



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

June 15, 2018

Stephen C. Earl
Earl, Curley & Lagarde, P.C.
3101 North Central Avenue, Suite 1000
Phoenix, AZ 85012

RE: ALTA Marlette (Z-27-17) Minor Amendment and Requests for Clarification

Dear Mr. Earl:

This letter is in response to your letter dated June 5, 2018 regarding the ALTA Marlette Development Narrative, approved through Rezoning Case No. Z-27-17. In your letter, you request both clarification, as well as minor text modifications to the approved Development Narrative.

Clarification Items

Attachment No. 1 of your letter details six items, including accessory uses, setbacks, elevations and building materials that you seek further clarification on:

- 1) *That an internal snack bar/dining area for tenants and their guests is allowed within the scope of project amenities for tenants and that a small roof-top patio inset at the base of the 4th level for tenant use in the northeast quadrant of the building is allowed. These are not unusual amenities for a high-end luxury apartment community.*

The Development Narrative permits multifamily residential as a permitted principal use in addition to several permitted accessory uses, including a demonstration kitchen and coffee/juice bar. An internal snack bar and dining area for residents and their guests would be considered analogous to the list of permitted multifamily accessory uses found in Table 2 of the narrative.

Similarly, a small rooftop patio for tenant use would be considered an additional open space amenity for residents. So long as the patio and any associated accessory structures meet the height and setback requirements outlined in the Development Narrative, the use would be permitted.

- 2) *Regarding building setbacks; That the required 15-foot maximum building setbacks on the west side of the property south of Stella Lane has been satisfied as shown on the illustrative site plan in the PUD that was consistent throughout the hearing process and by the DSD preliminary site plan. The purpose of the maximum setback was to preclude the ability to revise the development to place parking fields around the perimeter of the building.*

The illustrative site plan included in the finalized PUD narrative depicts a maximum 15-foot building setback south of Stella Lane and south of the parking garage structure. This configuration is consistent with the narrative's site development standards while allowing for access from the project's entry to the internalized parking garage.

- 3) *Regarding landscape setbacks; For the south setback, encroachments up to 5-ft. are allowed for porches. The co-use of the west landscape setback for landscaping and a loading space(s) is permitted, so long as this co-use space has a surface of Grasscrete rather than an impervious surface and all of the required landscaping, trees and shrubs are still provided.*

Along the south setback, patios or porches may project, but cannot be any larger than the entryways along the ground floor. The remainder of the base area along the building is to be used for landscaping. This condition is consistent with the conceptual site plans and Marlette frontage rendering included in the narrative.

In addition, co-use of the western landscape setback for portions of two loading spaces is also permitted. This area must be improved with Grasscrete, or similar alternative, and all required plantings must be provided beyond the co-use area.

- 4) *The use of low walls or low fences is permitted within 10 feet of the building. This simply clarifies the intent of the Marlette rendering to allow 36" high enclosures on the front patios for safety and aesthetics.*

While fencing is not depicted along the first-floor porch areas in the Marlette frontage rendering, placement of maximum 36-inch high fencing in this location is consistent with design guidelines included in the narrative. Design guidelines for the Marlette frontage include a requirement for elevated outdoor patios and a provision for walls or fences between 30-inches and 36-inches in height within 10 feet of the building.

- 5) *The West Elevation that was modified to accomplish the required reduction of units down to a maximum of 229, is in general conformance with the illustrative exhibits in the PUD. Even though units were removed from the western elevation of the parking garage the west elevation of the garage faces the back side of a commercial center and this elevation was designed to be consistent with the architectural theme of the balance of this west side of the project.*

As you note, units were removed from the southern section of the western elevation to account for the reduction in units ultimately approved by City Council. Due to this reduction in units, minor adjustments to the western elevation are warranted. The western elevation included in Exhibit J of your letter would be considered in general conformance to the stipulated elevations contained in the Development Narrative. While considered to be in general conformance, the revised elevations will need to demonstrate compliance with the narrative's design guidelines, including the provisions for four-sided architecture, percentage of brick façade, architectural embellishments and building articulation, through the final site plan approval process.

