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CITY COUNCIL REPORT

MEETING DATE: January 16, 2007

ITEM NO. 12 GOAL: Coordinate Planning to Balance Infrastructure

SUBJECT

94 Hundred Shea - 11-ZN-2002#2

REQUEST

Request:

1. To amend the existing circulation stipulations for case 11-ZN-2002 regarding access to E. Shea Boulevard on a 7 +/- acre parcel located at 9325 - 9397 E. Shea Boulevard with Highway Commercial District, Planned Community District (C-3 PCD) zoning.
2. To adopt Ordinance No. 3716 affirming the above amended stipulations.

Key Items for Consideration:

- This change will allow left turn movements into and out of the site at E. Shea Boulevard.
- The Transportation Commission recommended approval, 5-0.
- Planning Commission recommended approval, 5-1.

Related Policies, References:

Shea Boulevard Policy intends to ensure that Shea Boulevard functions as a high capacity, limited access facility east of the Pima/101 Freeway.

Case 8-DR-2004 approved a new mixed use office/retail development.

Case 11-ZN-2002 rezoned this property from C-O PCD to C-3 PCD.

OWNER

94th & Shea LLC
480-451-0248

APPLICANT CONTACT

Michael P. Leary
480-991-1111

LOCATION

9325 E. Shea Boulevard

BACKGROUND

Zoning.

The site is zoned Highway Commercial District, Planned Community District (C-3, PCD) that permits retail and office uses. At the time this property was rezoned, the stipulations for the case allowed a partial median opening (left-in only) at the N. 94th Street location. The approved median opening at this location would also allow left-in access to E. Becker Lane, a private street on the north side of E. Shea Boulevard. (See Attachment #7 for Left-In Median Opening Example)

Shea Boulevard Policy.

The City Council adopted the Streets Master Plan, including a Shea Boulevard Policy, in October 2003. The intent of the policy was to ensure that Shea



Boulevard would function as a high capacity, limited access facility from Pima Road to the eastern city limits. Between Pima Road and N. 96th Street, the policy allowed the following access provisions:

- Traffic Signals – N. 90th Street, N. 92nd Street, and N. 96th Street
- Median Openings – No new median openings
- Left In Only Median Openings – N. 89th Place and N. 93rd Street (The N. 93rd Street median opening serves the Mercado Del Rancho shopping center and Cemetery/Mortuary; it is currently full-access.)

The policy included a provision that “deviation from the Shea Boulevard Policy requires approval of the Transportation Commission.”

Context.

This 7.7-acre property is currently under construction for a new mixed-use development having approximately 37,000 sq. ft. of retail space and approximately 35,000 sq. ft. of office space. This property abuts commercial and office development to the east, south, and west. Across E. Shea Boulevard to the north is a cemetery and residential condominiums.

Adjacent Uses or Zoning:

- North Cemetery/Mortuary and residential condominiums, zoned R1-35 and R-5 Districts
- South Offices, zoned C-O PCD District
- East Offices, zoned C-O PCD District
- West Retail commercial and offices, zoned C-3 PCD and C-O PCD Districts

**APPLICANT'S
PROPOSAL****Goal/Purpose of Request.**

The developer of the property is requesting that Circulation Stipulations #2 and #3 be amended to allow both the left-in and left-out maneuver from the south side of E. Shea Boulevard. This would be accomplished by installing a “pork chop” style median opening (see Attachment #8 for Pork Chop Style Median Opening Example). Access to E. Becker Lane on the north side would remain right-in, right-out only as it currently exists.

The development will have one access point along E. Shea Boulevard. and another one at the southern property line connecting to the parcel south of the site. Cross access easements are also provided to the west and south for potential shared access opportunities.

The rationale behind the current request is the following:

- A desire by the developer to improve access for the retail portion of the development.
- Several prospective tenants of the retail center have conditioned their lease agreements based upon having both left turn in and left turn out access available.
- Attempts by the developer to establish cross access with the adjacent shopping center to the west, the Mercado Del Rancho Center, have been unsuccessful.
- Alternative site access through the adjacent development to the south or via U-turns on E. Shea Boulevard are considered too circuitous for retail

customers.

Development Information.

- Existing Use: New commercial/office development under construction
- Parcel Size: 7.7 acres
- Total Square Footage: approximately 72,000 sq. ft.
- Allowed Building Height: 36 ft.
- Proposed Building Height: 36 ft.
- Parking Required: 267 parking spaces
- Parking Provided: 357 parking spaces

IMPACT ANALYSIS**Traffic.**

There are access easements that connect this subject property to the adjacent developments to the south, which provides indirect access to N. 92nd Street, N. 96th Street, and E. Mountain View Road. Attempts by the developer to establish cross access with the adjacent shopping center to the west, the Mercado Del Rancho Center, have been unsuccessful.

The current request is considered to be a minor modification to the 2002 City Council approved access at N. 94th Street. The change does not represent a significant decrease in safety for those drivers using E. Shea Boulevard. There are alternative routes available for patrons of the center during the peak times when left turns at an uncontrolled intersection may be more difficult. Similar access exists at the following locations along E. Shea Boulevard – N. 100th Street, N. 104th Street, N. 108th Street, N. 118th Street, N. 120th Street, N. 128th Street, and N. 142nd Street. The City has not had any notable safety concerns at these intersections.

Policy Implications.

The median opening approved in 2002 represented a modification to the Shea Boulevard Access policy as discussed above. The change in access from left-in in both directions to left-in and left-out from the south is not considered to represent a change in the Shea Boulevard Access Policy.

Community Involvement.

Surrounding property owners have been notified and the site has been posted. The developer has obtained a letter from the president of the Aventura Homeowner's Association Board, which is served by E. Becker Lane, stating that they support the proposed median modification.

OTHER BOARDS AND COMMISSIONS**Transportation Commission**

The Transportation Commission heard this request on December 21, 2006, and approved the request by a 5-0 vote.

Planning Commission

The Planning Commission heard this case on November 29, 2006. The Commission discussed the challenges regarding ingress and egress to the site, and expressed concerns for safe ingress and egress. No comment cards or

speakers in opposition to the proposal were presented at the hearing. Planning Commission recommended approval, 5-1.

RECOMMENDATION

Approval subject to the attached amended stipulations.

**RESPONSIBLE
DEPT(S)**

Planning and Development Services Department
Current Planning Services

STAFF CONTACT(S)

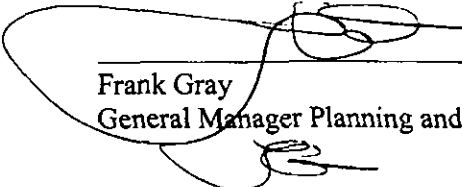
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Randy Grant
Chief Planning Officer
480-312-7995
E-mail: rgrant@ScottsdaleAZ.gov


APPROVED BY


Randy Grant
Chief Planning Officer

1/2/07
Date


Frank Gray
General Manager Planning and Development Services

1.2.07
Date


~~FOR:~~
Ed Gawf
Assistant City Manager

1.2.07
Date

ATTACHMENTS

1. Ordinance No. 3716
Exhibit 1. Aerial Map
Exhibit 2. Stipulations
2. Applicant's Narrative
3. Context Aerial
- 3A. Aerial Close-Up
4. Zoning Map
5. Citizen Involvement
6. City Notification Map
7. Left-In Only Median Opening Example (As Approved)
8. Pork Chop Style Median Opening Example (As Proposed)
9. November 29, 2006 Planning Commission Minutes
- 9A. December 21, 2006 Transportation Commission Minutes
10. Previously Approved Site Plan
11. Site Plan Superimposed on an Aerial

ORDINANCE NO. 3716

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SCOTTSDALE MARICOPA COUNTY, ARIZONA, AMENDING ORDINANCE NO. 455, THE ZONING ORDINANCE OF THE CITY OF SCOTTSDALE, BY AND FOR THE PURPOSE OF AMENDING THE STIPULATIONS APPROVED IN CASE NO. 11-ZN-2002 ON A 7 +/- ACRE PARCEL LOCATED AT 9325 - 9397 E. SHEA BOULEVARD.

WHEREAS, the Planning Commission has held a hearing on November 29, 2006;

WHEREAS, the City Council has held a hearing on January 16, 2007; and

WHEREAS, the City Council wishes to amend the approved stipulations for 11-ZN-2002.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Scottsdale, as follows:

Section 1. That the stipulations for the Property located at 9325 - 9397 E. Shea Boulevard case number 11-ZN-2002#2 as shown on Exhibit #1 are hereby amended, as set forth in the stipulations, attached hereto as Exhibit #2 and incorporated herein by reference.

PASSED AND ADOPTED by the Council of the City of Scottsdale this 16 day of January, 2007.


ATTEST:

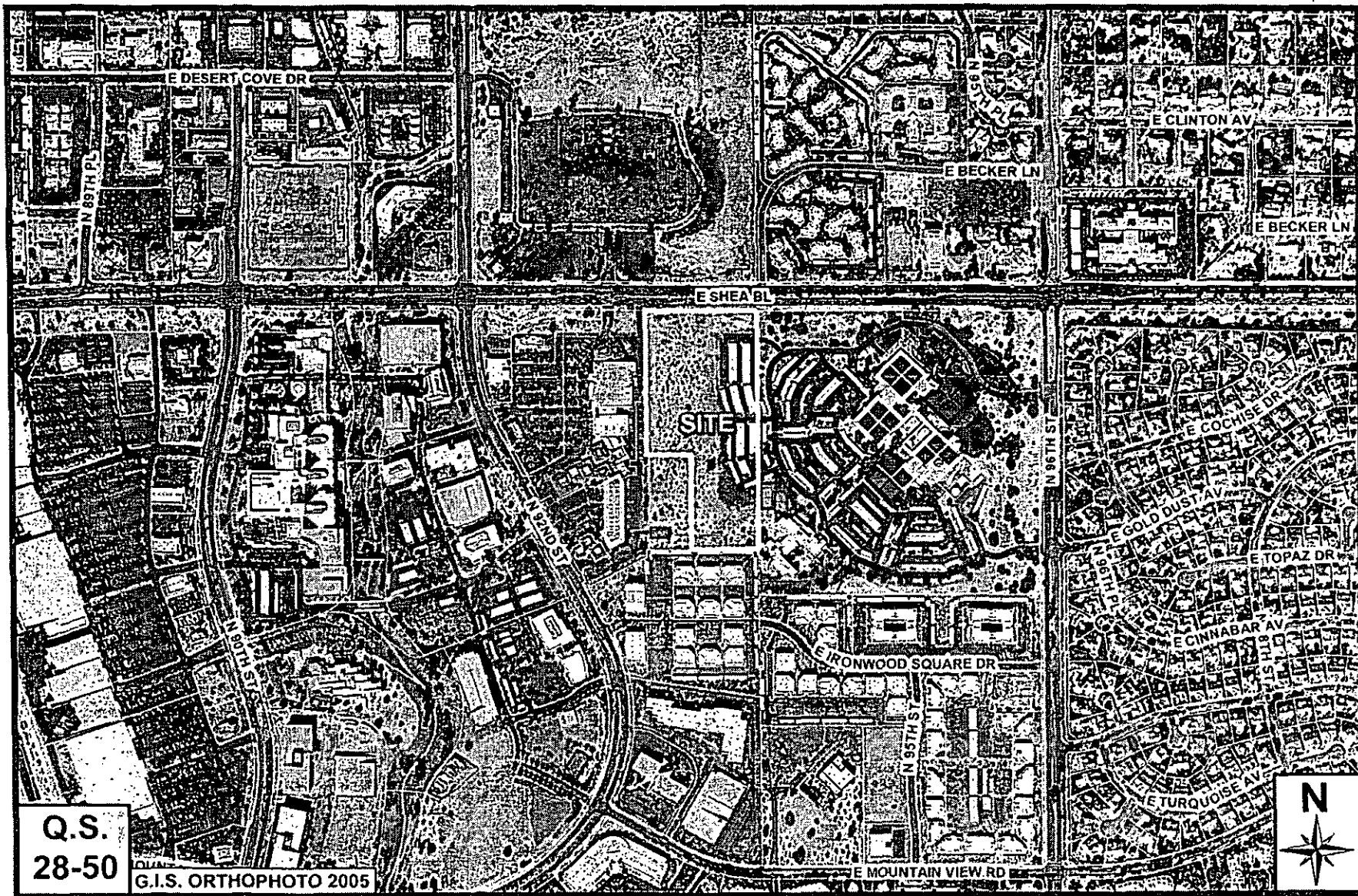
CITY OF SCOTTSDALE, an Arizona
municipal corporation

By: _____
Carolyn Jagger
City Clerk

By: _____
Mary Manross
Mayor

APPROVED AS TO FORM:

By:  _____
Deborah Robberson
City Attorney



94 Hundred Shea

11-ZN-2002#2

Exhibit 1

STIPULATIONS FOR CASE 11-ZN-2002#2

Proposed amendments to the stipulations are shown in **BOLD CAPS** and ~~striketthrough~~.

