

**SALT RIVER PIMA-MARICOPA
INDIAN COMMUNITY**
10005 East Osborn Road
Scottsdale, Arizona 85256

ORDINANCE NUMBER: SRO-501-2018

AN ORDINANCE TO AMEND THE SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY ZONING ORDINANCE BY MODIFYING THE ZONING MAP TO CREATE A NEW PLANNED DEVELOPMENT OVERLAY DISTRICT (PD) OVER THE UNDERLYING "C3" (GENERAL COMMERCIAL) ZONE (CASE NUMBER 18-ZN-02) TO MODIFY CERTAIN ZONING DEVELOPMENT STANDARDS AND TO ALLOW THE ODYSEA IN THE DESERT AND ADJACENT HOTEL PROJECTS TO BE MASTER PLANNED TOGETHER FOR SHARED ACCESS, UTILITIES, AND OTHER INFRASTRUCTURE.

BE IT ENACTED THAT:

The Zoning Map adopted pursuant to the Salt River Pima-Maricopa Indian Community Zoning Ordinance is hereby amended to create a new PD Overlay District over the underlying C3 (General Commercial) zone for the following designation of land as described below:

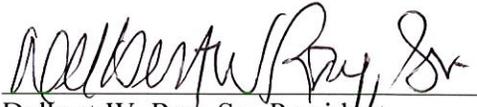
1. The zoning designation of the land is situated on the northwest corner of N Dobson Rd and E Via De Ventura on allotted and tribally owned lands further described as located within the Salt River Pima-Maricopa Indian Community (SRPMIC) and being part of the southeast quarter (SE1/4) of Section 31, Township 3 North, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, as more particularly described on Exhibit A.
 2. The permitted uses and modified development standards of the PD Overlay District are described in Exhibit B.
 3. The master development plan is attached as Exhibit C.
 4. The narrative and documents illustrating the PD Design Quality and Intent are attached as Exhibit D.
 5. The base area landscaping plan is attached as Exhibit E.
 6. The sign plan is attached as Exhibit F.
 7. The access and storm water statements are attached as Exhibit G.
 8. The changes in the zoning map designation from C3-PC (Pima Corridor) to C3-PD-PC as provided for in this ordinance shall be effective on the date of the enactment of this ordinance.
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Enacted pursuant to Article 2.7 and Articles 5.1 and 5.2 of SRO-467-2015 (Zoning Ordinance) of the Salt River Pima-Maricopa Indian Community.

C E R T I F I C A T I O N

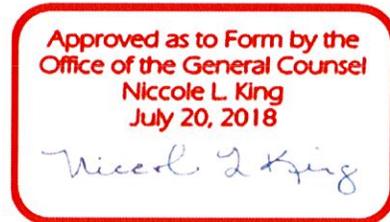
This Ordinance is hereby enacted pursuant to the authority contained in Article VII, Section 1 of the Constitution of the Salt River Pima-Maricopa Indian Community ratified by the Tribe, February 28, 1990, and approved by the Secretary of the Interior, March 19, 1990, and amended by the Tribe, February 27, 1996, and approved by the Secretary April 23, 1996, the foregoing Ordinance was adopted this 5th day of September, 2018 in a duly called meeting held by the Community Council in Salt River, Arizona at which a quorum of 8 members was present by a vote of 8 for; 0 opposed; 0 abstaining; and 1 excused.

**SALT RIVER PIMA-MARICOPA
INDIAN COMMUNITY COUNCIL**


Delbert W. Ray, Sr., President

ATTEST:


Erica Harvier, Secretary



**COMBINED OVERALL
LEGAL DESCRIPTION**

A PARCEL OF LAND LOCATED WITHIN THE SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY (SRPMIC), AND BEING PART OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 3 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 31, MARKED BY A FOUND BRASS CAP FLUSH, STAMPED RLS 40937, FROM WHICH THE SOUTH QUARTER CORNER, MARKED BY A PK NAIL WITH STRADDLES, BEARS NORTH 89°47'41" WEST, FOR A DISTANCE OF 2643.59 FEET;

THENCE NORTH 89°47'41" WEST, ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 31, FOR A DISTANCE OF 1321.81 FEET;

THENCE NORTH 0°08'07" EAST, FOR A DISTANCE OF 55.00 FEET TO THE POINT OF BEGINNING;

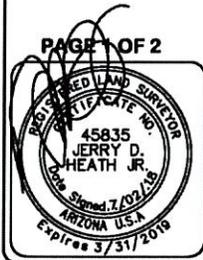
THENCE CONTINUING NORTH 0°08'07" EAST, FOR A DISTANCE OF 1263.99 FEET;

THENCE SOUTH 89°51'17" EAST, FOR A DISTANCE OF 1264.49 FEET TO A POINT WHICH IS PARALLEL AND 55.00 FEET WEST OF THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 31;

THENCE SOUTH 0°02'06" WEST, ALONG SAID PARALLEL LINE, FOR A DISTANCE OF 1265.32 FEET, TO A POINT WHICH IS PARALLEL AND 55.00 FEET NORTH OF THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 31;

