

# BEUS GILBERT

PLLC

ATTORNEYS AT LAW

4800 NORTH SCOTTSDALE ROAD  
SUITE 6000  
SCOTTSDALE, ARIZONA 85251-7630  
(480) 429-3000  
FAX (480) 429-3100

August 20, 2003

## **HAND DELIVERED**

Mr. Kurt Jones  
Project Coordinator  
City of Scottsdale  
7447 E. Indian School Road  
Scottsdale, Arizona 85251

Dear Kurt:

Re: **Case # 1-IID-2003 Scottsdale Waterfront Infill Incentive District and Plan –  
Affidavit of Posting – September 10, 2003 Planning Commission Hearing  
Date**

As required, I am attaching the Affidavit of Posting for the Planning Commission hearing scheduled for September 10, 2003. The signs were placed at 6 locations throughout the perimeter of the site for maximum visibility.

Please contact me at 602-909-5836 should you require additional information or clarification at this time.

Sincerely,  
BEUS GILBERT PLLC

*Martha West*

Martha M. West  
Sr. Planning Consultant

Attachment

cc. Geoff Beer  
John V. Berry  
Susan Bitter Smith

ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER - SEE REVERSE SIDE FOR COMPLETE SECURITY FEATURES

GOLUB & COMPANY  
625 N MICHIGAN AVENUE  
SUITE 2000  
CHICAGO, IL 60611

BANK ONE, N.A.  
CHICAGO, IL 60690

022725  
07100013

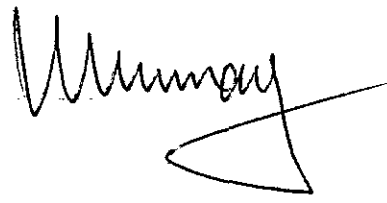
DATE  
May 30, 2003

AMOUNT  
\$2,380.00

Two Thousand Three Hundred Eighty Dollars And 00 Cents

PAY TO THE ORDER OF

CITY OF SCOTTSDALE



SAFEGUARD SECURITY  
SAFEGUARD SECURITY

THIS DOCUMENT CONTAINS HEAT SENSITIVE INK. TOUCH OR PRESS HERE - RED IMAGE DISAPPEARS WITH HEAT

022725 07100013

532479

## McClay, Doris

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**From:** Meinhart, Robin  
**Sent:** Wednesday, September 24, 2003 12:45 PM  
**To:** Jones, Kurt A.  
**Cc:** McClay, Doris  
**Subject:** FW: Tall buildngs in Scottsdale

fyi - feedback from the Waterfront web site.

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

**From:** Kisluk, Erica R.  
**Sent:** Wednesday, September 24, 2003 8:52 AM  
**To:** Meinhart, Robin  
**Subject:** FW: Tall buildngs in Scottsdale

fyi, feedback re: waterfront proj.

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

**From:** fry202@cox.net [mailto:fry202@cox.net]  
**Sent:** Wednesday, September 24, 2003 8:49 AM  
**To:** Kisluk, Erica R.  
**Subject:** Tall buildngs in Scottsdale

These 2 towers remind me of all the bitter complaints lodged about height when the bank bldg. was erected on the NW corner of Camelback & Scottsdale Rds. The city keeps changing the zoning regulations - but NEVER sticks to them. After 23 yrs. this is no longer a nice place to live!!!

Lesley Fry

fry202@cox.net

This message was feedback from the following web page:  
<http://www.scottsdaleaz.gov/projects/waterfront/WFImages.asp>  
9/24/2003 8:49:06 AM

68.106.34.140 Mozilla/5.0 (Windows; U; Win98; en-US; rv:1.4)  
Gecko/20030624 Netscape/7.1 (ax)



City of Scottsdale  
**Current Planning Services**

**SCHOOL DISTRICT**  
 Determination of Adequate Facilities

*Area in gray to be completed by Applicant.*

City of Scottsdale Project Number: 1-11D-2003

Project Name: Scottsdale Waterfront

Project Location: Southwest Corner of Scottsdale Rd. + Camelback Rd.

Applicant Name: John Berry, Beus Gilbert PLLC

Phone: 480-429-3003

Applicant E-mail: johnvberry@msn.com

Fax: 480-429-3100

School District: Scottsdale Unified School District

I, Williams M. Johnson, hereby certify that the following determination has been made in regards to the above referenced project:

- The school district has adequate school facilities to accommodate the projected number of additional students generated by the proposed rezoning within the school district's attendance area; or A boundary change may be necessitated.
- The school district will have adequate school facilities via a planned capital improvement to be constructed within one (1) year of the date of notification of the district and located within the school district's attendance area; or
- The school district has determined an existing or proposed charter school as contracted by the district can provide adequate school facilities for the projected increase in students; or
- The applicant and the school district have entered into an agreement to provide, or help to provide, adequate school facilities within the school district's attendance area in a timely manner (a copy of said agreement is attached hereto); or
- The school district does not have adequate school facilities to accommodate projected growth attributable to the rezoning.

Attached are the following documents supporting the above certification:

- Maps of attendance areas for elementary, middle and high schools for this location
- Calculations of the number of students that would be generated by the additional homes.
- School capacity and attendance trends for the past three years.

Or

I, \_\_\_\_\_, hereby request a thirty (30) day extension of the original discussion and response time.

[Signature]  
 Superintendent or Designee

9-12-03  
 Date

**Planning and Development Services**

7447 E Indian School Road, Suite 105  
 Scottsdale, AZ 85251  
 Phone: 480-312-7000 • Fax: 480-312-7088



# Scottsdale Unified School District

*No Dream Too Big . . . No Challenge Too Great*

Education Center  
3811 North 44th Street  
Phoenix, Arizona 85018-5420

Telephone: 480-484-6143  
FAX: 480-484-6288  
Web site: [www.susd.org](http://www.susd.org)

September 12, 2003

Martha West, Sr. Land Planner  
Beus Gilbert  
4800 N. Scottsdale Road  
Suite 6000  
Scottsdale, AZ 85251-7630

Re: School District Determination of Adequate Facilities  
City of Scottsdale Case # 1-IID-2003; Southwest Corner of Scottsdale Road and Camelback  
(Scottsdale Waterfront)

Dear Ms. West:

The planned residential development located on the Southwest corner of Scottsdale Road and Camelback, also known as the Scottsdale Waterfront Site, is currently located in the Hopi Elementary, Ingleside Middle, and Arcadia High Schools attendance area. All of these schools are at or very near full capacity and are projected to remain so for the next several years. These schools do not have room to accommodate additional students.

Based on the information you provided regarding the proposed development, the high-rise luxury condominium product is expected to yield very few if any school age children. The developer has indicated that the type of product being developed will most likely appeal to young professionals without children, empty nesters whose children have grown, and out-of-towners as vacation or second home property. If this is the case, then there will be no significant impact on the enrollment at the schools.

If any significant numbers of school age children are generated by the development, it will be necessary to accommodate the additional enrollment through an alternative such as a boundary change. For example, it may be feasible to include the Waterfront project within the Tonalea Elementary, Supai Middle, and Coronado High Schools attendance area. Each of these schools has spare capacity and can accommodate additional students.

In the marketing and information provided to any prospective investors, potential buyers, or any other interested parties, Scottsdale Unified School District requests that it be clearly communicated that Hopi, Ingleside, and Arcadia are full and that an attendance boundary change is a very real possibility for this development.

Sincerely,

Williams M. Johnson, Ed.D., R.A.  
Chief of Facilities & Operations

Cc: Dr. Erwin  
Kurt Jones

## Jones, Kurt A.

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**From:** Shewak, Jayna  
**Sent:** Wednesday, August 20, 2003 3:35 PM  
**To:** Jones, Kurt A.  
**Subject:** FW: Northbank property

I think I will send this to the PC and DRB since Anne Gale is not going to attend the 8-27 joint SS.

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

**From:** Anne [mailto:anne.wisemanandgale@cox.net]  
**Sent:** Wednesday, August 20, 2003 3:33 PM  
**To:** jayna shewak  
**Subject:** Northbank property

Dear Jayna,

I am unable to attend the joint meeting of the Zoning Commission and the Development Review Board next Wednesday. I understand that this meeting is actually a formality since the City Council will act as the Development Review Board in this matter. I further understand that Council has been working diligently with the developers and architect to create a project which will answer the needs and concerns of citizens and stakeholders.

