdale, Az 85251

Re: 12-GP-2013 / 21-Zn-2004#2 / Graythorn Condominiums

Mr. Grant,

We have received, today, an email from Adam Yaron of the Long Range Planning service within the City's Planning and Development Services Department. Adam's message is that he has reviewed our recent submittal for modification of the Land Use designation of the subject site, from "Office" to "Urban Neighborhoods" and determines that the proposed residential density of 6.6 du/ac. falls within the "Suburban Neighborhoods" designation, thereby requiring a Major General Plan amendment.

We respectfully suggest that there exists possible basis for extending some limited latitude to the matter of density on this very small site and request your consideration of granting the advancement of our non-major amendment application at the newly redesigned density of 6.6 du/ac.

In my Aug. 25/14 letter to you on this subject, I summarized the effect of the combined factors which come to bear upon the useable area of this compact site. Notably, our successful efforts to retain the Old Verde Canal lands, results in a density reduction from 7.1 du/ac. to the current 6.6 du/ac. Our success at preserving the Canal and the resultant creation of a very generous buffer with our neighbors works in direct conflict with the satisfaction of the higher density suggested in the General Plan. In this regard, we seem to be working against ourselves by trying to provide the best and most responsive site planning possible. Compounding this effect, is the additional buffering area we have set aside to provide the sought after "Desert Scenic Roadway" allowance along McDowell Mountain Ranch Rd. and 98th St. further diminishing useable site area.

In Oct. 2004, case 3-GP-2004 changed the General Plan Land Use designation of this subject site from Suburban Neighborhoods to Office in order to accommodate a rezoning from Single

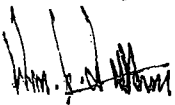
Family Residential to Service Residential. This in turn was effected by passage of case 21-ZN-2004. The offices contemplated by this application never materialized, (likely due to location).

Our current request to change the Land Use designation from "Office" to "Urban Neighborhoods" aligns perfectly with the ambitions of the General Plan which seeks a mix of dwelling types and densities for a variety of neighborhoods. Further, our request to reduce the intensity of the Land Use designation addresses the goal of gradual transition of uses between designated uses. While doing this, we have been able to provide very generous separation from our only adjacent neighbors, who are along our northern boundary. Incidentally, these neighbors have indicted general preference to our proposed residential use than the once suggested office use.

In view of the uniquely disproportionate spatial constraints to which this site is subject, it is very safe to say that the net visual and effective density falls easily within the General Plan's "usual" range and is otherwise responsive to all other goals and objectives of the General Plan.

We would be grateful for your acknowledgement that this clean little project is responsive to the spirit of the Land Use prescription of "usual" density despite being at the low end of the range by strict calculation which skews the effective density of this site.

Yours truly,

A handwritten signature in black ink, appearing to read 'Wm. J. Patterson', with a stylized flourish at the end.

Wm.J.Patterson
Cypress Group LLC

cc: Keith Niederer, Adam Yaron

Yaron, Adam

From: Yaron, Adam
Sent: Friday, August 29, 2014 9:12 AM
To: Bill (bill@cypinv.com)
Cc: Niederer, Keith; Perreault, Erin
Subject: 12-GP-2013 / 21-ZN-2004#2 - Major General Plan Amendment Determination

Mr. Patterson,

In response to the second submittal of 12-GP-2013 / 21-ZN-2004#2, and based on the 1st review comment letter dated 1/27/2014 – as proposed with the Graythorn development, the proposed density of 6.6 du/acre aligns with the definition of the Suburban Neighborhoods land use designation and not Urban Neighborhoods. Consequently, pursuant to Criteria #1 – Change in Land Use Category, a change from Office to Suburban Neighborhoods land use designation determined by the 2001 General Plan, is a major General Plan amendment. Accordingly, please submit for application for a major General Plan amendment.

The 2001 General Plan provides an opportunity to appeal to the designation of a General Plan major amendment. This consideration in an appeal is provided by the Chief Planning Officer, or the position equivalent, (Randy Grant, Planning and Development Services Director) who will evaluate the appeal and make a major amendment determination should you decide to do so.

Please contact me with any questions or concerns.