- 6) *Finally, that the brick sample to the right is in general conformance with the brick type used in the illustrative exhibits. This style of brick used was chosen at a cost premium because it features warmer tones of reds and browns for a more residential and elegant look rather than an institutional appearance. The photo at right is an image of the proposed brick from a particular company and is subject to availability. In the event this company is unable to deliver this style of brick, an alternate company that sells a similar style of brick will be selected. All of the building elevations have been updated with this brick and are attached.*

The Development Narrative includes design guidelines requiring the use of brick as an accent building material. The conceptual elevations included in the narrative depict brick accents, but do not notate a specific color or type. The brick sample contained in your letter is consistent with the material depicted in the narrative's conceptual elevations.

Minor Amendment Request

In addition to the clarification items included in Attachment No. 1, your letter included a request for a minor amendment to the ALTA Marlette Planning Unit Development to update building height and density notations throughout the narrative. The changes proposed in your minor amendment narrative are consistent with the density and building heights approved by City Council.

Section 671.E of the City of Phoenix Zoning Ordinance includes provisions to allow for major and minor amendments to Planned Unit Developments. The amendment will be deemed minor if the Planning and Development Director determines the amendment does not meet the criteria established for major amendments. The Planning and

Development Director has the authority to administratively approve the minor amendment. After review of your minor amendment request, I have determined that a minor amendment is appropriate as stipulated below.

This minor amendment shall be approved, subject to the following:

- 1) An updated Development Narrative for the ALTA Marlette PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of approval of this request. The updated Development Narrative shall be consistent with the Development Narrative dated January 31, 2018, as modified by the following stipulations:
 - a. Page 7, Purpose & Intent, 1st paragraph: Revise building height descriptions from 38 feet and 48 feet to 35 feet and 45 feet.
 - b. Page 8, Land Use Plan and Overall Design Concept, 1st paragraph: Update units from 245-250 to 229 in the third line of the paragraph. Update height from 38 feet to 35 feet in the ninth line of the paragraph.
 - c. Page 9, Land Use Plan and Overall Design Concept, 3rd paragraph: Revise number of units from 245-250 to 229 in the eighth line of the paragraph.
 - d. Page 10, Land Use Plan and Overall Design Concept, 1st paragraph: Revise number of units from 245-250 to 229 in the first line of the paragraph.
 - e. Page 16, Table 3.1, Overall Development Site: Remove dwelling unit per acre density notation, leaving density provision at 229 units.
 - f. Page 20, Architectural Character, Provision 8: Revise number of units from 245-250 to 229.
 - g. Page 21, Site Circulation, 2nd paragraph: Revise number of units from 245-250 to 229 in the fifth line of the paragraph.
 - h. Page 56, Comparative Zoning Standards Table: Remove dwelling unit per acre density notation, leaving density provision at 229 units.
 - i. Exhibit F, Conceptual Site Plan: Remove dwelling unit per acre density notation, leaving density provision at 229 units.

Should you have any questions, please contact Samantha Keating at 602-262-6823 or Samantha.keating@phoenix.gov.

Sincerely,



Alan Stephenson
Planning & Development Director

Enclosure: Minor Amendment and Clarification Request Letter, dated June 5, 2018

cc: File
Joshua Bednarek
Tricia Gomes
Samantha Keating
Adam Stranieri

EARL, CURLEY & LAGARDE, P.C.