On August 19 I saw the full presentation of the latest version. I am very satisfied with what I saw for the following reasons:

- Marshall Way will be activated as a pedestrian-shopping street leading directly across the plaza-bridge into downtown Scottsdale.
- More than half of the property will remain as open space----thanks to applying the approved building volume vertically rather than covering the property with low buildings. I support the 135 foot residential towers.
- The high-rise buildings are situated away from the residential neighborhoods.
- The buildings seem to have architectural charm and a lot of visual interest. The materials are natural to this area and used well.

I hope the City Council will approve this project as presented and get it underway without further delay.

Anne Gale



## CURRENT PLANNING

One Civic Center Plaza  
7447 E. Indian School Rd, Suite 105  
Scottsdale, AZ 85251

### FAX COVER SHEET

Fax: (480) 312-7088

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URGENT     FOR REVIEW     PLEASE COMMENT     PLEASE REPLY     PLEASE RECYCLE

---

**TO:**

John Berry

**FROM:**

Doris McClay

**FAX NUMBER:**

480-429-3100

**DATE:**

September 11, 2003

**COMPANY:**

Beus Gilbert

**TOTAL NO. OF PAGES INCLUDING COVER:**

3

**PHONE NUMBER:**

480-429-3003

**RE:**

1-II-2003

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#### NOTES/COMMENTS:

I have included the affidavit form. Please send me the photo of the updated sign and the original signed affidavit. Thanks



September 11, 2003

John Berry  
Beus Gilbert P L L C  
4800 N Scottsdale Rd Ste 6000  
Scottsdale, AZ 85251

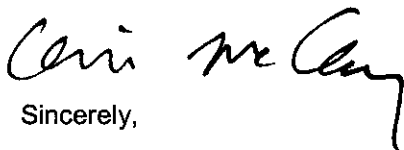
Re: 122-PA-2003  
1-II-2003  
Scottsdale Waterfront

Applicant:

The purpose of this letter is to advise you that your case, 1-II-2003 has been set for the October 7, 2003 City Council hearing which will be held at 5:00 p.m. in City Hall Kiva, 3939 North Drinkwater Boulevard. We will call you when the case report is ready for you to pick up.

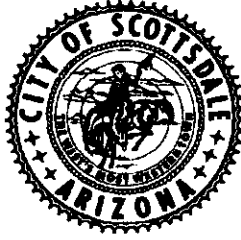
As before, please update the sign on your site with the City Council hearing date. Your site must be posted at least twenty days prior to the first public hearing date. The posting must be removed within thirty days following the final disposition of your development application. An affidavit of posting and photo of the sign must be provided before your case can be presented at a public hearing.

Thank you.

  
Sincerely,

Doris McClay  
Coordination Specialist





## CURRENT PLANNING

One Civic Center Plaza  
7447 E. Indian School Rd, Suite 105  
Scottsdale, AZ 85251

### FAX COVER SHEET

Fax: (480) 312-7088

---

URGENT     FOR REVIEW     PLEASE COMMENT     PLEASE REPLY     PLEASE RECYCLE

---

**TO:**

John Berry

**FROM:**

Doris McClay

---

**FAX NUMBER:**

480-429-3100

**DATE:**

August 13, 2003

---

**COMPANY:**

Beus Gilbert PLLC

**TOTAL NO. OF PAGES INCLUDING COVER:**

4

---

**PHONE NUMBER:**

480-429-3003

**RE:**

1-II-2003

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**NOTES/COMMENTS:**

We changed the category designation to II instead of IID. I have included an affidavit form. Please send a photo of the sign with the signed original affidavit. Thank you.



August 13, 2003

John Berry  
Beus Gilbert P L L C  
4800 N Scottsdale Rd Ste 6000  
Scottsdale, AZ 85251

Re: **122-PA-2003**

Applicant:

The City of Scottsdale's Current Planning Division has reviewed your development application and determined that your submittal was complete. Your check has been cashed and your application has been assigned case number **1-II-2003**.

Enclosed is a copy of the legal notice for your public hearing case. **Please read the notice carefully for accuracy. If there is an error, please contact your Project Coordinator.** If errors are not corrected immediately, the case will need to be continued in order to meet advertising requirements specified in state statutes and local ordinances.

Please submit your final graphics at this time. This includes 16 sets of 11x17s and 2 sets of 8-1/2x11s, collated and stapled. Each set should include all of the following: Context aerial and context site plan, Site plan, Conceptual elevations, Conceptual landscape plan, Floor plans, and a Topography map. If you have any questions, please contact your Coordinator for clarification. **Your Project Coordinator is Kurt Jones.**

Your coordinator has informed you of your case's site posting requirements. Your site must be posted at least twenty days prior to the first public hearing date. The posting must be removed within thirty days following the final disposition of your development application. **An affidavit of posting and photo of the sign must be provided before your case can be presented at a public hearing.**

City staff will review your submittal in detail. Upon completion of this review, you will receive a staff report, which discusses your proposal and includes pertinent development stipulations. That report will be available for your review approximately one week prior to the date of your public hearing. **Your hearing date for Planning Commission has been tentatively set for September 10, 2003.** You will be notified when the City Council date has been determined.

If you have any questions or concerns, contact the Project Coordinator handling your case or the Community Development front desk at 480-312-7000.

Thank you.

  
Doris McClay  
Coordination Specialist


Enclosure

**DRAFT LEGAL NOTICE LANGUAGE:**

**Project Name: Scottsdale Waterfront**

**Project Description:** Request to designate and qualify an infill incentive district and to adopt an infill incentive plan with amended development standards on a portion of the infill incentive district on a 11.3 +/- acre parcel located at the southwest corner of Scottsdale Road and Camelback Road

**\*\*Please use the above Project Description language as the "Request" on your sign, as illustrated below:**

 City of Scottsdale  
**Public Notice**

**PUBLIC HEARINGS**  
City Hall  
3939 N. Drinkwater Boulevard  
Scottsdale, AZ

**PLANNING COMMISSION: 5:00 P.M., 9-10-03**  
**CITY COUNCIL: 5:00 P.M., TBD**

**REQUEST:** to designate and qualify an infill incentive district and to adopt an infill incentive plan with amended development standards on a portion of the infill incentive district on a 11.3 +/- acre parcel

**LOCATION:** southwest corner of Scottsdale Road and Camelback Road

**Case Number: 1-II-2003**  
**Applicant/Contact: John Berry**  
**Phone Number: 480-429-3003**

Case File Available at City of Scottsdale  
480-312-7000

Posting Date:



August 13, 2003

Assistant Superintendent for Support Services  
Scottsdale Unified School District # 48  
3811 North 44th Street  
Phoenix, Arizona 85018

Re: **All Cases**

To Whom It May Concern:

This notice calls your attention to the fact that there has been a request for City of Scottsdale Planning Commission and City Council action on property located within or near your school district's boundaries.

Please feel free to call the Project Coordinator if you have any questions or comments.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Doris McClay".

Doris McClay  
Planning Assistant  
Scottsdale Planning Commission

one enclosure



## **NOTICE OF PLANNING COMMISSION HEARING**

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Scottsdale, Arizona, will hold a public hearing on September 10, 2003, at 5:00 P.M in the City Hall Kiva, 3939 N. Drinkwater Boulevard, Scottsdale, Arizona, for the purpose of hearing all persons who wish to comment on the following:

- 1-II-2003** (Scottsdale Waterfront) request by Beus Gilbert PLLC, applicant, Scottsdale Waterfront LLC, owner, to designate and qualify an infill incentive district and to adopt an infill incentive plan with amended development standards on a portion of the infill incentive district on a 11.3 +/- acre parcel located at the southwest corner of Scottsdale Road and Camelback Road. Staff contact person is Kurt Jones. **Applicant contact person is John Berry, 480-429-3003.**
- 11-ZN-2003** (Thomas Property Rezoning) request by Earl Curley & Lagarde P C, applicant, Thomas Trust, owner, to rezone from Single Family Residential, Planned Community District, Environmentally Sensitive Lands (R1-35 PCD ESL) to Industrial Park, Planned Community District, Environmentally Sensitive Lands (I-1 PCD ESL) on a 4 +/- acre parcel located at the southwest corner of McDowell Mountain Ranch Road and the 100th Street alignment, west of Thompson Peak Parkway. Staff contact person is Al Ward, 480-312-7067. **Applicant contact person is Lynne Lagarde, 602-265-0094.**
- 12-ZN-2003** (Cattletrack Ranch) request by Earl Curley & Lagarde P C, applicant, Diann Henderson; & AMZ Homes, owners, to rezone from Single Family Residential District (R1-43 & R1-35) to Single Family Residential District, Planned Residential District (R1-18 PRD) with amended development standards on a 5.5 +/- acre parcel located at the Southwest corner of Cattletrack/Miller Road and Lincoln Drive. Staff contact person is Tim Curtis, 480-312-4210. **Applicant contact person is Lynne Lagarge, 602-265-0094.**
- 2-GP-2003** (Cattletrack Ranch) request by Earl Curley & Lagarde P C, applicant, Diann Henderson & AMZ Homes, owner, for a General Plan Amendment from Rural Neighborhoods to Suburban Neighborhoods and from Rural Character to Suburban Character on a 5.5 +/- acre parcel located at the southwest corner of Cattletrack/Miller Road and Lincoln Drive. Staff contact person is Tim Curtis, 480-312-4210. **Applicant contact person is Lynne Lagarde, 602 265-0094.**
- 3-GP-2003** (Sheegl/Thomas Property) request by Tornow Design Associates, applicant, Winstar Pro LLC & Thomas Trust, owners, for a General Plan Amendment from Cultural/Institutional to Employment on a 10 +/- acre parcel located west of Thompson Peak, south of McDowell Mountain Ranch Road. Staff contact person is Al Ward, 480-312-7067. **Applicant contact person is Roger Tornow, 480-607-5090.**
- 8-ZN-2003** (Sheegl Property) request by Tornow Design Associates, applicant, Winstar Pro LLC, owner, to rezone from Single Family Residential, Planned Community District, Environmentally Sensitive Lands (R1-35 PCD ESL) to Industrial Park,

Planned Community District, Environmentally Sensitive Lands (I-1 PCD ESL) with amended development standards on a 5 +/- acre parcel located at 9875 & 9909 E McDowell Mountain Ranch Road (west of Thompson Peak Parkway). Staff contact person is Al Ward, 480-312-7067. **Applicant contact person is Roger Tornow, 480-607-5090.**

The above items may be discussed at a Study Session prior to the Planning Commission meeting including a Commission update. The public/applicant may attend the study session but may not comment. Please call 480-312-7000 the day before the meeting for the time.

The Council hearing date will be continued when the Planning Commission has not given a recommendation.

A case file on the subject properties is on file at 7447 E. Indian School Road, Suite 105, where it may be viewed by any interested person.

A COPY OF A FULL AGENDA, INCLUDING ITEMS CONTINUED FROM PREVIOUS MEETINGS IS AVAILABLE AT LEAST 24 HOURS PRIOR TO THE MEETING AT THE FOLLOWING LOCATIONS:

Police Department, 9065 East Via Linda  
City Hall, 3939 N. Drinkwater Boulevard  
El Dorado Park & Recreation Center, 2311 N. Miller Road  
Online at: <http://www.ScottsdaleAZ.gov/Boards/PC>

ALL INTERESTED PARTIES ARE INVITED TO ATTEND.

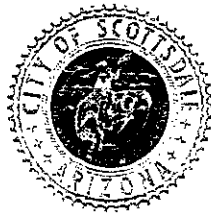
CHAIRMAN  
PLANNING COMMISSION

Attest  
Doris McClay  
Planning Assistant

For additional information click on the link to 'Projects in the Public Hearing Process' at: <http://www.ScottsdaleAZ.gov/projects>.



Persons with a disability may request a reasonable accommodation such as a sign language interpreter, by contacting the City Clerk's Office at 480-312-2412. Requests should be made as early as possible to allow time to arrange accommodation.



• "New Livable City" U.S. Department of Housing & Urban Development

July 3, 2003

Mr. Geoff Beer  
Scottsdale Waterfront, LLC  
2525 E. Camelback Rd., Suite 740  
Phoenix, AZ 85016

Dear Mr. Beer:

In accordance with the June 17, 2002 Tolling Agreement Milestone 5, this letter serves to provide you with the Scottsdale Planning and Development Services Department thirty day written comments related to your June 2, 2003 Infill Incentive District application submittal.

Overall, staff believes the application can meet the city objectives for the development of the proposed Waterfront project. The general objectives identified by city staff for the project include:

1. Supporting the long term fiscal health and business vitality of Downtown Scottsdale
2. Activating major corridors
  - Marshall Way should be developed as a retail main street experience; village square; pedestrian and trolley corridor
  - Arizona Canal as a regionally linked public amenity
3. Embodiment of upscale, southwestern character
  - Constructed of quality materials that stand the test of time
  - High level of quality design and materials, especially at the pedestrian level
4. Creates a downtown neighborhood
  - Provides a variety of upscale housing product
  - Provides both public and private gathering spaces
  - Supports downtown as the cultural center of the City of Scottsdale through public art and other on-site cultural uses or amenities
5. Develop both the east and west sides of Marshall Way as a main street retail experience in the first phase of project development. The retail experience along Marshall Way should be pedestrian oriented and embody an upscale, southwest character

Keeping these objectives in mind, city staff has reviewed your application and submits the following primary comments with regards to your June 2, 2003 application:

1. Orientation of building F needs to be reevaluated. Currently there is too much massing over too long of a length directly adjacent to the Arizona Canal. Provide funding for view shed and shadow analysis necessary for evaluating the proposed buildings of the project.
2. Create an open space master plan for the project that defines and distinguishes public open space from private open space and identifies all public access easements through any proposed private spaces.

3. Submit a parking master plan that includes required and provided parking calculations and depicts where all private and public parking locations will be located. The parking master plan shall also detail any parking waiver or reduction requests being made as part of this development application.
4. Amphitheater should be passive open space with a gently sloping turf area similar to the amphitheater type and design on Scottsdale Civic Center Mall. Reevaluate/relocate amphitheater to a more appropriate location on the site.

In addition to the four primary staff comments listed above, the following is a list of secondary comments provided to you from an interdepartmental city staff team:

Traffic Engineering/Transportation:

- Submit appropriate funds to the City of Scottsdale Transportation Department to begin the TIMA process to determine all lane configurations
- Provide 55' R-O-W along Camelback (one section has 40'), and additional R-O-W or easement along Montecito and Marshall Way for sidewalks
- Provide bus stops on Camelback at Marshall Way (southeast corner) and on Scottsdale Road just south of Camelback
- Provide trolley stop locations along Marshall Way (city to provide exact locations)

Sewer:

- Provide phased Master Plan for sewer (for technical review process phase)
- Pay particular attention to the capacity of the 8" line that extends into the site from Goldwater to Marshall Way. If the 8" is close to or at capacity then the site will need to sewer to the existing 15" line in Goldwater Boulevard

Water:

- Need phased Master Plan for water (for technical review process phase)
- The site should tap off the waterline in Camelback Road with separate taps for Fire protection and domestic master meter service on site
- Prefer Marshall Way & Montecito to remain at grade (no parking structure to be constructed under these roadways) in order to provide water access to the site from Camelback Road and Goldwater Boulevard

Drainage:

- A Master Stormwater Management Plan for the entire site must be prepared as part of the technical review process which shows:
  - ❖ All stormwater management devices;
  - ❖ Stormwater storage locations;
  - ❖ Underground pipe locations, and;
  - ❖ Phasing of construction of all hydraulic devices.
- The development must provide full stormwater storage. The storage can be drained either to the Camelback Road Drain or to the US Corps of Engineers side drain at a rate not to exceed the capability of the pipes at peak discharge.
- A concept plan be prepared that shows how "on-site" runoff will not enter the Arizona Canal but will be conveyed to the previously mentioned drainage facilities.
- Proposed city canal bank project will provide drainage for Marshall Way only- inlet drop structure will not be replaced by city project. Subsequent Waterfront development shall provide all storm drain improvements to replace inlet drop structure.



Fire:

- Buildings will be subject to installation and testing requirements for a public safety radio amplification system.
- Buildings C, E and F will be reviewed per the fire code and building code for vertically occupied floors in buildings of 72' in height or greater.