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

PLANNING/ DEVELOPMENT

1. **CONFORMANCE TO SITE PLAN.** The Development Review Board shall review the site plan submitted by Phoenix Design Group and dated 8/05/01 and the site plan shall be in compliance with all the development standards of the C-3 (Highway Commercial Zoning District) of the Scottsdale Zoning Ordinance. All future development on this site, as permitted without a Conditional Use Permit, shall only require Development Review Board approval. Uses requiring a Conditional Use Permit shall return to the Planning Commission and City Council for approval.
2. **SCENIC CORRIDORS.** The scenic corridor width along Shea Boulevard, shall be a minimum of 80 feet, and an average of 100 feet measured from the back of curb of Shea Boulevard. Unless otherwise approved by the Development Review Board, the scenic corridor shall be left in a natural condition.
3. **SCENIC CORRIDOR DEDICATION BEFORE BUILDING PERMIT ISSUED.** The final plat or site plan shall show and dedicate an easement to the city, identifying the scenic corridor easement along Shea Boulevard.
4. **PEDESTRIAN ACCESS.** With the Development Review Board submittal, the developer shall submit a plan providing pedestrian access to the commercial and recreational areas on and adjacent to the site and be consistent with the approved Master Plans.
5. **FLOOR AREA RATIO.** The maximum floor area ratio shall not exceed .3 for the 6.6 acre site.

ENVIRONMENTAL DESIGN

1. **OUTDOOR LIGHTING.** The maximum height of any outdoor lighting source shall be 20 feet above natural grade at the base of the light standard, which shall comply with the outdoor lighting standards of the Scottsdale Zoning Ordinance.
2. **MAINTENANCE AND PRESERVATION-RECORDED AGREEMENT.** Before any building permit for the site is issued, the developer shall record an agreement, satisfactory to city staff, detailing the maintenance and preservation by the developer and its successors of all common areas, landscape buffers, natural areas, drainage easements and private access ways on the site and abutting rights-of-way. These designated areas shall not be accepted for maintenance or be accepted for ownership by the city without the approval of the City Council.

CIRCULATION

1. Prior to Development Review Board submittal, the applicant shall show verification that cross-access easement(s) are established with the property owner to the west and south. The cross-access easements shall be designed in conjunction with main driveways through the site to ensure efficient vehicular and pedestrian flow between properties. The cross-access easement(s) shall be verified through the approval of map of dedication and any required supplemental documentation in a form acceptable to city staff.
2. **ACCESS RESTRICTIONS.** Before issuance of any certificate of occupancy for the site, the developer shall construct the following access to the site. Access to the site shall conform to the

following restrictions:

- a. Shea Boulevard - There shall be a maximum of one site driveway from Shea Boulevard. This driveway shall align with Becker Lane across Shea Boulevard. The developer shall dedicate a one-foot wide vehicular non-access easement along Shea Boulevard except at the approved street entrance. ~~The site driveway from Shea Boulevard shall be right-in, right-out, left-in only. Left-outs onto Shea Boulevard from this driveway are prohibited.~~
3. **MEDIAN RECONSTRUCTION.** Before issuance of any certificate of occupancy for the site, the developer shall reconstruct the existing median on Shea Boulevard, to provide left-turn access into the site **AND OUT OF THE SITE** ~~and to provide left turn access to Becker Lane,~~ to the satisfaction of city staff; and shall relocate any existing landscaping that will be displaced, as determined by city staff.
4. **AUXILIARY LANE CONSTRUCTION.** Before issuance of any certificate of occupancy for the site, the developer shall construct a right-turn deceleration lane at the site entrance on Shea Boulevard, in conformance with the Design Standards and Policies Manual.
5. **EASEMENT REQUIREMENTS.** Before any final plan approval, the developer shall dedicate an ingress/egress easement over the site driveway on Shea Boulevard in a form acceptable to city staff. Before any final plan approval, the developer shall obtain an access easement from the adjacent eastern parcel in a form acceptable to city staff.

MASTER PLANS

1. **MASTER PLANS GENERALLY.** The developer shall have each Master Plan specified below prepared by a registered engineer licensed to practice in Arizona. Each Master Plan shall be subject to city staff approval before any further Development Review Board submittal.
 - a. Schedule A - Circulation Master Plan
 - b. Schedule B - Drainage Master Plan
 - c. Schedule C - Water Master Plan
 - d. Schedule D - Wastewater Master Plan

SCHEDULE A – CIRCULATION MASTER PLAN

1. With the development review board submittal, the developer shall submit a master circulation plan subject to transportation department approval. The master circulation plan shall conform to the design standards and policy manual. This plan shall indicate the location and design of site driveways, internal streets, pedestrian connections, parking lot access and bus facilities.
2. Prior to final improvement plans submittal to the project quality/ compliance division, the developer shall have obtained approval of the circulation master plan.

SCHEDULE B – DRAINAGE MASTER PLAN

1. **MASTER DRAINAGE REPORT.** With the Development Review Board submittal, the developer shall submit a master drainage report and plan subject to city staff approval. The master drainage report and plan shall conform to the Design Standards and Policies Manual - Drainage Report Preparation. In addition, the master drainage report and plan shall:
 - a. Include a complete description of requirements relating to project phasing.

- b. Identify the timing of and parties responsible for construction of all storm water management facilities.
2. **MASTER DRAINAGE REPORT COPIES.** Before master drainage report approval by the Drainage Planning Department, the developer shall, when requested by city staff, submit two (2) hard copies and one (1) disc copy of the complete master drainage report.
3. **MASTER DRAINAGE REPORT APPROVAL.** Before the improvement plan submittal to the Project Quality/Compliance Division, the developer shall have obtained approval of the master drainage report.

DRAINAGE AND FLOOD CONTROL

1. **CONCEPTUAL DRAINAGE REPORT.** With the Development Review Board submittal, the developer shall submit a conceptual drainage report and plan subject to city staff approval. The conceptual report and plan shall conform to the Design Standards and Policies Manual - Drainage Report Preparation. In addition, the conceptual drainage report and plan shall:
 - a. Identify all major wash corridors entering and exiting the site, and calculate the peak discharge (100-yr, 6-hr storm event) for a pre- versus post-development discharge comparison of ALL washes, which exit the property.
 - b. Determine easement dimensions necessary to accommodate design discharges.
 - c. Demonstrate how the storm water storage requirement is satisfied, indicating the location, volume and drainage area of all storage.
 - d. Include flood zone information to establish the basis for determining finish floor elevations in conformance with the Scottsdale Revised Code.
 - e. Include a complete description of requirements relating to project phasing.
2. **FINAL DRAINAGE REPORT.** With the improvement plan submittal to the Project Quality/Compliance Division, the developer shall submit a final drainage report and plan subject to city staff approval. The final drainage report and plan shall conform to the Design Standards and Policies Manual - Drainage Report and Preparation. In addition, the final drainage report and plan shall:
 - (1) Any design that modifies the approved master drainage report requires from the developer a site-specific addendum to the final drainage report and plan, subject to review and approval by the city staff.
 - (2) Addendum generated by the final drainage analysis for this site shall be added to the appendix of the final drainage report.
 - a. Provide final calculations and detailed analysis that demonstrate consistency with the accepted conceptual drainage plan and report.
3. **STORM WATER STORAGE REQUIREMENT.** Before improvement plan approval, the developer shall submit a final drainage report and plan which calculates the storm water storage volume required, V_r , and the volume provided, V_p , using the 100-year, 2-hour storm event.
4. **STORM WATER STORAGE REQUIREMENT.** On-site storm water storage is required for the full 100-year, 2-hour storm event, unless city staff approves the developer's Request for Waiver. See Section 2 of the Design Standards and Policies Manual for waiver criteria.
 - a. If applicable, the developer shall submit to the Community Development Division a Request for Waiver Review form, which shall:

- (1) Include a supportive argument that demonstrates historical flow through the site will be maintained, and that storm water runoff exiting this site has a safe place to flow.
 - (2) Include an estimate for payment in-lieu of on-site storm water storage, subject to city staff approval.
- b. Before the improvement plan submittal to the Project Quality/Compliance Division, the developer shall have obtained the waiver approval.
5. **STORM WATER STORAGE EASEMENTS.** With the Development Review Board submittal, the developer shall submit a site plan subject to city staff approval. The site plan shall include and identify tracts with easements dedicated for the purposes of storm water storage, in conformance with the Scottsdale Revised Code and the Design Standards and Policies Manual.
6. **DRAINAGE EASEMENTS.** Before the issuance of any building permit for the site, the developer shall dedicate to the city, in conformance with the Scottsdale Revised Code and the Design Standards and Policies Manual, all drainage easements necessary to serve the site.

VERIFICATION OF COMPLIANCE

1. **REQUIRED SPECIAL INSPECTIONS.** Before the approval of the improvement plans, the Project Quality/Compliance Division staff shall specify those drainage facilities that shall be required to have Special Inspections. See Section 2-109 of the Design Standards and Policies Manual for more information on this process.
2. **CONDITION FOR ISSUANCE OF GRADING & DRAINAGE PERMIT.** Before the issuance of a Grading & Drainage Permit:
 - a. The developer shall certify to the Project Quality/Compliance Division, that it has retained an Inspecting Engineer by completing Part I (Project Information) and Part II (Owner's Notification of Special Inspection) of the Certificate of Special Inspection of Drainage Facilities (CSIDF); and,
 - b. The Inspecting Engineer shall seal, sign and date Part III (Certificate of Responsibility) of the CSIDF.
3. **CONDITION FOR ISSUANCE OF CERTIFICATE OF OCCUPANCY AND/OR LETTER OF ACCEPTANCE.** Before the issuance of a Certificate of Occupancy and/or a Letter of Acceptance:
 - a. The Inspecting Engineer shall seal, sign and date the Certificate of Compliance form.
 - b. The developer shall submit all required Special Inspection Checklists and the completed Certificate of Compliance form to the Inspection Services Division. The Certificate of Compliance form shall be sealed, signed and dated by the Inspecting Engineer, and shall be attached to all required Special Inspection Checklists completed by the Inspecting Engineer.
4. **AS-BUILT PLANS.** City staff may at any time request the developer to submit As-built plans to the Inspection Services Division. As-built plans shall be certified in writing by a registered professional civil engineer, using as-built data from a registered land surveyor. As-built plans for drainage facilities and structures shall include, but are not limited to, streets, lot grading, storm drain pipe, valley gutters, curb and gutter, flood walls, culverts, inlet and outlet structures, dams, berms, lined and unlined open channels, storm water storage basins and underground storm water storage tanks, bridges as determined by city staff.