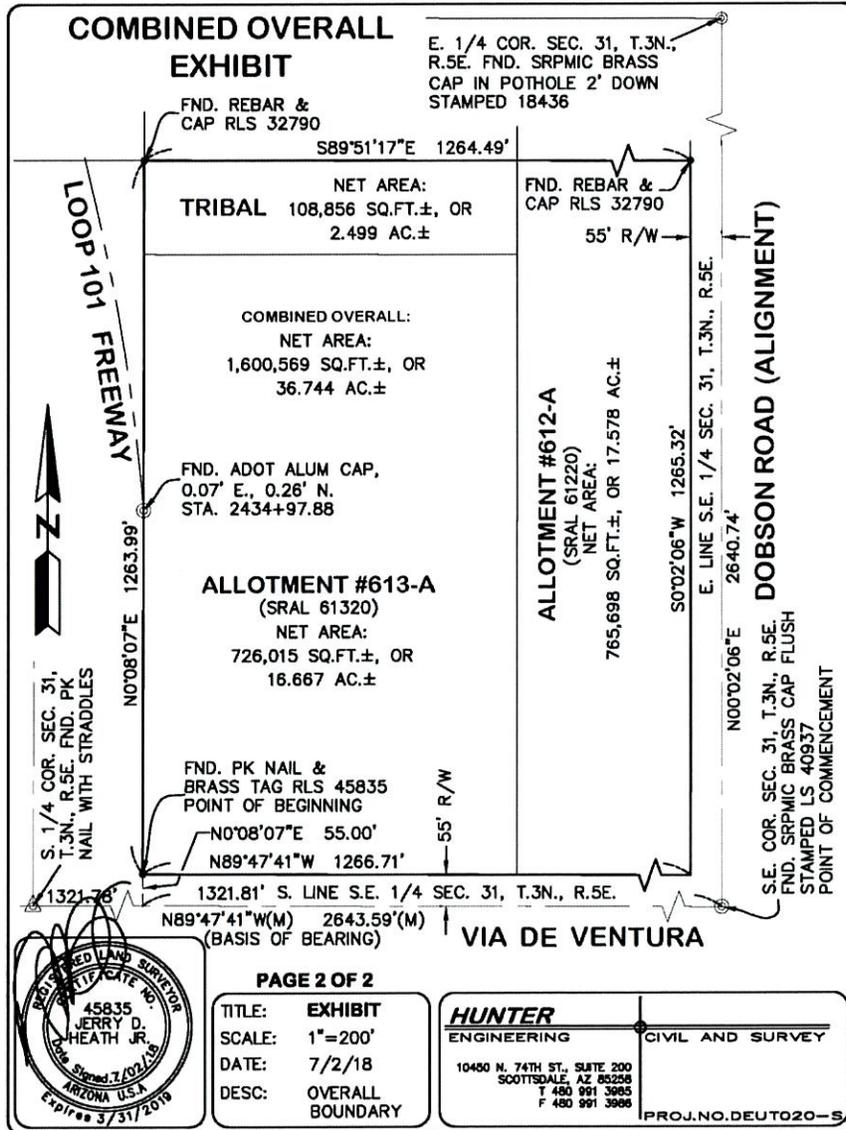
THENCE NORTH 89°47'41" WEST, ALONG SAID PARALLEL LINE, FOR A DISTANCE OF 1266.71 FEET TO THE POINT OF BEGINNING.

SAID AREA CONTAINS 1,600,569 SQUARE FEET, OR 36.744 ACRES, MORE OR LESS.