Planning & Design:

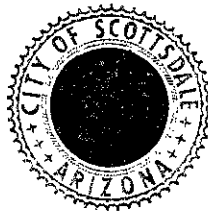
- Downtown Overlay: the Downtown Overlay (1-TA-2003) was approved 7/1/03 by the Scottsdale City Council meeting. The Scottsdale Waterfront development team will want to reexamine their site plan application in comparison to the new Downtown Overlay language.
- Since the application seeks to modify some of the development standards through an Infill Incentive District process, then it should be clarified as such in the application language that falls just before the development standards table.
- If the intention of the application is to have the proposed amended development standards apply to the current Waterfront proposal only, and specifically exclude the Nordstrom land as part of the Infill Incentive application, it needs to be clarified in the narrative as such (noting that the previous zoning case 43-ZN-95 amended development standards still apply to the Nordstrom and Scottsdale Fashion Bridge sites) and the amended development standards need to be further refined so they pertain only to the Waterfront Project site through the application of the Infill Incentive District. Specifically:
  - a. Revise the application language to indicate the maximum GFA for the Scottsdale Waterfront Project is 1,100,000 s.f. under the Infill Incentive District application.
  - b. Specify any setback amendments being requested as part of the Infill Incentive District application.
  - c. It is unclear, based on the current application whether the June 2, 2003 site plan meets the entire building lines requirement for Camelback Road. Specify any alterations or waivers to the building lines requirement that may be requested as part of the Infill Incentive District application.

The city understands that the site plan and architectural character is evolving based on various input the applicant may receive. We look forward to continuing an open dialogue with you in order to move the Scottsdale Waterfront development application through the public entitlement process.

Sincerely,



Kroy Ekblaw  
General Manager  
Scottsdale Planning & Development Services



• Most Livable Cities™ U.S. Conference of Mayors •

July 3, 2003

Mr. Geoff Beer  
Scottsdale Waterfront, LLC  
2525 E. Camelback Rd., Suite 740  
Phoenix, AZ 85016

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3. Submit a parking master plan that includes required and provided parking calculations and depicts where all private and public parking locations will be located. The parking master plan shall also detail any parking waiver or reduction requests being made as part of this development application.
4. Amphitheater should be passive open space with a gently sloping turf area similar to the amphitheater type and design on Scottsdale Civic Center Mall. Reevaluate/relocate amphitheater to a more appropriate location on the site.

In addition to the four primary staff comments listed above, the following is a list of secondary comments provided to you from an interdepartmental city staff team:

Traffic Engineering/Transportation:

- Submit appropriate funds to the City of Scottsdale Transportation Department to begin the TIMA process to determine all lane configurations
- Provide 55' R-O-W along Camelback (one section has 40'), and additional R-O-W or easement along Montecito and Marshall Way for sidewalks
- Provide bus stops on Camelback at Marshall Way (southeast corner) and on Scottsdale Road just south of Camelback
- Provide trolley stop locations along Marshall Way (city to provide exact locations)

Sewer:

- Provide phased Master Plan for sewer (for technical review process phase)
- Pay particular attention to the capacity of the 8" line that extends into the site from Goldwater to Marshall Way. If the 8" is close to or at capacity then the site will need to sewer to the existing 15" line in Goldwater Boulevard

Water:

- Need phased Master Plan for water (for technical review process phase)
- The site should tap off the waterline in Camelback Road with separate taps for Fire protection and domestic master meter service on site
- Prefer Marshall Way & Montecito to remain at grade (no parking structure to be constructed under these roadways) in order to provide water access to the site from Camelback Road and Goldwater Boulevard

Drainage:

- A Master Stormwater Management Plan for the entire site must be prepared as part of the technical review process which shows:
  - ❖ All stormwater management devices;
  - ❖ Stormwater storage locations;
  - ❖ Underground pipe locations, and;
  - ❖ Phasing of construction of all hydraulic devices.
- The development must provide full stormwater storage. The storage can be drained either to the Camelback Road Drain or to the US Corps of Engineers side drain at a rate not to exceed the capability of the pipes at peak discharge.
- A concept plan be prepared that shows how "on-site" runoff will not enter the Arizona Canal but will be conveyed to the previously mentioned drainage facilities.
- Proposed city canal bank project will provide drainage for Marshall Way only- inlet drop structure will not be replaced by city project. Subsequent Waterfront development shall provide all storm drain improvements to replace inlet drop structure.

Fire:

- Buildings will be subject to installation and testing requirements for a public safety radio amplification system.
- Buildings C, E and F will be reviewed per the fire code and building code for vertically occupied floors in buildings of 72' in height or greater.

Planning & Design:

- Downtown Overlay: the Downtown Overlay (1-TA-2003) was approved 7/1/03 by the Scottsdale City Council meeting. The Scottsdale Waterfront development team will want to reexamine their site plan application in comparison to the new Downtown Overlay language.
- Since the application seeks to modify some of the development standards through an Infill Incentive District process, then it should be clarified as such in the application language that falls just before the development standards table.
- If the intention of the application is to have the proposed amended development standards apply to the current Waterfront proposal only, and specifically exclude the Nordstrom land as part of the Infill Incentive application, it needs to be clarified in the narrative as such (noting that the previous zoning case 43-ZN-95 amended development standards still apply to the Nordstrom and Scottsdale Fashion Bridge sites) and the amended development standards need to be further refined so they pertain only to the Waterfront Project site through the application of the Infill Incentive District. Specifically:
  - a. Revise the application language to indicate the maximum GFA for the Scottsdale Waterfront Project is 1,100,000 s.f. under the Infill Incentive District application.
  - b. Specify any setback amendments being requested as part of the Infill Incentive District application.
  - c. It is unclear, based on the current application whether the June 2, 2003 site plan meets the entire building lines requirement for Camelback Road. Specify any alterations or waivers to the building lines requirement that may be requested as part of the Infill Incentive District application.

The city understands that the site plan and architectural character is evolving based on various input the applicant may receive. We look forward to continuing an open dialogue with you in order to move the Scottsdale Waterfront development application through the public entitlement process.

Sincerely,



Kroy Ekblaw  
General Manager  
Scottsdale Planning & Development Services

**Scottsdale Waterfront, L.L.C.**

2525 E. Camelback Rd., Suite 740

Phoenix, AZ 85016

(602) 468-0112

(602) 468-1567 fax

June 2, 2003

**VIA HAND-DELIVERY**

Mr. David Roderique  
General Manager of Economic Vitality  
City of Scottsdale  
7447 E. Indian School Rd., Suite 200  
Scottsdale, Arizona 85251

Re: Scottsdale Waterfront - Milestone 5 Submittal

Dear Mr. Roderique:

Enclosed are the following materials in satisfaction of Section 6.5 (Milestone 5) of the June 17, 2002 Tolling Agreement between the City of Scottsdale and Scottsdale Waterfront, L.L.C.:

- 1) A copy of a complete Infill Incentive District application, the original of which has been submitted to the City's Planning and Development Services Department. As has been discussed previously, the Infill Incentive District is the selected tool to address relief from development standards as contemplated by the Tolling Agreement.
- 2) A New Transaction Terms Sheet dated June 2, 2003, which is the proposed resolution of major deal points from Milestone 3.

We are also enclosing an easy to read "Balance Sheet" to explain the benefits of the New Transaction Terms Sheet to both the City of Scottsdale and the developer of the Waterfront Property.

We look forward to continued work with the City regarding this exciting and important project. If you have any questions regarding this submittal, please do not hesitate to contact me.

1-II-2003

Very truly yours,

A handwritten signature in black ink, appearing to read 'G. Beer', with a long horizontal flourish extending to the right.