ADAM YARON | PLANNER

CITY OF SCOTTSDALE

Planning and Development Services
Long Range Planning Services
7447E Indian School Rd STE. 105 | Scottsdale, Arizona
T: 480.-312-2761



The
CYPRESS
Group

Cypress Properties, LLC
Cypress Investments, LLC
Cypress Developments, LLC

August 25, 2014

Mr. Randy Grant
Planning and Development Services Director
City of Scottsdale
3939 N. Drinkwater Blvd.
Scottsdale, Az 85251

Re: 12-GP-2013 / Zn-2004#2 / Graythorn Condominiums

Mr. Grant,

We are grateful for the recent suggestions for the improvement of our proposed site plan for the Graythorn condominium project. We have incorporated these revisions into our site plan and are confident that our recent re-submittal of drawings and calculations will be fully compliant with the City's ordinances and design philosophy ambitions.

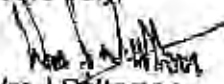
Our decades-old history of development in Scottsdale and the region is one of high quality design and construction. We wish to continue this tradition with Graythorn. As you know, this subject site is very small, and is further reduced in effective size by several factors which come to bear upon it. The first is the very significant reduction of the gross site area (22%) for the half street widening of McDowell Mountain Ranch Rd.

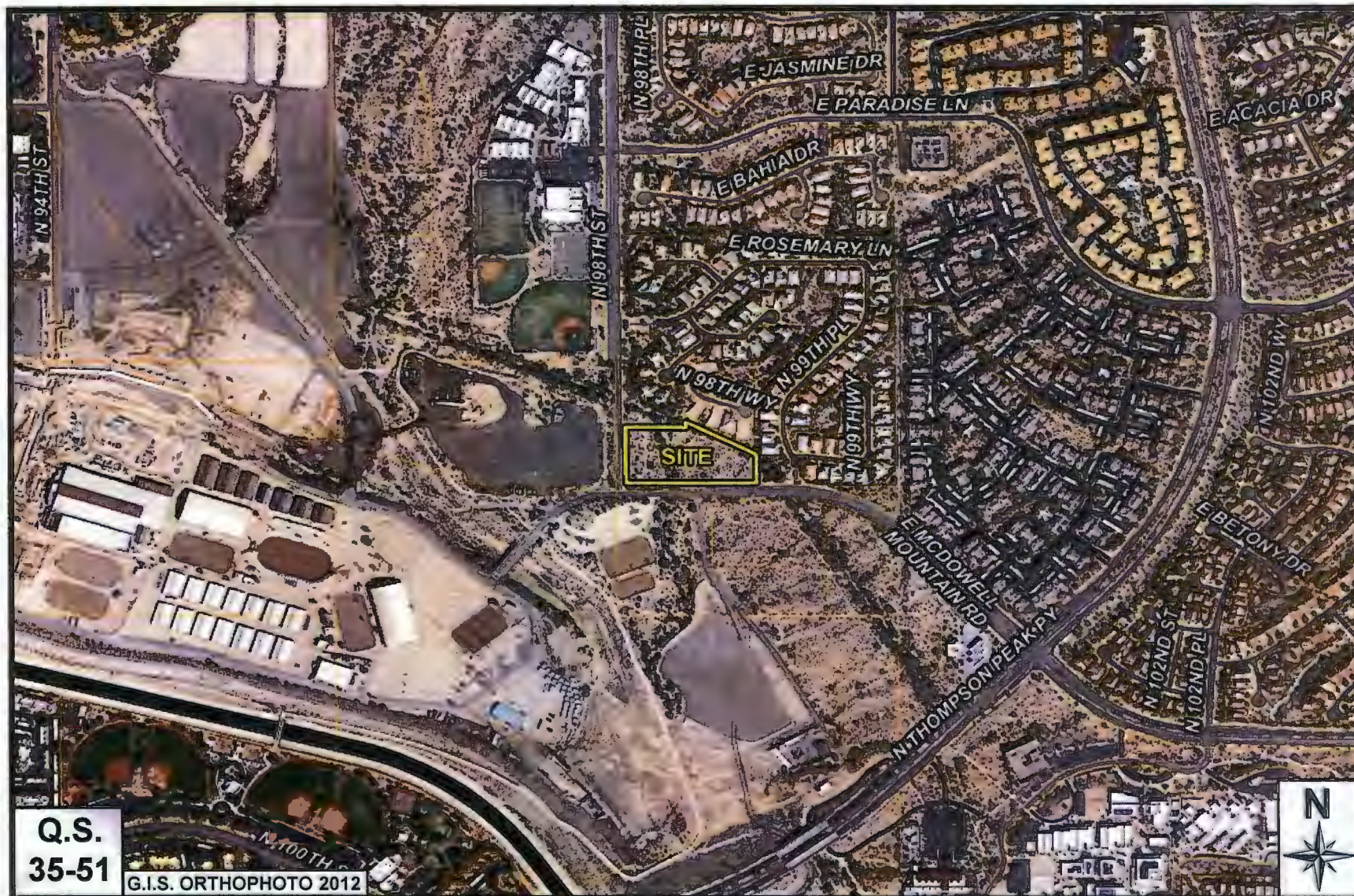
The second is the existence of a small wash which traverses the site in a north/south direction claiming a further 8% of the net site area. Finally, we have undertaken to leave untouched, as much of the Old Verde Canal, which crosses the site, as possible. We have successfully managed to minimally encroach upon the berm at the rear of only three units and in an area where the berm had already been breached at the time of construction of the neighboring development. This untouched NAOS "cañal" area represents more than another 9% reduction in area.