ATTORNEYS AT LAW

Telephone (602) 265-0094
Fax (602) 265-2195

3101 North Central Avenue
Suite 1000
Phoenix, Arizona 85012

June 5, 2018

ORIGINAL HAND-DELIVERED

Alan Stephenson
Planning and Development Director
City of Phoenix
200 West Washington Street, 2nd Floor
Phoenix, AZ 85003

RE: ALTA Marlette re Requests for Clarification for Z-27-17
Request for Minor PUD Amendment
Approximately 165 feet East of the Northeast
Corner of 7th Street & Marlette Avenue

Dear Alan:

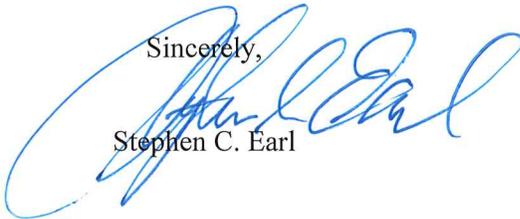
Please accept this letter as our request for clarification of a few items in the approved PUD for case Z-27-17 and our amended formal request for administrative approval of the attached minor amendment to the ALTA Marlette PUD as approved by the City Council this past December.

As you know, the need for a few points of clarification and refinement came to light during the City's Development Service Department's ("DSD") preliminary site plan review of this project. After discussing this matter with you and other Staff members of the Planning and Development Department, we understood that simple clarifications and confirmations are all that would be needed on a few items and therefore they do not need to be included in the Minor Amendment itself.

Obviously, as a project moves from the conceptual design stage during the zoning process to the detailed and engineered Site Plan and construction plans, it undergoes intense design scrutiny both by the owner/developer and the City. We therefore believe it is prudent to formalize these refinements and document the clarifications with staff for future reference.

Our requests for clarification are set forth on Attachment 1. We have also attached our amended formal request for approval of this Minor Amendment.

Sincerely,


Stephen C. Earl

SCE/GVK

Attachments: As Stated

cc: J. Bednarek (joshuabendarek@phoenix.gov)
Todd Taylor (tth@woodpartners.com)
Clay Richardson (clay.richardson@woodpartners.com)
Frances H. Parrish (fparrish@mmmlaw.com)

Attachment No. 1

We would appreciate your confirmation, or clarification, on the following points in the PUD:

- That an internal snack bar/dining area for tenants and their guests is allowed within the scope of project amenities for tenants and that a small roof-top patio inset at the base of the 4th level for tenant use in the northeast quadrant of the building is allowed. This amenity is at the occupied 4th level and described as such on the updated site plan. These are not unusual amenities for a high-end luxury apartment community.
- Regarding Building Setbacks;
That the required 15-foot maximum building setback on the west side of the property south of Stella Lane has been satisfied as shown on the illustrative site plan in the PUD that was consistent throughout the hearing process and by the DSD preliminary site plan. The purpose of the maximum setback was to preclude the ability to revise the development to place parking fields around the perimeter of the building. This design feature has been accomplished.
- Regarding Landscape Setbacks;
 - ✓ For the south setback, encroachments up to 5-ft. are allowed for porches.
 - ✓ The co-use of the west landscape setback for landscaping and a loading space(s) is permitted, so long as this co-use space has a surface of Grasscrete rather than an imperious surface and all of the required landscaping, trees and shrubs are still provided.
- The use of low walls or low fences is permitted within 10 feet of the building. This simply clarifies the intent of the Marlette rendering to allow 36” high enclosures on the front patios for safety and aesthetics.
- The West Elevation that was modified to accomplish the required reduction of units down to a maximum of 229, is in general conformance with the illustrative exhibits in the PUD. Even though units were removed from the western elevation of the parking garage the west elevation of the garage faces the back side of a commercial center and this elevation was designed to be consistent with the architectural theme of the balance of this west side of the project.
- Finally, that the brick sample to the right is in general conformance with the brick type used in the illustrative exhibits. This style of used brick was chosen at a cost premium because it features warmer tones of reds and browns for a more residential and elegant look rather than an institutional appearance. The photo at right is an image of the proposed brick from a particular company and is subject to availability. In the event this company is unable to deliver this style of brick, an alternate company that sells a similar style of brick will be selected. All of the building elevations have been updated with this brick and are attached.



