



**Community & Economic Development Division  
Planning, Neighborhood & Transportation**

7447 East Indian School Road  
Scottsdale, Arizona 85251

June 11, 2013

Ian Swiergol  
Alliance Residential Holdings, L.L.C.  
C/O Broadstone Scottsdale Waterfront, L.L.C.  
2415 East Camelback Road, Suite 600  
Phoenix, Arizona 85016

RE: Broadstone at the Waterfront  
Public Art Requirement

Dear Mr. Swiergol:

This letter is in response to our discussion held on May 31, 2013 at the Salt River Project's administrative offices regarding the public art requirement for the above reference development. I have outlined below the City's requirements regarding the remaining three-hundred eighty-five thousand dollars (\$385,000) in public artwork that is required in accordance with the Scottsdale Waterfront Development Agreement (Contract No. 2003-164-COS, as amended), and the Zoning Ordinance's Cultural Improvement program. Since the artwork and artwork location has not been selected or approved as of the date of this letter, additional requirements may be incorporated, as determined by the Zoning Administrator and/or Building Official.

1. Prior to the issuance of any Temporary Certificate of Occupancy, the Broadstone Scottsdale Waterfront, L.L.C. (Property Owner) shall have obtained approval of:
  - a. a Conceptual Art Plan from the Cultural Council;
  - b. the artwork location from the Development Review Board;
  - c. any required construction documents and have obtained any building permits from the City of Scottsdale to construct the artwork, as determined by the Building Official; and
  - d. any additional requirement, as determined by the Zoning Administrator and/or Building Official.
  
2. Before the issuance of the first certificate of occupancy, or letter of acceptance for the development, whichever occurs first, the property owner shall:
  - a. Obtain approval of the Final Art Plan from the Cultural Council;
  - b. Submit a copy of the Cultural Council approval of the Final Art Plan to the Zoning Administrator;
  - c. Obtain all inspection approvals for the construction of the artwork that are required, as determined Building Official;
  - d. Obtain all approvals from the Cultural Council for the installation of artwork, identification plaque, and itemized account of the expenses

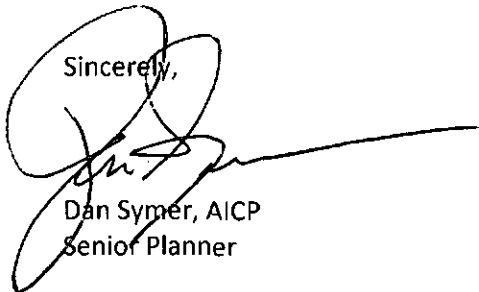
- e. Submit the original signed Letter of Recommendation for a Certificate of Completion, issued by the Cultural Council for the artwork, to the Zoning Administrator;
- f. Obtain a Certificate of Completion from the Zoning Administrator; and
- g. Any additional requirement, as determined by the Zoning Administrator and/or Building Official.

As alternative to receiving the required approvals and constructing the artwork, the property owner may opt to pay the City of Scottsdale an in-lieu fee for the outstanding balance in amount of three-hundred eighty-five thousand dollars (\$385,000) prior to the issuance of any Temporary Certificate of Occupancy. If an in-lieu fee will be paid, please contact me at 480-312-4218 to coordinate the payment.

In addition, a question was asked on May 31, 2013 regarding what costs may be credited toward the required amount of three-hundred eighty-five thousand dollars (\$385,000). In accordance with our meeting held on January 4, 2013 at the City of Scottsdale's One Civic Center building, expenses for the artwork and its installation may only be accounted for. Costs for artist proposals, selection panels, travel expense, etc. shall not credited toward the required artwork amount.

If you have any questions, or need further assistance please contact me at 480-312-4218, or at [dsymer@scottsdaleaz.gov](mailto:dsymer@scottsdaleaz.gov).

Sincerely,



Dan Symer, AICP  
Senior Planner

c: Case File  
Donna Isaac  
Assistant Director  
Scottsdale Public Art  
Scottsdale Cultural Council.