The cumulative net effect of these elements is a huge 39% reduction in the gross site area and the corresponding challenge to create an efficient and balanced site plan within the remaining area. With your help, we have done this. We have been diligent in our adherence to the goals and objectives of the City's General Plan criteria for the "Urban Neighborhood" category and have succeeded in all areas with the possible exception of density. We have been able to only create 30 (*three fewer than previously*) condominium lots or a density of 6.6 du./ac.

It is our hope that you will be able to identify the attributes of this handsome, yet compact project and extend to us the latitude to move forward at this density.

Yours truly,


Wm. J. Patterson
Cypress Group



Graythorn

12-GP-2013 & 21-ZN-2004#2



Graythorn

12-GP-2013 & 21-ZN-2004#2

ATTACHMENT #6A

**Re-Zoning / Change of Use Notification Map
Letters mailed via USPS on October 7, 2013
to 95 recipients within 750 feet of site.**



PARCELS WITHIN 750 FT OF SITE



750 FT FROM
CENTER OF SITES



The
CYPRESS
Group

*Cypress Properties, LLC
Cypress Investments, LLC
Cypress Developments, LLC*

Oct. 7, 2013

City of Scottsdale
3939 Civic Center Plaza
Scottsdale, AZ 85251

GRAYTHORN
THIS LETTER WAS SENT TO
RESIDENTS & ASSOCIATIONS
WITHIN 750' OF THE SITE.

Parcel # 21713160

Re: Case No. 326 PA 2013

Northeast Corner of 98th St. and McDowell Mountain Ranch Rd.

Dear Property Owner, Resident or Association:

We are writing to advise you that a rezoning and concurrent Non-major General Plan Amendment are proposed to be submitted to the City of Scottsdale on approx. 3.6 net acres at 16039 N. 98th St., which is the undeveloped property at the Northeast corner of 98th St. and McDowell Mountain Ranch Rd. (see location map on reverse).

The proposed Non-major General Plan Amendment, if approved by the City, shall have the effect of designating the land use "Urban Neighborhood" status, (from "Office"), coinciding with the existing SR PCD ESL zoning designation which permits the residential use proposed.

The proposed, new site specific zoning is for the development of thirty-seven, single story condominium residences with an approx. average size of 1500 sq. ft. and a maximum height of 18 ft. (see site plan on reverse).

Further, you are invited to a neighborhood meeting scheduled to provide you with the opportunity for public input and to answer any questions you may have regarding the proposed rezoning and development. This meeting is scheduled for Monday, October 21, 2013, between 5:30pm. and 7:30pm. at the Arabian Public Library, located at 10215 E. McDowell Mountain Ranch Rd. Should you have any questions at this time, please contact the undersigned at 602 329 0943 or send an email to bill@cypinv.com. The City of Scottsdale Project Coordinator for this case is Keith Neiderer and he can be reached at 480 312 2953 or by email at kniederer@scottsdaleaz.gov.

Yours truly,
Cypress Group, LLC

Wm. J. Patterson

16420 North 92nd /Street, Suite 206, Scottsdale , Az. 85260
Tel. 480 219 1990 Fax. 480 219 4447

GRAYTHORN - CASE NO. 326 PA 2013
RE-ZONING/CHANGE OF USE OPEN HOUSE

Scottsdale Arabian Public Library
Monday, October 21, 2013 5:30 PM - 7:30 PM

[illegible]

RE-ZONING/CHANGE OF USE
NOTIFICATION RESPONSE/COMMENTS

Expressed Comments/Concerns:

Re-Zoning/Change of Use Notification Response:

Response to the community outreach effort was limited.