Attachments:

- Exhibit E - Overall Development – Conceptual Site Plan for Proposed Multifamily Community (Colored) showing the roof patio element.
- Exhibit F - Overall Development – Conceptual Site Plan for Proposed Multifamily Community
- Exhibit H - Conceptual Landscape Plan showing the roof patio element.
- Exhibit J - Updated Conceptual North, South and East elevations.

Exhibit E

**Overall Development –
Conceptual Site Plan for Proposed Multifamily Community (Colored) showing the roof patio element.**

EXHIBIT E

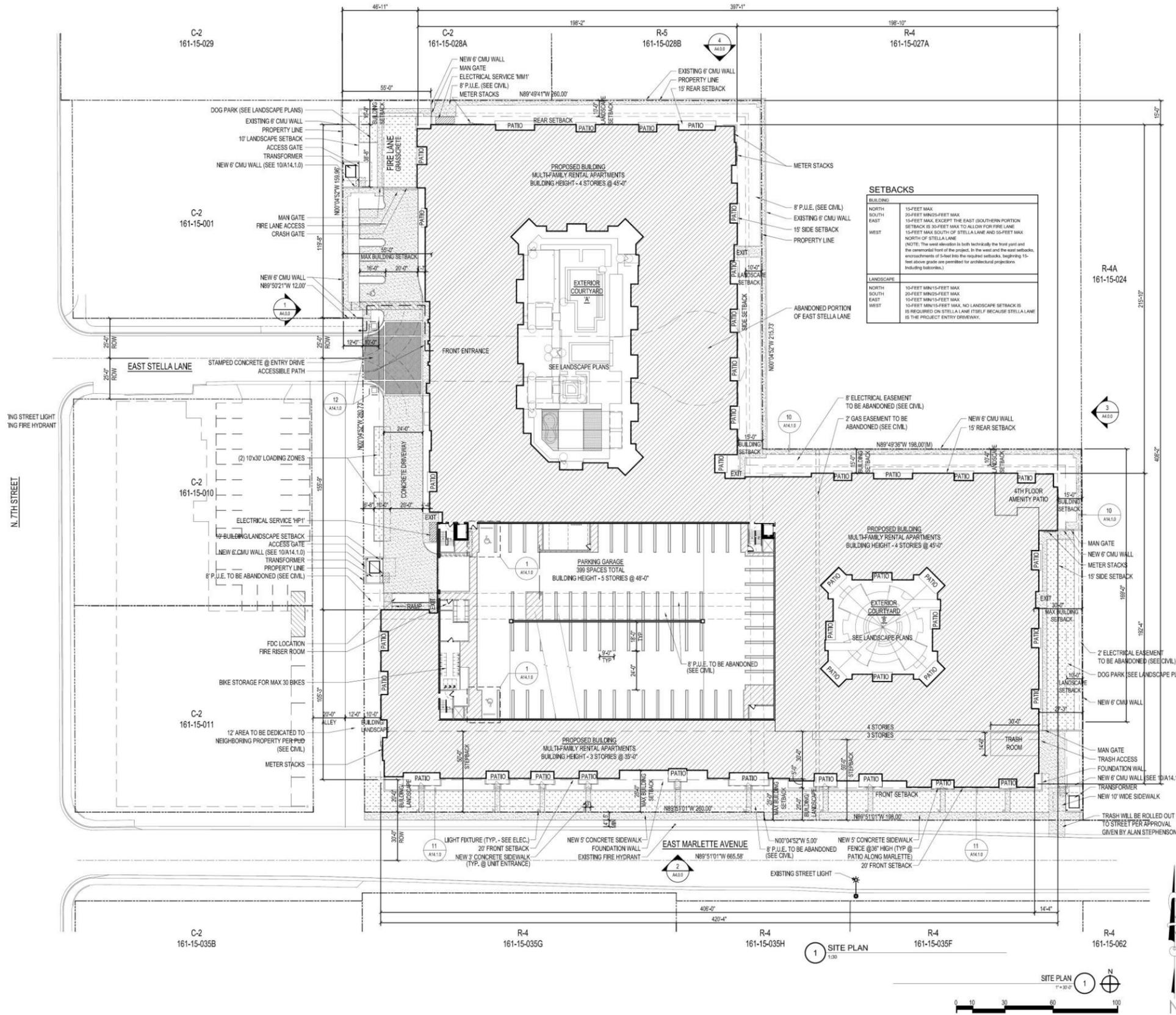
Overall Development — Conceptual Proposed Site Plan for Multi-Family Community (Colored)