Geoff Beer  
Project Manager

cc: Mayor & Members of Scottsdale City Council  
Jan Dolan  
Ed Gawf  
R. Kelly Ward  
Starwood Capital Group – Jeffrey Dishner, Jeffrey Morris, Ellis Rinaldi  
Golub & Company – Michael Newman, Lee Golub, Chris Milam  
Steve Betts  
John Berry

## Scottsdale Waterfront, L.L.C.

2525 E. Camelback Rd., Suite 740

Phoenix, AZ 85016

(602) 468-0112

(602) 468-1567 fax

### VIA HAND DELIVERY

January 15, 2003

Mr. David Roderique  
General Manager of Economic Vitality  
City of Scottsdale  
7447 E. Indian School Rd., Suite 200  
Scottsdale, Arizona 85251

*Re: Scottsdale Waterfront - Milestone 3 Submittal*

Dear David:

Enclosed are the following materials in satisfaction of Section 6.3 (Milestone 3) of the June 17, 2002 Tolling Agreement between the City of Scottsdale and Scottsdale Waterfront, L.L.C.:

- A professionally prepared Development Plan that is more detailed than the Conceptual Development Plan submitted to satisfy Milestone 2 and an accompanying economic analysis. Please note that this 11-acre plan exceeds what is required by Milestone 3, which only sets forth the requirement for a 7-acre Development Plan at this time. Also, please note that, although more detailed than the Milestone 2 plan, this Development Plan is a work in progress and will likely change as we continue our community outreach efforts, respond to market conditions, and negotiate the New Transaction with potential development partners and the City.
- A short list of potential development partners. Upon the City's request, we will furnish written examples or brochures showing the potential partners have the necessary experience to develop significant mixed use/commercial projects.
- A preliminary checklist of items to be addressed in negotiations regarding the New Transaction, including milestone dates for submittal of complete applications for the various steps/approvals in the development process. Like the Development Plan, this checklist is based in large part on the needs of Opus West Corporation and GHE & Associates, with whom we are currently negotiating.

1-II-2003

Mr. David Roderique  
January 15, 2003  
Page 2

If you have any questions or comments on this submittal, please do not hesitate to contact me. Otherwise, we look forward to receiving the City's comments.

Very truly yours,

A handwritten signature in black ink, appearing to read "Geoff Beer", with a long horizontal flourish extending to the right.

Geoff Beer

cc: Jan Dolan  
David Pennartz  
R. Kelly Ward  
Mayor and Members of Scottsdale City Council  
Ellis F. Rinaldi  
Jeff Dishner



# BEUS GILBERT

PLLC

ATTORNEYS AT LAW

4800 NORTH SCOTTSDALE ROAD  
SUITE 6000  
SCOTTSDALE, ARIZONA 85251-7630  
(480) 429-3000  
FAX (480) 429-3100

June 2, 2003

Mr. Kurt Jones  
CITY OF Scottsdale  
7447 E. Indian School Road  
Scottsdale, AZ 85251

**Re: Archeological Resources  
Scottsdale Waterfront – Case # 1-II-2003**

Dear Kurt:

This letter has been prepared to advise you that I have discussed the Scottsdale Waterfront project, regarding the necessity of providing an archeological survey and report with the application in support of an infill incentive district and plan, with Don Meserve, City of Scottsdale Acting City Archaeologist.

Don has concluded that the subject property is exempt from this requirement because, pursuant to Section 46-132(3) of the City Code, the project is proposed to be located on previously disturbed land where more than 50% of the land was previously built upon.

The attached 1991 City of Scottsdale aerial photo shows that greater than 50% of the site, located at the southwest corner of Camelback and Scottsdale Roads was previously improved with buildings and asphalt parking lots.

Should you require additional information or clarification, please contact Don Meserve, or me at 480-429-3061 or 602-909-5836 (mobile).

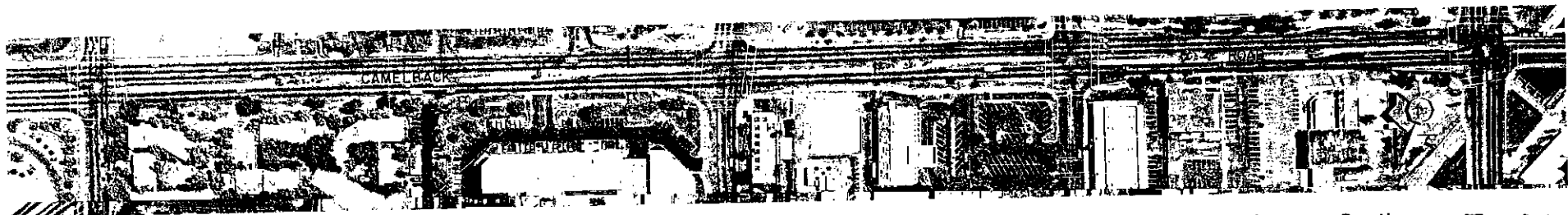
Sincerely,



Martha M. West  
Sr. Planning Consultant

Attachment

cc. Don Meserve



KENNEDY AERIAL MAPPING INC.

Flight Date

7-11-91

**CITY OF SCOTTSDALE**

Scale 1" = 100'

Quarter Section  
Number

17-44

# BEUS GILBERT

PLLC

ATTORNEYS AT LAW

4800 NORTH SCOTTSDALE ROAD  
SUITE 6000  
SCOTTSDALE, ARIZONA 85251-7630  
(480) 429-3000  
FAX (480) 429-3100

JOHN V. BERRY  
DIRECT (480) 429-3003

EMAIL: JBERRY@BEUSGILBERT.COM

June 2, 2003

## **HAND DELIVERED**

Mr. Ed Gawf  
Deputy City Manager  
City of Scottsdale  
7447 E. Indian School Road  
Scottsdale, Arizona 85251

Re: **Case # 1-IID-2003 Scottsdale Waterfront Infill Incentive District and Plan**

Dear Ed:

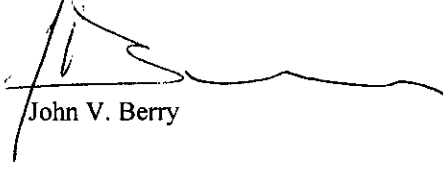
Enclosed is the complete application for Case # 1-IID-2003 in satisfaction of Section 6.5 (Milestone 5) of the June 17, 2002 Tolling Agreement between the City of Scottsdale and Scottsdale Waterfront, L.L.C., as follows:

- Application checklist
- Completed application form
- \$2,380 application fee, payable to the City of Scottsdale
- Letter of Authorization
- Citizen Review Plan
- Title Report dated May 19, 2003
- Two (2) copies of the legal description
- Site location map (8-1/2-11")
- Two (2) copies of the Assessor's Map (8-1/2x11")
- Combined context aerial and context site plan (two [2] full size copies & one [1] 11x17")
- One (1) original color set and eight (8) color copy sets of existing conditions photographs
- Project Narrative

- Proposed amended development standards (see project narrative). Per Kurt Jones, the legislative draft is not needed for the June 2, 2003 submittal
- Scottsdale Unified School District notification (including community input certification form)
- Archeological Resources Certificate of No Effect (see letter addressed to Kurt Jones based on direction provided by Don Meserve, Acting City Archeologist)
- Site posting requirements (are acknowledged as received)
- List of deliverables per tolling agreement (under separate cover)
- Site Plan (Two [2] full size copies, one [1] 11x17" copy, and one [1] digital copy)
- Drainage Report (not required for the June 2, 2003 submittal per Kurt Jones)
- Results of ALTA survey
- TIMA scope (per Kurt Jones)

Should you require additional information or clarification, please contact me at 480-429-3003.

Sincerely,  
BEUS GILBERT PLLC



John V. Berry

Attachments

# BEUS GILBERT

PLLC

ATTORNEYS AT LAW

4800 NORTH SCOTTSDALE ROAD  
SUITE 6000  
SCOTTSDALE, ARIZONA 85251-7630  
(480) 429-3000  
FAX (480) 429-3100

June 2, 2003

Mr. Kurt Jones  
CITY OF Scottsdale  
7447 E. Indian School Road  
Scottsdale, AZ 85251

**Re: Archeological Resources  
Scottsdale Waterfront – Case # 1-II-2003**

Dear Kurt:

This letter has been prepared to advise you that I have discussed the Scottsdale Waterfront project, regarding the necessity of providing an archeological survey and report with the application in support of an infill incentive district and plan, with Don Meserve, City of Scottsdale Acting City Archaeologist.

Don has concluded that the subject property is exempt from this requirement because, pursuant to Section 46-132(3) of the City Code, the project is proposed to be located on previously disturbed land where more than 50% of the land was previously built upon.

The attached 1991 City of Scottsdale aerial photo shows that greater than 50% of the site, located at the southwest corner of Camelback and Scottsdale Roads was previously improved with buildings and asphalt parking lots.

Should you require additional information or clarification, please contact Don Meserve, or me at 480-429-3061 or 602-909-5836 (mobile).