SCHEDULE C – WATER MASTER PLAN

WATER

1. **BASIS OF DESIGN REPORT (WATER).** Before the improvement plan submittal to the Project Quality/Compliance Division, the developer shall submit a basis of design report and plan subject to Water Resources Department approval. The basis of design report shall conform to the Design Standards and Policies Manual. In addition, the basis of design report and plan shall:
 - a. Identify the location, size, condition and availability of existing water lines and water related facilities such as water valves, water services, fire hydrants, back-flow prevention structures, etc.
 - b. Identify the timing of and parties responsible for construction of all water facilities.
 - c. Include a complete description of requirements relating to project phasing.
2. **APPROVED BASIS OF DESIGN REPORT.** Before the improvement plan submittal to the Project Quality/Compliance Division, the developer shall have obtained approval of the Basis of Design Report.
3. **NEW WATER FACILITIES.** Before the issuance of Letters of Acceptance by the Inspection Services Division, the developer shall provide all water lines and water related facilities necessary to serve the site. Water line and water related facilities shall conform to the city Water System Master Plan.
4. **WATERLINE EASEMENTS.** Before the issuance of any building permit for the site, the developer shall dedicate to the city, in conformance with the Scottsdale Revised Code the Design Standards and Policies Manual, all water easements necessary to serve the site.

SCHEDULE D – WASTEWATER MASTER PLAN

WASTEWATER

1. **BASIS OF DESIGN REPORT (SANITARY SEWER).**). Before the improvement plan submittal to the Project Quality/Compliance Division, the developer shall submit a basis of design report and plan subject to Water Resources Department approval. The basis of design report shall be in conformance with the Design Standards and Policies Manual. In addition, the basis of design report and plan shall:
 - a. Identify the location of, the size, condition and availability of existing sanitary sewer lines and wastewater related facilities.
 - b. Identify the timing of and parties responsible for construction of all sanitary sewer facilities.
 - c. Include a complete description of requirements relating to project phasing.
2. **APPROVED BASIS OF DESIGN REPORT.** Before the improvement plan submittal to the Project Quality/Compliance Division, the developer shall have obtained approval of the Basis of Design Report.
3. **NEW WASTEWATER FACILITIES.** Before the issuance of Letters of Acceptance by the Inspection Services Division, the developer shall provide all sanitary sewer lines and wastewater related facilities necessary to serve the site. Sanitary sewer lines and wastewater related facilities shall conform to the city Wastewater System Master Plan.
4. **SANITARY SEWER EASEMENTS.** Before the issuance of any building permit for the site, the developer shall dedicate to the city, in conformance with the Scottsdale Revised Code and the Design Standards and Policies Manual, all sewer easements necessary to serve the site.

OTHER REQUIREMENTS

1. ENVIRONMENTAL PROTECTION AGENCY (EPA) REQUIREMENTS. All construction activities that disturb five or more acres, or less than five acres if the site is a part of a greater common plan, shall obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Construction Activities. [NOI forms are available in the City of Scottsdale One Stop Shop, 7447 East Indian School Road, Suite 100. Contact Region 9 of the U.S. Environmental Protection Agency at 415-744-1500, and the Arizona Department of Environmental Quality at 602-207-4574 or at web site <http://www.epa.gov/region>.

The developer shall:

- a. Submit a completed Notice of Intent (NOI) to the EPA.
 - b. Submit a completed Storm Water Pollution Prevention Plan (SWPPP) to the EPA.
2. NOTICE OF INTENT (NOI). With the improvement plan submittal to the Project Quality/Compliance Division, the developer shall submit a copy of the NOI.
3. SECTION 404 PERMITS. With the improvement plan submittal to the Project Quality/Compliance Division, the developer' engineer must certify that it complies with, or is exempt from, Section 404 of the Clean Water Act of the United States. [Section 404 regulates the discharge of dredged or fill material into a wetland, lake, (including dry lakes), river, stream (including intermittent streams, ephemeral washes, and arroyos), or other waters of the United States.]
4. DUST CONTROL PERMITS. Before commencing grading on sites 1/10 acre or larger, the developer shall have obtained a Dust Control Permit (earth moving equipment permit) from Maricopa County Division of Air Pollution Control. Call the county 602-507-6727 for fees and application information.
5. UTILITY CONFLICT COORDINATION. With the improvement plan submittal to the Project Quality/Compliance Division, the developer shall submit a signed No Conflict form (not required for city owned utilities) from every affected utility company.
6. ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY REQUIREMENTS (ADEQ). The developer shall be responsible for conformance with ADEQ regulations and requirements for submittals, approvals, and notifications. The developer shall demonstrate compliance with Engineering Bulletin #10 Guidelines for the Construction of Water Systems, and Engineering Bulletin #11 Minimum Requirements for Design, Submission of Plans, and Specifications of Sewerage Works, published by the ADEQ. In addition:
 - a. Before approval of final improvement plans by the Project Quality/Compliance Division, the developer shall submit a cover sheet for the final improvement plans with a completed signature and date of approval from the Maricopa County Environmental Services Department (MCESD).
 - b. Before issuance of encroachment permits by city staff, the developer shall provide evidence to city staff that a Certificate of Approval to Construct Water and/or Wastewater Systems has been submitted to the MCESD. This evidence shall be on a document developed and date stamped by the MCESD staff.
 - c. Before commencing construction, the developer shall submit evidence to city staff that Notification of Starting Construction has been submitted to the MCESD. This evidence shall be on a document developed and date stamped by the MCESD staff.

- d. Before acceptance of improvements by the city Inspection Services Division, the developer shall submit a Certificate of Approval of Construction signed by the MCESD and a copy of the As-Built drawings.
- e. Before issuance of Letters of Acceptance by the city Inspection Services Division, the developer shall:
 - (1) Provide to the MCESD, As-Built drawings for the water and/or sanitary sewer lines and all related facilities, subject to approval by the MCESD staff, and to city staff, a copy of the approved As-Built drawings and/or a Certification of As-Builts, as issued by the MCESD.
 - (2) Provide to the MCESD a copy of the Engineers Certificate of Completion with all test results, analysis results, and calculations, as indicated on the form.
 - (3) Provide to the MCESD a copy of the Request for Certificate of Approval of Construction of water and/or sanitary sewer lines with all appropriate quantities.
 - (4) Provide the city Inspection Services Division a copy of the Certificate of Approval of Construction, as issued by the MCESD.

94th & Shea LLC

TO: Tim Curtis, COS
FROM: John Rosso
DATE: October 12, 2006
RE: 94 HUNDRED SHEA
Amendment to circulation strips of Case 11-ZN-2002

This letter is our formal request to allow reconfiguration of the partial median break approved in Case 11-ZN-2002 to accommodate left-in and left-out partial median break access at our retail/office project's single entry on Shea Boulevard.

Background

The 94 HUNDRED SHEA project is currently under construction and received City Council rezoning approval in November 2002 for the development of a 70,000 SF retail and office project. Access to Shea Boulevard was restricted to a single entry with a left-in only partial median break at the Becker Lane alignment. Meaningful access to this project was a paramount concern throughout the zoning process and events since the rezoning have now made meaningful access an even greater issue for the viability of the project.

The 7-acre retail and office project is bounded on the west by the Mercado Del Rancho shopping center (Sprout's is the anchor), on the east by the Caremark 40-acre corporate campus (formerly PCS and Sentry Insurance), on the south by a 3-acre parcel for the Phase 2 office expansion, and further south by the Ironwood Square office condominium project. As part of the original rezoning, staff supported a site access plan that allowed a "restricted driveway on Shea Boulevard (right-in, right-out, and left-in turning movements only), cross-access to the adjacent Mercado Del Rancho Center, and connections to the other office properties to the south." Access to the adjoining Mercado shopping center was seen as a way to allow our project traffic intending to proceed westbound on Shea to access the Mercado's full median break (on the 93rd Street alignment) and/or traversing through the shopping center to access the 92nd Street/Shea signalized intersection. Access through the southern office parcels was also seen as a "secondary" entryway to the project. However, both access alternatives have failed to materialize as originally envisioned.

Although we have granted access easements to the Mercado Del Rancho project to utilize our east-west driveway that intersects our single driveway onto Shea, the Mercado ownership has declined to provide reciprocal access through any portion of their site.

Furthermore, the circulation plan intended to provide secondary access through the southern office developments was modified with the development of those properties so that access is now via a less direct route through parking lots rather than directly to streets or roadways. Nonetheless, this diminished southern access might actually provide the Phase 2 office employees a reasonable alternative access but will definitely not be a viable route for customers especially those customers of the retail portion of the project which fronts on Shea Boulevard.

The project is now dependent solely upon Shea Boulevard for meaningful access. With the unavailability of the Mercado access, we began discussing with staff almost two years ago alternatives to resolve the resultant access problem. We offered the idea of swapping intersections - converting the Mercado full-median break (which is one-eighth of a mile from the 92nd Street intersection) to a left-in only partial median break and our partial-median break (which is one-quarter mile from both 92nd and 96th Street signals) to a full-median break. Staff suggested a "porkchop" median break (similar to those at 100th Street, 104th Street, 110th Street, etc.) that would allow left-ins and left-outs. We then believed that perhaps the best option to pursue was a fully signalized intersection.

Accordingly, we met again with Transportation staff and subsequently with City Council members in the summer of 2005 about the signalized intersection alternative and then embarked on a traffic study to analyze that option. Unexpectedly, traffic counts completed by our consultant indicated that the Mercado full-median break was operating at a level beyond expectations by allowing a greater number of left-outs during the PM Peak thereby indicating that a full-median break would operate just as effectively at our entry - without signalization. We proceeded in that direction and the results supporting a full-median break are contained in a traffic study which has been previously reviewed by Transportation staff.

In follow-up discussions with City Transportation staff and our traffic consultant, we determined that the project might be better served with not a full median break but the "porkchop" left-in/left-out partial median break originally suggested by City staff. The left-in/left-out median break would eliminate competing turning movements to and from the Becker Lane on the north side of Shea as well as providing a refuge lane for vehicles turning left out of our project (as currently exists on all the other partial median breaks on east Shea). We then met with the Board of Directors of the Aventura condominiums through which Becker Lane (a private roadway) traverses and which under the current zoning stipulations would have left-in access from Shea. The HOA Board is in support of our "porkchop" partial median proposal. More importantly to them, the HOA is not in favor of the currently approved partial median break that would result in left-in traffic to Becker Lane.

Summary

The site is a "remainder" infill parcel between the Mercado del Rancho shopping center and the Caremark corporate campus and has always been planned for commercial use. However, cross-access and/or shared driveways to Shea Boulevard were not provided with the approval and the development of the adjoining properties which has impeded the development of the property for years as either office, retail or the combination proposed with this project. The necessity of full access to Shea Boulevard for this project was recognized by the zoning stipulation requiring us to provide cross-access to the Mercado project in order to provide left-out access to Shea and avoid making U-turns at 96th Street. With the inability to obtain cross-access from the Mercado center, the only viable left-out access alternative is at the project's sole driveway to Shea.