Exhibit F

**Overall Development –
Conceptual Site Plan for Proposed Multifamily Community**

Overall Development – Conceptual Site Plan for Multi-Family Community



SETBACKS

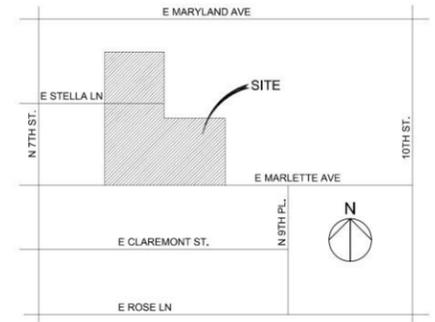
BUILDING	SETBACKS
NORTH	15-FEET MAX
SOUTH	20-FEET MINUS-5-FEET MAX
EAST	15-FEET MAX, EXCEPT THE EAST (SOUTHERN PORTION) SETBACK IS 30-FEET MAX TO ALLOW FOR FIRE LANE
WEST	15-FEET MAX SOUTH OF STELLA LANE AND 55-FEET MAX NORTH OF STELLA LANE
(NOTE: The west elevation is both technically the front and the ceremonial front of the project. In the west and the east setbacks, encroachments of 3-feet into the required setbacks, beginning 15-feet above grade are permitted for architectural projections including balconies.)	
LANDSCAPE	SETBACKS
NORTH	10-FEET MINUS-5-FEET MAX
SOUTH	20-FEET MINUS-5-FEET MAX
EAST	10-FEET MINUS-5-FEET MAX
WEST	10-FEET MINUS-5-FEET MAX, NO LANDSCAPE SETBACK IS REQUIRED ON STELLA LANE ITSELF BECAUSE STELLA LANE IS THE PROJECT ENTRY DRIVEWAY.