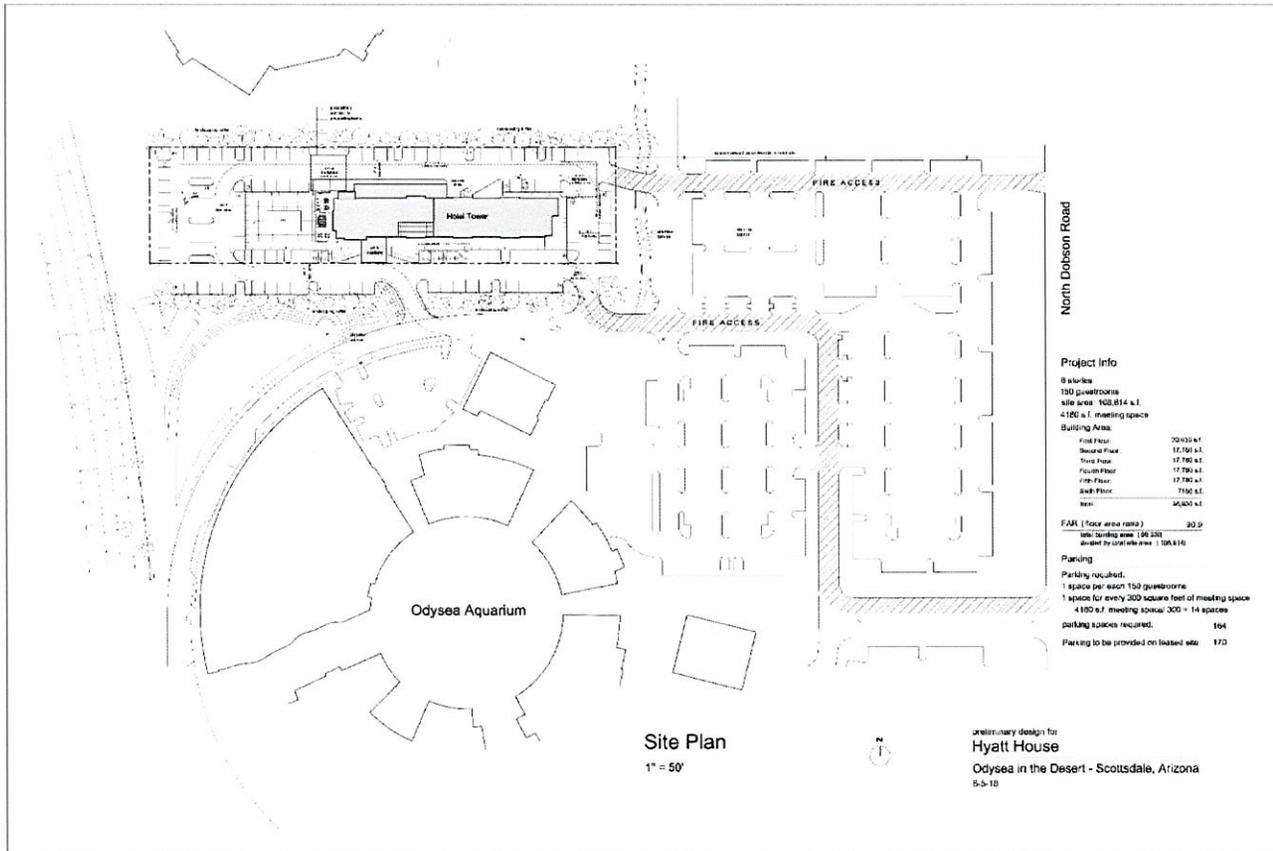
TITLE: **LEGAL DESCRIPTION**
 DATE: 7/2/18
 DESC: OVERALL

HUNTER
 ENGINEERING CIVIL AND SURVEY
 10450 N. 74TH ST., SUITE 200
 SCOTTSDALE, AZ 85258
 T 480 991 3985
 F 480 991 3986
 PROJ. NO. DEUT020-S



ATTACHMENT 2, EXHIBIT A

<i>Odysea Planned Development Overlay District (PD) Standards</i>		
Existing Zoning Requirements	Proposed PD Overlay District Changes – Permitted Uses and Modified Development Standards*	Reason for Change
<i>HOTEL site only</i>		
SRO-467-2015 3.4.3: Floor area ratio: Max 0.45	Floor area ratio: Maximum hotel FAR = 0.91	Allow more intense development of hotel site and shared circulation, storm drain control and landscaping
SRO-467-2015 6.3.11.B.1: Total building base planting area: 29,016 sq. ft. (minimum 36 sq. ft. average for each linear foot of building perimeter, for 6-story building)	Minimum total building base planting area: 13,875 (17.2 sq. ft. average for each linear foot of building perimeter)	To allow more intense development of hotel site
SRO-467-2015 6.3.11.B.2.c : Minimum building base planting depth = 14 sq. ft.	Minimum building base planting area = 6 sq. ft. on north side of hotel; 12 sq. ft. on east side of hotel	To allow more intense development of hotel site
SRO-467-2015 6.3.7: Landscape border along north hotel property line = Min 7 ft.	Landscape border on north hotel property line = No border required	To allow for future development to north to complete other half of parking area, or to install shared landscape and pedestrian amenities
<i>Odysea in the Desert site only</i>		
SRO-467-2015 6.7.10.A: Minimum distance between freestanding signs in C3 zone = 300 feet	Minimum distance between freestanding signs at Odysea = 200 feet	Monument sign visibility is blocked by ADOT overhead freeway signage at the 300 feet location.
*Standards not listed in this table default to the SRPMIC Zoning Ordinance (SRO-467-2015)		





OdySea in the Desert PD Overlay Project Narrative

The development of the Hyatt House hotel serves a specific purpose at OdySea in the Desert and will support the various entertainment venues currently in use, including any proposed future development. By creating a Planned Development (PD) Overlay District for the current OdySea in the Desert parcel (34 acres) and the proposed Hyatt House hotel project (2.498 acres) we would increase the cohesiveness of the two parcels allowing the sharing of amenities such as circulation, utility connections, parking, pedestrian amenities, and landscaped spaces, all while creating a flexibility, uniformity, and synergy between the Hyatt House hotel and the entertainment venues at OdySea in the Desert.

OdySea in the Desert is a unique development within the Salt River Pima-Maricopa Indian Community. Creating a singular large area, compared to separate parcels, allows OdySea to expand its unique designs such as public art (Appendix B), river pedestrian walkways (representing local rivers) (Appendix A), and creating additional public plaza's and courtyards (Appendix C), which will add additional public gathering areas, all of which embrace the Authentic and Piipaash cultural influences.