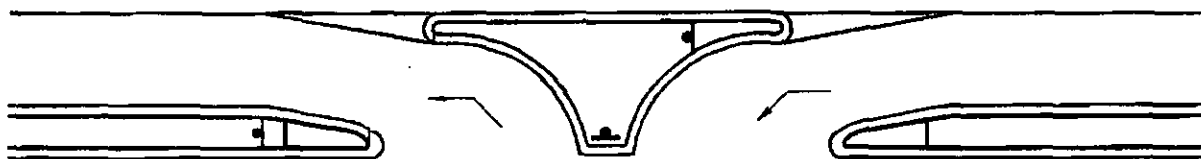
The access implications on the project's success or lack thereof are not theoretical. Three prospective retail tenants have already conditioned their lease agreements based upon left-turn access into **and out of** the project. Failure to obtain this left-out access would force exiting drivers wanting to go west on Shea to instead turn right onto Shea, proceed a quarter mile east to the 96th Street signal, make a U-turn at the signal, and then proceed back a quarter mile to the point of beginning. We do not believe that this is reasonable, safe or viable alternative. We believe that the proposed left-in/left-out "porkchop" partial median break benefits all stakeholders - our project gets the access that we need, the Aventura condominiums maintain the access they have and want, and the City gets a successful high quality retail/office project with the least potential traffic impact of any of the other access options.

PARADISE
MEMORIAL
CEMETERY

BECKER LANE
(private drive)

AVENTURA
CONDOMINIUMS

SHEA BOULEVARD



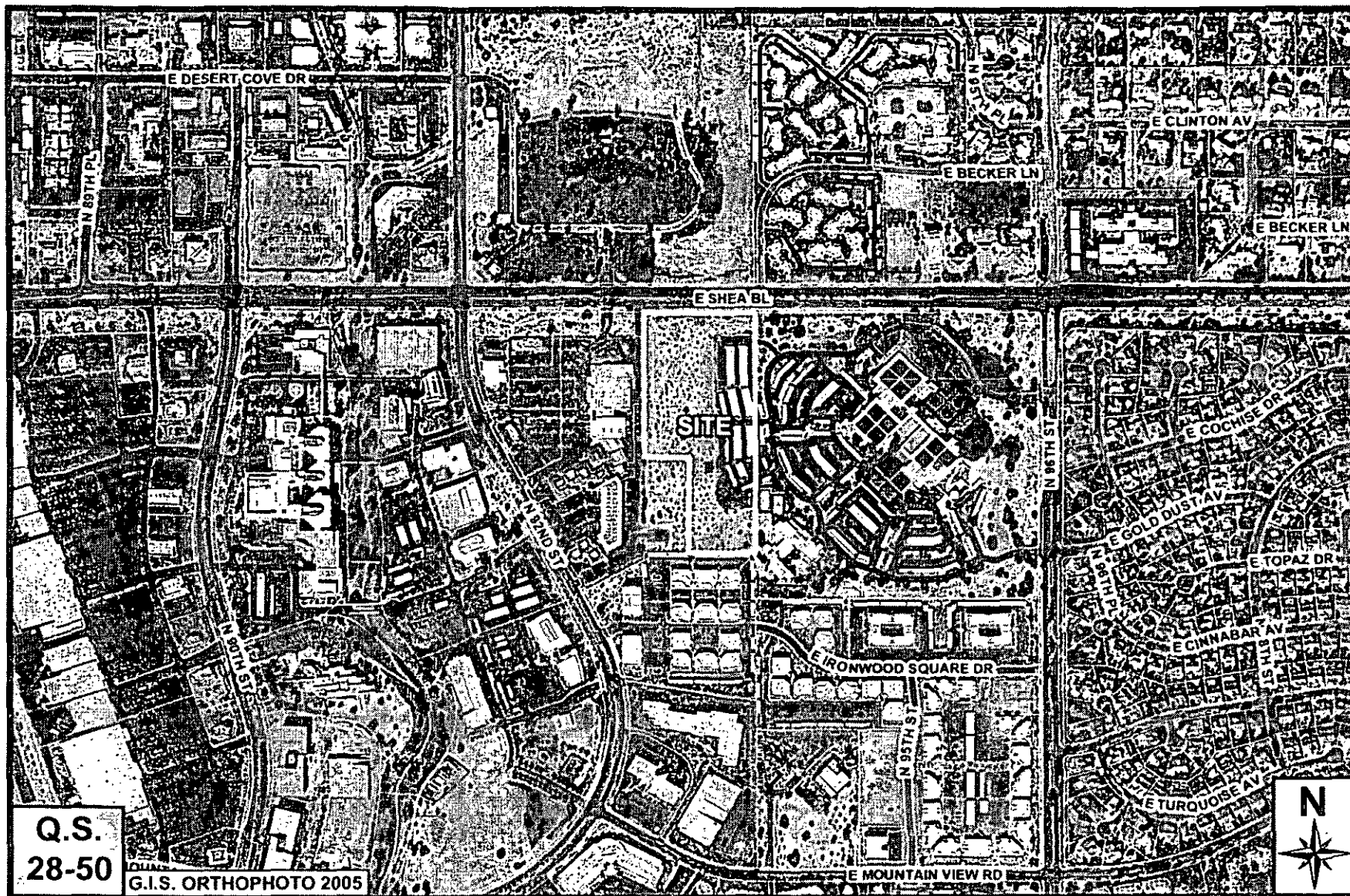
SHEA BOULEVARD

9400 SHEA

PROJECT DRIVEWAY

CAREMARK

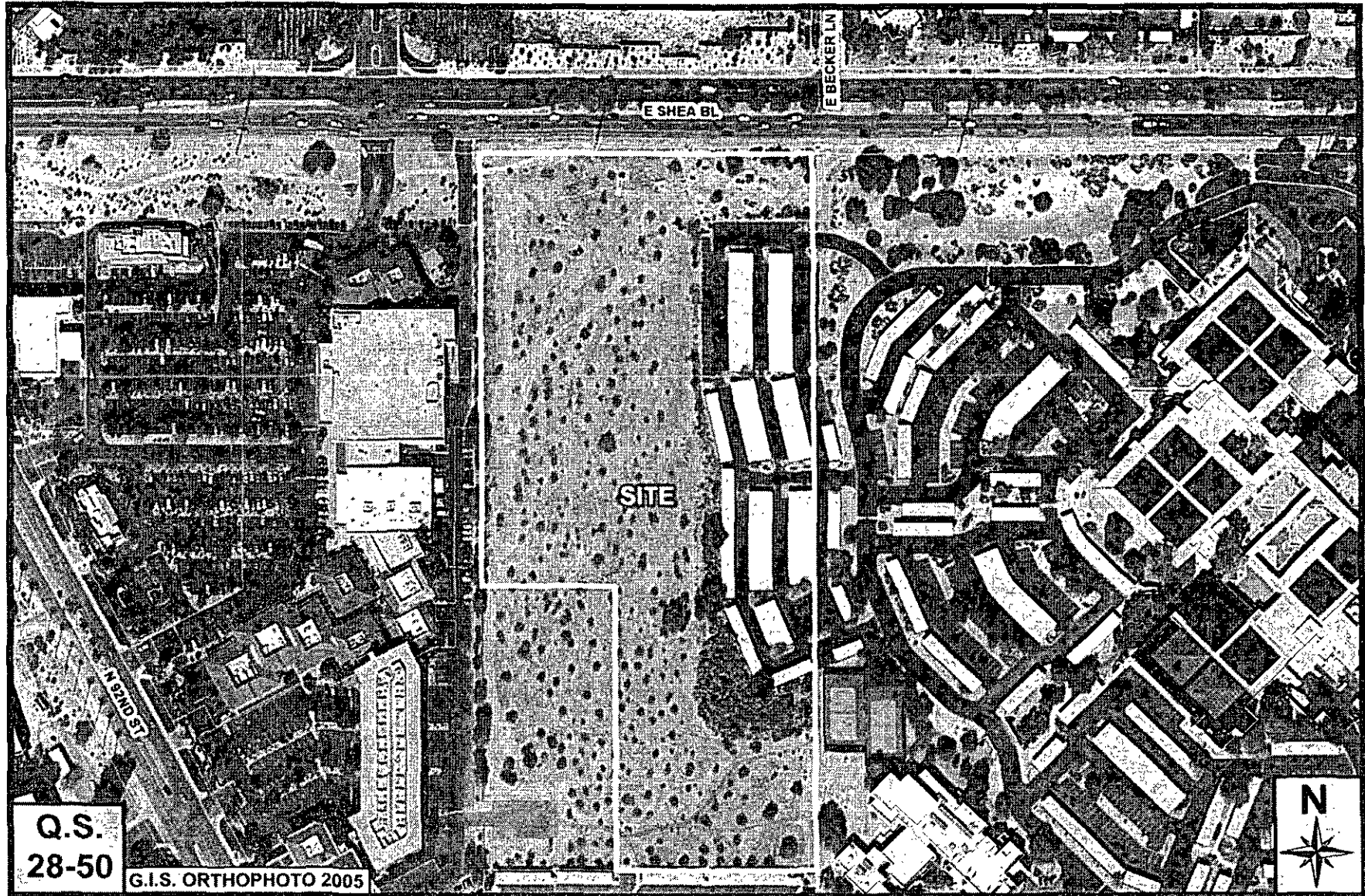




94 Hundred Shea

11-ZN-2002#2

ATTACHMENT #3



94 Hundred Shea

11-ZN-2002#2

ATTACHMENT #3A

Aventura Condominium Association
c/o Rossmar & Graham Inc.
9362 Raintree Drive
Scottsdale, AZ 85260

September 30, 2006

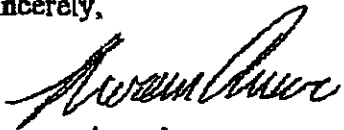
Lynne A. Lagarde
Earl, Curley & Lagarde, P.C.
3101 N. Central Avenue
Suite 1000
Phoenix, AZ 85012

Dear Ms. Lagarde,

This letter is in response to our meeting on September 23, 2006, at the Aventura Clubhouse, where John Rosso, Michael Leary, and yourself presented several curb options for the new Mercado development on the south side of Shea Boulevard. We support the "pork chop" option because it allows access to your development from both sides of Shea Boulevard, but more importantly because this type of curb divider will prevent direct access to East Becker Lane from Shea Blvd.

Best wishes on your development. If you have any further questions please call me at 480-661-0234 or 310-545-9634.