SITE PLAN INFORMATION

- PROJECT DESCRIPTION:**
A NEW MULTI FAMILY APARTMENT BUILDING 4 STORIES WRAP WITH AN INTERIOR PARKING GARAGE AND 2 INTERIOR COURTYARDS.
- BUILDING SQUARE FOOTAGE:**
APARTMENTS
1ST FLOOR - 73,811 SF
2ND FLOOR - 74,063 SF
3RD FLOOR - 74,224 SF
4TH FLOOR - 59,041 SF
TOTAL GARAGE
4 LEVELS @ 25,564 SF + 1/2 LEVEL UP AND DOWN = 134,042 SF
- SITE NET ACREAGE:**
156,528 SQ. FT. (3.6 ACRES)
- SITE GROSS ACREAGE:**
168,916 SQ. FT. (3.9 ACRES)
- LOT COVERAGE/OPEN SPACE:**
LOT COVERAGE PROVIDED: 64% (99,375 SF)
LOT COVERAGE ALLOWED: 70% MAX (PER PUD)
OPEN SPACE PROVIDED: COURTYARD A - 10,409 SF
COURTYARD B - 3,867 SF
TOTAL - 14,276 SF
OPEN SPACE REQUIRED: 7% OF GROSS = 11,824 SF
- CURRENT ZONING:**
PUD - CASE# Z-27-17-6
- BUILDING HEIGHT:**
MULTI-FAMILY APARTMENT - 3 STORIES, 35'-0"
MULTI-FAMILY APARTMENT - 4 STORIES, 45'-0"
PARKING STRUCTURE - 48'-0"
MAX. HT. ALLOWED @ 3 STORIES: 35'-0" (PER PUD)
MAX. HT. ALLOWED @ 4 STORIES: 45'-0" (PER PUD)
MAX. HT. ALLOWED @ PARKING STRUCTURE: 48'-0" (PER PUD)
* MAX. HT. DOES NOT INCLUDE ENTRY ELEMENTS
PER PUD PARAPET HEIGHTS LIMITED TO 5' ABOVE ROOF
- PARKING CALCULATIONS:**
PARKING PROVIDED: 388 GARAGE SPACES + 5 OPEN SPACES
404 SPACES (9 ACCESSIBLE)
PARKING REQUIRED: 1.5 SPACES PER 1 BEDROOM (134 UNITS)
1.5 SPACES PER 2 BEDROOM (75 UNITS)
2 SPACES PER 3 BEDROOM (20 UNITS)
364 SPACES (8 ACCESS. REQ. PER SEC 702G TABLE 1)
UNRESERVED REQ.: 0.5 SPACES PER 1 BEDROOM (134 UNITS)
0.5 SPACES PER 2 BEDROOM (75 UNITS)
1 SPACE PER 3 BEDROOM (20 UNITS)
125 SPACES (N/A - NO RESERVED PARKING)
LOADING PROVIDED: (2) 10'X30' LOADING BERTHS (PER 702B TABLE C)
LOADING REQUIRED: (2) 10'X30' LOADING BERTHS
- CONSTRUCTION TYPE:**
5A - APARTMENTS
1A - PARKING GARAGE
- TOTAL DWELLING UNITS/DENSITY:**
Maximum Number of Dwelling Units - 229
TOTAL UNITS ALLOWED PER PUD: 229
- UNIT MIX**

1 BEDROOMS -	134
2 BEDROOMS -	75
2 BEDROOMS + DEN -	20
TOTAL -	229
- CURRENT CODES**
2012 INTERNATIONAL BUILDING CODE W/ AMENDMENTS
2012 INTERNATIONAL EXISTING BUILDING CODE W/ AMENDMENTS
2012 INTERNATIONAL MECHANICAL CODE W/ AMENDMENTS
2012 UNIFORM PLUMBING CODE W/ AMENDMENTS OR 2012 INTER. PLUMBING CODE
2012 NATIONAL ELECTRICAL CODE/NFPA-70 W/ AMENDMENTS
2012 INTERNATIONAL FUEL GAS CODE W/ AMENDMENTS
2012 INTERNATIONAL FIRE CODE W/ AMENDMENTS
2012 INTERNATIONAL ENERGY CONSERVATION CODE W/ AMENDMENTS
2012 CITY OF PHOENIX BUILDING CONSTRUCTION CODE ADMIN. PROVISIONS
2009 ICC/ANSI A117.1, 2010 ADA

VICINITY MAP - NTS



CITY OF PHOENIX APPROVAL BLOCK

Drawn	JF
Checked	BC
Job Number	1716
Drawing	SITE PLAN
Sheet	A1.0

KIVA# 16-3040
 SDEV# 1800547
 PAPP# 1800419
 PRLM#
 SCM#
 Q.S. 21-29

CCBG
Architects, Inc.
PHOENIX SAN DIEGO
102 E BUCHANAN PHOENIX, AZ 85014
P. 602.258.2211 F. 602.255.0909

NEW APARTMENT BUILDING
ALTA MARLETTE
WOOD PARTNERS
N. 7TH ST. AND E. STELLA LN.
PHOENIX, AZ 85014

ISSUE
DATE REV FOR
1/23/18 PRE-APP SUBMITT/7
3/23/18 PRELIMINARY SITE

Exhibit H

Conceptual Landscape Plan showing the roof patio element.