Developers believe this hotel site to be somewhat unique in that it is a small (2.498 acre) parcel that is situated in the center, of what could be, an 85-acre entertainment destination (OdySea in the Desert is currently working with land owners and the community to potentially expand the development by an additional 50 acres to the adjacent north of the current development). As such, the hotel parcel cannot and does not enjoy the infrastructure of a larger area. Current C3 Commercial Zoning requirements cannot be met, such as the setbacks on the southern property line, landscaping requirements on the northern property line, the Floor Area Ratio (FAR), as well as parking requirements. In addition, the project team knows it must provide for its own support areas and services, certainly having adequate parking on-site across the combined developments, as per the Community's requirement.

The purpose of a PD Overlay District is to create a development that is innovative and exceeds the quality achievable using the current C3 Commercial Zoning Code, which is what OdySea in the Desert and Hyatt House hotel also want to achieve. As mentioned above, characteristics of the OdySea in the Desert facility include river themed walks (Appendix A), community public art (Appendix B), outdoor amenities such as a courtyard designed to give patrons a place to gather (Appendix C), native landscaping (with signs educating the public on the local culture) (Appendix D), cultural art on the façades (Appendix E), and architecture designs representing the Salt River Pima-Maricopa Indian Community, which will be continued into the hotel parcel and will create the uniformity and synergy that is important when developing a cohesive and comprehensive entertainment district.

The master site plan is designed to create a pedestrian friendly experience by eliminating vehicle circulation within the development. The major pedestrian entries include colored concrete designs like existing trellis', and river themes as way-finding. Pedestrian flow is directed to the main entry via the Santa Cruz River Plaza. Creating a PD Overlay will allow all the above mentioned, plus the artwork, and community gathering spots to continue while creating a flow and cohesiveness to the development.



In addition to creating a PD Overlay, a modification to the sign policy is also being requested. Within the sign ordinance it dictates that signage needs to be 300 linear feet from another sign. Currently, OdySea in the Desert has an electronic billboard near the 101 Freeway, advertising events occurring at the center. To increase business to the restaurants and stores that are currently tenants at OdySea in the Desert, the developer would like to

install a new sign advertising just the restaurants/stores for the traffic travelling east on Via de Ventura. Unfortunately, by following the 300-foot ordinance it would place the sign directly behind the freeway directional sign for traffic traveling west on Via de Ventura, which would create a blocked sign. By reducing the distance requirement to 200 feet, the placement of the sign would allow for the drivers travelling east on Via de Ventura and exiting Via De Ventura northbound to be informed of the various restaurants and stores at OdySea in the Desert, while not affecting the traffic travelling westbound on Via de Ventura.

The developers firmly believe that this PD Overlay application meets the goals and objectives of the Community's General Plan, and will be in harmony with the intent and purpose of the SRPMIC zoning ordinance, including the buildings being aesthetically pleasing and reflect the cultural values of the Pima-Maricopa culture. In addition, a beautiful hotel will augment the attractive venues that were opened in recent years, such as the OdySea Aquarium, Butterfly Wonderland, and Dolphinaris. This approval of the PD Overlay will allow the development of the Hyatt House hotel in the entertainment district to continue to grow and serve its specific purpose at OdySea in the Desert.

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APPENDIX A: Sample photos of pedestrian river walkways

APPENDIX B: Sample photos of public art

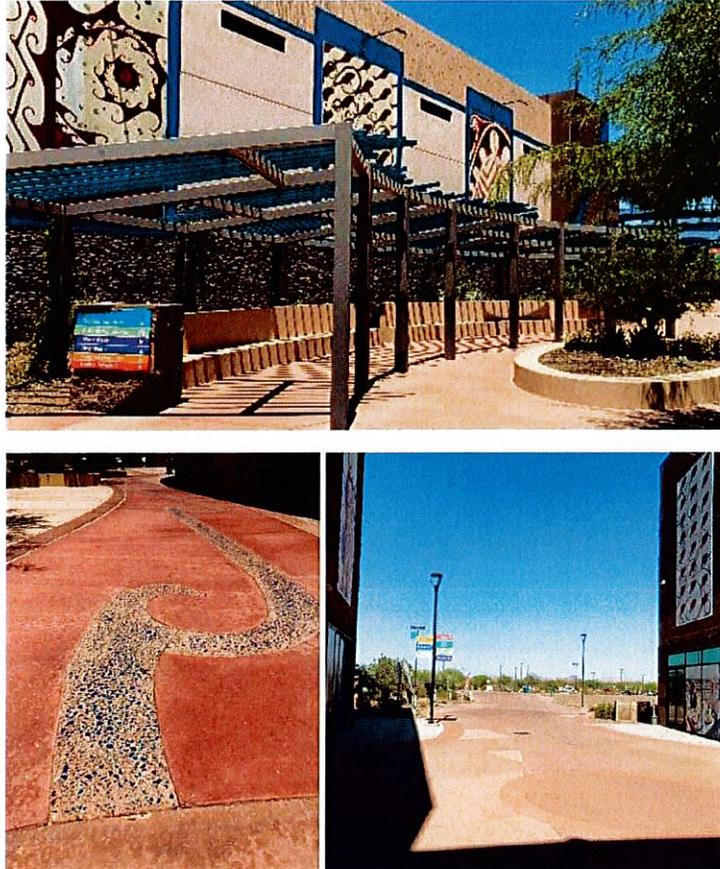
APPENDIX C: Sample photos of courtyard and public spaces