Sincerely,



Martha M. West  
Sr. Planning Consultant

Attachment

cc. Don Meserve

1-II-2003

**SCOTTSDALE WATERFRONT, L.L.C.  
2525 EAST CAMELBACK ROAD, SUITE 740  
PHOENIX, ARIZONA 85016**

**602-468-0112 (Phone)**

**602-468-1567 (Fax)**

May 30, 2003

Mr. Kurt A. Jones, AICP  
Director  
Planning and Development Services  
*City of Scottsdale*  
7447 East Indian School Road  
Suite 105  
Scottsdale, Arizona 85251

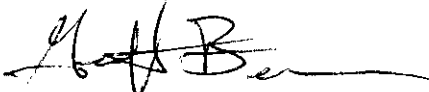
*Re: Scottsdale Waterfront Infill Incentive District Application – Drainage Letter*

Dear Kurt:

As discussed during the 15 May and 29 May 2003 joint City and Waterfront team meetings, *Scottsdale Waterfront, L.L.C.*, is negotiating with Brooks, Hersey & Associates, Inc., of Phoenix, Arizona, to provide the requisite Civil Engineering services to prepare the Drainage Report for the referenced application. Due to the normal time required to develop a new site plan, and the ongoing coordination with City Staff, we will not have the site plan ready until 2 June 2003. As agreed in our meetings, without the site plan, Brooks Hersey cannot process and verify the engineering calculations required to properly prepare the Drainage Report and, accordingly, cannot properly prepare the Drainage Report by the requested date of 2 June 2003.

This letter confirms that *Scottsdale Waterfront, L.L.C.*, will submit the required Drainage Report on or before the close of business on 11 July 2003. This will allow sufficient time for a proper review of the proposed drainage solutions by City Staff, and the incorporation of any modifications that might be needed, long before the first Public Hearing on the project. Thank you for your understanding.

Sincerely yours,



Geoff Beer  
Project Manager  
*Scottsdale Waterfront, L.L.C.*  
An Arizona limited liability company

1-II-2003

## **Scottsdale Waterfront, L.L.C.**

2525 E. Camelback Rd., Suite 740

Phoenix, AZ 85016

(602) 468-0112

(602) 468-1567 fax

June 2, 2003

### **VIA HAND-DELIVERY**

Mr. David Roderique  
General Manager of Economic Vitality  
City of Scottsdale  
7447 E. Indian School Rd., Suite 200  
Scottsdale, Arizona 85251

Re: Scottsdale Waterfront - Milestone 5 Submittal

Dear Mr. Roderique:

Enclosed are the following materials in satisfaction of Section 6.5 (Milestone 5) of the June 17, 2002 Tolling Agreement between the City of Scottsdale and Scottsdale Waterfront, L.L.C.:

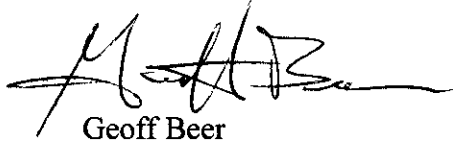
- 1) A copy of a complete Infill Incentive District application, the original of which has been submitted to the City's Planning and Development Services Department. As has been discussed previously, the Infill Incentive District is the selected tool to address relief from development standards as contemplated by the Tolling Agreement.
- 2) A New Transaction Terms Sheet dated June 2, 2003, which is the proposed resolution of major deal points from Milestone 3.

We are also enclosing an easy to read "Balance Sheet" to explain the benefits of the New Transaction Terms Sheet to both the City of Scottsdale and the developer of the Waterfront Property.

We look forward to continued work with the City regarding this exciting and important project. If you have any questions regarding this submittal, please do not hesitate to contact me.

1-II-2003

Very truly yours,

A handwritten signature in black ink, appearing to read 'Geoff Beer', with a long horizontal flourish extending to the right.

Geoff Beer  
Project Manager

cc: Mayor & Members of Scottsdale City Council  
Jan Dolan  
Ed Gawf  
R. Kelly Ward  
Starwood Capital Group – Jeffrey Dishner, Jeffrey Morris, Ellis Rinaldi  
Golub & Company – Michael Newman, Lee Golub, Chris Milam  
Steve Betts  
John Berry



**BEUS GILBERT**  
PLLC

ATTORNEYS AT LAW

4800 NORTH SCOTTSDALE ROAD  
SUITE 6000  
SCOTTSDALE, ARIZONA 85251-7630  
(480) 429-3000  
FAX (480) 429-3100

WRITER'S DIRECT LINE  
480-429-3061

August 7, 2003

Dear Property Owner or Neighborhood Association:

Re: **Case #1-IID-2003, Southwest Corner of Scottsdale Road and Camelback Road**

The purpose of this letter is to advise you that a request has been filed with the City of Scottsdale to utilize the Infill Incentive District designation per A.R.S. 9-499.10. on approximately 11.3 gross acres located at the southwest corner of Camelback Road and Scottsdale Road.

The subject property is zoned D/RCO-Type 2 PBD, with approved amended development standards and subject to stipulations of approval under rezoning case 43-ZN-1995. The project proposal is a mixed-use development comprised of residential, retail, and office uses. This application is not a request for rezoning. Zoning on the property will not be changed. The primary project-specific planning elements requested to be approved per the Infill Incentive District include the site plan and the amendment of certain development standards and design guidelines, including, but not limited to, building height.

You are invited to neighborhood open house meetings scheduled to provide you with the opportunity for public input and questions. These two open house meetings are scheduled to be held at the City of Scottsdale Community Design Studio located at 7506 E. Indian School Road (northeast corner of Indian School Road and 75<sup>th</sup> Street).

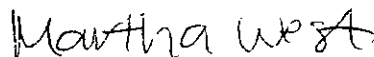
- **Wednesday, August 20, 2003 5:00 – 7:00 pm**
- **Wednesday, September 3, 2003 7:00 – 9:00 pm**

For your added information, I am attaching a location map and a proposed site plan.

Please call me at 480-429-3061 or send an email to [mwest@beusgilbert.com](mailto:mwest@beusgilbert.com) if you have questions or need additional information. The City of Scottsdale Project Coordinator for this case is Kurt Jones. He can be reached at 480-312-2524.