EXHIBIT H

Conceptual Landscape Plan



PLANT MATERIALS

See Exhibit H for complete list

TREES

- Mulga Acacia
- Thornless Cascalote
- Desert Museum, Palo Verde
- Date Palm
- Mastic Tree
- Thornless Mesquite
- Cathedral Oak
- Allee Elm

SHRUBS/GROUNDCOVERS

- Hopbush
- Lynn's Legacy Texas Sage
- Rio Bravo Sage
- Winter Blaze
- Blue Bells
- Dwarf Youpon Holly
- Outback Sunrise Eremophila
- Purple Trailing Lantana
- Prostate Germander

CACTI/ACCENTS

- Twin Flowered Agave
- Blue Elf Aloe
- Blond Ambition
- Mexican Grass Tree
- Candelilla
- Red Yucca
- Regal Mist
- Kelly's Choice Prickly Pear
- Slipper Plant
- Dwarf Elephant Food
- Pale Leaf Yucca

VINES

- Bougainvillea
- Creeping Fig
- Carolina Jessamine
- Purple Vine Lilac

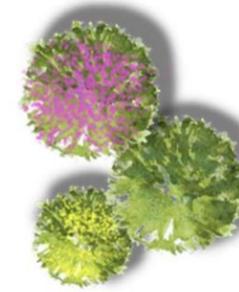


Exhibit J

Updated Conceptual North, South and East elevations.

EXHIBIT J

Proposed Conceptual West Elevation

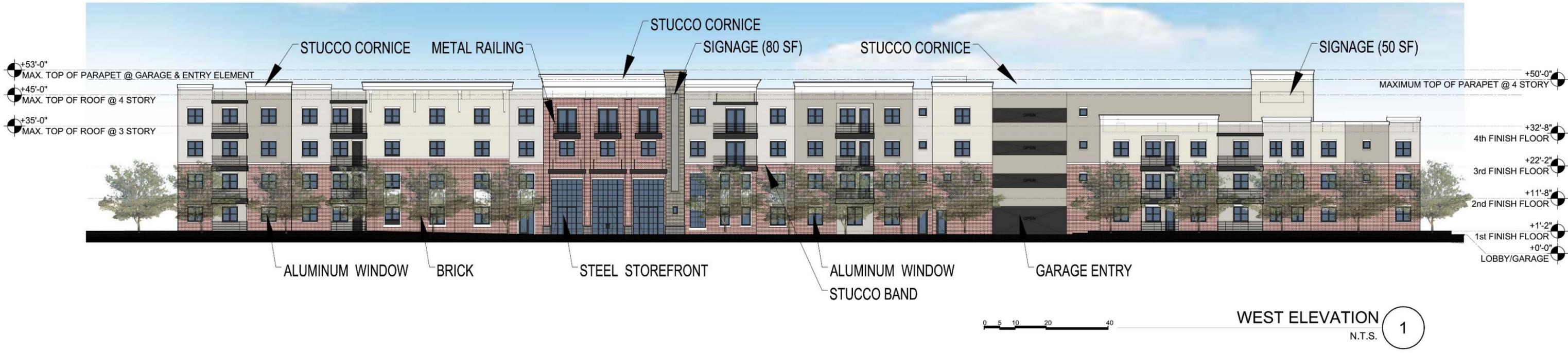
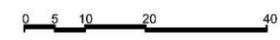