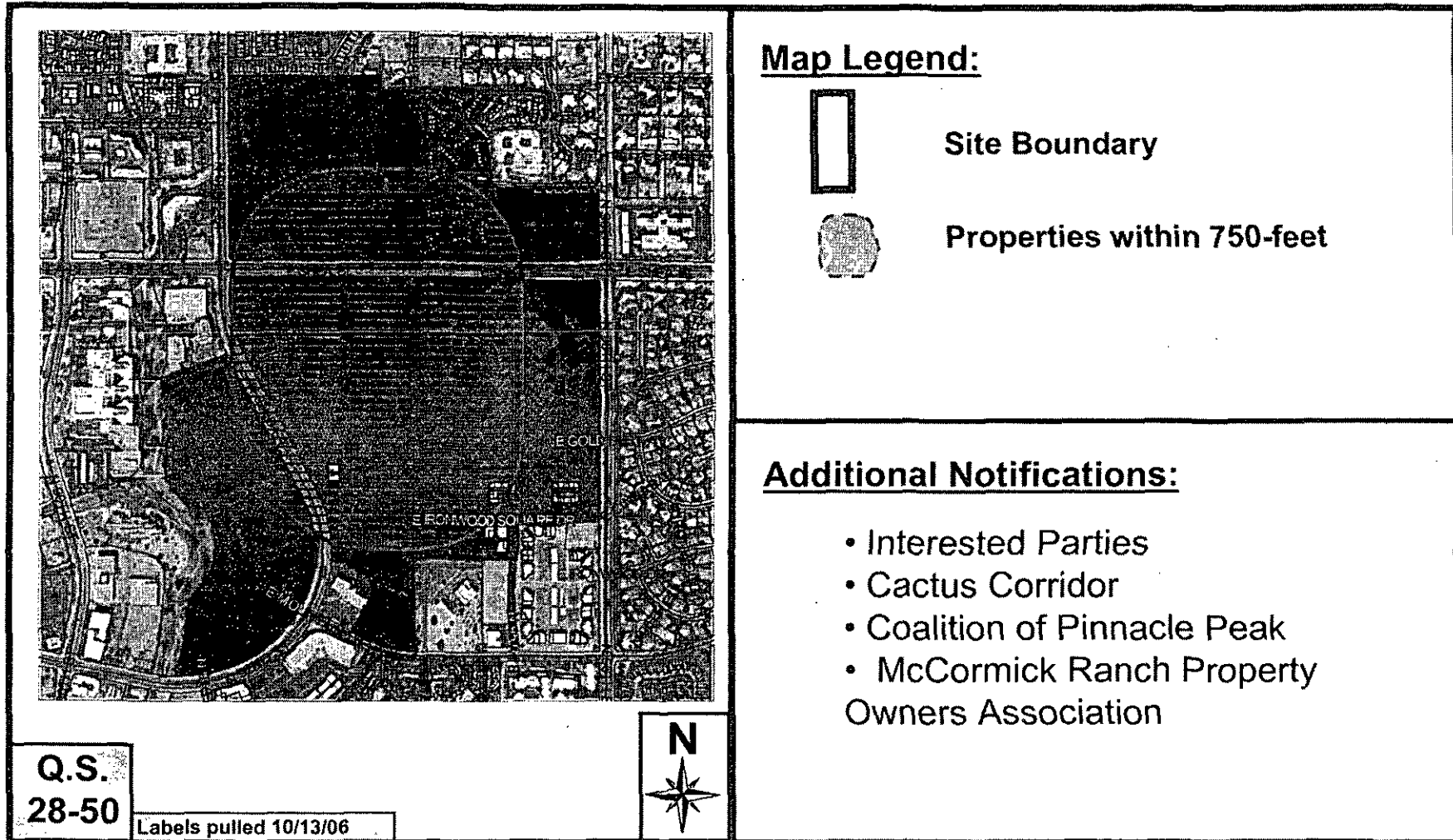
Sincerely,


Shereen Ansari
President
Aventura HOA Board

ATTACHMENT #5

11-ZN-2002#2
10-12-06

City Notifications – Mailing List Selection Map



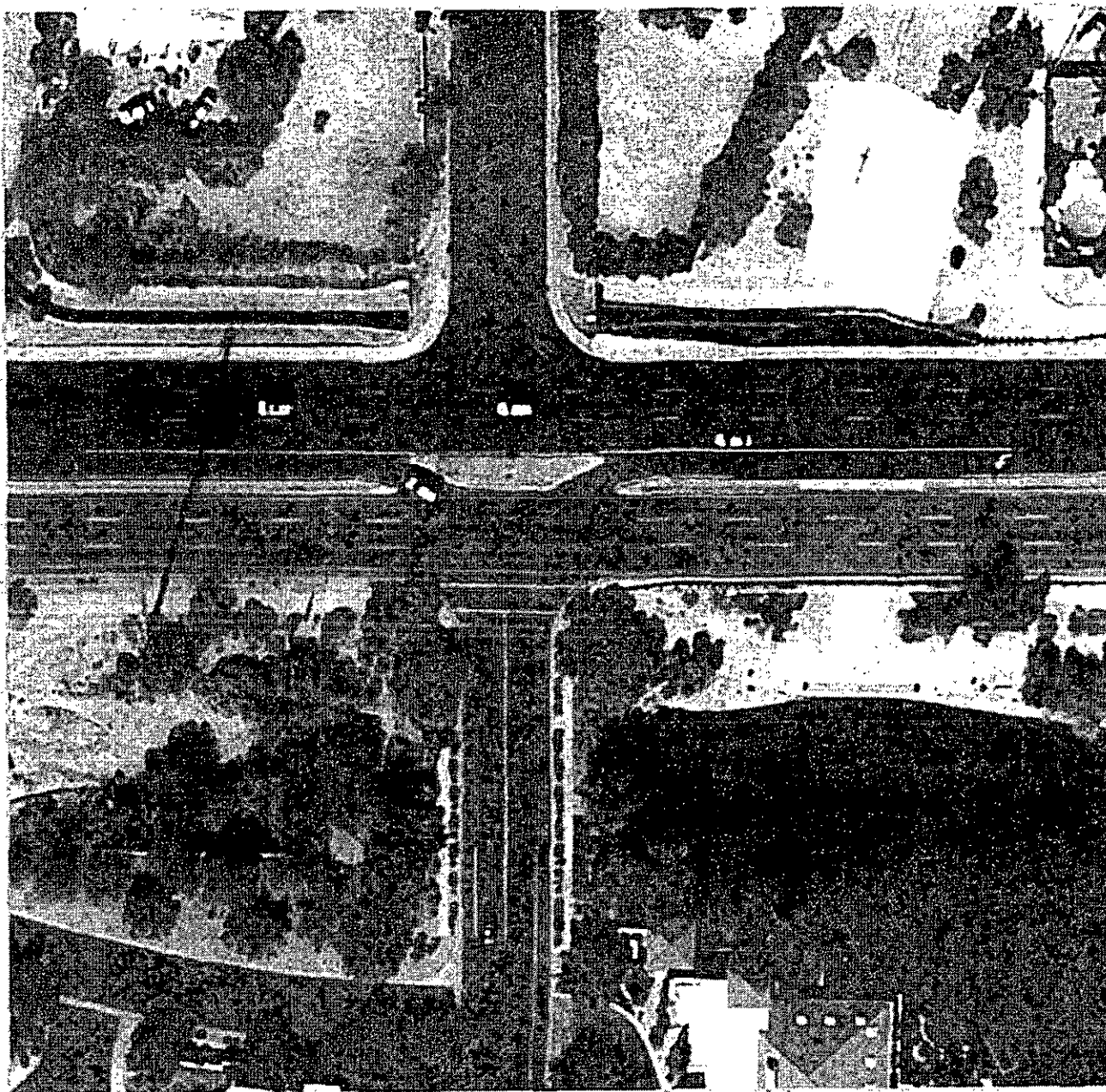
94 Hundred Shea

11-ZN-2002#2

ATTACHMENT #6



LEFT-IN ONLY MEDIAN OPENING EXAMPLE



PORK CHOP STYLE MEDIAN OPENING EXAMPLE

MINUTES REVIEW AND APPROVAL

1. November 8, 2006 (including Study Session)

VICE-CHAIRMAN HEITEL MOVED TO APPROVE THE NOVEMBER 8, 2006 MINUTES INCLUDING THE STUDY SESSION. SECONDED BY COMMISSIONER SCHWARTZ, THE MOTION CARRIED UNANIMOUSLY BY A VOTE OF SIX (6) TO ZERO (0).

CONTINUANCES

2. 16-AB-2006 Windmill Plaza Revitalization

Request by owner to abandon a apportion of the alley north of Gold Dust Avenue to allow redevelopment of the site located at 10207 N. Scottsdale Road.

3. 13-AB-2006 Atalon

Request by owner to abandon the right-of-way, roadway easements and public utility easements on Parcel 16 and Parcel 17 located at 11753 E. Pinnacle Vista Drive.

VICE-CHAIRMAN HEITEL MOVED TO CONTINUE 16-AB-2006 TO THE JANUARY 10TH 2007 MEETING AND 13-AB-2006 TO THE DECEMBER 13, 2006 MEETING. SECONDED BY COMMISSIONER BARNETT, THE MOTION CARRIED UNANIMOUSLY BY A VOTE OF SIX (6) TO ZERO (0).

EXPEDITED AGENDA

4. 22-AB-2006 Eckholm Residence

Request by owner to abandon the General Land Office (GLO) easement on the north side of the property located at 10550 E. Sunnyside Drive.

COMMISSIONER BARNETT MOVED TO APPROVE 22-AB-2006. SECONDED BY COMMISSIONER STEINKE, THE MOTION CARRIED UNANIMOUSLY BY A VOTE OF SIX (6) TO ZERO (0).

REGULAR AGENDA

5. 11-ZN-2002#2 94 Hundred Shea

Request by owner to amend the existing circulation stipulations including, but not limited to access to Shea Boulevard on a 7+/- acre parcel located at 9325-9397 E. Shea Boulevard with Highway Commercial District, Planned Community District (C-3 PCD) zoning.

Mr. Curtis addressed the Commission. His presentation included an aerial photo of the site with the approved site plan superimposed, depicting the main driveway entrance onto Shea with no median break at the main driveway entrance. The

proposal would allow left turn movements into and out of the site; Mr. Curtis presented examples of the proposed median.

In response to a request by Commissioner Steinke, Ms. Scott explained that the Transportation Department did not consider the requested median a new median break because the break in the median was previously approved in 2002; it was considered a modification. The Transportation Commission declined to make a formal recommendation on the matter.

Commissioner Steinke expressed concern about a left turn out across Shea, noting the City Council actually prohibited left out in 2002. He questioned what had changed for the better since 2002 in terms of traffic flow and movement of traffic in the area that would make having a left turn out more feasible than it was in 2002. Vice-Chairman Heitel commented that potential for danger may exist.

In response to an inquiry by Vice-Chairman Heitel, Mr. Kercher explained that the original request in 2002 would have provided access to both the north and the south sides of Shea giving access to the apartments. The apartment project has since converted to condominiums and their HOA board expressed a concern about cut-through traffic. Mr. Kercher noted that the HOA board supported the change and the proposed median configuration.

Commissioner Barnett asked why a traffic survey or traffic count were not included with the application. Mr. Kercher explained that a traffic analysis is typically only provided with a change in zoning this is a request for a change to the access. He noted the traffic analysis did address left-out turning movement. An accident analysis for the median to the west indicated a low number of incidents.

Mr. Kercher recalled that in 2002 staff's position was to limit the access and the number of conflict points to make the area safe. At that time negotiations with the Applicant resulted in an agreement to accept a left in situation; staff continues to oppose a median break or traffic signal at the location. Staff has had good experience with the "porkchop" median design in terms of operating safely and moving traffic and supported that option in this location.

In response to a comment by Commissioner Barnett regarding whether the median would be requested if the retail component was not present, Mr. Kercher agreed the staff position may be different. Commissioner Barnett opined that the underlying use should dictate what happens in the Transportation Plan. Mr. Kercher reiterated that the basis for supporting the request was the positive experiences resulting from the porkchop design.

Ms. Lynne Lagarde addressed the Commission. She reviewed the history of the site, stressing that customer access was necessary regardless of the use. The reason left turns were originally prohibited was in hopes that access would be acquired from the Mercado.

Ms. Lagarde reviewed the different options that were considered, noting that staff was not in favor of a full median break. This would be a deviation from the Shea Policy, which would require Transportation Commission consideration. Outreach

determined that neighbors felt that cut-through traffic would have a severe impact on their community. The "porkchop" median design was the most reasonable solution. She opined that the proposal would not be a deviation from the Shea Policy because it was a reconfiguration of an approved opening. She noted that the Transportation Commission participated in a brief discussion and did not feel it necessary to take a position on the subject.

In response to a question by Chairman Steinberg, Ms. Lagarde confirmed that the property to the east which is being encroached upon is being purchased by the Applicant.

Vice-Chairman Heitel commented that parcelization was creating part of the problem. Ms. Lagarde clarified that the parking lot was a leased area from the neighboring property; the site was always planned for commercial as a separate parcel.

Commissioner Steinke commented that a retail site to the west has only right out options, which does not preclude them from operating successfully. He opined that the City Council would need to revisit the original stipulation created in 2002 which intended to keep a handle on any additional cross access on Shea; that stipulation was punctuated with the policy that went into effect in 2003. He noted a fundamental problem with left-out access and remarked that he appreciated the challenges faced regarding ingress and egress issues.