We had seven attendees at the Open House informational meeting, a single telephone enquiry and two individual meetings with neighbors at our request.

All input was supportive and complimentary.

A summary of questions or comment is as follows;

1. A neighbor immediately to the north of the property boundary enquired whether the "wash" which separates her from us would remain. We explained that this was in fact the Rio Verde Canal and that it would indeed remain in tact. She was pleased.
2. A neighbor from within Horseman's Park was interested in the projected selling prices within the planned community. His concern seemed to be over the possibility of a diminution in the value of his house. Several of his neighbors were eager to explain to him that the opposite was likely to be the case and that a quality new development was a positive thing for the neighborhood. He seemed satisfied with this consensus.
3. A resident of Horseman's Park was interested to know what the future plans for the horse trailer parking lot on the west side of 98th St. were. We advised that this was city property and to our knowledge there were no active plans to change its use.
4. There was general discussion about the completion of the west side of 98th St. in front of Westworld's trailer parking lot. We advised again that this was adjacent to city property and that we had no knowledge of the city's schedule to widen this area.
5. A resident of Horseman's Park asked whether it would be possible for pedestrians to traverse the north/south sewer easement at the east side of the site in order to gain access to their neighborhood. We advised that this was something which would be pleased to explore with them if they wished. The trail easement intersects McDowell Mtn. Ranch Rd. approx. fifty feet farther to the east.
6. There was general discussion and agreement among the attending members of the Horseman's Park community that the development of this site for residential use was a good thing and they were pleased that an office use was not being pursued.
7. There was brief discussion of the fact that the proposed development was entirely single story and limited to a maximum height of eighteen feet. No concerns were expressed.