APPENDIX D: Sample photos of educational cultural signage

APPENDIX E: Sample photos of exterior design cultural elements

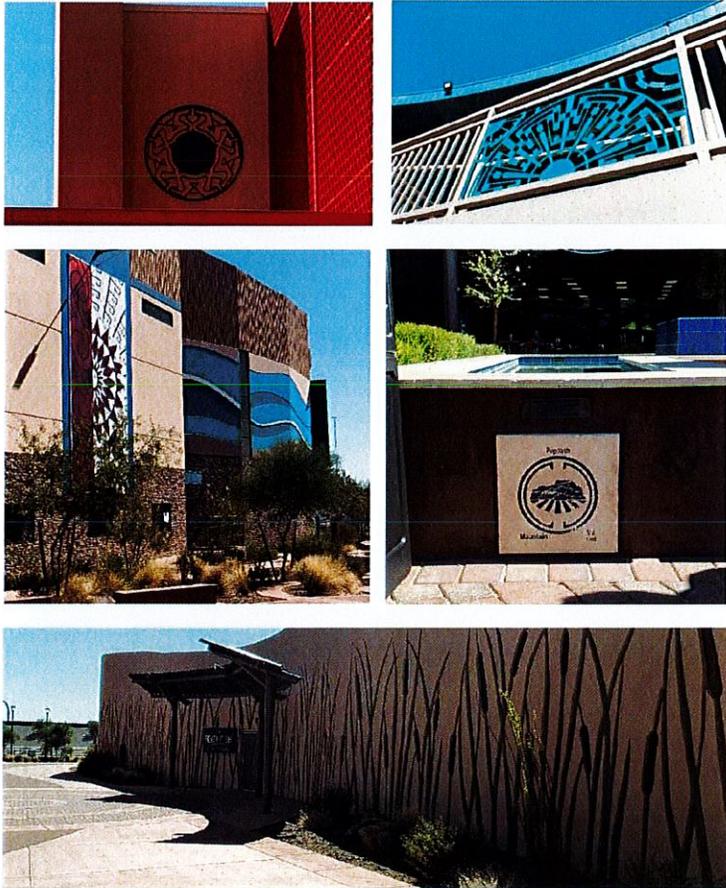
APPENDIX F: Aerial view of distance between pylon signs