Sincerely,

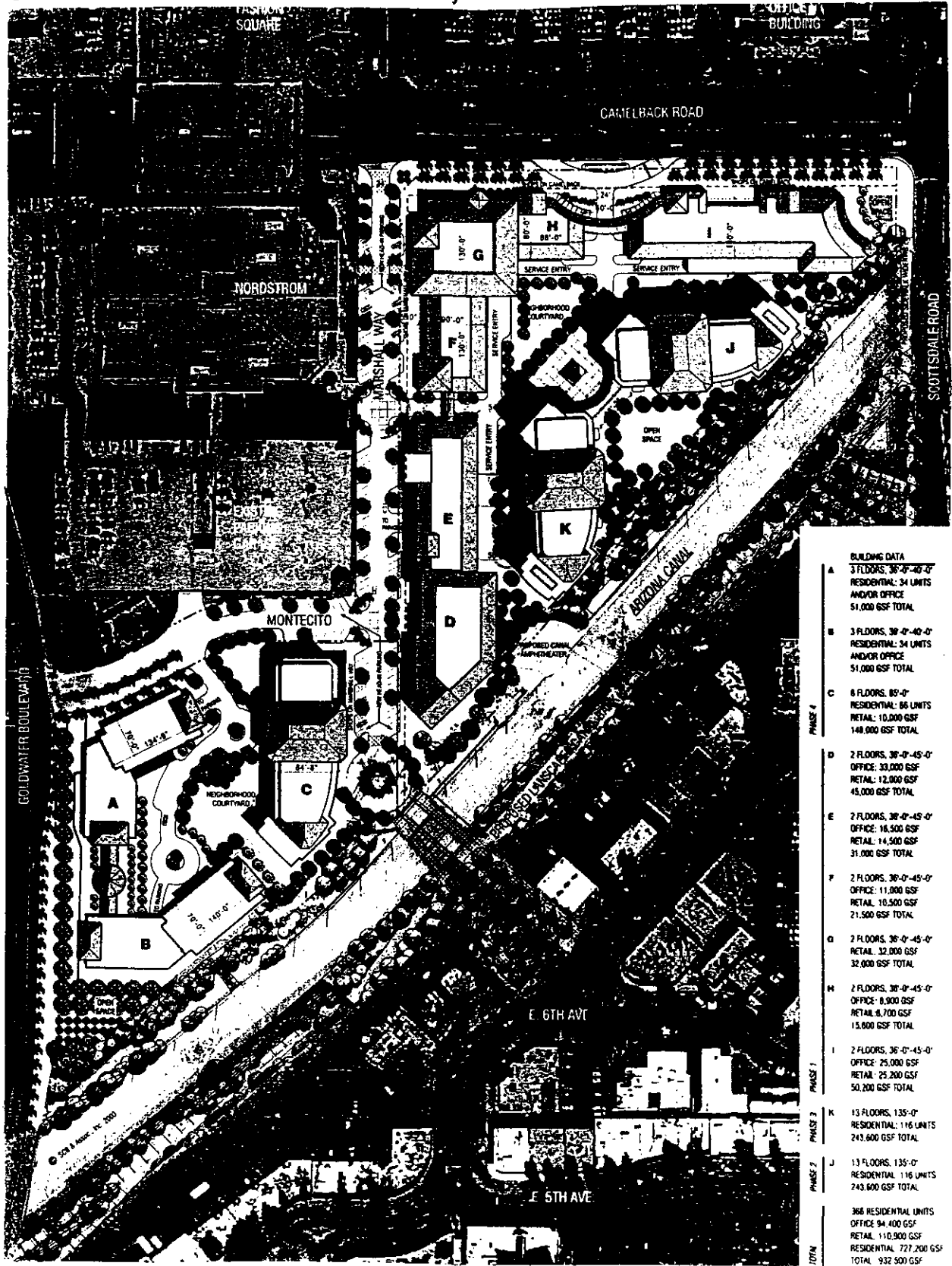
BEUS GILBERT PLLC



Martha M. West  
Senior Planning Consultant

C. Site Plan Description

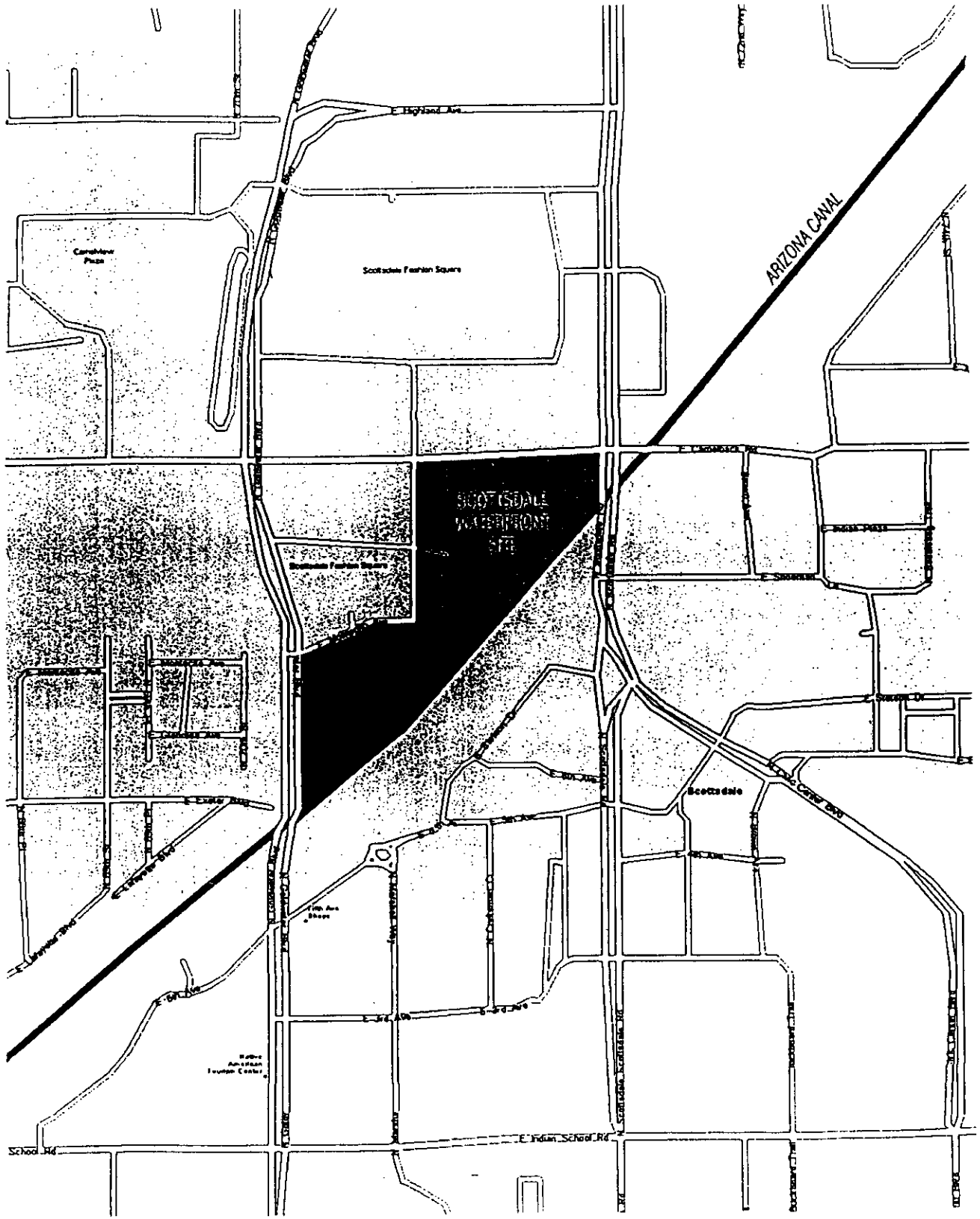
**SCOTTSDALE WATERFRONT, L.L.C. SITE PLAN**



BUILDING DATA	
<b>A</b>	3 FLOORS, 36'-0"-40'-0" RESIDENTIAL: 34 UNITS AND/OR OFFICE 51,000 GSF TOTAL
<b>B</b>	3 FLOORS, 36'-0"-40'-0" RESIDENTIAL: 34 UNITS AND/OR OFFICE 51,000 GSF TOTAL
<b>C</b>	8 FLOORS, 85'-0" RESIDENTIAL: 86 UNITS RETAIL: 10,000 GSF 148,000 GSF TOTAL
<b>D</b>	2 FLOORS, 36'-0"-45'-0" OFFICE: 33,000 GSF RETAIL: 12,000 GSF 45,000 GSF TOTAL
<b>E</b>	2 FLOORS, 36'-0"-45'-0" OFFICE: 16,500 GSF RETAIL: 14,500 GSF 31,000 GSF TOTAL
<b>F</b>	2 FLOORS, 36'-0"-45'-0" OFFICE: 11,000 GSF RETAIL: 10,500 GSF 21,500 GSF TOTAL
<b>G</b>	2 FLOORS, 36'-0"-45'-0" RETAIL: 32,000 GSF 32,000 GSF TOTAL
<b>H</b>	2 FLOORS, 36'-0"-45'-0" OFFICE: 8,900 GSF RETAIL: 8,700 GSF 15,600 GSF TOTAL
<b>I</b>	2 FLOORS, 36'-0"-45'-0" OFFICE: 25,000 GSF RETAIL: 25,200 GSF 50,200 GSF TOTAL
<b>K</b>	13 FLOORS, 135'-0" RESIDENTIAL: 116 UNITS 243,600 GSF TOTAL
<b>J</b>	13 FLOORS, 135'-0" RESIDENTIAL: 116 UNITS 243,600 GSF TOTAL
<b>TOTAL</b>	368 RESIDENTIAL UNITS OFFICE 94,400 GSF RETAIL: 110,900 GSF RESIDENTIAL 777,200 GSF TOTAL 932,500 GSF

**SITE PLAN**  
 Scottsdale Waterfront  
 Scottsdale Waterfront, L.L.C.

08.07.03  
 0' 60' 120'



SCB

**SITE LOCATION MAP**  
**SCOTTSDALE WATERFRONT**  
 Scottsdale Waterfront, L.L.C.

06.02.03



**Evar D. Nering**

---

4226 N. 69<sup>th</sup> Place  
Scottsdale, AZ 85251-2320  
480-941-3811  
[evan.nering@asu.edu](mailto:evan.nering@asu.edu)

September 3, 2003

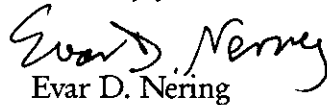
City of Scottsdale  
3939 N. Drinkwater  
Scottsdale, AZ 85251

To Whom It May Concern:

I have been following the various plans that have been proposed for development on the Waterfront property for many years. Some of the plans were pretty threatening to those of who live in the area just west of Goldwater Boulevard across from the project area. But over the years there have been significant improvements.