GRAYTHORN - CASE NO. 326 PA 2013

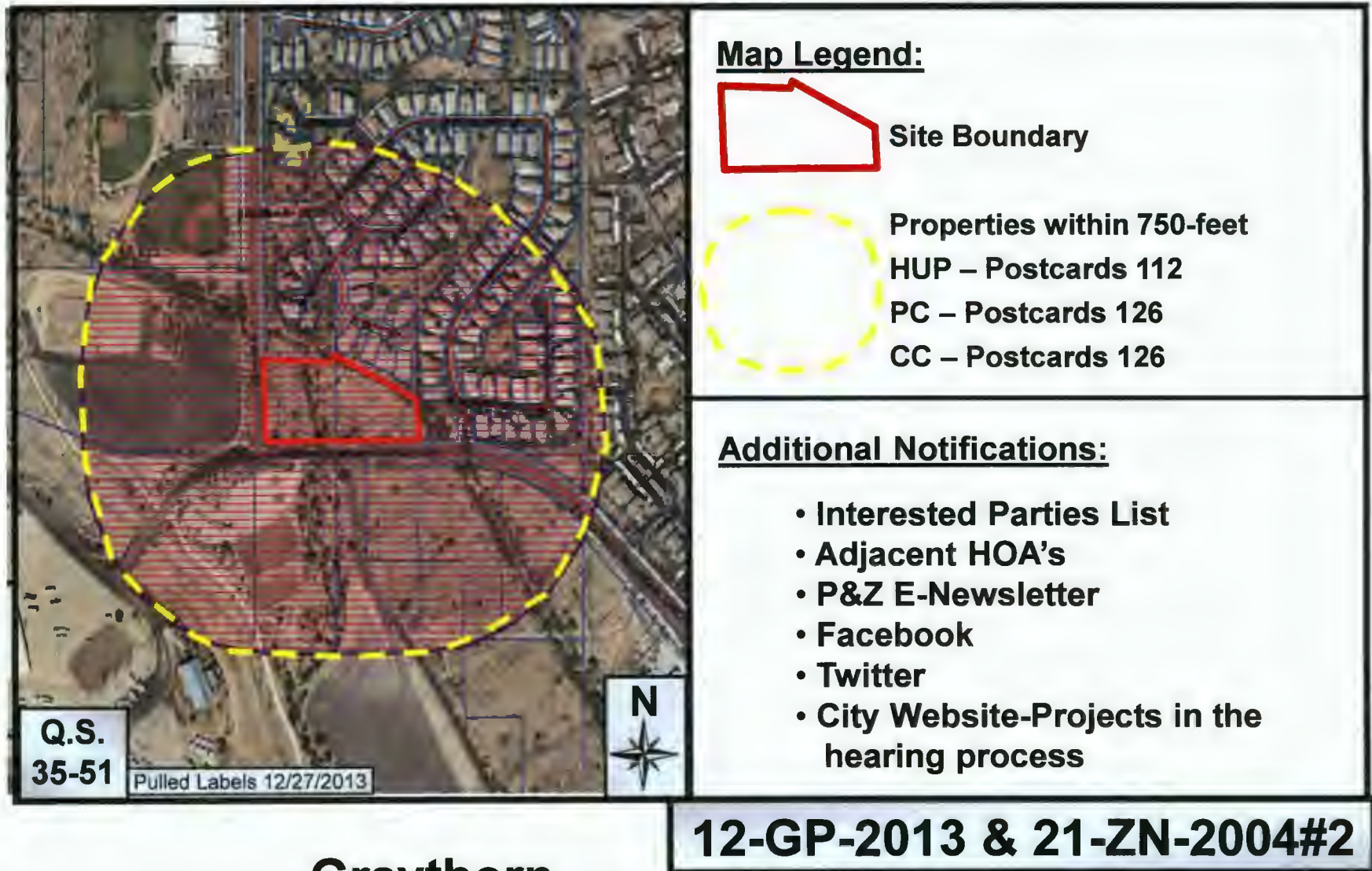
RE-ZONING/CHANGE OF USE NOTIFICATION RESPONSE/COMMENTS

Expressed Comments/Concerns (cont.):

Re-Zoning/Change of Use Notification Response:

8. We received a single telephone call from a non-resident owner. She enquired if the sidewalk along McDowell Mtn. Ranch Rd. would be completed. We advised yes. She expressed pleasure that offices would not be built here and thought our use appeared very well suited.
9. We met with the General Manager of the Westworld facility, Brian Dygert, and showed him the plans we propose for the subject site. He indicated that he thought it was a good use of the land and that he didn't see how our project would have any impact upon Westworld in any way. He wished us success.
10. We met with the Principal of the nearby Notre Dame High School, Mr. Jim Gmelich, and showed him the plans we propose for the subject site. He was pleased to learn that we were planning the site's development and expressed no concerns, wishing us well.

City Notifications – Mailing List Selection Map



Niederer, Keith

From: Bill Marinelli <billmarinelli@gmail.com>
Sent: Tuesday, October 29, 2013 9:33 AM
To: Niederer, Keith
Subject: Cypress/Graythorn

Hi Kieth,

We are new homeowners directly behind the Graythorn project which is behind Westworld in Scottsdale. The notification was sent to our old address so we did not get it until just now. We called all of the phone numbers but got no answer.

Quick question:

What happens to the berm directly behind the project which separates our subdivision from Cypress? We assume the wash is to remain.

(Project lot dimensions would be very helpful along with how birds eye view would appear where our subdivisions border each other.)

Thank you so much for your help.

Best,

Bill & Ginny Marinelli

16238 N 98 Way

Scottsdale AZ 85260

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Bill Marinelli

16234 N 98 Way
Scottsdale AZ
480-440-7779
billmarinelli@gmail.com



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

WEDNESDAY, OCTOBER 22, 2014

DRAFT SUMMARIZED MEETING MINUTES

PRESENT: Ed Grant, Chair
Michael Edwards, Vice Chair
Matt Cody, Commissioner
David Brantner, Commissioner
Ali Fakhri, Commissioner
Larry S. Kush, Commissioner
Michael J. Minnaugh, Commissioner

STAFF:	Tim Curtis	Taylor Reynolds
	Sherry Scott	Ross Cromarty
	Bryan Cluff	Jesus Murillo
	Keith Niederer	Doris McClay
	Kira Wauwie	Meredith Tessier
	Adam Yaron	Brandon Lebovitz

CALL TO ORDER

Chair Grant called the regular session of the Scottsdale Planning Commission to order at 5:02 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 October 8, 2014 Regular Meeting Minutes including Study Session.

COMMISSIONER BRANTNER MOVED TO APPROVE THE OCTOBER 8, 2014 REGULAR MEETING MINUTES, INCLUDING THE STUDY SESSION, SECONDED BY COMMISSIONER CODY, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SEVEN (7) TO ZERO (0).