APPENDIX A: Sample photos of pedestrian river walkways



ATTACHMENT 2, EXHIBIT D

APPENDIX B: Sample photos of public art



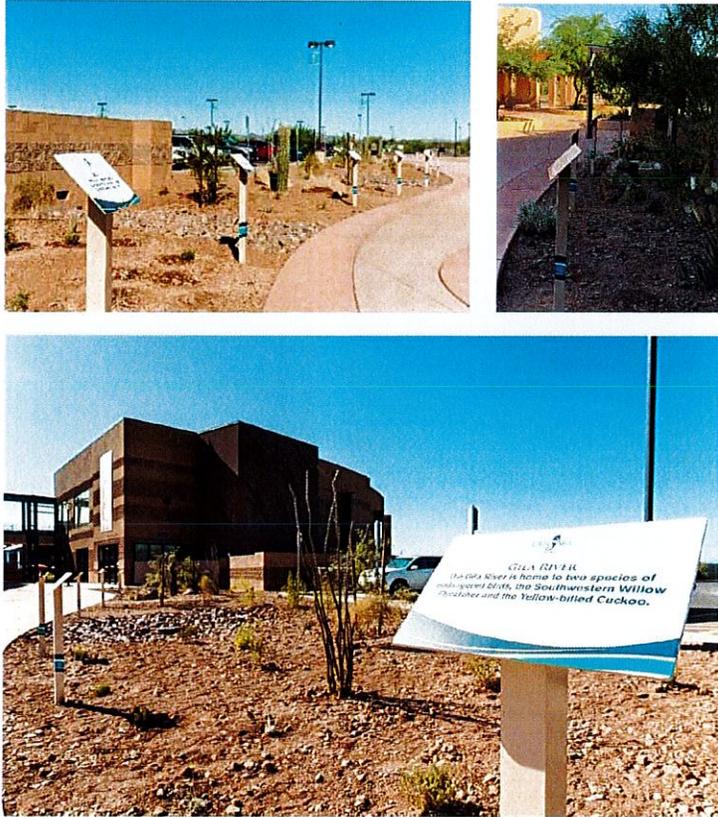
ATTACHMENT 2, EXHIBIT D

APPENDIX C: Sample photos of courtyard and public spaces



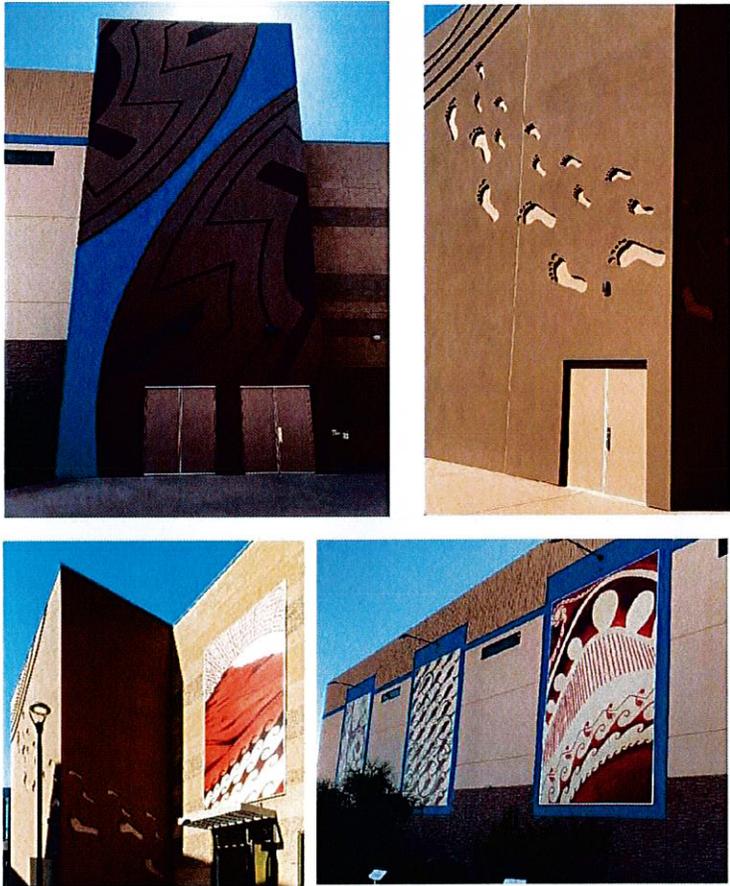
ATTACHMENT 2, EXHIBIT D

APPENDIX D: Sample photos of educational cultural signage

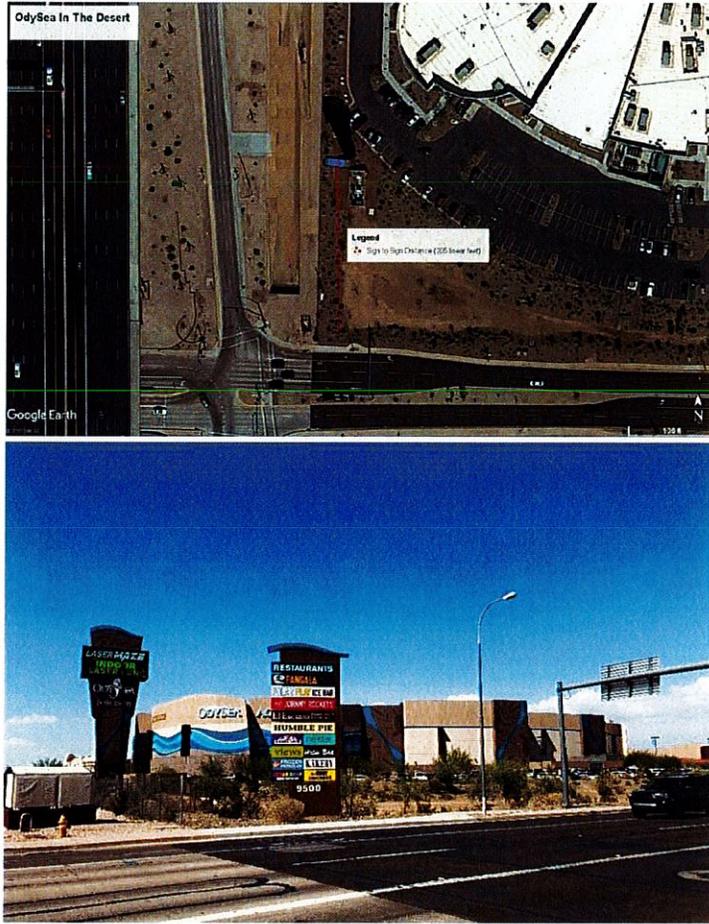