Mr. Leary, Applicant, noted that the site was 100 percent landlocked except for access on Shea Boulevard and reviewed the only existing exit options. He confirmed that the property had gone through a lot split process and was not given access opportunities; the Mercado is unwilling to provide access. He opined that the porkchop median was a safer configuration than a full median break because it would provide a refuge lane.

In response to a question by Chairman Steinberg, Mr. Curtis noted that "porkchop" medians generally use pavers and do not have landscaping which may impair vision.

Vice-Chairman Heitel provided a sketch to be displayed of a "porkchop" design with an extended tail, which he opined would provide additional safety by allowing several cars to pull out into the median and preventing cars from shooting across the lanes of traffic. Mr. Kercher remarked that the restricted medians must be able to provide access for fire trucks. He opined that people do not generally shoot out across the lanes. Commissioner Schwartz agreed with Vice-Chairman Heitel's idea and suggested that the fire trucks be accommodated by narrowing the existing median to accommodate the width.

Commissioner O'Neill inquired whether the land had already been purchased from the neighbors. Mr. Leary clarified that it was an acquisition of an easement from the landowner to the east. He clarified that the property on the southwest corner was owned by the Mercado and they will not provide access.

Commissioner Barnett commented that he was uncomfortable with cases where he was not in favor of the solution, but there were no other possible options for solving the issue.

COMMISSIONER SCHWARTZ MOVED TO APPROVE CASE 11-ZN-2002#2 INCLUDING THE DIAGRAM THAT VICE-CHAIRMAN HEITEL DREW IN THE PACKET AS AN EXAMPLE TO AID STAFF IN WORKING WITH THE APPLICANT TO EXTEND THE "PORKCHOP" MEDIAN OUT TO A POINT WHICH WOULD PREVENT CROSS-OVER TRAFFIC WHEN MAKING A LEFT HAND TURN. COMMISSIONER BARNETT SECONDED THE MOTION.

Commissioner O'Neill suggested that another option would be using tubular markers as a visual deterrent, which may provide more width for the fire trucks. He agreed that a solution should be found to solve the problem, but was not sure it should be spelled out in the motion. Mr. Kercher noted that the tubular markers tend to be a maintenance problem. Another similar option would be dagmars (raised pavement markers), which the risk management department frowns upon.

Commissioner Schwartz clarified that his motion was intended only as a guide to try to extend the porkchop.

**THE MOTION CARRIED BY A VOTE OF FIVE (5) TO ONE (1).
COMMISSIONER STEINKE DISSENTED.**

6. Discuss and consider the potential reconsideration of the Scottsdale Estates 4 Neighborhood Historic District (9-ZN-2006/13-HP-2006)

Discuss and consider the potential reconsideration of the Scottsdale Estates 4 Neighborhood Historic District (9-ZN-2006/13-HP-2006) Planning Commission hearing held on November 8, 2006 where the Planning Commission voted 4:2 to recommend approval to rezone 124 lots located on the northwest corner of Oak and 74th Street (approximately 29 acres) from Single Family Residential District (R1-7) to Single Family Residential District, Historic Property (R1-7 HP) with an Historic Property overlay.

Commissioner Schwartz recalled that numerous debates had occurred regarding making sure proper notice is given during discussions and finalizations of Historic District Overlays, as well as for those buying properties in the future. He noted that the HP Overlays act as a guide similar to CC&Rs for these areas, most of which were annexed from the County.

Commissioner Schwartz clarified that his motion to approve the HP Overlay was made with the understanding that continued dialogue would take place to resolve the notification issue. He noted an unwillingness of the Historic Preservation staff to take Planning Commission suggestions and guidance in protecting future property owners of these subdivisions. It was suggested that stipulations requiring additional signage as well as providing effective notice after the zoning became effective be agreed upon and included in the application to City Council. The Historic Preservation representative was not interested in discussing any stipulations.



DRAFT
SUMMARIZED MINUTES
CITY OF SCOTTSDALE TRANSPORTATION COMMISSION
REGULAR MEETING
THURSDAY, DECEMBER 21, 2006
KIVA CONFERENCE ROOM – CITY HALL
3939 N. DRINKWATER BOULEVARD
SCOTTSDALE, ARIZONA 85251

CALL TO ORDER

Chair Gilliland called the regular session of the Scottsdale Transportation Commission to order at 5:21 pm.

1. ROLL CALL

PRESENT:

Mark Gilliland, Chair
Brian Davis, Vice-Chair
William Howard, Commissioner
Andrea Michaels, Commissioner (arrived 6:26 p.m.)
Matthew Taunton, Commissioner
Josh Weiss, Commissioner

ABSENT:

Kelly McCall, Commissioner

STAFF PRESENT:

Debra Astin, Transportation Manager
Rose Arballo, Transportation Commission Coordinator
Teresa Huish, Principal Transportation Planner
Dave Meinhardt, Transit and Transportation Planning Director
Paul Porell, Traffic Engineering Director
Luis Santaella, City Attorney

OTHERS PRESENT:

Dan Coredor
Susan Tierney
Yonel Grant

2. Approval of Meeting Minutes

Chair Gilliland reviewed Commissioner McCall's suggested revisions to the minutes of the joint meeting with the City of Phoenix Citizen's Transit Commission. Page five, paragraph three, should be changed to reflect that the City of Phoenix Council Districts determine the need and the specifics of circulator routes internally and that the plan calls for circulators to be established within each of the Council District areas. In section three, page seven the word "collected" should be changed to "distributed."

In the regular meeting minutes, Commissioner McCall further suggested that during Mr. Hales' presentation, the terminology on page five, paragraph one, be changed from "trolley," to "high-capacity transit", and in paragraph three the term "trolleys" be changed to "vehicles". Furthermore, on page six, paragraph one, the term "trolley" be changed to "choice of HCT mode." The typographical error on page eight, section six should be changed from "2400 Shea" to "9400 Shea," and the items be reordered a and b.

COMMISSIONER HOWARD MOVED TO APPROVE THE MINUTES OF THE NOVEMBER 16, 2006 JOINT MEETING OF THE TRANSPORTATION COMMISSION AND PHOENIX CITIZENS TRANSIT COMMISSION, AND THE MINUTES OF THE REGULAR MEETING OF NOVEMBER 16, 2006, AS AMENDED. COMMISSIONER TAUNTON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY BY A VOTE OF FIVE (5) TO ZERO (0).

3. **Public Comment**

There were no public comments.

4. **Shea Boulevard Access Modification**

Mr. Porell updated the Commission on the project at 9400 Shea Boulevard. The developer has requested a modification to a zoning stipulation concerning access onto Shea Boulevard. The current stipulation limits access to "right in," "right out" and "left in." The request is to allow "left out" access as well. Similar access is used extensively along Shea Boulevard at several locations. Staff agree that the request is an appropriate solution to access needs for the site and should be approved.

Mr. Porell clarified for Commissioner Weiss that the City Attorney's Office has requested the Commission's recommendation of the modification in order to be able to present the request to the Planning Commission and the City Council.

Commissioner Howard inquired if the residential development on Becker Lane north of Shea has altered its approval of the modification. Mr. Porell indicated that it has not.

Mr. Porell confirmed for Commissioner Weiss that the configuration of the island allows vehicles exiting the site to turn left into a designated space in the median before merging into westbound traffic.

VICE-CHAIR DAVIS MOVED TO RECOMMEND APPROVAL OF THE PROPOSED ACCESS MODIFICATIONS AT 94TH AND SHEA BOULEVARD. COMMISSIONER TAUNTON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY BY A VOTE OF FIVE (5) TO ZERO (0).

5. **RPTA Strategic Plan**

Mr. Grant of Booz Allen Hamilton Inc., provided an update on the RPTA's development of a new transit Strategic Plan and asked the Commission to provide input. Proposition 400 extended the life of the RPTA and expanded its responsibilities. The RPTA's current funding is in excess of \$100 million, a substantial increase over previous years. Proposition 400 extends to FY2026 and specifies projects that are planned throughout the Valley. Five-year

audits begin in 2010. A new executive director, Dave Boggs, has been in charge for over a year and new finance, planning and operations executives have been named.

Public transportation provides a solution to ever-increasing congestion. The Strategic Plan determines the broad goals of the 14 agencies that make up the RPTA. A large number of community stakeholders were consulted to determine expectations that include:

- high quality transportation service
- delivering on Prop 400
- access to jobs, medical facilities
- facilitating service for new members of RPTA
- obtaining cooperation of many agencies to determine best possible service
- member confidence in RPTA
- regional Dial-a-Ride
- comprehensive planning to avoid duplicating services

A draft mission statement was prepared that reads, "The RPTA develops and delivers an integrated regional transit system with excellence in collaboration with member agencies and through public and private partnerships."

The vision statement for the RPTA is, "Enabling people in Maricopa County to travel with ease using safe, accessible, efficient, dependable and integrated public transportation services."

Agency goals were formulated as a way of fulfilling the mission and vision statements. The goals are:

- developing cost-effective services
- delivering on Prop 400
- integrate services across the region
- increasing transit visibility
- hire, retain and develop top talent
- contribute to and enhance the quality of life in the region

The roadmap looks over the next twenty years and identifies the roles and responsibilities of the agency. The two primary considerations are that:

- users of the system will receive better service
- a stronger regional role would result in significant cost savings

In the future, the RPTA can potentially take on more of a delivery role instead of just a planning role, saving municipalities money. The agency can alternatively become a full regional authority responsible for planning, funding, and operations.

Mr. Grant solicited the Commission's comments that would be used when formulating the final recommendations for the RPTA Board in March.

Mr. Meinhart provided an overview of Scottsdale's current relationship with the RPTA. The City has a dedicated revenue source for transportation enhancements that generates close to \$10 million annually. All fixed route bus services are contracted through RPTA/Valley Metro or through the City of Phoenix. Changes to routes are handled primarily at the City level,

though express routes are largely planned by the RPTA. Trolley service is planned entirely at the City level and contracted out to a third party.

Chair Gilliland invited public commentary. Mr. George Knowlton asked that the City not get involved in something that it cannot get out of.

Commissioner Howard opined that increased reliance on the RPTA might result in a larger organization with interests that may or may not reflect those of the citizens of Scottsdale. He inquired about mechanisms by which citizens can provide input to the Board. Mr. Grant listed the City of Scottsdale staff, regional outreach programs, and the use of RPTA website surveys as possible avenues that citizens can use to communicate their concerns.

Commissioner Howard reiterated his concern that the RPTA is isolated from its constituent body and called for a clear mechanism by which citizens can directly participate in RPTA affairs. Ms. Susan Tierney, Public Information Officer for Valley Metro, responded that Councilman Ecton represents Scottsdale on the RPTA Board of Directors. Board meetings are held monthly and are open to the public. Commissioner Howard opined that by channeling the diverse interests of the Scottsdale community into only one channel, public input is limited. Ms. Tierney noted that special public meetings could be held to collect the opinions of Scottsdale's citizens.

Vice Chair Davis inquired about the difference between the RPTA and Valley Metro. Mr. Grant responded that Valley Metro is the identifier for transit across the Valley. The name used to simply be RPTA but now it is Valley Metro/RPTA. Vice Chair Davis opined that local operations and route planning appropriately could remain with Scottsdale but some functions would benefit from economizing on a regional scale. Mr. Grant said one area that benefits from regional authority is procurement, which allows equipment purchases to be made through a central buyer rather than through multiple smaller agencies competing individually.