WITHDRAWN

2. 5-GP-2014 Greasewood Flat
3. 11-ZN-2014 Greasewood Flat

EXPEDITED

4. 3-TA-2014 Service Residential (S-R) Text Amendment
5. 5-AB-2014 Cochise Estates
6. 12-GP-2013 Graythorn
7. 21-ZN-2004#2 Graythorn

ITEM NO'S. 4 - 7; RECOMMENDED CITY COUNCIL APPROVE CASES 3-TA-2014, 5-AB-2014, 12-GP-2013 & 21-ZN-2004#2, MOTION BY COMMISSIONER BRANTNER, PER THE STAFF RECOMMENDED STIPULATIONS FINDING THAT THE PLANNED COMMUNITY (P-C) DISTRICT CRITERIA HAVE BEEN MET, AFTER DETERMINING THAT THE PROPOSED ABANDONMENT, TEXT AND ZONING MAP AMENDMENTS ARE CONSISTENT AND CONFORM WITH THE ADOPTED GENERAL PLAN, SECONDED BY COMMISSIONER CODY. THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SEVEN (7) TO ZERO (0).

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www.scottsdaleaz.gov/boards/PC.asp

REGULAR

8. 2-GP-2014 The Reserve at Pinnacle Peak Patio

9. 9-ZN-2014 The Reserve at Pinnacle Peak Patio

ITEM NO'S 8 & 9; RECOMMENDED CITY COUNCIL APPROVE CASES 2-GP-2014 AND 9-ZN-2014, MOTION BY COMMISSIONER KUSH, PER THE STAFF RECOMMENDED STIPULATIONS, AND AFTER DETERMINING THAT THE PROPOSED ZONING MAP AMENDMENTS IS CONSISTENT AND CONFORM WITH THE ADOPTED GENERAL PLAN, SECONDED BY BY COMMISSIONER CODY. THE MOTION CARRIED UNANMIOUSLY WITH A VOTE OF SEVEN (7) TO ZERO (0).

Jim Davis, Anne Christensen, Debra Wichterman, James Wichterman and Jim Christensen had written comments regarding these items.

Jim Davis, Robert Cappel, James, Wichterman, Jim Christensen, Howard Myers and Ewin Billingsley spoke regarding these items.

10. 3-GP-2014 El Regalo

11. 10-ZN-2014 El Regalo

ITEM NO'S 10 & 11; RECOMMENDED CITY COUNCIL APPROVE CASES 3-GP-2014 AND 10-ZN-2014, MOTION BY COMMISSIONER BRANTNER, PER THE STAFF RECOMMENDED STIPULATIONS, FINDING THAT THE PLANNED COMMUNITY (PC) DISTRICT CRITERIA HAVE BEEN MET AND AFTER DETERMINING THAT THE PROPOSED ZONING MAP AMENDMENTS AND DEVELOPMENT PLAN ARE CONSISTENT AND CONFORM WITH THE ADOPTED GENERAL PLAN, SECONDED BY COMMISSIONER CODY. THE MOTION PASSED WITH A VOTE OF SIX (6) TO ZERO (0). COMMISSIONER FAKIH RECUSED HIMSELF.

Robert Cappel spoke regarding these items.

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www.scottsdaleaz.gov/boards/PC.asp

- 12. 4-GP-2014 Cavalliere Flat
- 13. 12-ZN-2014 Cavalliere Flat

ITEM NO'S 12 & 13; RECOMMENDED CITY COUNCIL APPROVE CASES 4-GP-2014 AND 12-ZN-2014, MOTION BY COMMISSIONER BRANTNER, PER THE STAFF RECOMMENDED STIPULATIONS, AND AFTER DETERMINING THAT THE PROPOSED ZONING MAP AMENDMENTS IS CONSISTENT AND CONFORM WITH THE ADOPTED GENERAL PLAN, SECONDED BY COMMISSIONER MINNAUGH. THE MOTION PASSED WITH A VOTE OF SIX (6) TO ZERO (0). COMMISSIONER FAKIH RECUSED HIMSELF.

Jim Christensen, Anne Christensen, James Wichterman and Fares Alzubidi Had written comments.

Robert Cappel, Jim Christensen, James Wichterman, Deborah Wichterman and Howard Myers spoke regarding these items.

ADJOURNMENT

With no further business to discuss, the regular session of the Planning Commission adjourned at 7:02 p.m.

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www.scottsdaleaz.gov/boards/PC.asp