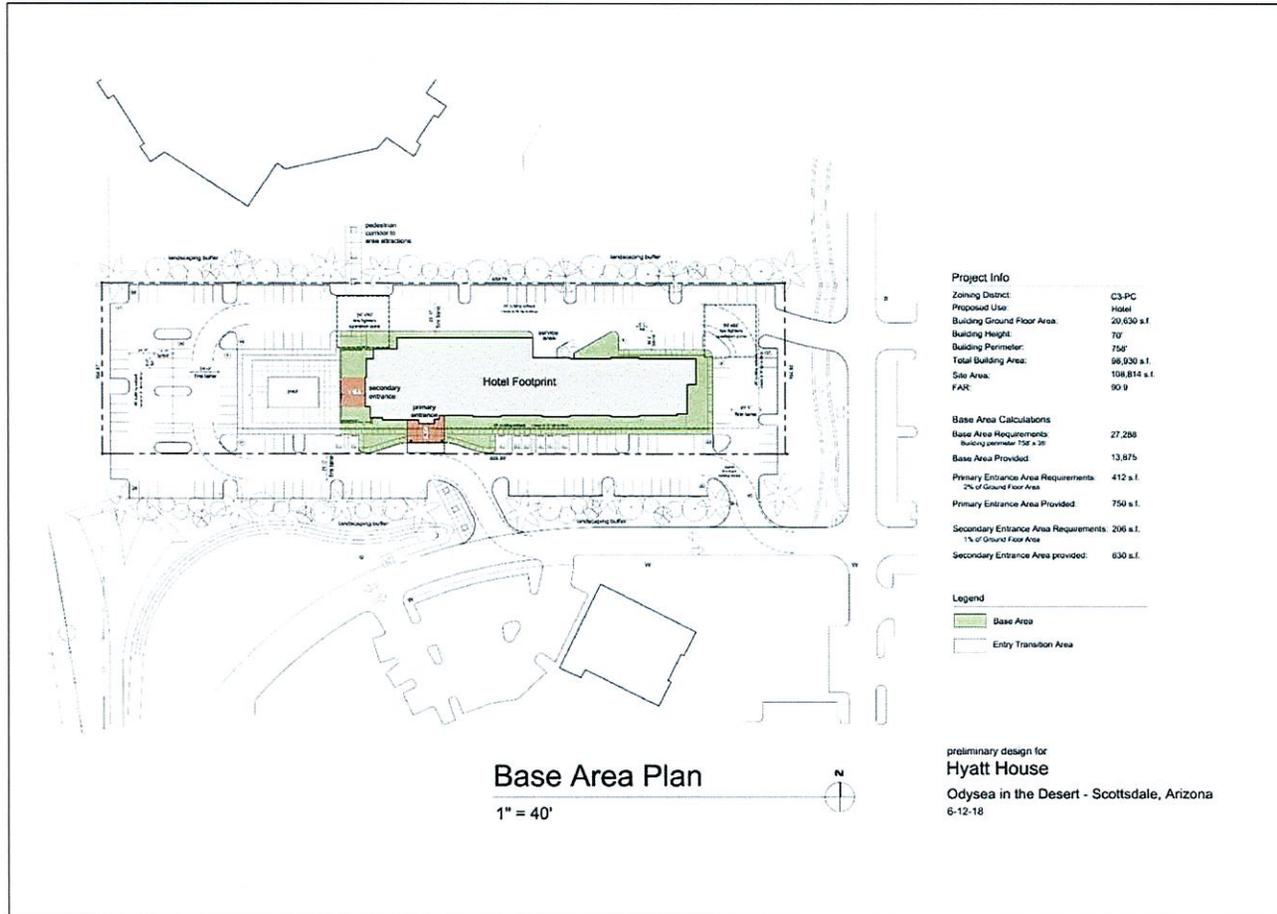
ATTACHMENT 2, EXHIBIT D

APPENDIX E: Sample photos of exterior design cultural elements



APPENDIX F: Aerial view of distance between pylon signs





Project Info

Zoning District:	C3-PC
Proposed Use:	Hotel
Building Ground Floor Area:	50,630 s.f.
Building Height:	70'
Building Perimeter:	750'
Total Building Area:	98,930 s.f.
Site Area:	108,814 s.f.
FAR:	90.9