Commissioner Taunton opined that the stated goals of the RPTA do not include any mention of the passenger. He further opined that the phasing of projects be planned carefully to build momentum in the early stages with successful projects. The area where the RPTA can best benefit customers is by uniformly marketing the system. Currently the information available varies widely from city to city.

Chair Gilliland inquired if Mr. Grant intends to return once draft recommendations have been formulated. Mr. Grant responded that there currently are no plans to do so. Chair Gilliland indicated that much needed to be considered before the Commission can take any particular action.

Commissioner Howard opined that the stated goals of the presentation offered little substance, therefore the Commission could offer only limited feedback.

Chair Gilliland inquired what the Strategic Plan would entail in April. Mr. Grant responded that the Plan will have documentation of all the steps in the process to date. It will document the roadmaps with some specific dates. The plan will contain an analysis of the benefits and tradeoffs of bringing the functions under the fold of the RPTA. Chair Gilliland stated that at such point, the Commission would be able to consider the proposal, but concurred with Commissioner Howard that there is little that can be decided on at the present.

Commissioner Taunton opined that much confusion exists about how transit is planned and programmed regionally, but that efforts being taken by the RPTA are a step in the right direction.

Chair Gilliland opened the floor to public commentary. Mr. Dave McDonald said the term "mobility" is missing in the RPTA's statements and goals, nor is there mention of taxi vouchers.

6. Trolley System Marketing/Logo Recommendation

Ms. Astin, Transportation Manager, and Mr. Coredor representing Asylum Pipeline, presented the new trolley logo for the Commission's approval. Asylum Pipeline was hired to produce a cohesive marketing and branding program to alleviate confusion over the trolley system. On December 11, a meeting was held to solicit additional public commentary. The number and variety of avenues used to announce the meeting exceeded the norm in order to ensure that a large and diverse variety of opinions were gathered. Fourteen individuals submitted comments regarding the logo specifically.

The most frequent comment called for incorporating the trolley logo with the City logo. Ms. Astin noted that the City seal and logo are federally trademarked. Any alteration or mimicry of the logo, even by the City of Scottsdale itself, violates the trademark law. The trolley logo therefore cannot jeopardize the City logo. Mr. Coredor added that unless a trademark is actively protected, it becomes open to abuse from third parties. The City of Scottsdale has always protected its trademark. Ms. Astin noted that the City logo would have a presence on the vehicles in addition to the trolley logo.

The design of the logo is intended to encompass the entirety of the system. Three factors were considered when deciding its appropriateness:

- it implies that the trolley is a City of Scottsdale service
- it is a system and that it's easy to use
- it attracts people to ride the trolley

The proposed name Scottsdale Trolley Lines denotes a system. The logo features easy to distinguish colors wrapped in a white outline with simple text. These elements communicate simplicity that translates to ease of use for passengers. The center of the logo features a design adapted from a Native American petroglyph and can be related to a number of reinforcing associations. The abstract element allows it to be utilized in other aspects of the marketing campaign while tying back into the logo. The color palette features complementary colors that support the primary mark.

Ms Astin noted that there are more features in the overall package that tie together, but the focus of this meeting is to recommend approval of the logo.

Chair Gilliland opened the floor to public commentary. Mr. George Knowlton said the City seal should be in the center of the logo instead of the "sun" design. The new logo does not convey the history of the city.

Ms. Darlene Peterson opined that she does not favor the design and concurred that the "horse and rider" element should be utilized in the logo. The word "lines" should be removed from the name.

Commissioner Weiss expressed concern that the design does not take into account input gathered from the community since the last meeting. The presentation did not provide artwork illustrating how the trolley logo would appear in relation to the City logo on the trolleys themselves, inclusion of which could have alleviated community concerns. The presentation also failed to address other comments made by the Commission such as identifying Arizona in some fashion, and use of the word "trolley" possibly serving as a barrier to alternative modes of transport in the future.

Mr. Meinhart responded that the term trolley has been popular in the past and conveys a sense of fun. The trolley image was eliminated from the old logo in acknowledgement that the method of conveyance can change in the future. Ms Astin added that the system used to be called the Scottsdale Roundup, but that nobody referred to it that way. It was popularly called the trolley, regardless of marketing attempts to name it the Roundup. She added that many of the comments that were submitted related to other aspects of the comprehensive campaign and were not specific to the logo that is the present focus.

Vice Chair Davis concurred that community input did not seem to result in any changes. He opined that while the City logo is restricted, another appropriate symbol such as mountains or cactus could have been presented for consideration. Mr. Coredor noted that the project initially defined the parameters that could and could not be used when creating the system's identity. Among those parameters was that the system had to communicate to the large number of visitors that visit Scottsdale. The designers felt that while a bucking bronco may evoke local atmosphere to citizens of the city, to outside visitors such imagery may convey something other than a comfortable ride.

In response to Vice Chair Davis' inquiry, Ms. Astin noted that the City seal is finely detailed and is therefore better suited for close-up uses such as letterheads. The City logo on the other hand is more suitable for uses such as the trolley where finer detail would be lost from a distance on an object in motion. Mr. Coredor clarified that trademark protection considerations do not prevent the logo from being used at all; instead it restricts the context and manner in which it is used.

Mr. Meinhart responded to Vice Chair Davis by saying a logo recommendation was necessary in order to allow the rest of the design process to move forward. Vice Chair Davis opined that the presentation would have better served its purpose if it had provided a number of alternatives to choose from.

Commissioner Michaels opined that if the City logo were displayed as prominently as the new trolley logo, it would satisfy the majority of concerns regarding the bronco image.

Mr. Meinhart responded to Commissioner Michael's inquiry regarding the use of the logo for commercial purposes, saying the City seal is intended for official documents only, whereas the City logo can be used in other ways such as sponsoring events and programs. The city store does sell merchandise with the City logo on it.

Ms. Dixie Whitter opined that the logo looks like a target, it does not look like Scottsdale.

Commissioner Taunton noted that the overall design and color scheme seemed to win widespread approval, but the point of contention seemed to be the abstract design in the center and an alternative may need to be provided. Mr. Coredor responded that the design could be revisited, as long as clear direction is provided.

Chair Gilliland concurred that the overall design is satisfactory, but that the community is expressing concern over the loss of its identity. The trolley logo as currently configured does not address those concerns. He opined that somehow the logo should be modified to express Scottsdale's western heritage. He concurred that alternatives utilizing other icons of the West be considered.

Commissioner Howard noted that no other city incorporates their city logos into the transit logo, and the use of colors to identify individual lines is widespread. He opined that it was difficult to provide an answer to Mr. Coredor's question without having alternatives to compare to. The Western motif is present in the current design but perhaps needs to be more explicit to respond to the community's concerns.

Mr. Coredor responded that the concerns being aired were not a part of the initial brief and therefore were not specifically addressed in the design, but that the team can readdress the issue within the strategic framework that has been defined.

Commissioner Weiss opined that it might be more beneficial to look forward than to look back at past design versions. Scottsdale identifies itself as being part of a Western heritage, as distinct from a Native-American heritage. The logo should address that.

Mr. Meinhart responded to Commissioner Weiss's inquiry by saying that requests for new design work would likely entail new costs, whereas looking at older designs would not. Mr. Coredor added that the deliverable was rooted in the work order that was crafted. The design was created to address a balance between the old west versus progressive themes. The Native-American abstract allowed for a wide variety of interpretations. Converting to an Old West theme would require a re-scoping of the project to a certain degree.

Commissioner Weiss expressed disappointment with the staff having instructed the designers not to incorporate comments from the public. Mr. Meinhart clarified that staff was responding to the advice that the City logo not be used in the new logo for trademark reasons. The bulk of the comments made by the community affected the comprehensive plan rather than just the primary logo itself.

Chair Gilliland opined there was no point in looking at old concepts if they do not address community concerns about Western heritage. Ms. Astin said that the creative brief would need to be reopened in order for such elements to be incorporated into the design.

Commissioner Michaels suggested that if the creative brief is to be revisited that considerations be made to the marketability of the logo as a potential revenue stream for the City.

7. DRAFT FY 2007/08 Capital Improvement (CIP) Budget

As part of the annual process, Mr. Meinhart reviewed the draft Capital Improvement Program for the upcoming five fiscal years and requested the Commission make a recommendation to the City Council.

There have been few changes from the standpoint of adding new projects to the program. Construction costs have risen faster than the average rate of inflation. Subsequently,

additional revenue from increased sales tax revenue has been used to keep pace with these costs rather than being available to start new projects.

Major projects that have been completed in the past year include the Hayden Road corridor projects, Thompson Peak Parkway, the Hayden/McDonald intersection, and wall and path improvements on the Pima corridor.

Revenue from the Bond 2000 program fell by 18% and will be largely depleted by FY 2009.

New projects include an extension of the multi-use path along the Arizona Canal corridor from Chaparral to McDonald, and pedestrian enhancements in the downtown area.

Continuing programs include traffic management, traffic signals, neighborhood traffic management, intersection mobility enhancements, general sidewalk improvement, and bikeways programs. There are no major changes from previous years.

One program recommended for deletion is a second bridge over Reata Pass Wash on the Thompson Peak Parkway corridor in DC Ranch. The existing bridge should be able to handle projected traffic for a few more years.

Commissioner Taunton inquired how spot improvements are budgeted. Mr. Meinhart responded that such activities are accounted for in programmatic accounts such as the intersection mobility enhancements or sidewalk improvements accounts.

Commissioner Howard requested that staff provide estimates of the impact that projects will have on the City's operating budget.

Commissioner Michaels inquired how the budget reflects Scottsdale as a bike-friendly community. Mr. Meinhart said it is difficult to quantify bike lanes on the streets since they are tied into street budgets, but he estimated that such expenditures could be double the investment in dedicated bike paths.

Commissioner Michaels requested more detail on the costs for design work for Happy Valley Road from Pima to Alma School. Mr. Meinhart responded that enough money was set aside to get the project into the design process to address capacity needs east of Pima Road.

Chair Gilliland inquired about the large expenditures for the Loop 101 park and ride. Mr. Meinhart said the initial site chosen for the project became too expensive due to rising land costs. The new site near the Mustang Library is currently in the site analysis phase. Expenditures are primarily for land-related costs and some improvement costs. The cost of property is significant, even under a lease arrangement.

Chair Gilliland further inquired why the Neighborhood Traffic Management Program needed significantly extra money. Mr. Meinhart said estimates ended up being higher than originally projected. Additionally there is currently a significant backlog of requests for improvements. The doubling of the budget was an attempt to address that backlog.

8. Other Transportation Projects

Commissioner Taunton recused himself.

Ms. Huish presented a proposed schedule for additional meetings of the Transportation Commission from January through June. Generally, the additional meetings would fall on the first Thursday of the month and would be in addition to regular meetings on the third Thursday of each month. The purpose of these additional meetings is to review different elements of the Master Plan. They will be held at the Pinnacle Room at 5:30 or 6:00 pm at the discretion of the Commission.

In response to Chair Gilliland's inquiry, Ms. Huish responded that the meetings are intended to operate as work sessions for the Commission to discuss items of interest, but that votes would be taken at regular meetings.

Mr. Meinhart reported that the State Legislature allocated \$180 million to accelerate freeway improvements. Scottsdale submitted a request to accelerate the construction of HOV lanes on the Pima Freeway from the Pima/Princess interchange and extending into Phoenix to SR 51. Express bus service operates much more efficiently with HOV lanes in place. Acceleration would enable the lanes to be completed by 2008 instead of 2011, which coincides with initiation of the proposed express bus service on the 101.

The RPTA is working on adjustments to its fare policy such as using day passes, eliminating transfers, and reducing the standard fare. Ms. Asfin added that the new policy hinges on the procurement of new fare boxes that would allow day passes to be sold on buses.