EXHIBIT J

Proposed Conceptual North Elevation



NORTH ELEVATION
N.T.S. **1**

EXHIBIT J

Proposed Conceptual South Elevation

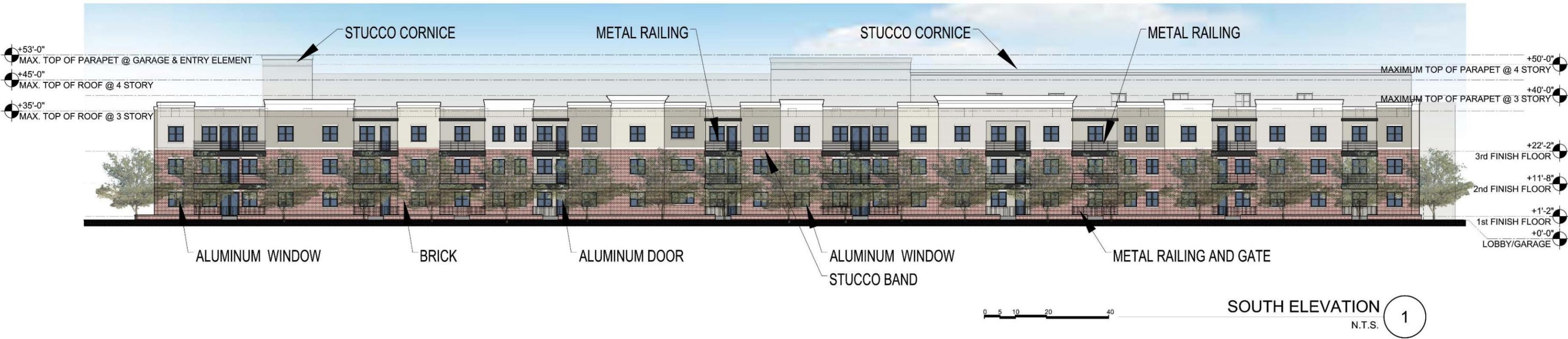
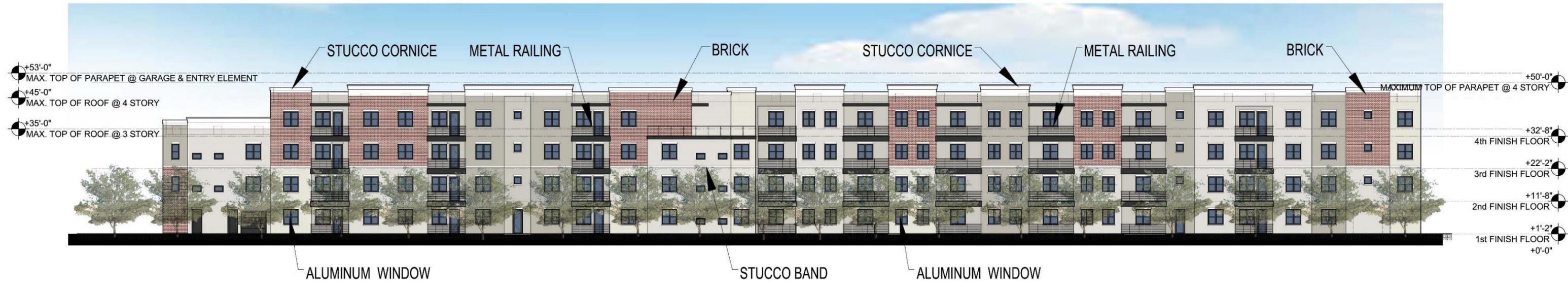


EXHIBIT J

Proposed Conceptual East Elevation



+53'-0"
MAX. TOP OF PARAPET @ GARAGE & ENTRY ELEMENT

+45'-0"
MAX. TOP OF ROOF @ 4 STORY

+35'-0"
MAX. TOP OF ROOF @ 3 STORY

MAXIMUM TOP OF PARAPET @ 4 STORY +50'-0"

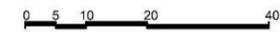
+32'-8"
4th FINISH FLOOR

+22'-2"
3rd FINISH FLOOR

+11'-8"
2nd FINISH FLOOR

+1'-2"
1st FINISH FLOOR

+0'-0"



EAST ELEVATION (1)
N.T.S.