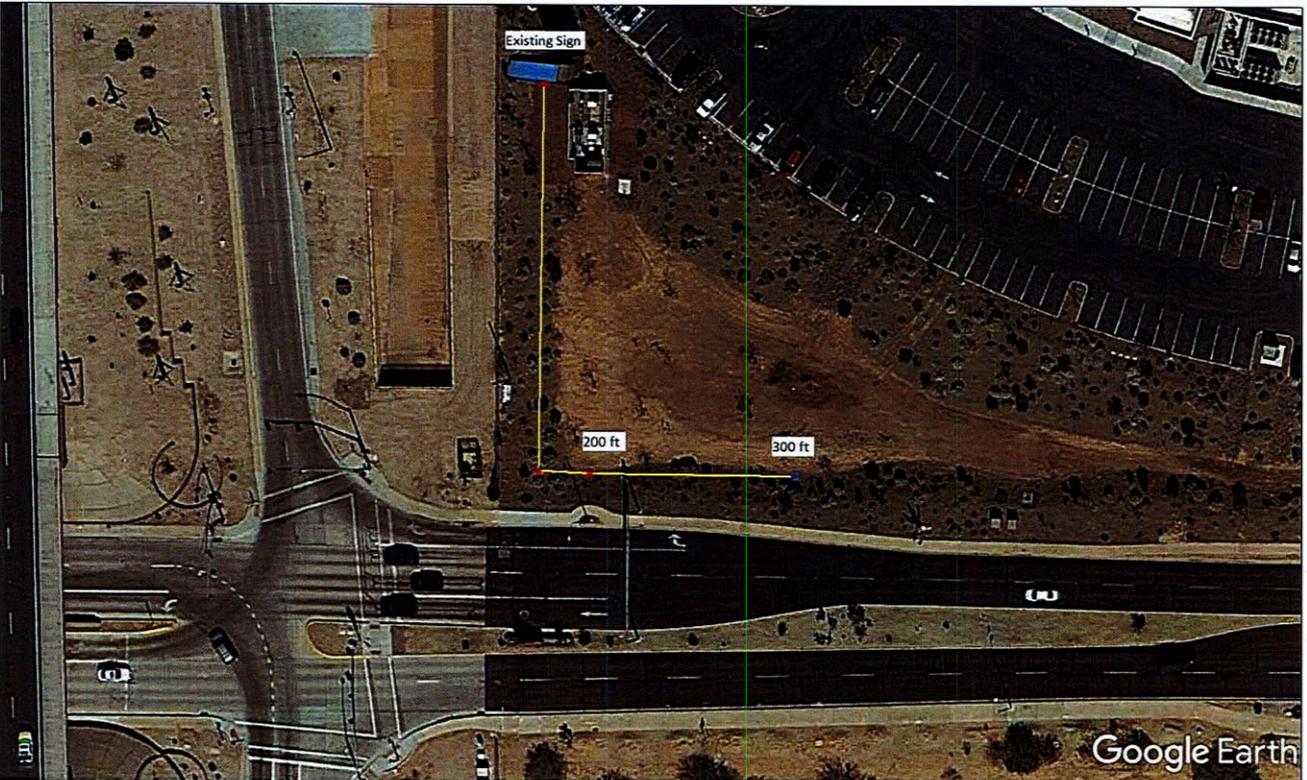
Base Area Calculations

Base Area Requirements:	27,288
Building perimeter 750' x 30'	
Base Area Provided:	13,875
Primary Entrance Area Requirements:	412 s.f.
2% of Ground Floor Area	
Primary Entrance Area Provided:	750 s.f.
Secondary Entrance Area Requirements:	206 s.f.
1% of Ground Floor Area	
Secondary Entrance Area provided:	630 s.f.

Legend

- Base Area
- Entry Transition Area

preliminary design for
Hyatt House
 Odyssey in the Desert - Scottsdale, Arizona
 6-12-18



ATTACHMENT 2, EXHIBIT F

Northern Gateway, LLC

9500 E. Via De Ventura, Suite E100
Scottsdale, AZ 85256

June 1, 2018

Salt River Pima Maricopa Indian Community
10005 Osborn Road
Scottsdale, AZ 85256
Attention: Suzanne Colver

Dear Suzanne,

In pursuit of a master lease B-789 for MARA, LLC on tribal land parcel allotment #185 (SRAL 18520), Northern Gateway, LLC will enter into an agreement with MARA, LLC that will grant a full cross-access to Dobson Road, to utility access and utility use from Northern Gateway, and access to shared parking on the southern border of the Northern Gateway parcel for the benefit of both MARA, LLC and Northern Gateway, LLC for the respective life of the respective the leases.

To that end, a draft of the agreement has already been prepared and will be further refined as the specific requirements and locations are finalized pending approval of the Conditional Use Permit and approval of the MARA, LLC master lease by the SRPMIC council.

As always, please feel free to reach out at any time if there are any questions or additional requests.

Sincerely,



Adi Knishinsky

Chief Strategy Officer
Northern Gateway, LLC

ATTACHMENT 2, EXHIBIT G

10450 N. 74th Street, #200
Scottsdale, Arizona 85258
T 480 991 3985
F 480 991 3986
jearley@hunterengineeringpc.com

Technical Memorandum

To: Mr. Terry O'Neil
SET Developments LLC
From: Jacob Earley, P.E.
Date: June 7, 2018
Re: Hyatt House - Odyssey Hotel
Located north of northwest corner of Dobson Road and Via de Ventura

This letter is in reference to the 2.5-acre parcel located north of the northwest corner of Dobson Road and Via de Ventura. We understand a Conditional Use Permit was submitted for the parcel. A sealed letter by an engineer is required as part of the approval of the Conditional Use Permit.

This letter confirms that Hunter Engineering has been retained by the developers of the Odyssey in the Desert to provide a solution to capture and convey the historic runoff impacting this 2.5-acre parcel and the adjacent 50-acre parcel to the north. Hunter Engineering is currently working on a solution to accommodate the historical flows within the 50-acres of land located directly north of this parcel.

It is also the intent for Hunter Engineering to provide a design for storm water detention of the 2.5-acre parcel. The solution for the on-site detention system has not been finalized but will be prepared as the development moves forward.

Thank you,



Jacob Earley, PE
Project Manager