Mr. Meinhart reported that the Transit Life Cycle Study looks at the revenue and expenditures for capital and operating budgets for transit items in Prop. 400. The key issue is ensuring an equitable return on investment for each community.

9. **Establish Nominating Committee for Chair/Vice Chair**

Chair Gilliland stated that an action item would be added to the agenda for January's study session to determine the Chair and Vice Chair positions.

10. **Public Comment**

There were no public comments.

11. **Identification of Future Agenda items**

Commissioner Davis asked for an update on multi-use paths in Scottsdale.

Commissioner Howard opined that it was critical to hear more from the RPTA once they have concrete goals. Their decisions will have a critical impact on the City of Scottsdale.

12. **ADJOURNMENT**

With no further business to discuss, Chair Gilliland adjourned the meeting at 8:53 p.m.

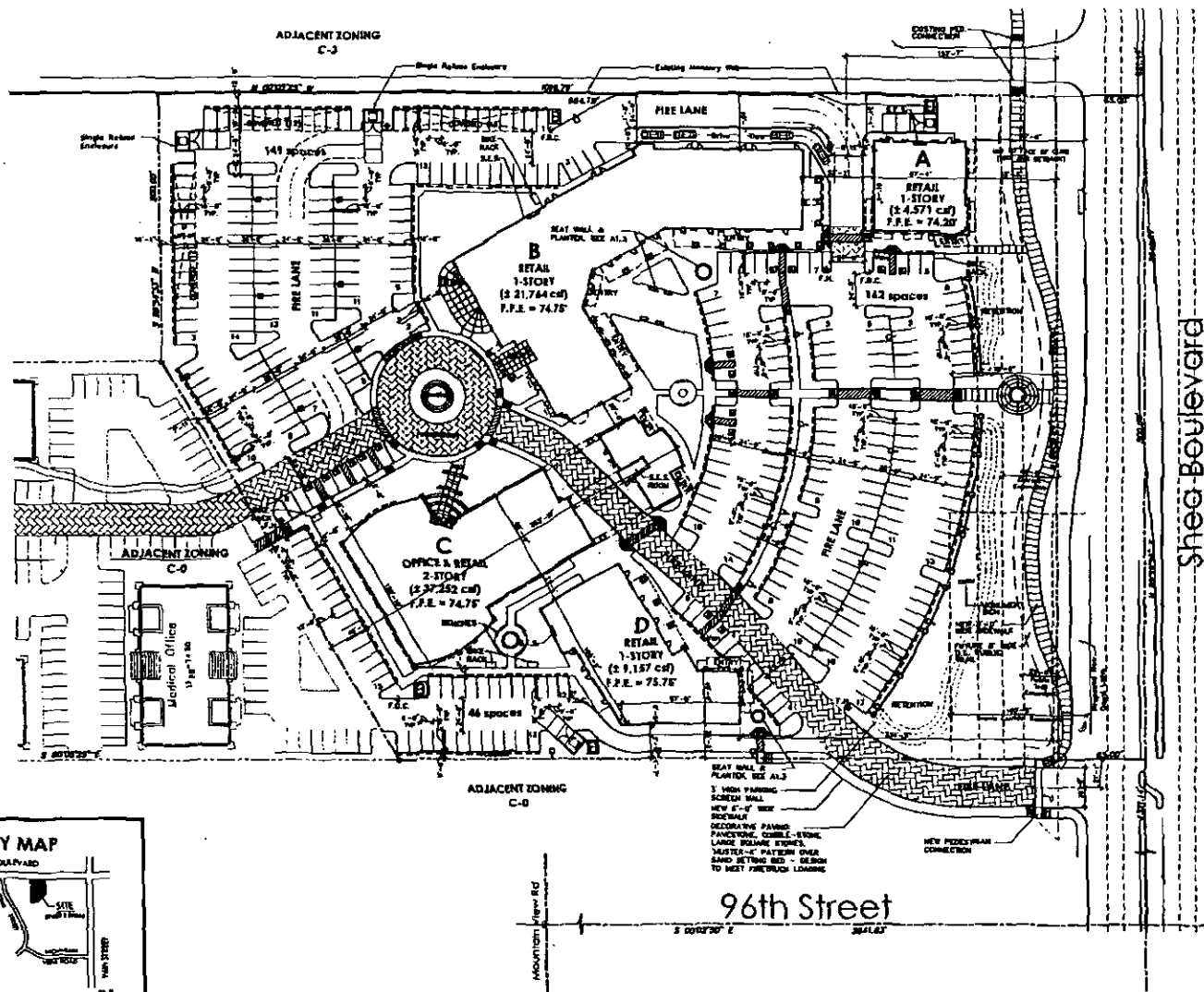
SUBMITTED BY:

AV Tronics, Inc.

NOTE: VIDEO AND/OR AUDIO RECORDINGS OF SCOTTSDALE TRANSPORTATION COMMISSION MEETINGS ARE AVAILABLE FROM THE SCOTTSDALE TRANSPORTATION DEPARTMENT FOR UP TO SIX MONTHS FOLLOWING THE MEETING DATE.

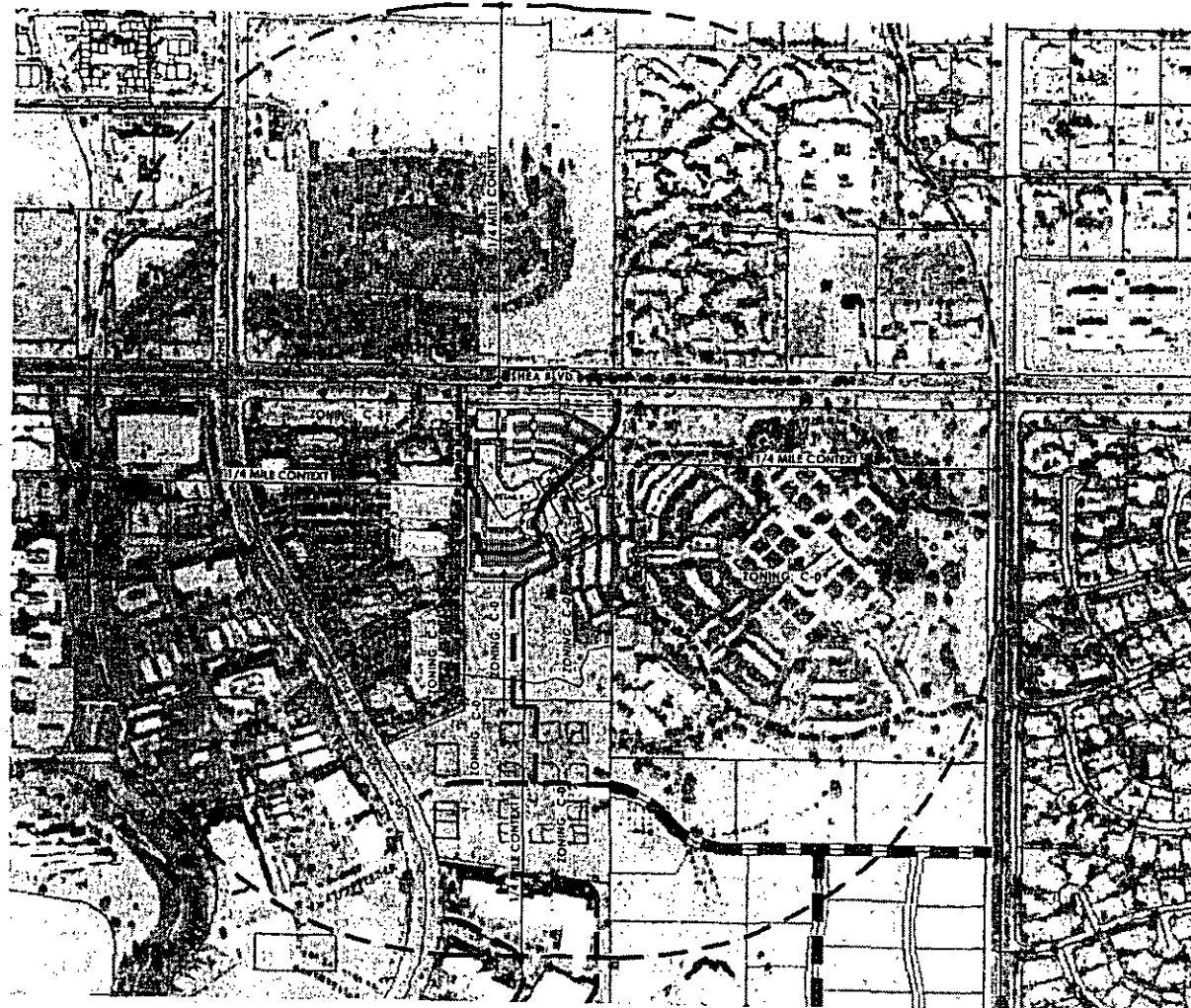
IN ACCORDANCE WITH PROVISIONS OF THE ARIZONA REVISED STATUTES, THE SUMMARIZED MINUTES OF THE TRANSPORTATION COMMISSION MEETINGS ARE NOT VERBATIM TRANSCRIPTS. ONLY THE ACTIONS TAKEN AND DISCUSSION APPEARING WITH QUOTATION MARKS ARE VERBATIM.

DRAFT



CONCEPTUAL SITE PLAN

Site Area (net)	± 306,145 s.f. net (7.03 acres net)
Site Area (gross)	± 338,645 s.f. gross (7.77 acres gross)
Zoning	C-3 PCD
Zoning Case #	103-PA-2003
Office C - Total	± 35,101 s.f.
1st Floor	± 14,634 s.f.
2nd Floor	± 20,467 s.f.
Retail - Total	± 37,607 s.f.
Retail @ Office C	± 2,151 s.f.
Pad A	± 4,535 s.f.
Shops B	± 21,764 s.f.
Shops D	± 9,157 s.f.
Building Area - Total	± 72,708 s.f.
Lot Coverage (net) Allowed	n/a
Lot Coverage (net) Provided	± 17%
F.A.R. (net) Allowed	.80
F.A.R. (net) Provided	± .24
Volume Allowed	± 2,938,992 C.F. (9.6 feet) x (Net Site Area) (9.6 feet) x (± 306,145 s.f.) =
Volume Provided	± 1,040,526 C.F.
Pad A	± 72,560 C.F. = (4,535 s.f. x 16' T.O. Ceiling)
Shops B	± 348,224 C.F. = (21,764 s.f. x 16' T.O. Ceiling)
Office C	± 234,144 C.F. = (14,634 s.f. x 16' T.O. Ceiling)
Retail C	± 204,670 C.F. = (20,467 s.f. x 10' T.O. Ceiling)
Shops D	± 34,416 C.F. = (9,157 s.f. x 16' T.O. Ceiling)
Shops D	± 146,512 C.F. = (9,157 s.f. x 16' T.O. Ceiling)
Required Parking - Total	± 267 spaces
Office Standard	± 112 spaces
Office Accessible	± 5 spaces (4% of required)
Office Total (1/300)	± 117 spaces
Retail Standard	± 144 spaces
Retail Accessible	± 6 spaces (4% of required)
Retail Total (1/250)	± 150 spaces
Provided Parking - Total	± 357 spaces
Office Standard	± 170 spaces
Office Accessible	± 6 spaces
Office Total	± 176 spaces (5.0/1000)
Retail Standard	± 173 spaces
Retail Accessible	± 8 spaces
Retail Total	± 181 spaces (4.8/1000)
Building Height - Allowable	± 36'-0"
Building Height - Provided	± 36'-0"



CONTEXT AERIAL MAP



SCALE: 1"=100'-0"



94 HUNDRED SHEA
9400 E SHEA
SCOTTSDALE, ARIZONA

PATRICK HAYES ARCHITECTURE

ATTACHMENT #11