I attended a special session that Starwood held for our homeowners group, ADW, and the presentation at the Civic Center last week. The current plan is much the best of the lot. I support the development plan in its present form and I urge City approval for it.

Sincerely yours,

  
Evar D. Nering

# BEUS GILBERT

PLLC

ATTORNEYS AT LAW

4800 NORTH SCOTTSDALE ROAD  
SUITE 6000  
SCOTTSDALE, ARIZONA 85251-7630  
(480) 429-3000  
FAX (480) 429-3100

September 18, 2003

## **HAND DELIVERED**

Mr. Kurt Jones  
Project Coordinator  
City of Scottsdale  
7447 E. Indian School Road  
Scottsdale, Arizona 85251

Dear Kurt:

Re: **Case # 1-IID-2003 Scottsdale Waterfront Infill Incentive District and Plan – Affidavit of Posting – October 7, 2003 City Council Hearing; Citizen Review Report Addendum**

As required, I am attaching the Affidavit of Posting for the City Council hearing scheduled for October 7, 2003. The signs were revised at 6 locations throughout the perimeter of the site for maximum visibility by adding the City council hearing date.

I am also attaching a copy of the Citizen Review Report Addendum dated September 18, 2003.

Please contact me at 602-909-5836 should you require additional information or clarification at this time.

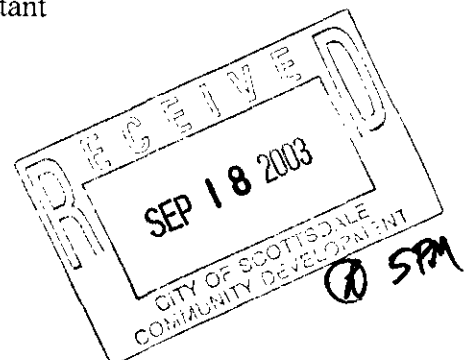
Sincerely,  
BEUS GILBERT PLLC

*Martha West*

Martha M. West  
Sr. Planning Consultant

Attachment

cc. Geoff Beer  
John V. Berry  
Susan Bitter Smith



# BEUS GILBERT

PLLC

ATTORNEYS AT LAW

4800 NORTH SCOTTSDALE ROAD  
SUITE 6000  
SCOTTSDALE, ARIZONA 85251-7630  
(480) 429-3000  
FAX (480) 429-3100

June 13, 2003

**HAND DELIVERED**

Mr. Kurt Jones  
Project Coordinator  
Planning and Development Department  
City of Scottsdale  
7447 E. Indian School Road  
Scottsdale, Arizona 85251

Dear Mr. Jones:

Re: **Case # 1-IID-2003 Scottsdale Waterfront Infill Incentive District and Plan**

Enclosed is the early notification Affidavit of Posting for Case # 1-IID-2003. Please contact me at 602-909-5836 if you need additional information or clarification.

BEUS GILBERT PLLC

*Martha West*

Martha M. West  
Sr. Planning Consultant

Attachments

cc. John V. Berry  
Geoff Beer

## Tough decisions ahead at Waterfront

It is no surprise that there is opposition to the proposed Scottsdale Waterfront development with tall buildings. There are citizens in Scottsdale who want to maintain the character that has prevailed for many years. This is an admirable goal that I share as long as we can successfully attract developers to participate in the revitalization of downtown.

Previous attempts to develop this site have failed. Some concessions may be necessary to fulfill our vision and plan to revitalize and attract more residents and tourists to downtown.

City Council members have reviewed several versions of the proposed plan. Each time we have asked for modifications to the design and open space and reconsideration of the building heights. There will come a time in the near future when we must step up to the plate and make some tough decisions on the project.

We must strike a balance with the developers. This development will be distinctive and first-class. We need to move this important revitalization effort forward, but any agreement must be good for both parties.

It is important that we keep an open mind and facilitate future revitalization efforts.

**WAYNE ECTON**  
CITY COUNCILMAN  
SCOTTSDALE

## Proven in Pasadena

What will downtown Pasadena, Calif., have this month that downtown Mesa and Tempe will have in a couple years? Light rail.

Along with excellent bus service, rail transit is key to Pasadena's revitalization because people aren't tied to their cars once they get there. Rail has proven its value in one Western city after another, as it will in Pasadena, Mesa and Tempe.

Here in Scottsdale, a good start would be more frequent buses, and early morning and late night service, instead of

## Stop bickering, suits over Los Arcos

It seems that Scottsdale residents have forgotten how to work effectively together to build consensus and achieve a positive, constructive resolution to redevelopment issues.

If you are critical of a decision, it is important not to criticize a proposal or solution until you are able to offer viable alternatives, something that the critics of the Los Arcos plan have been unable to do.

Councilman David Ortega commented at a recent council meeting that he did not believe the Los Arcos Town Center plan enjoyed widespread community support. The many elderly residents in my area do support the plan because they have grown tired of having no suitable retail in the area. And the approximately 45 small-business owners in the area that I have spoken with say the Los Arcos plan would help them, since business is slow due to lack of traffic.

The Los Arcos plan does not enjoy widespread community opposition, except by grocery stores and their unions who oppose it to protect their own interests, and by critics who have yet to offer any viable proposals of their own and often don't even live nearby.

The grocers would be wise to invest money in their own stores, particularly Bashas', so that they are able to compete effectively rather than attempt to derail a plan that would bring much needed retail to a dying area.

Finally, let's not forget that the deterioration of south Scottsdale did not begin with developer Steve Ellman and Los Arcos, nor will it end with them. The Los Arcos project is simply one piece of the revitalization puzzle.

Now, if we can stop the bickering and litigation, maybe we can assemble the rest of the puzzle before it is too late. So, to all who are filing lawsuits against the project, once the area has decayed even further due to your efforts, we hope you will

## At-large system twisted to push one view

We, as citizens of Scottsdale, need to realize that the problems of our city run far deeper than the Coalition of Pinnacle Peak. COPP is only a severe symptom of a deeper problem.

The real problem occurs when any group from any area of the city dominates city government because it manipulates the "at-large" form of government and elects people of only one point of view. Couple this reality with voter apathy and a lack of strong, visionary leadership and you have Scottsdale.

It happened to Phoenix before it switched to the council district system 20 years ago. It will continue to happen to any city where the citizens are complacently sitting on their hands while incessantly complaining instead of getting up off the couch and walking only as far as their mailbox to cast a vote to help solve their problems.

You now have your chance to make a difference by

signing a petition to put the "straight-six" council-district system on the ballot in March. Simply call (480) 767-9662 or (480) 947-3507 and someone will be sure to get a petition or voter registration form to you.

The passage of this initiative will change the Scottsdale City Charter to provide for the election of council members from districts. This will assure that all parts of the city will be represented, that everyone's issues will be considered and that anyone will be able to run for the City Council. The Initiative will also help heal the divisiveness created over the last few years as a result of the current lack of city leadership and will create a new community spirit because all parts of the city will feel represented. Please join your fellow citizens in this campaign to again make Scottsdale a special place to live.

**GEORGE C. KNOWLTON**  
TREASURER  
COUNCIL DISTRICTS  
FOR SCOTTSDALE

## 135-foot towers are out of character

A residential component for the Scottsdale Waterfront development plan is the best idea for rejuvenating interests that will drive the downtown market for future interests.

The current economy dictates that smaller-scaled projects are the most expedient and likely to be completed. It is also essential to coordinate these smaller projects in some sort of cohesive manner so that all work is accomplished harmoniously.

The proposed 135-foot twin towers far exceeds the General Plan authorization that we just voted for in 2002. Maintain the Western image of our downtown. Keep the height down! High-rise towers are not part of the vision of Scottsdale at all!

The purpose of the Waterfront development should be to revitalize our downtown. The occupants will not bring in significant interest and revenue to our downtown retail. Conversely, the \$300,000 range per occupancy would

the higher zoning. It will not revert! Conversely, the north bank is unfortunately zoned for around 72 feet. It is rare to see a downzone case. But if there ever was a great reason to do so, this is the place and now is the time.

Another grave concern about the 135-foot height proposal is that it will invariably set a new precedent for future projects, projects that will also apply for a greater height. Can you imagine Cave Creek, Carefree or Paradise Valley doing something like that?

We need to keep our downtown historic character, our view corridors and protect our neighborhood privacy.

**PATTY BADENCOH**  
SCOTTSDALE